

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
AUGUST 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
Mary Ann Powell, Deputy 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 7:09 p.m. on Thursday, August 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.

- **Moment of silence in remembrance of the victims of August 13, 2012 tragedy.**
Mayor Berry led the Council and audience in a moment of silence in remembrance of the victims of the August 13, 2012 tragedy.

Councilmember Mooney requested personal privilege, and expressed his appreciation to all first responders and City staff during last week's tragedy.

- **Presentation and proclamation recognizing Joanna Yeager for her service on the Senior Advisory Committee.**

Mayor Berry presented Joanna Yeager a proclamation recognizing her for her service on the Senior Advisory Committee.

Citizen Comments

Carrol Claycamp, 300 Lee Avenue, addressed the Council on the closing of the conference center. He thought if he could talk to the City Manager or staff they could help him understand why a 63 year old building suddenly became unsafe. Staff either had no time or no knowledge to share. In his 53 years he has yet to come upon a building that couldn't be kept open for a period of time. If the building was really ready to fall, then he would expect to see an army of workmen stabilizing that structure. The only way he could get through was to apply for the open records. After that, he was able to get quite a bit of information from staff. He could not go in the building because of the insurance. It appears a taxpayer does not have the right to find out those things first hand. He received the engineer's report on August 8, but there was nothing to tell him why the building was failing. He asked Council to take Paul Harvey's advice and make the rest of the story available to the taxpayers before taking action to sell the site, raze the building, or abandon the building.

CONSENT AGENDA

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

- **August 9, 2012 Workshop**
- **August 9, 2012 Regular Council Meeting**

2b. Presentation, possible action, and discussion of an ordinance amending Chapter 10 "Traffic Code", to create a loading zone on University Drive east of College Main in accordance with the desires of the area merchants and as identified in the Memorandum of Understanding.

2c. Presentation, possible action and discussion on Resolution 08-23-12-2c, approving an interlocal government agreement with Brazos County for the conduct and management of the City of College Station General and Special Election and the approval of the Notice of General and Special Election that will be held on Tuesday, November 6, 2012. (Presentación, posible acción y discusión acerca de una resolución que apruebe un acuerdo interlocal de gobierno con el Condado de Brazos para llevar a cabo y administrar las Elecciones Generales y Especiales de la Ciudad de College Station y para aprobar la Notificación de Elecciones Generales y Especiales que se celebran el martes 6 de noviembre de 2012.

2d. Presentation, possible action, and discussion regarding Resolution 08-23-12-2d to approve the construction contract (Contract 12-287) with Elliott Construction in the amount of \$3,704,090.60, for the construction of the South Knoll-The Glade Utility Rehabilitation Project (WF1044480, WF1044485), and approval of Resolution 08-23-12-2d-

a. declaring intention to reimburse certain expenditures with proceeds from debt. (This item is also on the Workshop Agenda, Item #6)

2e. Presentation, possible action, and discussion regarding an inter-local agreement between the City of College Station and Brazos Valley Transit District for the construction of two bus shelters to include a 25 % match by the City of College Station not to exceed \$12,500, which will come from the City's Strong & Sustainable Neighborhood Grant program.

2f. Presentation, possible action and discussion regarding the approval of Resolution 08-23-12-2f for the Annual Reconfirmation and use of Service and Equipment to be provided by the City of College Station in the Event of a Radiological Incident at the Texas A&M University Nuclear Science Center.

2g. Presentation, possible action, and discussion regarding the approval of amendments to contracts 12-044, 08-292, 06-313, 05-003, and 02-199 with Brazos Valley Community Action Agency (BVCAA) to revise the use of Community Housing Development Organization (CHDO) proceeds generated from activities completed with HOME Investment Partnership Program (HOME) grant CHDO funds and delete the requirement for the return of 25% of the proceeds generated from funds allocated with contract 08-292.

2h. Presentation, possible action, and discussion regarding the approval of a professional services contract (Contract 12-273) with Hawkins Architecture in the amount of \$100,850.00, for the design of an expansion to the existing maintenance facility at Veterans Park.

2i. Presentation, possible action, and discussion regarding a deductive change order to the construction contract (Contract 12-031) with Follis-Cole Construction in the amount of \$160,192.37, for the construction of the Emerald forest Drainage Improvements Project (SD-1 006).

2j. Presentation, possible action, and discussion on an easement agreement renewal with the Texas A&M University System for the purpose of operating and maintaining a traffic signal at Bizzell Drive and George Bush Drive.

2k. Presentation, possible action, and discussion on a construction contract with Dailey Electric in the amount of \$61,406.31, for electrical additions/upgrades to add electrical power at various locations throughout Wolf Pen Creek Park, Project Number PK-1217.

2l. Presentation, possible action and discussion on approving the Hotel Tax Fund funding agreement between the City of College Station and the Bryan/College Station Chamber of Commerce for FY12 totaling \$25,000, and approving the budget for the Bryan/College Station Chamber of Commerce related to the Hotel Tax funding.

2m. Presentation, possible action, and discussion regarding approval of estimated annual expenditures related to copying and printing services as follows: Tops Printing \$40,000; Copy Corner \$40,000; Office Depot \$20,000; Cerqa \$20,000.

2n. Presentation, possible action and discussion to approve the renewal of a consulting contract with First Southwest Company in an amount not to exceed \$175,000 for financial advisory services.

2o. Presentation, possible action and discussion on a bid award for the purchase of various pad-mounted distribution transformers maintained in inventory to HD Supply Utilities \$53,150; Techline \$21,416; and KBS \$14,844 for a total of \$89,410.00.

Items 2e, 2l, and 2n were pulled for a separate vote.

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

(2e)MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Mooney, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve an inter-local agreement between the City of College Station and Brazos Valley Transit District for the construction of two bus shelters to include a 25 % match by the City of College Station not to exceed \$12,500, which will come from the City's Strong & Sustainable Neighborhood Grant program. The motion carried.

(2l)MOTION: Upon a motion made by Councilmember Lyles and a second by Councilmember Mooney, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to approve the Hotel Tax Fund funding agreement between the City of College Station and the Bryan/College Station Chamber of Commerce for FY12 totaling \$25,000, and approving the budget for the Bryan/College Station Chamber of Commerce related to the Hotel Tax funding. The motion carried.

(2n)MOTION: Upon a motion made by Councilmember Ruesink and a second by Councilmember Schultz, the City Council voted (5) for and two (2) opposed, with Councilmembers Fields and Mooney voting against, to approve the renewal of a consulting contract with First Southwest Company in an amount not to exceed \$175,000 for financial advisory services. The motion carried.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to direct staff to go out for an RFP in FY13 for FY14 services. The motion carried unanimously.

MOTION: Upon a motion made by Mayor Berry and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to reconsider adoption of the Consent Agenda. The motion carried unanimously.

MOTION: Upon a motion made by Mayor Berry and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, adopt the Consent Agenda less items 2b, 2e, 2l, and 2n. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion on the City of College Station 2012-2013 Proposed Budget.

At approximately 7:33 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:33 p.m.

A motion by Councilmember Fields to de-fund Keep Brazos Beautiful died for lack of a second.

A motion by Councilmember Fields to de-fund the water fitness programs died for lack of a second.

2. Public Hearing, presentation, possible action, and discussion on Ordinance 2012-3437, amending the College Station Comprehensive Plan by adopting the Southside Area Neighborhood Plan for the area generally bounded by George Bush Drive, Texas Avenue South, Holleman Drive, Welsh Avenue, Southwest Parkway, and Wellborn Road.

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

C.O. Patterson, 715 Park Place, thanked City staff for their efforts in this process. They produced a plan in conjunction with neighborhood input. He asked Council to check out Map EC1, following Appendix A. The pink area referred to is an area platted in 1940, but the history of the area dates back before that. The area was developed in 1920, and the first houses were constructed in 1922. Public planning meetings were held in the living room at 602 Dexter to discuss the incorporation of College Station. It is the oldest neighborhood in College Station. This is a dynamic neighborhood. They want to preserve this dynamic, forward moving neighborhood. The plan involved lot of compromise. No one person got everything they wanted, but they were able to come to a compromise on a lot of issues. This is a carefully thought out plan and lays the groundwork for the next several years. This area will see dramatic changes with the grade separation at Wellborn/George Bush and housing. It is difficult to predict the impact on rental property values. This is a plan that the neighborhood supports in general. He urged the Council to adopt as presented.

George B. Dresser, 501 Fairview, echoed Mr. Patterson comments and urged the Council to approve the plan. The approval to change lot sizes is very important. He noted that Area 5 is extremely dynamic, and it is important that we recognize the area will change very dramatically. The plan has two parts. One addresses that reasonable things will happen, and the implementation will take a lot of work on behalf of staff. The City Engineer will have to be actively involved. He does have a concern that we have not thought through the traffic impacts.

This is a very good effort, and he is happy with the work staff has done. The fact there aren't several hundred people here tonight shows good work.

Commissioner Warner, Planning and Zoning, stated the plan comes forward with a lot of compromise and is a solid plan. P&Z voted six (6) to zero (0) to adopt.

Fred Dupriest, 400 Fairview, stated he does not support all the plan. There are some issues that are very concerning, especially Area 5. There are currently no three or five story buildings. This will fundamentally change the character of the neighborhood. A change to apartments and high-rises doesn't just change the look, it changes the character of the neighborhood. There is only one section with contiguous owners to place an apartment building. Only the top two blocks are owned by two interests that have the room to build a reasonably sized apartment. The plan encourages placing three stories on two lots. These will tower over adjoining residential property. The renovation craze is moving though like crazy, but it stops at Area 5 because most of the property has been purchased by investors. It did not quit developing, it quit because investors only sell to each other. They want to stack people three stories high. Is that what the City wants to see happen in that area? Tough work is still ahead, but who will retain the integrity of the neighborhood? Will we push the development next to the road where it is reasonable?

Keith Sewell, 1113 Langford, reiterated that the task force came to an agreement. Both sides compromised.

There being no further comments, the Public Hearing was closed at 9:20 p.m.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Ruesink, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2012-3437, amending the College Station Comprehensive Plan by adopting the Southside Area Neighborhood Plan for the area generally bounded by George Bush Drive, Texas Avenue South, Holleman Drive, Welsh Avenue, Southwest Parkway, and Wellborn Road. The motion carried unanimously.

3. Public Hearing, presentation, possible action, and discussion on Ordinance 2012-3438, amending Chapter 3, "Building Regulations" of the Code of Ordinances of the City of College Station, Texas, amending the 2012 International Building Code by adopting Appendix D, establishing a Fire District.

At approximately 9:43 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 9:43 p.m.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Mooney, the City Council voted six (6) for and one (1) opposed, with Councilmember Fields voting against, to adopt Ordinance 2012-3438, amending Chapter 3, "Building Regulations" of the Code of Ordinances of the City of College Station, Texas, amending the 2012 International Building Code by adopting Appendix D, establishing a Fire District. The motion carried unanimously.

4. Public Hearing, presentation, possible action, and discussion approving Ordinance 2012-3439, vacating and abandoning a 0.09 acre, 20-foot wide sanitary sewer easement, which is located on Lots 9 and 10 of Block 2 of the North Forest Estates Subdivision according to the plat recorded in Volume 8640, Page 82 of the Deed Records of Brazos County, Texas.

At approximately 9:45 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 9:45 p.m.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2012-3439, vacating and abandoning a 0.09 acre, 20-foot wide sanitary sewer easement, which is located on Lots 9 and 10 of Block 2 of the North Forest Estates Subdivision according to the plat recorded in Volume 8640, Page 82 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

5. Presentation, possible action and discussion regarding the appointment to the Brazos Valley Council of Governments.

MOTION: Upon a motion made by Councilmember Ruesink and a second by Councilmember Fields, the City Council voted seven (7) for and none (0) opposed, to appoint Mayor Berry to the Brazos Valley Council of Governments. The motion carried unanimously.

6. Presentation, possible action, and discussion on consideration affiliation agreement with the College Station Medical Center to open discussions on the option under the 1115 Transformation Waiver of the Social Security Act on a partnership for an employee clinic.

This item was not discussed.

7. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 9:47 p.m. on Thursday, August 23, 2012.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary



CITY OF COLLEGE STATION
Home of Texas A&M University

College Station City Council Workshop Agenda
Sign In Sheet

Thursday, August 23, 2012 at 5:00 p.m.
City Hall Council Chamber

Mayor
Nancy Berry
Mayor Pro Tem
David Ruessink
City Manager
David Neelzy

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

	Name	Address	Email or Phone No.
1.	Barry Ringer	4717 St. Andrews Dr 77845	690-7047
2.	Kathy Nixie		knixie@aol.com
3.	Carolyn Kraus	P.O. Drawer 4128, B.O.S	ckrause@vrcog.org
4.	Royce Niceno	809 Royal Adelaide Ct S	Royce@BCEKansas.net
5.	Shirley Stewart	4605 Slice Ct S.S	
6.	Neal Stewart	" " " "	
7.	Berry L. Maddell	504 Spaul Dr. CS	
8.	Spencer Shepherd	3247 Samabunch Ln CS	
9.	Anthony Hernandez	1300 Glade Ct S	
10.	MICHAEL DUKE	902 HEREFORD CS	
11.	Frank Duenkel	1004 Woodhoney Ln CS	
12.	Tom Denton	206 Ember Glow S.S.	
13.	Mike Wheeler	1003 Timber Dr. C.S.	
14.	Rick Lemons	301 Sophia	
15.	Carol Claycamp	300 Beech CS	

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.



College Station City Council Workshop Agenda
Sign In Sheet
Thursday, August 23, 2012 at 5:00 p.m.
City Hall Council Chamber

Mayor	Council Members
Nancy Berry	Blanche Brick
Mayor Pro Tem	Jess Fields
David Ruesink	Karl Mooney
City Manager	Katy-Marie Lyles
David Neely	Julie Schultz

	Name	Address	Email or Phone No.
1.	Ron Carter	1308 Leccrest	Rcartere@tam.edu
2.	Shirley & Fred Dupriest	400 Fairview	-
3.	Ann Hay	11862 Old Wellborn	ahays@cyber.com
4.	April Savic	3535 Plainismen Ln	-
5.	Sallye Spitzer	311 Lee Ave	-
6.	George Dresser	501 Fairview	g-dresser@suddenlink.net
7.	John Nichols		
8.	C.O. PATTERSON	715 Park Place	cop@mail.bio.tamuedu
9.	BETHUR PINTO	3900 DEERNE DR.	
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.



CITY OF COLLEGE STATION
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Hear Visitors
PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 08/23/12
MM / DD / YY

**** Please PRINT all information ****

Name: Carrol Claycamp Phone: 979-696-3056

Address: 300 Lee Ave

Email: _____ Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING
(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.);
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. (Time cannot be transferred to another speaker.)

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station
City Secretary's Office – City Hall
1101 Texas Avenue, College Station, Texas 77840
Fax: 979-764-6377
Email: smashburn@cstx.gov

OFFICE USE ONLY: (# in which received)



CITY OF COLLEGE STATION
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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: _____
MM / DD / YY

**** Please PRINT all information ****

Name: C.O. PATTERSON Phone: 979-324-6886

Address: 715 Park Place

Email: cop@malbio.tamu.edu Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 2 (Southside Plan)

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 8 / 23 / 2012
MM / DD / YY

**** Please PRINT all information ****

Name: George B. Dresser Phone: 696-4361

Address: 501 Fairview

Email: g-dresser@coddenlink.net Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 2

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

Southside Area neighborhood plan

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: _____
MM / DD / YY

**** Please PRINT all information ****

Name: FRED DUPRIEST Phone: 713-548-7927

Address: 400 FAIRVIEW

Email: FRED DUPRIESTSF@GMAIL.COM Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

I WILL SUBMIT A WRITTEN STATEMENT LATER

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: _____
MM / DD / YY

**** Please PRINT all information ****

Name: Keith Swell Phone: 979 204 2087

Address: 1113 Langford St.

Email: keithswell@gmail.com Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # _____

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