

MINUTES OF THE CITY COUNCIL WORKSHOP  
CITY OF COLLEGE STATION  
DECEMBER 8, 2011

STATE OF TEXAS §

COUNTY OF BRAZOS §

**Present:**

Nancy Berry, Mayor

**Council:**

Blanche Brick  
Jess Fields, arrived after roll call  
Karl Mooney  
Katy-Marie Lyles  
Julie Schultz  
Dave Ruesink

**City Staff:**

David Neeley, City Manager  
Kathy Merrill, Deputy City Manager  
Frank Simpson, Deputy City Manager  
Carla Robinson, City Attorney  
Tanya McNutt, Deputy City Secretary  
Shelley Major, Records Management Coordinator

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Nancy Berry at 2:27 p.m. on Thursday, December 8, 2011 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

**1. Reception to honor service award recipients and Employee of the Year nominees.**

- Jay Socol, Director of Public Communications stated that employees with 5, 10 and 15 years were recognized at departmental ceremonies. A list of those employees can be found in the program for today's presentation.

**2. Presentation of service awards for employees with 20 and more years of service, recognition of Employee of the Year nominees, and announcement of Employee of the Year.**

- Presentation of awards to employees with 20, 25, 30 and 35 years of service was made by City Manager David Neeley and Mayor Berry. Mr. Neeley gave a special thanks to the honorees for their dedication and years of service to the city.
- Mr. Socol recognized all Employee of the Year nominees. Mayor Berry and City Manager Neeley presented nominees with plaques.
- Employee of the Year Award was presented to Celia Hernandez from the City Manager's Office by Mayor Berry and Mr. Neeley.

Workshop recessed at 2:50 p.m. for an Employee Recognition Reception. Meeting called back in session at 3:23 p.m.

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

Items 2c, 2q, 2r were pulled for clarification. Councilmember Brick requested that item 2q be pulled for a separate vote, and that she would be abstaining.

**2c:** Police Chief Jeff Capps stated in regards to the amendments proposed, all approval will be brought to Council for review.

**2q:** Assistant City Manager Frank Simpson stated that the estimated economic impact from out of town teams would be unknown and difficult to estimate, until the teams attending the bowl are selected. Brandon Webb, Blinn College, stated that the selection process for determined the bowl teams is conducted by the NJCAA. The city will be a sponsor of the event, while Blinn College will plan and run the event.

**2r:** Assistant City Manager Frank Simpson stated that the Convention and Visitors Bureau uses the building, owned by the city, rent free and the normal operating and maintenance cost is covered by the CBV. True capital expenditures are the responsibility of the City, as typical of most commercial leasing agreements. Mr. Simpson also stated that the building itself is not a part of the Chimney Hill complex located on the same property.

### **4. Presentation, possible action, and discussion regarding an update provided by the Convention and Visitors Bureau (CVB) on the progress made since the recent CVB Audit.**

Shannon Overby, Executive Director of the Convention and Visitors Bureau presented to the Council further details of the CVB's progress and efforts to correct findings reported to council during the last audit. Ms. Overby outlined five major points to include; developing a new method for reporting the CVB's impact to all funding partners, updating the Employee Hand Book and Policy & Procedures Manual, making a cultural change within the organization, using check signing controls, which requires two signatures on all checks, and the completion of backup access to all financial records. Benchmarks for the year 2012 will include focusing on target market areas, servicing the groups coming into the community for repeat business, utilizing existing venues, cooperative marketing efforts, online focus through the CVB website and social media, and carrying over the Relax, Kick your feet up and Enjoy the rewards Campaign, for booking future events, into 2012. An improved reporting mechanism was also presented to council for review. Ms. Overby also addressed the issue brought up by the Audit

Committee in regards to the previous process for reporting numbers of rooms booked. The CVB now monitors room pick-up and tracks the actual numbers directly from the hotels. The estimated numbers are then adjusted to reflect the true numbers of rooms occupied with bodies.

Jeff Kersten, Executive Director, Fiscal Services, added that private companies who provide auditing services, to include investigating the practices of hotel reporting procedures, are an option. The city has had conversations with at least one company previously. Staff will continue to look at these companies in the future as a possibility. Ty Elliott, City Auditor, added that when conducting the initial audit of the CVB, the idea of using these companies was looked at, but it must be noted that Hotel Occupancy Tax funds might not be authorized by law to cover the cost of these companies.

**5. Presentation, possible action, and discussion on an overview of the employee benefits plan.**

Alison Pond, Director of Human Resources & Risk, present an overview of the 2012 employee benefits plan. The City of College Station's health plan is self-insured and administered by Blue Cross and Blue Shield. Being self-insured, the City also purchases stop loss (reinsurance) to limit the risk of the cost of high dollar claims. The 2012 plan year projected costs are based on a monthly average of 840 employees, retirees and COBRA participants. This represents a cost to the City of approximately \$807 per employee per month, or \$9684 per employee per year. Claims projections include a 9% increase over 2011, which trends with the national average. Ms. Pond added that retirees are eligible at the time of their retirement, to access the city's health plan. Retirees receive health care at a retiree rate different from current employees until the age of 65, when they become eligible for medicare.

**6. Council Calendar**

- **December 9-10 Christmas at the Creek, Wolf Pen Creek Park**
- **December 15 Groundwater Conservation District Board Meeting in Council Chambers at 3:00 p.m.**
- **December 15 Planning & Zoning Commission Meeting in Council Chambers at 6:00 p.m.**
- **December 23 City Offices Closed for Christmas - HOLIDAY**
- **December 26 City Offices Closed for Christmas- HOLIDAY**
- **January 2 City Offices Closed for New Years- HOLIDAY**

Council reviewed the Council calendar.

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

Council requested a future work shop item in regards to outsourcing services for the city's recycling program.

Council requested that staff provide review of the city's comprehensive street parking plan, starting with school zones.

**8. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of the Brazos Valley, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, BVSWMA, BVWACS, Cemetery Committee, Code Review Committee, Convention & Visitors Bureau, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Signature Event Task Force, Sister City Association, TAMU Student Senate, Texas Municipal League, Transportation Committee, Zoning Board of Adjustments.**

Councilmember Brick reminded Council that the Bicycle, Pedestrian and Greenways Advisory Board's driving Greenways Tour will be on December 13<sup>th</sup> at 3:00, starting at City Hall.

Councilmember Fields stated that the Arts Council of the Brazos Valley made decisions on an updated budget that would create a reserve fund out of unexpended monies.

Councilmember Lyles updated Council on the previous Brazos County Health Board meeting, where the primary topic of discussion was food establishment inspections. The Health Board also approved changing their meeting time from 5:30 to 6:00 p.m.

Councilmember Ruesink attended the Sister Cities Home Tour on Tuesday night.

## **9. Executive Session**

In accordance with the Texas Government Code §551.071-Consultation with Attorney, §551.072-Deliberation Regarding Real Property, the College Station City Council convened into Executive Session at 4:58 p.m. on Thursday, December 8, 2011 in order to continue discussing matters pertaining to:

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

- City of Bryan's application with TCEQ for water & sewer permits in Westside/Highway 60 area, near Brushy Water Supply Corporation to decertify City of College Station and certify City of Bryan
- Rachel Rahn v. Alma Martinez, The Arkitex Studio, Inc. et al, cause No. 09-000656-CV361
- Chavers et al v. Tyrone Morrow et al, No. 10-20792; Chavers v. Randall Hall et al, Case No. 10 CV-3922
- College Station v. Star Insurance Co., Civil Action No. 4:11-CV-02023

- Woodruff v. College Station, Cause No. 10-000515-CV-272
- Ongoing criminal investigation of municipal court missing funds
- Legal issues related to Public Works' employee complaint
- Shirley Maguire and Holly Maguire vs. City of College Station, Cause No. 11-002516-CV-272, in the 272<sup>nd</sup> District Court of Brazos County, Texas.

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

- Legal issues regarding possible revenue sharing and legislation in bio-corridor

C. Deliberation Regarding Real Property; to wit:

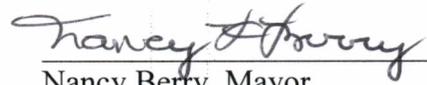
- Property located generally northwest of the intersection of First Street and Church Avenue in College Station

The Executive Session adjourned at 7:00 p.m. on Thursday, December 8, 2011.

No action was required from Executive Session.

## **12. Adjournment**

**MOTION:** There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 9:45 p.m. on Thursday, December 8, 2011.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
DECEMBER 8, 2011

STATE OF TEXAS           §  
  §  
COUNTY OF BRAZOS       §

**Present:**

Nancy Berry

**Council:**

Blanche Brick  
Jess Fields  
Karl Mooney  
Katy-Marie Lyles  
Julie Schultz  
Dave Ruesink

**City Staff:**

David Neeley, City Manager  
Kathy Merrill, Deputy City Manager  
Frank Simpson, Deputy City Manager  
Carla Robinson, City Attorney  
Tanya McNutt, Deputy City Secretary  
Shelley Major, Records Management Coordinator

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:05 p.m. on Thursday, December 8, 2011 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

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

**Citizen Comments**

There were no Citizen Comments.

**CONSENT AGENDA**

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

- November 21, 2011 Workshop and Regular Council Meeting

2b. Presentation, possible action, and discussion on an Ordinance 2011--3384 making the following changes to the City's General Election pursuant to Senate Bill 100, Eighty-Second Regular Legislature: moving the City's General Election day to the first Tuesday after the first Monday in November; establishing an effective date; and providing for severability. Presentación, posible acción, y discusión sobre una ordenanza 2011-3384, para realizar los siguientes cambios a las Elecciones Generales de la Ciudad de acuerdo al Proyecto de Ley del Senado número 1, de la Asamblea legislativa Regular número ochenta y dos: cambiando el día de las Elecciones Generales de la Ciudad al primer martes después del primer lunes en noviembre; estableciendo una fecha efectiva; y estableciendo provisiones divisibles.

2c. Presentation, possible action, and discussion considering Ordinance 2011-3385, amending Chapter 1, Section 16, "Firearms" of the College Station Code of Ordinances.

2d. Presentation, possible action, and discussion on consideration of Ordinance 2011-3386, amending Chapter 10, Section 2F, of the College Station Code of Ordinances regarding the Traffic Control Device Inventory, Schedule V (School Zones).

2e. Presentation, possible action and discussion regarding Resolution 12-08-11-2e, approving the purchase of various major equipment for the expansion of College Station Switch Substation totaling \$510,023.00 and approval of a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

2f. Presentation, possible action and discussion regarding the approval of Resolution 12-08-11-2f, accepting from the Texas Division of Emergency Management (TDEM) the 2011 Homeland Security Grant Program Subrecipient of \$50,743, naming a City staff member as manager of those grant funds, and approving the 2011 City of College Station Equipment List (SHSP-LETPA) for purchase.

2g. Presentation, possible action and discussion on Resolution 12-08-11-2g, awarding a Construction Contract (12-031) to Follis-Cole Construction, LLC, in the amount of \$162,899.69 for the Emerald Forest Drainage Improvements Project.

2h. Presentation, possible action, and discussion regarding Resolution 12-08-11-2h, approving the professional services contract (Design Contract 12-008) with Bleyl and Associates in the amount of \$95,749.80, for the design of the Plantation Oaks Waterline (WF1433732).

2i. Presentation, possible action, and discussion regarding Resolution 12-08-11-2i, approving the construction contract (Contract 12-030) with Dudley Construction in the amount of \$712,656.42, for the construction of the Stephen C. Beachy Central Park Improvements project (PK 1001) which includes the replacement of the existing concessions facility at the softball fields.

2j. Presentation, possible action and discussion on renewing the annual contract for gasoline and diesel fuel (Contract #10-054) with Brenco Marketing Corporation for one year; and authorize the annual estimated expenditures of \$1,552,000.00.

2k. Presentation, possible action, and discussion regarding a Service Contract with Payment Processing Inc. for Electronic Credit Card Processing and Merchant Account Services for an initial three (3) year term with estimated banking fees and service charges not to exceed \$750,000 annually; and authorization for the City Manager to approve related Billing Schedules as needed from time to time.

21. Presentation, possible action, and discussion regarding adoption of the 2012 Annual Council Calendar.

2m. Presentation, possible action, and discussion regarding an annual price agreement with Daco Fire Equipment, in the amount of \$74,175.93 for personal fire protective equipment.

2n. Presentation, possible action, and discussion on approving the Stop Loss reinsurance for the City's self-funded health plan with Blue Cross and Blue Shield of Texas (BCBS) for the period of January 1, 2012 through December 31, 2012. The estimated annual premiums are \$552,888.

2o. Presentation, possible action, and discussion on approving projected claim expenditures for the period of January 1, 2012 through December 31, 2012. The projected amount for claims is \$7,008,750.

2p. Presentation, possible action, and discussion regarding contract renewal for Third-Party Claims Administration with AS&G Claims Administration Inc., for an annual expenditure of \$52,000.

2q. Presentation, possible action, and discussion regarding a proposal to bring an annual National Junior College Athletic Association Football Bowl Game to Bryan-College Station.

2r. Presentation, possible action, and discussion regarding the lease agreement between the City of College Station and the Brazos Valley Convention and Visitors Bureau (CVB).

2s. Presentation, possible action, and discussion on a bid award for the purchase of steel, fiberglass, and concrete electric distribution poles to KBS Electric \$105,520; HD Utilities \$136,230; Techline \$7,467; and StressCrete \$244,280 for a total of \$493,497.00.

Items 2q, 2r were pulled for a separate vote.

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

**(2r)MOTION:** Upon a motion made by Councilmember Lyles and a second by Mayor Berry, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve the Consent Agenda Item 2r. The motion carried.

**(2q)MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Schulz, the City Council voted five (5) for and one (1) opposed, with Councilmember Fields voting against and Councilmember Brick recusing herself, to approve the Consent Agenda Item 2q. The motion carried.

## **REGULAR AGENDA**

### **1. Public Hearing, presentation, possible action, and discussion on Ordinances 2011-3387, and 2011-3388, amending Chapter 3, "Building Regulations" of the Code of Ordinances of the City of College Station, Texas, adopting the 2012 International Building Code and the 2011 National Electrical Code and Chapter 6, "Fire Protection" of the Code of Ordinances of the City of College Station, Texas, adopting the 2012 International Fire Code and 2012 Life Safety Code.**

At approximately 7:37 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:38 p.m.

**MOTION:** Upon a motion made by Councilmember Lyles and a second by Councilmember Ruesink, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to adopt Ordinances 2011-3387, and 2011-3388, amending Chapter 3, "Building Regulations" of the Code of Ordinances of the City of College Station, Texas, adopting the 2012 International Building Code and the 2011 National Electrical Code and Chapter 6, "Fire Protection" of the Code of Ordinances of the City of College Station, Texas, adopting the 2012 International Fire Code and 2012 Life Safety Code. The motion carried.

### **2. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2011-3389, amending Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 1.97 acres located at 300 Texas Avenue South from C-1 General Commercial and R-4 Multi-Family to PDD Planned Development District.**

At approximately 7:47 p.m., Mayor Berry opened the Public Hearing.

Derek Walton, 708 North Ave, Bryan, Texas, representative of Jones and Carter, the engineering firm representing the applicant, is present to answer questions.

Jim Ross, member, Planning & Zoning Commission, stated that the Commission recommends Council approve this item.

There being no further comments, the Public Hearing was closed at 7:53 p.m.

**MOTION:** Upon a motion made by Councilmember Brick and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2011-3389, amending Chapter 12, "Unified Development Ordinance", Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas by rezoning 1.97 acres located at 300 Texas Avenue South from C-1 General Commercial and R-4 Multi-Family to PDD Planned Development District. The motion carried unanimously.

**3. Public Hearing, presentation, possible action and discussion of Ordinance 2011-3390, amending Chapter 10 "Traffic Code", to remove parking along the south side of Gilchrist, west side of a section of Ashburn, and within 30 feet of the intersections of Gilchrist with Ashburn and Marsteller.**

At approximately 7:59 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:00 p.m.

Nick Reeves, Assistant Principal, College Hills Elementary stated that school staff and the College Station Independent School District both support this amendment.

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2011-3390, amending Chapter 10 "Traffic Code", to remove parking along the south side of Gilchrist, west side of a section of Ashburn, and within 30 feet of the intersections of Gilchrist with Ashburn and Marsteller. The motion carried unanimously.

**4. Public Hearing, presentation, possible action and discussion of an ordinance amending Chapter 10 "Traffic Code", to remove parking along sections of Graz, Vienna, and Arnold streets in the Edelweiss subdivision.**

At approximately 8:12 p.m., Mayor Berry opened the Public Hearing.

Logan Freeman, 3618 Vienna Drive, President of Edelweiss HOA, stated that he mailed letters to residents regarding this amendment and received a 3 to 1, yes to no ratio. Mr. Freeman requests that the council approve this item. Mr. Freeman also stated that the ration of owners to renters is approximately fifty/fifty, with small families being in the slight majority. He also stated that the driveways will easily fit four cars, not including in the garage, depending on the car size.

Steve Strong, 2503 Whispering Oaks Circle, Bryan, Texas, owner of 3600 Vienna, said he had no opportunity before the notice of this hearing sent by the city, to vote on this amendment and there were a number of home owners who were not given the opportunity to participate in the process. He asked Council to consider tabling this item and review it again after following proper procedure. Mr. Strong spoke with staff and was advised that Planning & Development Services obtains votes from all owners. Mr. Strong also noted that it is still manageable for Fire and EMS to navigate this section as agreed by the City's Fire Dept.

Matt Cope, 1207 Lancelot, Vice President of Community Relations for the TAMU Student Senate, stated he was present to represent the student body on the matter of parking restrictions as a whole. Mr. Cope stated that the student body is opposed to this amendment as a whole. He also said that the pictures presented by staff do not represent a need for the restrictions. Mr. Cope stated that being able to park four vehicles in one driveway is not practical especially with households of students. Mr. Cope requests that this item be postponed. This item was not voted on by the Student Senate, and was brought to the attention of the Executive Members of the Student Senate by Mr. Steve Strong.

Thomas Mather, 945 Dove Landing, former HOA member, stated that the HOA can only put parking restrictions on the home owners property and that is why they came to the city for help. Mr. Mather stated that the HOA did due diligence and preformed every requirement given by the city to have this issue brought to Council.

Hassau Charara, 3609 Vienna Drive, stated that other than the initial contact the HOA made with him, he heard nothing regarding this matter. He has concerns about where the overflow created by taking away the parking will park. This amendment would cause parking on his side of the street to increase and create a safety hazard by blocking the view on his street where children frequently play.

There being no further comments, the Public Hearing was closed at 9:05 p.m.

**MOTION:** Upon a motion made by Councilmember Brick and a second by Councilmember Lyles, the City Council voted 7 for and 0 opposed, to table the ordinance amending Chapter 10 "Traffic Code", to remove parking along sections of Graz, Vienna, and Arnold streets in the Edelweiss subdivision for future discussion. The motion carried unanimously.

**5. Public Hearing, presentation, possible action, and discussion on Ordinance 2011-3391, of the City of College Station declaring certain goods-in-transit to be subject to taxation by the City of College Station and not exempt from taxation under the Super Freeport exemption contained in Texas Tax Code Section 11.253.**

At approximately 9:28 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 9:28 p.m.

**MOTION:** Upon a motion made by Councilmember Brick and a second by Councilmember Lyles, the City Council voted 6 for and 1 opposed, to adopt Ordinance 2011-3391, of the City of College Station declaring certain goods-in-transit to be subject to taxation by the City of College Station and not exempt from taxation under the Super Freeport exemption contained in Texas Tax Code Section 11.253. The motion carried.

**6. Presentation, possible action, and discussion regarding approval of Resolution 12-08-11-06, changing the sales price of cemetery spaces for the College Station Municipal Cemetery System.**

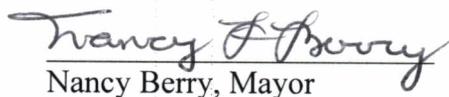
**MOTION:** Upon a motion made by Councilmember Fields and a second by Councilmember Lyles, the City Council voted 7 for and 0 opposed, to adopt Resolution 12-08-11-06, changing the sales price of cemetery spaces for the College Station Municipal Cemetery System. The motion carried unanimously.

**7. Presentation, possible action, and discussion on appointments to the Sunset Advisory Commission.**

By majority consent, Council appointed Ann Marsh, Kay Parker and Betty Trost to the Sunset Advisory Commission.

**8. Adjournment.**

**MOTION:** There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 9:45 p.m. on Thursday, December 8, 2011.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary

RESOLUTION NO. 12-08-11-2e

RESOLUTION DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES WITH  
PROCEEDS FROM DEBT

WHEREAS, the City of College Station, Texas (the "City") is a home-rule municipality and political subdivision of the State of Texas;

WHEREAS, the City expects to pay expenditures in connection with the design, planning, acquisition and construction of the projects described on Exhibit "A" hereto (collectively, the "Project") prior to the issuance of obligations by the City in connection with the financing of the Project from available funds;

WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project;

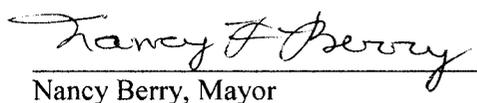
THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS THAT:

Section 1. The City reasonably expects it will incur debt, as one or more series of obligations, with an aggregate maximum principal amount not to exceed \$1,600,000, for the purpose of paying the aggregate costs of the Project.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the City in furtherance of this Statement after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Statement more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED AND APPROVED THIS 8th DAY OF DECEMBER, 2011.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary

(Seal)

APPROVED:



Stephen A. Kusch  
McCall, Parkhurst & Horton L.L.P.  
Bond Counsel

## Exhibit "A"

The projects to be financed that are the subject of this Statement are:

Electric Utility ERCOT to Entergy System Tie – This project is for the purchase and installation of equipment to provide an emergency tie between the ERCOT and the Entergy systems which will be located at the College Station Electric Switch Station Substation.

College Station Electric Switch Station Upgrades – This project is for the purchase and installation of equipment to upgrade the capacity at the College Station Electric Switch Station Substation.

RESOLUTION NO. 12-08-11-2f

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, ACCEPTING THE 2011 HOMELAND SECURITY GRANT PROGRAM (SHSP-LETPA) SUB-RECIPIENT AWARD FOR THE PURCHASE OF RESPONSE EQUIPMENT AND AUTHORIZING A CONTACT PERSON FOR THE CITY.

WHEREAS, the Office for Domestic Preparedness, a component of the U.S. Department of Homeland Security, has awarded the Texas Division of Emergency Management (TDEM) the 2011 Homeland Security Grant Program; and

WHEREAS, the Texas Division of Emergency Management (TDEM) has served the City of College Station with a Notice of Sub-recipient Award for the 2011 Homeland Security Grant Program (SHSP-LETPA) in the amount of \$50,743 to be used in this performance period ending on August 31, 2013; and

WHEREAS, the intent of this sub-grant is to aid in the City's ability to enhance its capacity to prevent, respond to and recover from acts of terrorism and natural disasters; now, therefore,

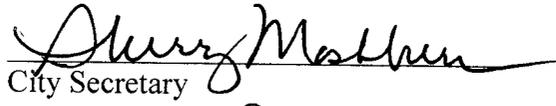
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

- PART 1: That the City Council hereby accepts the Sub-recipient Award for the 2011 Homeland Security Grant Program (SHSP-LETPA) in the amount of \$50,743 from the Texas Division of Emergency Management (TDEM).
- PART 2: That the City Council hereby approves the 2011 State Homeland Security Grant Equipment List (SHSP-LETPA) for purchase to aid in the City's ability to enhance its capacity to prevent, respond to and recover from acts of terrorism and natural disasters.
- PART 3: That the City Council hereby authorizes the Emergency Management Coordinator to serve as the Grant Manager for the City of College Station to sign agreements with the Governor's Division of Emergency Management and hereby designates said position to receive this award on behalf of the City of College Station.
- PART 4: That this resolution shall take effect immediately from and after its passage.

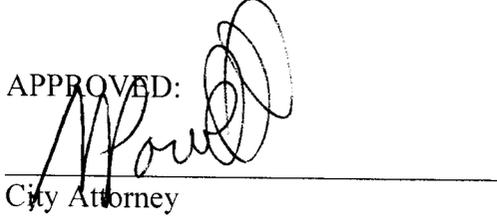
ADOPTED this 8<sup>th</sup> day of December, A.D. 2011.

ATTEST:

APPROVED:

  
City Secretary

  
Mayor

APPROVED:   
City Attorney

RESOLUTION NO. 12-08-11-2g

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR EMERALD FOREST PARK SITE IMPROVEMENTS PROJECT (SD1006) AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

WHEREAS, the City of College Station, Texas, solicited bids for the construction phase of the Emerald Forest Drainage Improvements Project; and

WHEREAS, the selection of Follis-Cole Construction, LLC. is being recommended as the lowest responsible bidder; now, therefore,

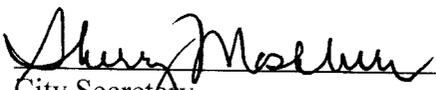
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

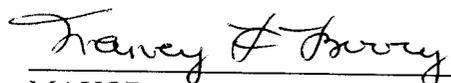
- PART 1: That the City Council hereby finds that Follis-Cole Construction, LLC. is the lowest responsible bidder.
- PART 2: That the City Council hereby approves the contract with Follis-Cole Construction, LLC. for a lump sum amount of \$162,899.69 for the labor, materials and equipment required for the improvements related to the Emerald Forest Drainage Improvements Project.
- PART 3: That the funding for this Contract shall be as budgeted from the Drainage Capital Improvement Project Fund in the amount of \$162,899.69.
- PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 8<sup>th</sup> day of December, A.D. 2011.

ATTEST:

APPROVED:

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

  
\_\_\_\_\_  
MAYOR

APPROVED:

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

RESOLUTION NO. 12-08-11-2h

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, SELECTING A PROFESSIONAL CONTRACTOR, APPROVING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PLANTATION OAKS WATERLINE PROJECT.**

WHEREAS, the City of College Station, Texas, solicited proposals for the engineering; and

WHEREAS, the selection of Bleyl and Associates is being recommended as the most highly qualified provider of the engineering services; now, therefore,

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

PART 1: That the City Council hereby finds that Bleyl and Associates is the most highly qualified provider of the services for the Plantation Oaks Waterline Project on the basis of demonstrated competence and qualifications.

PART 2: That the City Council hereby approves the contract with Bleyl and Associates for an amount not to exceed \$95,138.00 for the engineering services related to the Plantation Oaks Waterline Project.

PART 3: That the funding for this Contract shall be as budgeted from the Water Capital Projects Fund in the amount of \$95,138.00.

PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 8<sup>th</sup> day of December, 2011.

ATTEST:

APPROVED:

Sherry Meeklen  
City Secretary

Trancy F. Perry  
MAYOR

APPROVED:

Adm C. Fals  
City Attorney

RESOLUTION NO. 12-08-11-2i

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE STEPHEN C. BEACHY CENTRAL PARK IMPROVEMENTS PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

WHEREAS, the City of College Station, Texas, solicited competitive sealed proposals for the construction phase of the Stephen C. Beachy Central Park Improvements Project; and

WHEREAS, the selection of Dudley Construction is being recommended as the offeror that offers the best value and is the highest-ranked offeror for the construction services related to the Stephen C. Beachy Central Park Improvements Project; now, therefore,

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

PART 1: That the City Council hereby finds that Dudley Construction is the offeror that offers the best value and is the highest-ranked offeror for the construction services related to the Stephen C. Beachy Central Park Improvements Project.

PART 2: That the City Council hereby approves the contract with Dudley Construction for \$712,656.42 for the labor, materials and equipment required including Alternate 1 and Alternate 5 for the improvements related to the Stephen C. Beachy Central Park Improvements Project.

PART 3: That the funding for this Contract shall be as budgeted from the Parks and Recreation Capital Projects Fund, in the amount of \$712,656.42.

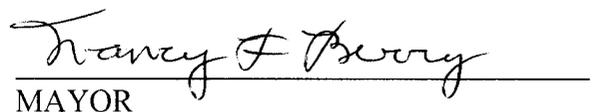
PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 8<sup>th</sup> day of December, A.D. 2012.

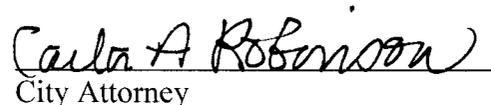
ATTEST:

APPROVED:

  
City Secretary

  
MAYOR

APPROVED:

  
City Attorney

RESOLUTION NO. 12-08-11-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE SALE PRICE OF CEMETERY SPACES IN THE COLLEGE STATION MUNICIPAL CEMETERY SYSTEM, AUTHORIZING THE MAYOR TO EXECUTE WARRANTY DEEDS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of College Station, Texas, owns and has within its boundaries a tract known as the College Station Cemetery located at 2580 Texas Avenue South, a plat of which is filed in the Deed Records of Brazos County, Texas; and owns and has within its boundaries a tract known as the Memorial Cemetery of College Station located at 3800 Raymond Stotzer Parkway, a plat of which is filed in the Deed Records of Brazos County, Texas; and

WHEREAS, the City Council of the City of College Station, Texas, has established Rules and Regulations governing the College Station Cemetery and the Memorial Cemetery of College Station, being Chapter 1, Section 29 of the Code of Ordinances of the City of College Station, and, furthermore, has authorized the sale and conveyance of certain parcels of land designated and described as cemetery spaces; now; therefore,

BE IT RESOLVED by the City Council of the City of College Station, Texas:

PART 1: That the City Council of the City of College Station, Texas, establishes the following fees for the sale of property within the College Station Cemetery:

1. Each single space, approximately five feet (5') by ten feet (10'), shall be One Thousand, Two Hundred Fifty Dollars (\$1,250.00).
2. Each single cremate space, approximately two and one-half feet (2- 1/2') by two and one-half feet (2-1/2'), shall be Four Hundred Dollars (\$400.00).
3. Each single infant space, approximately four feet (4') by five feet (5'), shall be Two Hundred Dollars (\$200.00).

PART 2 Funds generated from space sales within College Station Cemetery shall have the following utilization:

1. 100% of the proceeds from the sale of spaces shall be placed in the Endowment Fund for the College Station Cemetery for the future care, maintenance, operations, and improvements to the cemetery.

PART 3: That the City Council of the City of College Station, Texas, establishes the following fees for the sale of property within the Memorial Cemetery of College Station:

1. Municipal Sections:
  - a. Each single standard space, approximately four feet (4') by nine feet (9'), shall be One Thousand, Two Hundred Fifty Dollars (\$1,250.00).
  - b. Each columbaria niche, approximately twelve inches (12") by twelve inches (12") by twelve inches (12"), shall be Seven Hundred Fifty Dollars (\$750.00).
  - c. Each single infant space, approximately four feet (4') by four and one-half feet (4 1/2'), shall be Two Hundred Dollars (\$200.00).
2. Aggie Field of Honor Sections:
  - a. Each single standard space, approximately four feet (4') by nine feet (9'), shall be Two Thousand, Five Hundred Dollars (\$2,500.00).
  - b. Each columbaria niche, approximately twelve inches (12") by twelve inches (12") by twelve inches (12"), shall be One Thousand, Five Hundred Dollars (\$1,500.00).

PART 4 Funds generated from space sales within the Memorial Cemetery of College Station shall have the following utilization.

1. 33% of the proceeds from the sale of lots shall be placed in the Endowment Fund for the Memorial Cemetery of College Station for the future care, maintenance, operations, and improvements to such cemetery.
2. 67% of the proceeds from the sale of lots shall be used for debt retirement associated with land costs for the cemetery, capital improvements for the cemetery, and any and all other purposes as determined by the City in adoption of its budget.

PART 5: In addition to the above fees, the Purchaser shall pay all filing fees required by Brazos County in order to officially effect the transfer of ownership of the property.

PART 6: The City Council of the City of College Station, Texas, delegates to the Mayor the authority to execute, as necessary, Warranty Deeds consummating the sale and conveyance of each parcel of land in the College Station Municipal Cemetery System per the above price schedule; each Warranty Deed so issued shall be signed by the Mayor and mailed to the Purchaser after all terms and conditions of the sale have been met, including full payment of all the above-referenced fees, as applicable, and acceptance of the agreement in full by both parties.

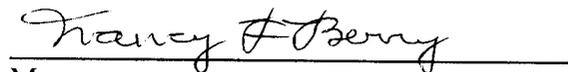
PART 7: That this resolution shall take effect December 8, 2011, from and after its passage.

ADOPTED this 8<sup>th</sup> day of December, A.D. 2011.

ATTEST:

APPROVED:

  
City Secretary

  
Mayor

APPROVED:

  
City Attorney