

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
FEBRUARY 23, 2012

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

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
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

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 3:04 p.m. on Thursday, February 23, 2012 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

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

Items 2b, and 2e were pulled for additional clarification.

2b: Molly Hitchcock, Planning and Development Services, explained the City will be advocating on behalf of the project in their application for tax credits. This helps their application be more competitive. She clarified we are supporting the project, and we did this in 2004 as well.

2e: Jeff Capps, Chief of Police, explained that from an educational standpoint, there are procedures in place for filing a complaint, and the racial profiling report is available to the public in the City Secretary's Office and online.

2. Presentation, possible action, and discussion on the printing plan for the 75th Anniversary book.

Jerry Cooper, a representative of the Historic Preservation Committee, reported they plan to utilize the 1988 history book and create a continuation of the last 25 years to bring it up to date. We are in negotiation with an author, but those contract negotiations have not been completed. To save money, they researched an on-demand publishing company, but it is hard to pin down costs without a manuscript and photos in hand. It is essential the manuscript project begin immediately as we are only a year and a half away from the 75th anniversary celebration.

He has also been in contact with a turn-key publisher. The difference between a turn-key publisher and on-demand printing is considerable. On-demand printing allows the ordering of limited quantities as well as reprints, while a turn-key publisher calls for ordering a specific quantity of books with a 25% down payment and the remainder due upon publication and delivery. Donning Publishers has submitted a proposal for publishing the book, proposing a self-funding scenario in which the City could provide a list of potential or preferred sponsors who could be reimbursed by the City as the books are sold. He provided the Council with an example from Texas City. They purchased one thousand 96-page hard-cover books at \$24 per book. Those books were 75-80% color. So far, they have sold a total of 350 books.

Council also discussed the option of providing the book online and possible downloading for on-demand printing.

Jay Socol, Director of Public Communications, in response to a query by Council, stated he does not see this as a destination-marketing tool. He does believe the book could be used as a resource well into the future.

Council consensus was to move forward with the manuscript.

3. Presentation, possible action, and discussion regarding the development of an Economic Development Master Plan. (This item is also on consent agenda item 2i.)

Bob Cowell, Executive Director of Planning and Development Services, stated the relationship to the strategic initiatives relate to the diverse growing economy and the FY12 budget item. The Comprehensive Plan includes an Economic Development Chapter (Chapter 4), which establishes broad context and broad preliminary goals, strategies, and actions. The stated goal in the Economic Chapter is "A diversified economy generating quality, stable, full-time jobs; bolstering the sales and property tax base; and contributing to a high-quality of life." Strategies that will be deployed to achieve that goal include: 1) promote and support new investment that serves regional market opportunities; 2) promote and support the establishment, retention, and expansion of locally-owned businesses; 3) promote and support the attraction of festivals, entertainment, conferences, conventions, and other special events for the purpose of economic

growth; 4) identify and pursue redevelopment opportunities that further desired community character; and 5) protect and buffer prime economic generators from development that is out of character or that creates or contributes to decreased service levels.

Randall Heye, Economic Development Analyst, stated they are looking at a hybrid approach. A contracted firm will provide specific deliverables and professional services, while staff is responsible for overall compilation and writing of the document. The scope of work has three phases: 1) economic base analysis and existing conditions; 2) evaluation of opportunities and constraints; and 3) goals and strategies. They hope to bring this to Council in approximately nine-to-twelve months. Staff recommends a three-firm team: CDS Market Research – Charlie Savino; Spillette Consulting – Steve Spillette; and Avalanche Consulting – Amy Holloway.

4. Presentation, possible action, and discussion regarding the approval of changes to the electric rate ordinance lowering the rates charged for Wind Watts wind power effective March 1, 2012. (This item is also on consent agenda item 2j.)

David Massey, Electric Division Manager, reported that we purchase our wind energy from South Trent Wind Farm, west of Abilene. Our contract capacity grew from 10 Megawatts in 2009 to 30 Megawatts in 2015. Issues in January 2009 included transmission costs out of West Texas, transmission congestion. Since then, the ERCOT transmission construction schedule lessened congestion costs so that costs are much lower than previous years. ERCOT transmission construction has significantly strengthened ties to West Texas. Existing wind watts rates are based upon the program cost to deliver certified wind energy and the Green College Station Program Adder.

Staff recommends that Council approve the Revised Electric Rate Ordinance to eliminate the Green College Station Adder, effective March 1, 2012.

5. Presentation, possible action, and discussion regarding potential agenda items for the March 7th joint meeting of the College Station City Council and the College Station Independent School District Board of Trustees.

Proposed agenda items by CSISD and City staff include:

- Update on school finance
- College Station High School construction update and future capital projects/plans
- State assessment Program update (STARR/End of Course exams)
- Wolf Pen Creek TIF update
- Discussion regarding possible future collaboration between City and CSISD
- District demographics and impact of poverty on the district
- Collaboration on athletic events/programs

6. Council Calendar

- **February 24 Britt Rice Lecture Series - Mary Matalin and James Carville at Annenberg Conference Center, 5:00 p.m.**
- **March 1 P&Z Workshop/Regular Meeting in Council Chambers at 6:00 p.m. (Karl Mooney, Liaison)**

- March 1 2012 CSPD Annual Awards Banquet at A&M Church of Christ, 6:45 p.m.
- March 7 Special Joint Meeting COCS and CSISD at College Station Transportation Center, 6:00 p.m.
- March 8 City Council Workshop/Regular Meeting at 3:00 p.m. and 7:00 p.m.

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.

There were no future agenda items requested.

8. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of the Brazos Valley, Arts Council Sub-committee, 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, BWACS, Cemetery Committee, Code Review Committee, Convention & Visitors Bureau, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Neighborhood Parking Taskforce, 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 Fields reported that the Arts Council is excited about the newly appointed ad hoc committee. He also reported that he attended the Coalition for Life banquet.

9. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, the College Station City Council convened into Executive Session at 5:12 p.m. on Thursday, February 23, 2012 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
- 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

- Shirley Maguire and Holly Maguire vs. City of College Station, Cause No. 11-0025 16-CV-272, in the 272nd District Court of Brazos County, Texas
- Legal issues re Texas RE certification requirements.

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

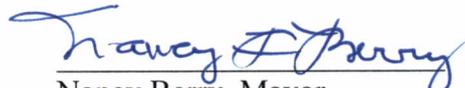
- To discuss various legal options for a public-private partnership for the extension of Dartmouth Street.

The Executive Session adjourned at 6:35 p.m. on Thursday, February 23, 2012.

No action was required from Executive Session.

13. Adjournment

MOTION: There being no further business, Mayor Berry adjourned the workshop of the College Station City Council at 6:35 p.m. on Thursday, February 23, 2012.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
FEBRUARY 23, 2012

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
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:00 p.m. on Thursday, February 23, 2012 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.

The Pledge of Allegiance was led by College Station Boy Scout Troop 802.

Citizen Comments

There were no Citizen Comments.

CONSENT AGENDA

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

- February 9, 2012 Workshop and Regular Council Meeting

2b. Presentation, possible action, and discussion regarding Resolution 02-23-12-2b, supporting the planning efforts for the Medical District and acknowledge the economic development initiatives of the planned infrastructure improvements in the area.

2c. Presentation, possible action, and discussion regarding a change order to cancel the design contract (10-067) with HDR Engineering, Inc., for the Raymond Stotzer West Infrastructure Project due to a change in the water and wastewater service plan.

2d. Presentation, possible action, and discussion regarding Resolution 02-23-12-2d, improving efficiency of contract administration procedures.

2e. Presentation, possible action and discussion regarding the annual traffic contact report required annually by Senate Bill 1074, of the Texas 77th legislative session.

2f. Presentation, possible action, and discussion on Resolution 02-23-12-2f, related to the application and acceptance of an Office of the Governor, Criminal Justice Division (CJD) Grant.

2g. Presentation, possible action, and discussion regarding Resolution 02-23-12-2g, suspending the March, 6th 2012 Effective Date of Atmos Energy Corp., Mid-Tex Division's requested rate change.

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

2i. Presentation, possible action, and discussion regarding Resolution 02-23-12-2i, selecting a professional contractor, approving professional services contract, and Authorizing the expenditure of funds for the development of an Economic Development Master Plan in an amount not to exceed \$94,885.

2j. Presentation, possible action, and discussion regarding Ordinance 2012-3397, approving changes to the electric rate ordinance lowering the rates charged for Wind Watts wind power effective March 1, 2012. (This item is also on the workshop agenda.)

2k. Presentation, possible action and discussion on an Advance Funding Agreement (AFA) between the City of College Station and the State of Texas (TxDOT) for the College Main Plaza and Patricia/Lodge Street Improvements.

2l. Presentation, possible action and discussion on an Advance Funding Agreement (AFA) between the City of College Station and the State of Texas (TxDOT) for the Rock Prairie Road Bridge Improvements.

2m. Presentation, possible action, and discussion regarding Resolution 02-23-12-2m, awarding the bid and approval of construction contract #12-089, with VOX Construction, L.L.C., in the amount of \$95,625 for site improvements in Georgie K. Fitch Park, to include sidewalks, area lights, trees, irrigation, signage, and a drinking fountain.

Items 2b, 2e, 2g, and 2i 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 2b, 2e, 2g, and 2i. The motion carried unanimously.

(2b)MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Schultz, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to adopt Resolution 02-23-12-2b, supporting the planning efforts for the Medical District and acknowledge the economic development initiatives of the planned infrastructure improvements in the area. The motion carried.

(2e)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 annual traffic contact report required annually by Senate Bill 1074, of the Texas 77th legislative session. The motion carried unanimously.

(2g)MOTION: Upon a motion made by Councilmember Ruesink and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to adopt Resolution 02-23-12-2g, suspending the March, 6th 2012 Effective Date of Atmos Energy Corp., Mid-Tex Division's requested rate change. The motion carried unanimously.

(2i)MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Brick, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to adopt Resolution 02-23-12-2i, selecting a professional contractor, approving professional services contract, and Authorizing the expenditure of funds for the development of an Economic Development Master Plan in an amount not to exceed \$94,885. The motion carried.

REGULAR AGENDA

1. Presentation, possible action and discussion on a bid award for the annual agreement for various electrical items and electric meters to be stored in inventory as follows: Stuart C. Irby \$25,790.00 (\$21,700 to be decided in Tie-Break); HD Supply \$1,600; KBS \$156,147.10; Techline \$790,691; Priester Mell and Nicholson \$76,852 (\$21,700 to be decided in Tie-Break); Texas Meter & Device \$7,438.80; Wesco \$11,363. Total estimated annual expenditure is \$1,048,181.90.

A representative of College Station Boy Scout Troop 802 drew the lot to break the tie. Stuart C. Irby Company was the name pulled from the hat.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to award the bid to Stuart C. Irby Company, as determined in the tie breaker. The motion carried unanimously.

2. Public Hearing, presentation, possible action, and discussion regarding Resolution 02-23-12-02, determining the public necessity to acquire right-of-way and easements along Rock Prairie Road West, between State Highway 6 and Normand Drive.

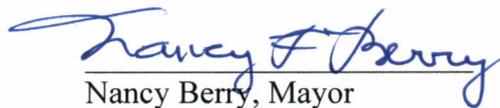
At approximately 7:26 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:26 p.m.

MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Schultz, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to adopt Resolution 02-23-12-02, determining the public necessity to acquire right-of-way and easements along Rock Prairie Road West, between State Highway 6 and Normand Drive. The motion carried.

3. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 7:35 p.m. on Thursday, February 23, 2012.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

STUART C IRBY CO.
GROUP H: Miscellaneous Materials
285-102-00003

\$21,700.00



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

College Station City Council Workshop Agenda

Sign In Sheet

Thursday, February 23, 2012 at 3:00 p.m.

City Hall Council Chamber

Council Members

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

Mayor

Nancy Berry
Mayor Pro Tem
David Ruesink
City Manager
David Needley

	Name	Address	Email or Phone No.
1.	Jesse Durden	110 Lincoln Ave, STE 103 CS TX	
2.	Kelli Krivdo	114 Park Place, CS, TX 77840	
3.	Annie Conner	18210 Robin Dr. CS, TX 77845	
4.	Bobby Spahr	3309 Crane Ave Bryan	hsbrake@csisd.org
5.	Justin Zimmermann	Silver Oak CS TX 77845	
6.	Brittany Pritchard	15308 Faircrest Ct, CS, TX 77845	
7.	Evan Britney	5982 Weyner Lane, CS, TX 77845	
8.	Jeremy Dickerson	7104 Windswept Dr	
9.	Bekah Spatz	4424 Greens Prairie Trail	
10.	Will McColton	4317 Magnolia Bryan TX 77801	
11.	Ingrid Gutierrez	1715 Martin Ave Bryan TX 77803	
12.	Latrice Brown	1201 Phoenix Ct, 77840	
13.	Mala Farmer	1607 Cougar Ct. CS 77840	
14.	Kevin Fahlman		
15.	Zack Stotte	9314 Essex Green Va.	

Note this not a Hear Visitors form To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.



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

College Station City Council Workshop Agenda

Sign In Sheet

Thursday, February 23, 2012 at 3:00 p.m.

City Hall Council Chamber

Mayor

Nancy Berry

Mayor Pro Tem

David Ruesink

City Manager

David Neeley

Council Members

Blanche Brick

Jess Fields

Karl Mooney

Katy-Marie Lyles

Julie Schultz

	Name	Address	Email or Phone No.
1.	Zakk Rogers	208 B Richards	
2.	Jonathan Popham	3714 Ardmore Ct	
3.	Ryan Bruffett	1518 Fontaine Dr.	
4.	Josh Potter	16534 Riva Ridge	
5.	Sohnny Mcvader	3909 Puffin Way	
6.	Hunter Sims	2148 Rockcliffe Loop	
7.	Shankir Ganslow	1202 Phoenix St	
8.	Ruben Pensado	145 Oak Run	
9.	Cole frevest	214 marta	
10.			
11.			
12.			
13.			
14.			
15.			

Note this not a Hear Visitors form To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS SUPPORTING THE PLANNING EFFORTS FOR THE MEDICAL DISTRICT AND ACKNOWLEDGING THE ECONOMIC DEVELOPMENT INITIATIVE OF THE PLANNED INFRASTRUCTURE IMPROVEMENTS IN THE AREA.

WHEREAS, on May 28, 2009 the City Council adopted Ordinance No. 3186, adopting a new City of College Station Comprehensive Plan; and

WHEREAS, the new Comprehensive Plan identified the general area from the intersection of State Highway 6 and Rock Prairie Road, along State Highway 6 south, toward the intersection of Rock Prairie Road and William D. Fitch Parkway as a primary gateway into the City and as a district that exhibited opportunities for a mix of uses with an unique focus on health care; and

WHEREAS, the City of College Station, Texas is poised to capitalize on one of the most significant economic development opportunities in its history—the creation of a medical district that will become a regional destination as well as an economic catalyst for the City; and

WHEREAS, on May 27, 2010, the City Council approved contract 10-224 for professional services from Schrickel, Rollins & Associates, Inc. for the assessment, planning, and design of a medical corridor in the area identified in the Comprehensive Plan; and

WHEREAS, on May 27, 2010, the City Council approved a joint funding agreement with The College Station Med for the planning and design phase of the Medical Corridor project; and

WHEREAS, on March 24, 2011, the City Council approved Resolution No. 3-24-11-2c, creating a Medical Corridor Advisory Committee that consisted of 38 City Council-appointed residents and members of the business community that participated in the planning process; and

WHEREAS, Schrickel, Rollins & Associates, Inc. completed the draft plan and the Medical Corridor Advisory Committee accepted the draft on October 25, 2011; and

WHEREAS, several infrastructure projects within the medical district and surrounding area have been identified for funding in order to meet the increased demands of development, including:

The Rock Prairie Road Bridge

The Bryan-College Station Metropolitan Planning Organization identified improvements to the Rock Prairie Road bridge as the No. 1 priority on the Metropolitan Transportation Plan, and recently recommended funding of approximately \$4.4 million under the Proposition 12 Program through the Texas Department of Transportation. Improvements recommended for funding include expanding the existing bridge from five travel lanes to six, and adding bike lanes and sidewalks on both sides of the bridge. In addition, new structures will be added on either side of the bridge to accommodate U-turn lanes. Pending final funding approval by the Texas Transportation Commission, construction of these improvements is anticipated to begin in summer 2013. The subject property's primary access will be from Normand Drive, via Rock Prairie Road West. Improvements to the bridge in anticipated to improve movement along Rock Prairie Road.

Rock Prairie Road West

The Rock Prairie Road West Capital Improvement Program project funding includes the engineering analysis needed to determine the optimum right-of-way, and the purchase of land between SH 6 and

Normand Drive to provide for the future widening of Rock Prairie Road. The subject property's primary access will be from Normand Drive, via Rock Prairie Road West.

Rock Prairie Road East

The Rock Prairie Road East Capital Improvement Program project funding includes engineering design services and the purchase of land between SH 6 and William D. Fitch Parkway to provide for the future widening of Rock Prairie Road.

Bird Pond Road

The Bird Pond Road Capital Improvement Program project funding includes engineering design services and construction for the rehabilitation of the existing street, north of Rock Prairie Road. Construction of this project is anticipated to be complete in 2012.

Barron Road East/Lakeway Drive

The Barron Road East/Lakeway Drive Capital Improvement Program project funding includes engineering design services and construction of the extension of Barron Road between SH 6 and the future intersection with Lakeway Drive. This project also includes the design and construction of a segment of Lakeway Drive from the intersection with Barron Road southward where it will connect to a segment of Lakeway built by private development. Construction of this project is anticipated to be complete in 2014.

Lick Creek Hike and Bike Trail

The Lick Creek Hike and Bike Trail Capital Improvement Program project funding includes engineering design services and construction of approximately three miles of trails along Lick Creek between Lick Creek Park and Victoria Avenue. Construction of this project is anticipated to be complete in 2014.

Scott & White Lift Station

The Scott & White Lift Station Capital Improvement Program project funding includes engineering design services, land acquisition and construction of a lift station and force main along SH 6 that will provide sewer service to the Scott & White Hospital. Construction of this project is anticipated to be complete in 2012.

and

WHEREAS, City staff is further developing the framework for success of the district by clarifying how capital improvements; regulations and standards; and management, marketing, and operations of the special district will implement the plan and facilitate desired development; and

WHEREAS, on January 12, 2012 the City Council was updated on the plan at its regular meeting and was supportive of the progress it has made; now therefore

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

PART 1: The City Council supports the planning efforts of the public, the consultant, and staff to create the Medical District Plan.

PART 2: The City Council considers the infrastructure improvements in the area to be economic development initiatives to facilitate desired development in the future Medical District area.

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

ADOPTED this 23rd day of February, A.D. 2012.

ATTEST:

Sherry Washburn
City Secretary

APPROVED:

Trancy F Parry
MAYOR

APPROVED:

Carla A Robinson
City Attorney

RESOLUTION NO. 02-23-12-2d

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, GRANTING AUTHORITY TO THE CITY MANAGER TO EXECUTE CONTRACTS ON BEHALF OF THE CITY WHEN CITY COUNCIL HAS DULY APPROVED SUCH CONTRACTS.

WHEREAS, the City Council of the City of College Station, Texas, adopted Resolution No. 11-10-11-2c which in part authorizes the City Manager to execute the City's Standard Form Construction Agreements for over \$50,000.00 and the Architects and Engineers Professional Services Contracts on behalf of the City when the City Council has duly approved such contracts thus improving the efficiency of processing said contracts; and

WHEREAS, the City Council of the City of College Station, Texas, has determined that all contracts approved by the City Council can similarly be more efficiently processed by authorizing the City Manager to execute such contracts following their approval; now, therefore,

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

- PART 1: That all the findings of fact made and set forth in the preamble to this Resolution shall be and the same are hereby found, declared and adjudicated to be true and correct.
- PART 2: That the City Council of the City of College Station hereby authorizes the City Manager to execute all contracts on behalf of the City when City Council has duly approved such contracts.
- PART 3: That the City Council hereby finds that granting such authority to the City Manager in no way precludes the Mayor from executing contracts on behalf of the City when City Council has duly approved such contracts if required by law or as a condition of the contract or as otherwise determined by the City Council in its discretion.
- PART 4: That the City Council further finds that granting such authority to the City Manager shall not otherwise modify or change the City's procedures for processing such contracts.
- PART 5: That this Resolution shall take effect on April 1, 2012.

ADOPTED this 23rd day of February, A.D. 2012.

ATTEST:

Sherry Meslin
City Secretary

APPROVED:

Tracy F. Provey
MAYOR

APPROVED:

Carla A. Robinson

City Attorney

RESOLUTION NO. 02-23-12-2f

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION TO AUTHORIZE THE CITY MANAGER OR HIS DESIGNEES TO EXECUTE DOCUMENTS NECESSARY FOR THE SUBMISSION OF A GRANT APPLICATION FOR THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION (CJD) FUNDS ON BEHALF OF THE CITY AND TO ACT ON ITS BEHALF WITH RESPECT TO ANY ISSUES THAT MAY ARISE DURING PROCESSING OF THE APPLICATION.

WHEREAS, the City Council of College Station has expressed commitment to providing for the health and safety of its citizens; and

WHEREAS, the City of College Station Police Department is dedicated to seeking efficient and effective means to reduce crime and recover evidence; and

WHEREAS, the Office of the Governor has issued a Request for Applications for CJD funding to reduce crime and improve the criminal justice system; and

WHEREAS, the eligible activities under CJD are consistent with the strategies identified in the Police Department's Operational Plan; and

WHEREAS, eligible activities under CJD can be expected to enhance the City's existing policing services, and alleviate health and safety concerns, and

WHEREAS, the City Council acknowledges that the grant requires the City to pay any maintenance costs beyond the initial purchase of equipment; now, therefore,

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

PART 1: That the City Council hereby authorizes the City Manager or his designees to execute documents necessary for the submission of a grant application for CJD funds to the Officer of the Governor on behalf of the City of College Station and to act on its behalf with respect to any issues that may arise during processing of the application.

PART 2: This resolution shall take effect immediately from and after its passage.

ADOPTED this 23rd day of February, 2012.

ATTEST:

Sherry Mashburn
City Secretary

APPROVED:

Nancy F. Berry
Mayor

APPROVED:

Carla A. Robinson
City Attorney

RESOLUTION NO. 02-23-12-2g

RESOLUTION OF THE CITY OF COLLEGE STATION, TEXAS SUSPENDING THE MARCH 6, 2012, EFFECTIVE DATE OF ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX") REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH ATMOS CITIES STEERING COMMITTEE ("ACSC") AND OTHER CITIES IN THE ATMOS MID-TEX SERVICE AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND ACSC'S LEGAL COUNSEL

WHEREAS, on or about January 31, 2012, Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), pursuant to Gas Utility Regulatory Act § 104.102 filed with the City of College Station ("City") a Statement of Intent to change gas rates in all municipalities exercising original jurisdiction within its Mid-Tex Division service area, effective March 6, 2012; and

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act ("GURA") and under Chapter 104, §104.001 et seq. of GURA has exclusive original jurisdiction over Atmos Mid-Tex's rates, operations, and services within the City; and

WHEREAS, in order to maximize the efficient use of resources and expertise, it is reasonable for the City to maintain its involvement in the Atmos Cities Steering Committee ("ACSC") and to cooperate with the more than 150 similarly situated city members of ACSC and other city participants in conducting a review of the Company's application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, Atmos Mid-Tex proposed March 6, 2012, as the effective date for its requested increase in rates; and

WHEREAS, it is not possible for the City to complete its review of Atmos Mid-Tex's filing by March 6, 2012; and

WHEREAS, the City will need an adequate amount of time to review and evaluate Atmos Mid-Tex's rate application to enable the City to adopt a final decision as a local regulatory authority with regard to Atmos Mid-Tex's requested rate increase; and

WHEREAS, the Gas Utility Regulatory Act § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and

WHEREAS, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility; now, therefore,

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

Part 1. That the March 6, 2012, effective date of the rate request submitted by Atmos Mid-Tex on January 31, 2012, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

RESOLUTION NO. _____

Part 2. That the City is authorized to cooperate with ACSC and its member cities in the Mid-Tex service area and under the direction of the ACSC Executive Committee to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Railroad Commission.

Part 3. That the City's reasonable rate case expenses shall be reimbursed by Atmos.

Part 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Part 5. A copy of this Resolution shall be sent to Atmos, care of David Park, Vice President Rates & Regulatory Affairs, at Atmos Energy Corporation, Mid-Tex Division, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

ADOPTED this 23rd day of February, A.D. 2012.

ATTEST:

APPROVED:

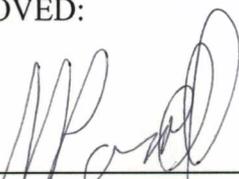


City Secretary



MAYOR

APPROVED:



City Attorney

RESOLUTION NO. 02-23-12-2i

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 ECONOMIC DEVELOPMENT MASTER PLAN PROJECT.

WHEREAS, the City of College Station, Texas, solicited proposals for economic development planning services; and

WHEREAS, the selection of CDS Market Research is being recommended as the most highly qualified provider of the economic development planning 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 CDS Market Research is the most highly qualified provider of the services for the Economic Development Master Plan Project on the basis of demonstrated competence and qualifications.

PART 2: That the City Council hereby approves the contract with CDS Market Research for an amount not to exceed \$94,885 for the economic development planning services related to the Economic Development Master Plan Project.

PART 3: That the funding for this Contract shall be as budgeted from the Economic Development Fund in the amount of \$94,885.

PART 4: That the City Council hereby authorizes the City Manager to execute this Contract.

PART 5: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 23rd day of February, 2012.

ATTEST:



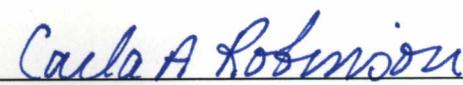
City Secretary

APPROVED:



MAYOR

APPROVED:



City Attorney

RESOLUTION NO. 02-23-12-2m

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR GEORGIE K. FITCH PARK SITE IMPROVEMENTS, AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the City of College Station, Texas solicited bids for the construction phase of the Georgie K. Fitch Park Site Improvements Project; and

WHEREAS, the selection of VOX Construction, L.L.C. is being recommended as the lowest responsible bidder for construction services related to the Georgie K. Fitch Park Site 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 VOX Construction, L.L.C. is the lowest responsible bidder.
- PART 2: That the City Council hereby approves the contract with VOX Construction, L.L.C. for \$95,625 for the labor, materials and equipment required for the improvements related to the Georgie K. Fitch Park Site Improvements Project.
- PART 3: That the funding for this Contract shall be as budgeted from Community Development Block Grant (CDBG) Funds in the amount of \$95,625.
- PART 4: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 23rd day of February, A.D. 2012

ATTEST:

Sherry Washburn
City Secretary

APPROVED:

Trancy F. BERRY
MAYOR

APPROVED:

Carla A. Robinson
City Attorney

RESOLUTION DETERMINING NEED

RESOLUTION NO. 02-23-12-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, RELATING TO: (1) THE AUTHORITY OF THE CITY TO INITIATE, COMPLETE, AND ACQUIRE, BY PURCHASE OR CONDEMNATION, RIGHT-OF-WAY AND EASEMENT INTEREST IN CERTAIN PROPERTY FOR THE **ROCK PRAIRIE ROAD WEST RIGHT-OF-WAY PROJECT**; (2) A DECLARATION THAT PUBLIC NECESSITY EXISTS FOR THE CITY TO ACQUIRE SUCH INTEREST, THROUGH PURCHASE OR CONDEMNATION; AND (3) ESTABLISHING PROCEDURES FOR THE ACQUISITION OF SUCH INTEREST IN THE PROPERTY.

WHEREAS, the City of College Station, Texas ("City") is a home rule municipality duly incorporated and chartered under the Constitution and laws of Texas; and

WHEREAS, the City owns, operates, constructs, repairs and maintains a city roadway system as a public service; and

WHEREAS, the City's ownership, operation, construction, repair, and maintenance of the city roadway system is a benefit to the public; and

WHEREAS, the City, through a condemnation proceeding, may exercise the power of eminent domain to acquire property in order to carry out the ownership, operation, construction, repair, and maintenance of its street system pursuant to Chapter 251 of the Texas Local Government Code, Chapter 21 of the Texas Property Code, and Article II of the City's Charter; and

WHEREAS, the City is engaged in the following project regarding improvements to **Rock Prairie Road West** between **State Highway 6** and **Normand Drive**, including widening of the road, installation of public utilities, pedestrian improvements, and landscaping, (the "Project"); and

WHEREAS, the City determines that the best interests and needs of the public, including the health, safety and welfare of the public, require that the City widen **Rock Prairie Road West** between **State Highway 6** and **Normand Drive**, through the City's acquisition, by purchase or condemnation proceeding, of the right-of-way and easements as provided in Exhibit "A", attached hereto and incorporated herein by reference for all purposes (the "Right-of-Way and Easements"); 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, hereby officially determines that there is a public necessity for the Right-of-Way and Easements, and the public welfare and convenience will be served by the acquisition of the Right-of-Way and Easements.
- PART 2: That the City Manager is hereby authorized to contract, on behalf of the City of College Station, with a professional appraiser for the appraisal services, with a professional real estate agent to act as a Land Agent for the City and with attorneys for preparation of title opinions needed by the City from time to time in connection with acquisition of the Right-of-Way and Easements.
- PART 3: That the City's Land Agent or other staff appraiser is hereby authorized and directed to examine the independent appraisal reports as they are submitted to the City to determine whether said appraisal reports are supported by sufficient data. Based upon such examination of said appraisal reports, the Land Agent or other staff appraiser shall make a recommendation to the City Manager as to the establishment and approval of the amount of the just compensation for the Right-of-Way and Easements.
- PART 4: After consideration of said recommendation, the City Manager shall establish and approve the amount determined for acquisition of the Right-of-Way and Easements.
- PART 5: Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition of the Right-of-Way and Easements, the City's Land Agent or other staff appraiser is authorized to communicate a written offer to the property owners for the acquisition of such interest at the full amount determined and established to be just compensation therefore and to negotiate with said owners on behalf of the City.
- PART 6: That the Mayor, after approval by City Council, or the City Manager as delegated, is hereby authorized to execute all documents necessary to acquire said Right-of-Way and Easements for the Project, on behalf of the City of College Station.
- PART 7: That, if necessary, and should a property owner fail to accept a bona fide, good faith offer from the City to purchase the required Right-of-Way and Easements, City representatives shall have the authority to initiate and complete condemnation proceedings against said owner, in order to acquire through condemnation all required property interests and title regarding such property.

PART 8: That the City Manager be and is hereby authorized to sell any such surplus improvements, or order the demolition thereof, if any, located on the real property acquired in connection with this Project.

PART 9: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 23rd day of February, A.D. 2012.

ATTEST:

APPROVED:


City Secretary


MAYOR

APPROVED:


City Attorney

EXHIBIT "A"

Right-of-Way (Fee Simple Interest) and Easements (Easement Interest)

Being all those parcels or tracts of land necessary to widen Rock Prairie Road and install public utilities, pedestrian improvements, and landscaping, from the west frontage road of State Highway 6 through the intersection of Normand Drive, College Station, Brazos County, Texas. Said parcels are depicted on the attached map following this page.

Said right-of-way and easement tracts or parcels may be acquired from the following lands:

Landowner (Now or Formerly): TIGER HOLDINGS, INC

Street Address: 3998 SH-6 South, College Station, Texas

Legal Description: Being all the certain lot, tract or parcel of land being situated in College Station, Brazos County, Texas, and being Tract "F-4", RESUBDIVISION OF PONDEROSA PLACE, SECTION TWO, an addition to the City of College Station, Texas, according to the resubdivision plat recorded in Volume 2155, Page 43, Official Records of Brazos County, Texas.

Landowner (Now or Formerly): WELLS FARGO BANK TEXAS, N.A., successor in interest to VICTORIA BANK & TRUST COMPANY

Street Address: 1801 Rock Prairie Road, College Station, Texas

Legal Description: Being all the certain lot, tract or parcel of land being situated in College Station, Brazos County, Texas, and being Lot "F" One (F-1), PONDEROSA PLACE, SECTION TWO, an addition to the City of college Station, Texas, according to the resubdivision plat recorded in Volume 2155, Page 43, Official Records of Brazos County, Texas.

Landowner (Now or Formerly): SCP COLLEGE STATION I, LTD

Street Address: 1751 Rock Prairie Road, College Station, Texas

Legal Description: Being all the certain lot, tract or parcel of land being situated in College Station, Brazos County, Texas, and being Tract G-2B, PONDEROSA PLACE, SECTION TWO, an addition to the City of college Station, Texas, according to the vacating and final plat recorded in Volume 4734, Page 122, Official Records of Brazos County, Texas.

Landowner (Now or Formerly): PROSPERITY BANK

Street Address: 1862 Rock Prairie Road, College Station, Texas.

Legal Description: Being all the certain lot, tract or parcel of land being situated in College Station, Brazos County, Texas, and being Lot One (1), Block One (1), L.O. BALL MEMORIAL SUBDIVISION, a subdivision in College Station, Texas, according to the plat recorded in Volume 2555, Page 313, Official Records of Brazos County, Texas.

Landowner (Now or Formerly): CENTRO NP HOLDINGS 1 SPE, LLC

Street Address: 3505 B Longmire Drive, College Station, Texas.

Legal Description: Being all the certain lot, tract or parcel of land being situated in College Station, Brazos County, Texas, and being Lot One (1), Block Two (2), L.O. BALL MEMORIAL SUBDIVISION, PHASE II, an addition in the City of College Station, Texas, according to the amending plat recorded in Volume 4538, Page 17, Official Records of Brazos County, Texas.

Landowner (Now or Formerly): ARCHLAND PROPERTY II, L.P.

Street Address: 1748 Rock Prairie Road, College Station, Texas.

Legal Description: Being all the certain lot, tract or parcel of land being situated in College Station, Brazos County, Texas, and being Lot Four (4), Block Three (3), L.O. BALL MEMORIAL SUBDIVISION, PHASE II, an addition in the City of College Station, Texas, according to the amending plat recorded in Volume 4110, Page 149, Official Records of Brazos County, Texas.