



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Regular

Monday, November 19, 2018

6:00 PM

City Hall Council Chambers

1. Call to Order, Pledge of Allegiance, Invocation, Consider Absence Request.

Presentation

Presentation of Historic Marker 99 to Carolyn Lyons for 1201 Carolina St.

Hear Visitors: During this time a citizen may address the City Council on any item which does not appear on the posted Agenda. Registration forms are available in the Office of the City Secretary. This form should be completed and returned to the office by 5:30 PM on the day of the Council meeting. Upon stepping to the podium the speaker must state their name and city of residence, including the state of residence if the city is located out of state. Speakers are encouraged to identify their College Station neighborhood or geographic location. Each speaker's remarks are limited to three minutes. A group of five or more may register at the Office of the City Secretary by 5:30 PM on the day of the meeting and designate an individual to speak for 10 minutes on their behalf. All signers must be in attendance when the speaker is introduced and may not speak individually during Hear Visitors. A speaker who wishes to include computer-based information while addressing the Council must provide the electronic file to the City Secretary by noon on the day of the Council meeting. During presentations a series of timer lights will change from green to yellow and an alarm will sound after two and one-half or nine and one-half minutes to signal thirty seconds remaining. When time expires the timer light will change to red, the final alarm will sound, and the speaker must conclude the remarks. The City Council will listen and receive the information presented by the speaker, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager. Comments should not personally attack other speakers, Council or staff.

Consent Agenda

At the discretion of the Mayor, individuals may be allowed to speak on a Consent Agenda Item. Individuals who wish to address the City Council on a consent agenda item not posted as a public hearing shall register with the City Secretary prior to the Mayor's reading of the agenda item. Registration forms are available in the lobby and at the desk of the City Secretary.

2. Presentation, possible action, and discussion of consent agenda items which consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.

2a. [18-0771](#) Presentation, possible action, and discussion of minutes for:

- November 8, 2018 Workshop
- November 8, 2018 Regular

Sponsors:

Smith

Attachments:[WKSHP110818 DRAFT Minutes](#)[RM110818 DRAFT Minutes](#)**2b. [18-0764](#)**

Presentation, possible action, and discussion concerning adoption of an ordinance ordering a Runoff Election to be held on December 11, 2018 for the purpose of electing a City Council Member, Place 6, and approval of an interlocal government agreement with Brazos County for the conduct and management of the City of College Station Runoff Election. (Presentación, posible acción, y discusión sobre una ordenanza que ordena una elección de la segunda vuelta que se celebrará el 11 de diciembre de 2018 con el propósito de elegir a un miembro del Concejo Municipal, lugar 6, y un acuerdo de gobierno Interlocal con brazos Condado para la conducta y el manejo de la ciudad de la Universidad de la estación de segunda vuelta elección.)

Sponsors:

Smith

Attachments:[ORD Ordering Runoff](#)[Spanish-ORD Ordering Runoff](#)[ILA Runoff Election Agr signed](#)[ILA Runoff Election Agr signed Spanish](#)**2c. [18-0685](#)**

Presentation, possible action, and discussion regarding an ordinance amending Chapter 30, "Nuisances," Article II, "Lot Clearing," Section 30-24, "View of Traffic Obstructed by Trees, Shrubs, and Vegetation of the Code of Ordinances by amending certain sections relating to view of traffic obstructed by trees, shrubs, and vegetation.

Sponsors:

Eller

Attachments:[Sec 30-24 Veg Ord Amend](#)**2d. [18-0686](#)**

Presentation, possible action, and discussion regarding an ordinance amending Chapter 38, "Traffic and Vehicles," Article II, "Stopping, Standing and Parking," Division 1, "Generally," Section 38-43, "Parking, Standing, or Storing of Recreational Vehicles, Trailers or Trucks in Residential Areas," of the Code of Ordinances by amending certain sections relating to parking, standing, or storing of recreational vehicles, trailers, or trucks in residential areas.

Sponsors:

Eller

Attachments:[Res Parking Ord Amend Sec 38-43](#)**2e. [18-0687](#)**

Presentation, possible action, and discussion regarding on amending Chapter 26, "Miscellaneous Provisions and Offenses," Section 26-6,

"Open Storage in Residential Areas," of the Code of Ordinances amending certain sections relating to open storage.

Sponsors:

Eller

Attachments:

[Sec 26-6 Open Storage \(1\)](#)

2f. [18-0720](#)

Presentation, possible action, and discussion regarding a general service contract with NextGEN for delivery, installation, training and four (4) years maintenance and support for the College Main Garage Parking Access & Revenue Control System (PARCS) in the amount of \$319,767.

Sponsors:

Eller

2g. [18-0741](#)

Presentation, possible action, and discussion on approval of a Resolution authorizing banners for the annual Christmas Parade.

Sponsors:

Prochazka

Attachments:

[Christmas Banner Resolution](#)

[Christmas banner Location Map](#)

2h. [18-0759](#)

Presentation, possible action, and discussion regarding the renewal of an annual blanket order for the purchase of Cement Stabilized Base and Type D Grade 1 Cement Stabilized Recycled Crushed Concrete Base with BPI Materials, LLC for an amount not to exceed \$335,380.

Sponsors:

Harmon

Attachments:

[Bid 18-003 Signed Cement Stabilized Rock - Renewal Letter](#)

2i. [18-0760](#)

Presentation, possible action, and discussion regarding approval of Design Change Order No. 3 in the amount of \$114,108 to the Lakeway Drive Extension Project professional services contract with Mitchell & Morgan, LLP.

Sponsors:

Harmon

Attachments:

[Project Location Map](#)

[Lakeway Change Order](#)

2j. [18-0761](#)

Presentation, possible action, and discussion regarding approval of Change Order No. 10 in the amount of \$162,650.25 to the Lincoln Recreation Center Addition construction contract with JaCody, Inc. and consideration of a debt reimbursement resolution.

Sponsors:

Harmon

Attachments:

[Project location map](#)

[signed change order](#)

[PK1213 Lincoln Center expansion - DRR](#)

2k. [18-0762](#)

Presentation, possible action, and discussion regarding an increase of

the Annual Rental of Heavy Machinery contract with Mustang Rentals from \$85,000 to \$150,000.

Sponsors:

Harmon

2l. [18-0765](#)

Presentation, possible action, and discussion regarding the approval of a contract with USA Shade & Fabric Structures, for purchase and installation of a cantilevered shade structure for the Lick Creek Park amphitheater for \$139,516.49; and presentation, possible action, and discussion regarding consideration of a debt reimbursement resolution.

Sponsors:

Schmitz

Attachments:

[PK1905 Lick Creek Shade Structure - DRR](#)

2m. [18-0767](#)

Presentation, possible action, and discussion regarding approving the increase of the Annual Auto Parts and Services contract with NAPA Auto Parts from \$95,000 to \$150,000.

Sponsors:

Leonard

2n. [18-0770](#)

Presentation, possible action, and discussion regarding the rejection of all bids submitted for Bid (ITB) #18-091 for the repair and sealcoat of city streets.

Sponsors:

Harmon

Regular Agenda

Individuals who wish to address the City Council on an item posted as a Public Hearing shall register with the Office of the City Secretary. Registration forms are available in the Office of the City Secretary. This form should be completed and returned to the office by 5:30 PM on the day of the Council meeting. Upon stepping to the podium the speaker must state their name and city of residence, including the state of residence if the city is located out of state. Speakers are encouraged to identify their College Station neighborhood or geographic location. Each speaker's remarks are limited to three minutes. A group of five or more may register at the Office of the City Secretary by 5:30 PM on the day of the meeting and designate an individual to speak for 10 minutes on their behalf. All signers must be in attendance when the speaker is introduced and may not speak individually during that Public Hearing. A speaker who wishes to include computer-based information while addressing the Council must provide the electronic file to the City Secretary by noon on the day of the Council meeting. During presentations a series of timer lights will change from green to yellow and an alarm will sound after two and one-half or nine and one-half minutes to signal thirty seconds remaining. When time expires the timer light will change to red, the final alarm will sound, and the speaker must conclude the remarks. If Council needs additional information from the general public after the Public Hearing is closed some limited comments may be allowed at the discretion of the Mayor. Comments should not personally attack other speakers, Council or staff.

1. [18-0754](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amendment Appendix A, Unified Development Ordinance, Section 6.5 “Accessory Uses”, Section 7.3.H, “Number of Off-Street Parking Spaces Required”, and Section 11.2, “Defined Terms”, of the Code of Ordinances of the City of College Station, Texas, to provide for the rental of accessory living quarters.

Sponsors:

Gray

Attachments:[Option A Ordinance](#)[Option B Ordinance](#)[Option A Sec. 6.5. Accessory Uses.doc](#)[Option B Sec. 6.5. Accessory Uses.doc](#)[Sec. 7.3 Off-Street Parking Standards.doc](#)[Sec. 11.2. Defined Terms.doc](#)

2. [18-0755](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Appendix A, “Unified Development Ordinance,” Section 7.2.H, “Height,” and Section 11.2, “Defined Terms,” regarding single-family height protection and building height.

Sponsors:

Hitchcock

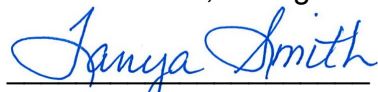
Attachments:[Section 7.2](#)[Section 11.2 Defined Terms](#)[Ordinance](#)

3. Presentation, possible action, and discussion on future agenda items and review of standing list of Council generated 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.

4. Adjourn.

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

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on November 15, 2018 at 5:00 p.m.



City Secretary

This building is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are asked to contact the City Secretary's Office at (979)

764-3541, TDD at 1-800-735-2989, or email adaassistance@cstx.gov at least two business days prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least two business days prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

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

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

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

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



Legislation Details (With Text)

File #: 18-0771 **Version:** 1 **Name:** Minutes
Type: Minutes **Status:** Consent Agenda
File created: 11/13/2018 **In control:** City Council Regular
On agenda: 11/19/2018 **Final action:**
Title: Presentation, possible action, and discussion of minutes for:
• November 8, 2018 Workshop
• November 8, 2018 Regular
Sponsors: Tanya Smith
Indexes:
Code sections:
Attachments: [WKSHP110818 DRAFT Minutes](#)
[RM110818 DRAFT Minutes](#)

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

- November 8, 2018 Workshop
- November 8, 2018 Regular

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): Approval

Summary: N/A

Budget & Financial Summary: None

Attachments:

- November 8, 2018 Workshop
- November 8, 2018 Regular

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
NOVEMBER 8, 2018

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Karl Mooney, Mayor

Council:

Bob Brick
Jerome Rektorik
Linda Harvell
Barry Moore
John Nichols
James Benham

City Staff:

Jeff Capps, Interim City Manager
Jeff Kersten, Assistant City Manager
Carla Robinson, City Attorney
Tanya Smith, City Secretary
Ian Whittenton, Deputy City Secretary

1. Call to Order and Announce a Quorum is Present

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Mooney at 4:02 p.m. on Thursday, November 8, 2018 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

2. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, §551.074-Personnel, §551.086-Competitive Matters, and §551.087-Economic Incentive Negotiations, the College Station City Council convened into Executive Session at 4:02 p.m. on Thursday, November 8, 2018 in order to continue discussing matters pertaining to:

- A. Consultation with Attorney to seek advice regarding pending or contemplated litigation; to wit:
- Kathryn A. Stever-Harper as Executrix for the Estate of John Wesley Harper v. City of College Station and Judy Meeks; No. 15,977-PC in the County Court No. 1, Brazos County, Texas; and
 - McCrory Investments II, LLC d/b/a Southwest Stor Mor v. City of College Station; Cause No. 17-000914-CV-361; In the 361st District Court, Brazos County, Texas
 - City of College Station v. Gerry Saum, Individually, and as Independent Executrix of the Estate of Susan M. Wood, Deceased; Cause No. 17-002742-CV-361; In the 361st District Court, Brazos County, Texas

- Maura Juarez Garcia v. Andres Garcia and City of College Station; Cause No. 18-000419-CV-85; In the 85th District Court, Brazos County, Texas.

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

- Council Self-Evaluation
- Municipal Court Judge
- Interim City Manager
- City Attorney
- City Secretary
- Internal Auditor

C. Deliberation on a competitive matter as that term is defined in Gov't Code Section 552.133; to wit:

- Power Supply

D. Deliberation on an offer of financial or other incentives for a business prospect that the Council seeks to have locate, stay or expand in or near the City; to wit:

- Economic incentives for a project located generally in the area northeast of the intersection of Raymond Stotzer Parkway and Highway 47 in College Station.

The Executive Session recessed at 5:31 p.m.

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

No action was taken.

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

No items were pulled for discussion.

Items 2e, 2f, and 2g were pulled from Consent for clarification.

(2e): *Donald Harmon*, Public Works Director, provided clarification on the items associated with the bid. The project consists of the construction of an extension of Lakeway Drive between its current southern terminus near William D. Fitch Parkway to the existing northern terminus near Scott and White Hospital near Rock Prairie Road. Also, Pebble Creek Parkway shall be constructed from its intersection with the new section of Lakeway Drive to the northbound State Highway 6 frontage road. This change order includes revisions to the sidewalk quantity, the trench safety quantity for storm drain, and excavation of hard rock/shale/sandstone, additional electrical conduit, and an update to the subgrade treatment.

(2f): *Donald Harmon*, Public Works Director, provided clarification on the need to purchase a 12.84 acre property located at 1775 Arnold Road, which is adjacent to the existing Utilities Service Center. It is considered essential for the continued expansion and operation of the Electric and Water utility as identified in a 2017 Facilities Programming Report conducted by Jacobs Engineering.

(2g): Donald Harmon, Public Works Director, provided clarification on the need to improve safety and mobility for people driving, walking, and riding bicycles in the Castlegate Neighborhood. Traffic Engineers for Public Works determined that an all-way stop is warranted at the intersection and that this change would have a limited impact on mobility for people driving along Victoria Avenue while improving the mobility for people driving on Castlegate Drive.

5. Presentation, possible action, and discussion regarding an update by the City of Bryan on their neighborhood protection efforts.

Justin Golbabai, Planning and Development, introduced Martin Zimmermann, AICP, Assistant Director of Planning and Development Services for the City of Bryan to give an update on their neighborhood protection efforts.

Martin Zimmermann, AICP, Assistant Director of Planning and Development Services for the City of Bryan, gave an overview of Bryan's Residential Conservation District (R-NC) and a recent ordinance amendment that defines and regulates so called "stealth dorms" or "Ag sheds" as, "Detached Shared Housing." He defined Detached Shared Housing (DSH) as a detached dwelling unit on an individual lot, for which an approved building permit was issued after February 13, 2018, with four (4) or more bedrooms which is occupied or intended to be occupied by more than two (2) unrelated persons.

Residential Conservation District (R-NC)

Bryan City Council adopts new zoning district in March of 2006 designed to regulate the sharing of a home in residential areas.

- Purpose: preserve, protect and enhance character of established residential neighborhoods
- 47 subdivisions or subdivision phases rezoned to R-NC District to date
- 2,883 out of 17,657 residential lots (16.3%)

Detached Shared Housing (DSH)

A trend of subdividing lots in residential areas leading to the development of stealth dorms causes the City of Bryan to form a subcommittee in September of 2016 to, "regulate growth in a manner that is no longer harmful or detrimental."

- The Subcommittee Findings:
 - Unregulated development of "stealth dorms" is harmful to the City of Bryan.
 - "Stealth dorms" should be a separately defined land use.
 - Not permitted by right in residential districts.
 - There is no ONE solution to the problem.
- Challenges:
 - Can't retroactively make changes to existing structures
 - Do not want to impact 3 and 4 bedroom homes owned by families
 - Do not want to make new development impossible from over-regulation

Bryan City Council adopts an ordinance in February of 2018 defining where and how to allow DSH:

- Only by Conditional Use Permit

- Potentially allowed in most residential zoning districts (except for R-NC District)
- Same process that duplexes and townhomes go through
- Set standards included, but the P&Z can add conditions as well
- Required a definition of Bedroom:
 - **Bedroom** shall mean any habitable room 70 sq. ft. or greater in floor area, which may be segregated from the remainder of the dwelling unit with a door or similar closure, has more than one means of egress (doorway or window) and is not a kitchen, bathroom (lavatory), or utility room.

Mr. Zimmerman closed by saying that the effects of the new ordinance are not yet apparent as there have been enquiries from developers for DSH but no formal submittals. This may be due to the market appearing oversaturated with rental units along with renewed interest in the R-NC district zoning.

6. Presentation, possible action, and discussion regarding the televising of Planning and Zoning Commission Workshops by Public Communications.

Jennifer Prochazka, Planning and Development Director, provided a brief overview why P&Z does not televise the Workshop Meetings. Mrs. Prochazka explain are not televised because they are open to the public, take no action, have no public hearings, and it allows informal interactions and questions.

The Planning and Zoning Commission discussed this item at their September 6th meeting. At the close of the discussion, the Commission expressed that while their preference is that workshop remain untelevised, they are comfortable changing, as Council directs.

A majority of Council directed staff to televise the P&Z Workshop Meetings for transparency and the public's benefit.

7. Council Calendar

Council reviewed the calendar.

8. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Annexation Task Force, Arts Council of Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMA, BVWACS, Compensation and Benefits Committee, Experience Bryan-College Station, Design Review Board, Economic Development Committee, FBT/Texas Aggies Go to War, Gulf Coast Strategic Highway Coalition, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Sister Cities Association, Spring Creek Local Government Corporation, Transportation and Mobility Committee, TAMU Economic Development, TAMU Student Senate, Texas

Municipal League, Twin City Endowment, Walk with the Mayor, YMCA, Youth Advisory Council, Zoning Board of Adjustments.

Councilmember Harvell report on Experience Bryan-College Station.

Mayor Mooney recessed the Workshop at 6:51 p.m. to go into Regular.

Workshop reconvened at 7:51 p.m. to go into Executive.

Mayor Mooney recessed the Executive at 8:29 p.m. to go into Workshop.

No action was required from Executive Session.

9. Adjournment

There being no further business, Mayor Mooney adjourned the workshop of the College Station City Council at 8:29 p.m. on Thursday, November 8, 2018.

Karl Mooney, Mayor

ATTEST:

Tanya Smith, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
NOVEMBER 8, 2018

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Karl Mooney, Mayor

Council:

Bob Brick
Jerome Rektorik
Linda Harvell
Barry Moore
John Nichols
James Benham

City Staff:

Jeff Capps, Interim City Manager
Jeff Kersten, Assistant City Manager
Carla Robinson, City Attorney
Tanya Smith, City Secretary
Ian Whittenton, Deputy City Secretary

Student Liaison:

Gilbert Reboloso, Municipal Affairs

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 Mooney at 7:00 p.m. on Thursday, November 8, 2018 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

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

Proclamation on a Centennial Remembrance of the Armistice to the fighting in World War I, "Bells of Peace."

Mayor Mooney presented a proclamation to honor all the American sons and daughters who serve our nation and to toll the bells in remembrance of the Armistice at 11:00 a.m. local time on November 11, 2018.

Hear Visitors Comments

James Benham, College Station, came before Council to honor the service of 2nd Lt Thomas W Benham in World War I.

CONSENT AGENDA

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

- October 25, 2018 Regular Meeting
- October 25, 2018 Workshop Meeting

2b. Presentation, possible action, and discussion regarding ratification of a construction contract (No. 19300084) with Duro-Last, Inc., in the amount of \$350,000 for the roofing of the City Hall and Annex buildings.

2c. Presentation, possible action, and discussion on Resolution No. 11-08-18-2c approving an Assist in Construction Request by Bryan Texas Utilities to the City of College Station in the amount of \$125,184.51.

2d. Presentation, possible action, and discussion on a Relocation Reimbursement Agreement between the City of College Station and the Explorer Pipeline Company in the amount of \$350,000.

2e. Presentation, possible action and discussion regarding approval of Construction Change Order No. 3 in the amount of \$213,963.46 to the Lakeway Drive Extension Project construction contract 17300495 with Larry Young Paving, Inc.

2f. Presentation, possible action, and discussion regarding approval of a Real Estate Contract with Olive Margaret Arnold for the purchase of 12.84 acres of land in the amount of \$1,665,000 needed for the expansion of the College Station Utilities Service Center facility.

2g. Presentation, possible action, and discussion on the consideration of Ordinance No. 2018-4053 amending Chapter 38, "Traffic and Vehicles", Article VI, "Traffic Schedules," Section 38-1002 "Traffic Schedule II, Four-Way Stop Intersections," of the Code of Ordinances of the City of College Station, Texas, by implementing an all-way stop at the intersection of Victoria Avenue and Castlegate Drive.

2h. Presentation, possible action, and discussion regarding Change Order 1 to Contract 18300287 with Weisinger Inc. for a deduct of \$54,300 from the original \$213,657 to replace the pump assembly and motor for Well 7.

MOTION: Upon a motion made by Councilmember Rektorik and a second by Councilmember Benham, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

REGULAR AGENDA

1. Presentation, possible action, and discussion of the rendering of the exterior of the New City Hall building as designed by Kirksey Architecture and reviewed by the Architectural Advisory Committee.

Erica Wozniak, Construction Project Manager, provided a brief overview on meetings of the Architectural Advisory Committee (AAC) in conjunction with Kirksey Architecture, which developed and reviewed renderings for the exterior design of the new city hall building. The rendering presented today meets the expectations and requirements of the AAC.

- Architectural Advisory Committee

- Met with Kirksey Architecture several times
- Presented ideas and refined concepts
- Current rendering represents the ideas and concepts discussed during these meetings
- Design Features
 - City Gateway sign
 - Traditional Texas municipal architecture
 - Red brick and white stone, pitched roof, columns, arches and clock tower
 - Representative of College Station's history
 - Train station
 - Three levels with council chambers, offices, and meeting / training rooms.
 - Main public entrance facing Texas Ave. with staff entrances on all sides of the building
 - Open lobby area with natural light
 - Spaces for staff to gather and collaborate
 - Council Chambers faces Texas A&M University
 - Additional features
 - Adjacent parking for both public, staff, and Council
 - Semi-Circular driveway and drop-off area
 - Welcoming public spaces outside of the facility
 - Building name

Based on the direction provided by the Architectural Advisory Committee, Staff recommended approval of the exterior elevations of the New City Hall as shown and discussed in this presentation.

MOTION: Upon a motion made by Councilmember Harvell and a second by Councilmember Brick, the City Council voted seven (7) for and none (0) opposed, to approve as presented of the rendering of the exterior of the New City Hall building as designed by Kirksey Architecture and reviewed by the Architectural Advisory Committee. The motion carried unanimously.

2. Presentation, possible action, and discussion regarding the possibility of creating an electric advisory board or board of trustees.

Aubrey Nettles, Specials Project Coordinator, provided a brief overview on the FY2019 budget workshops where City Council directed staff to look at the possibility of creating an electric advisory board or independent utility board. Since then, staff has reviewed municipally owned utility governance studies and benchmarked similarly situated cities with municipally owned utilities, which had an advisory board or independent board of trustees. Mrs. Nettles presented the following findings and explored options going forward.

American Public Power Association (APPA) Significant Findings

- 43% of respondents with 20,000 to 50,000 customers are governed by City Councils
 - 57% are governed by an Independent Board
- The incidence of electric utilities with a citizens advisory board increases by customer size class

Texas Public Policy Association (TPPA) Significant Findings

- It is more common for large and mid-sized utilities to be governed by an independent board
- Council retains rate setting, bond issuance and eminent domain authority in 88% of the utilities with an independent board

City Council Governance Model Pros

- Direct accountability to citizens/ratepayers
- Direct impact on planning and policy issues of the utility that impact the community
- More integration/synergies/coordination on policy issues between the utility and the other city departments

City Council Governance Model Cons

- Potential for politics to be injected into running the utility
- Council members may not have expertise of the utility operations
- Council members must focus broadly on many City issues
- May focus on the City's financial needs, possibly with less focus on utility finances

Independent Board Pros

- Singularly focused on the utility
- Members can be selected based on qualifications
- Can enhance the business orientation of governance
- Can reduce injection of politics into running the utility
- If longer terms than Councilmembers then more stability and better long range planning
- Could be viewed by the rating agencies as a positive

Independent Board Cons

- Less direct control and involvement by Council
- Could be less accountable to citizen/ratepayers
- Some synergies with other City Departments could be lost
- Transitioning to a board would require attention to costs, transition time, and other issues
- A board could be perceived as just another layer of management

A majority of Council directed staff to gather more information and bring back this item for discussion during the Strategic Planning portion of the 2019 Council Retreat.

3. Presentation, possible action, and discussion regarding the appointment of a Councilmember Representative to the Sister Cities.

MOTION: Upon a motion made by Councilmember Moore and a second by Councilmember Rektorik, the City Council voted seven (7) for and none (0) opposed, to appoint John Nichols as Council representative to Sister Cities. The motion carried unanimously.

4. Presentation, possible action, and discussion on future agenda items and review of standing list of Council generated 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.

No future agenda items were discussed.

5. Adjournment.

There being no further business, Mayor Mooney adjourned the Regular Meeting of the City Council at 7:51 p.m. on Thursday, November 8, 2018.

Karl Mooney, Mayor

ATTEST:

Tanya Smith, City Secretary

Legislation Details (With Text)

File #:	18-0764	Version:	1	Name:	Ordering Runoff & ILA with Brazos County
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	11/7/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion concerning adoption of an ordinance ordering a Runoff Election to be held on December 11, 2018 for the purpose of electing a City Council Member, Place 6, and approval of an interlocal government agreement with Brazos County for the conduct and management of the City of College Station Runoff Election. (Presentación, posible acción, y discusión sobre una ordenanza que ordena una elección de la segunda vuelta que se celebrará el 11 de diciembre de 2018 con el propósito de elegir a un miembro del Concejo Municipal, lugar 6, y un acuerdo de gobierno Interlocal con brazos Condado para la conducta y el manejo de la ciudad de la Universidad de la estación de segunda vuelta elección.)				
Sponsors:	Tanya Smith				
Indexes:					
Code sections:					
Attachments:	ORD Ordering Runoff Spanish-ORD Ordering Runoff ILA Runoff Election Agr signed ILA Runoff Election Agr signed Spanish				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion concerning adoption of an ordinance ordering a Runoff Election to be held on December 11, 2018 for the purpose of electing a City Council Member, Place 6, and approval of an interlocal government agreement with Brazos County for the conduct and management of the City of College Station Runoff Election. *(Presentación, posible acción, y discusión sobre una ordenanza que ordena una elección de la segunda vuelta que se celebrará el 11 de diciembre de 2018 con el propósito de elegir a un miembro del Concejo Municipal, lugar 6, y un acuerdo de gobierno Interlocal con brazos Condado para la conducta y el manejo de la ciudad de la Universidad de la estación de segunda vuelta elección.)*

Relationship to Strategic Goals:

- Good Governance

Recommendation *(Recomendación)*: Approve as presented to the City Council.
(Aprobar en cuanto sea presentado ante el Consejo de la Ciudad.)

Summary *(Resumen)*: A General Election and Bond Election will be held on December 11, 2018 for the purpose of electing City Councilmembers, Place 6. *(Se celebrarán Elecciones Generales y elección de bonos el 11 de diciembre de 2018 con el propósito de elegir a los miembros del Consejo de la Ciudad, Puestos número 6.)*

Budget & Financial Summary (*Presupuesto y Resumen Financiero*): The Election Administrator provided a conservative estimate of \$30,000 for this runoff election. This does not include the cost to publish the Notice of Runoff Election. The Notice must be published in English and Spanish and must appear in The Eagle and La Voz. (*El administrador de elecciones proporcionó una estimación conservadora de \$30.000 para esta elección de segunda vuelta. Esto no incluye el costo de publicar el aviso de escorrentía elección. El aviso debe ser publicado en inglés y español y debe aparecer en el Eagle y la voz.*)

Attachments (Adjuntos):

- Draft Ordinance Calling the Runoff Election for December 11, 2018. Borrador de Ordenanza llamando a la Elección de segunda vuelta *para el 11 de diciembre de 2018.*
- Interlocal Agreement with Brazos County (*Acuerdo Interlocal con el Condado de Brazos*)
**Legal has reviewed and approved. (*La oficina de asuntos legales ha revisado y ha aprobado lo mencionado anteriormente.*)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION ORDERING A MUNICIPAL RUNOFF ELECTION TO BE HELD ON DECEMBER 11, 2018, FOR THE PURPOSE OF ELECTING CITY COUNCILMEMBER PLACE 6 BY THE QUALIFIED VOTERS OF THE CITY OF COLLEGE STATION; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THIS ELECTION; AND MAKING PROVISIONS FOR CONDUCTING THE ELECTION.

RECITALS:

1. On November 6, 2018, the City of College Station held an election for the purpose of electing City Councilmember Place 6.
2. On November 19, 2018, the City Council canvassed the results of the November 6, 2018, election and found that no candidate received a majority of the votes.
3. The City Council is authorized to order a runoff election to be held on the 11th day of December, 2018, for the purpose of electing City Councilmember Place 6 by the qualified voters of the City of College Station.

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

SECTION 1. A runoff election is ordered to be held by the City of College Station (the “City”) at the various polling places and election precincts within the corporate limits of the City, as hereinafter designated, on December 11, 2018, from the hours of 7:00 a.m. to 7:00 p.m. This runoff election will be conducted by Brazos County and will be administered for the City by the Brazos County Elections Administrator, but this runoff election is not a county-wide election. At this election the qualified voters of the City will elect City Councilmember for Place 6, with such position having a term of three years.

SECTION 2. The Vote Centers (polling locations) for College Station for this election shall be as follows:

Vote Centers	Vote Centers	Vote Centers
College Station ISD Administration Building 1812 Welsh College Station, Texas	College Station City Hall 1101 Texas Avenue College Station, Texas	Christ United Methodist Church 4201 State Highway 6, South College Station, Texas

SECTION 3. Early voting by personal appearance for the runoff election shall commence on November 27, 2018, and end on December 7, 2018. Optical scan ballots shall be used for early voting by mail and direct recording electronic voting machines shall be used for early voting by personal appearance. The Early Voting Clerk for said election shall be the Brazos County

Elections Administrator. She shall determine the number of election workers to be hired and arrange for training of all election workers. Early voting by personal appearance for the runoff shall be conducted jointly at the locations and on the following dates and times specified by the Brazos County Elections Administrator:

Early Voting Center Location: College Station Utilities Meeting & Training Facility – 1603 Graham Road, College Station, Texas

November 27 – November 30 8:00 am – 5:00 pm
(Tuesday – Friday)

December 1 (Saturday) 7:00 am – 7:00 pm
December 2 (Sunday) 10:00 am – 3:00 pm

December 3 – December 6 8:00 am – 5:00 pm
(Monday - Thursday)

December 7 (Friday) 7:00 am – 7:00 pm

SECTION 4. Early voting by mail ballot shall be conducted in accordance with applicable provisions of the Texas Election Code. The address of 300 E. William J Bryan, Suite 100, Bryan, shall be the early voting clerk's mailing address to which ballot applications and ballots voted by mail may be sent for the City.

SECTION 5. All early votes and other votes to be processed in accordance with early voting procedures pursuant to the Texas Election Code shall be delivered to the Early Voting Ballot Board at the Brazos County Election Administrator's office. Early votes shall be counted at the central counting station. The Early Voting Ballot Board shall perform in accordance with applicable provisions of the Election Code.

SECTION 6. A Direct Record Electronic ("DRE") System, as the term is defined in the Texas Election Code, shall be utilized in connection with the election. This system shall be utilized for all early voting as well as for all precinct voting conducted on Election Day. The Brazos County Elections Administrator will appoint a programmer, who shall prepare a program for the automatic tabulating equipment. Ample voting equipment shall be provided for early voting and in each of the various precincts on Election Day. The central counting station is established as the Brazos County Election Administrator's Office, 300 E. William J Bryan, Suite 100, Bryan.

SECTION 7. All resident, qualified voters of the City of College Station shall be permitted to vote for City Councilmember Place 6.

SECTION 8. In accordance with Section 123.001 of the Texas Election Code, the Hart Intercivic Direct Recording Electronic Voting System, Optical Scan Voting System and Electronic Management System for Brazos County, Texas and certified by the Secretary of State on January

3, 2002, and subsequent certifications each year, and identified as eSlate is hereby adopted for the runoff election.

SECTION 9. The runoff election shall be held in accordance with the requirements for bilingual elections as set forth in the Voting Rights Act amendments for 1975 (42USC 1973aa-1a) and in Section 272.001 of the Election Code. All election forms and materials shall be printed in both English and Spanish, and bilingual oral assistance shall be made available within the requirements of the law.

SECTION 10. The City Secretary is hereby authorized to post an official NOTICE OF RUNOFF ELECTION listing the precincts and polling place locations for this election. A copy of the NOTICE OF RUNOFF ELECTION, when published in a newspaper of general circulation in English and Spanish, shall serve as proper notice of the City's election.

SECTION 11. The Mayor is hereby authorized to certify to the City Secretary the names of the candidates to be placed on the ballot for the runoff election to be held on the 11th day of December 2018.

SECTION 12. That this Ordinance shall take effect immediately from and after its passage.

APPROVED AND ADOPTED by the City Council of the City of College Station this 19th day of November, 2018.

CITY OF COLLEGE STATION:

Karl Mooney, Mayor

ATTEST:

Tanya Smith, City Secretary

APPROVED AS TO FORM:

Carla A. Robinson, City Attorney

ORDENANZA NO. _____

ORDENANZA DEL CONCEJO / AYUNTAMIENTO DE LA CIUDAD DE COLLEGE STATION QUE ORDENA UNA SEGUNDA ELECCIÓN PARA CELEBRARSE EL 11 DE DICIEMBRE DE 2018, CON EL PROPÓSITO DE ELEGIR MIEMBRO DEL CONCEJO / AYUNTAMIENTO DE LA CIUDAD PARA EL PUESTO NÚMERO 6, POR LOS VOTANTES CALIFICADOS DE LA CIUDAD DE COLLEGE STATION; ESTABLECER LAS UBICACIONES DE VOTACIÓN TEMPRANA O ANTICIPADA Y CENTROS ELECTORALES PARA ESTA ELECCIÓN; Y HACER LAS DISPOSICIONES NECESARIAS PARA QUE SE REALICEN LA ELECCIONES.

CONSIDERANDOS:

1. El 6 de noviembre del 2018 la Ciudad de College Station celebró una elección con el propósito de elegir Miembro del Concejo / Ayuntamiento de la Ciudad para el puestos número 6.
2. El 19 de noviembre de 2018, el Concejo / Ayuntamiento de la ciudad realizó un sondeo de los resultados de las elecciones del 6 de noviembre de 2018 y encontró que ningún candidato recibió la mayoría de votos.
3. El Ayuntamiento tiene la autorización de ordenar una segunda elección de desempate para que se lleve a cabo el 11 de diciembre del 2018, con el propósito de elegir Miembro del Concejo / Ayuntamiento de la ciudad para el puesto número 6, y que sean elegidos por los votantes calificados residentes de la ciudad de College Station.

SE HA ORDENADO POR EL CONCEJO / AYUNTAMIENTO DE LA CIUDAD DE COLLEGE STATION, TEXAS:

SECCIÓN 1. Se ordena que la ciudad de College Station (la "Ciudad") lleve a cabo una segunda elección de desempate en los diversos centros de votación y precintos electorales dentro de los límites de la Ciudad -como se indica en la siguiente sección- el 11 de diciembre del 2018 de 7:00 a.m. a 7:00 p.m. Esta elección de desempate se realizará por el Condado de Brazos y será administrada por el administrador de la Oficina Electoral del Condado de Brazos. Esta elección de desempate o segunda vuelta no es una elección para todo el condado. En esta elección, los votantes calificados de la Ciudad elegirán a un Miembro del Concejo / Ayuntamiento de la Ciudad para el puesto número 6, con dicho cargo con un mandato de tres años.

SECCIÓN 2. Los Centros de Votación (precintos electorales) para esta elección serán los siguientes:

Centros de votación	Centros de votación	Centros de votación
College Station ISD Edificio de Administración 1812 Welsh College Station, Texas	College Station City Hall 1101 Texas Avenue College Station, Texas	Christ United Methodist Church 4201 State Highway 6, South College Station, Texas

SECCIÓN 3. La votación temprana por comparecencia personal para la elección de desempate comenzará el 27 de noviembre de 2018 y finalizará el 7 de diciembre de 2018. Las boletas de escaneo óptico se utilizarán para la votación temprana por correo postal y las máquinas de votación electrónica de registro directo se utilizarán para la votación anticipada en persona. El secretario de Votación Temprana para dichas elecciones será el administrador de la Oficina Electoral del Condado de Brazos. El Oficial/ Secretario de Votación Temprana para dichas elecciones será el Administrador de Elecciones del Condado de Brazos. Ella determinará el número de trabajadores electorales que se podrán contratar y organizará la capacitación de ellos. La votación temprana por comparecencia personal para la segunda vuelta se llevará acabo conjuntamente en los sitios y en las siguientes fechas y horarios especificadas por el Administrador de Elecciones del Condado de Brazos:

Centro de Votación Temprana: Instalaciones de Reunión y Entrenamiento de Servicios Publicos de College Station - *College Station Utilities Meeting & Training Facilities*- 1603 Graham Road, College Station, Texas

27 de Noviembre - 30 de Noviembre (martes - viernes)	8:00 am - 5:00 pm
1 de Diciembre (sábado)	7:00 am - 7:00 pm
2 de Diciembre (domingo)	10:00 am - 3:00 pm
3 de Diciembre - 6 de Diciembre (Lunes a jueves)	8:00 a.m. - 5:00 p.m.
7 de Diciembre (viernes)	7:00 a.m. - 7:00 p.m.

SECCIÓN 4. La votación temprana o anticipada por correo se realizará de acuerdo con las disposiciones aplicables del Código Electoral de Texas. La dirección de 300 E. William J Bryan, Suite 100, Bryan, Texas 77803, será la dirección postal del secretario de votación anticipada a la cual se enviarán por correo los formularios de boletas y las boletas ya votadas.

SECCIÓN 5. Todos los votos anticipados y otros votos que serán procesados en conformidad con los procedimientos de votación anticipada establecidos en el Código Electoral de Texas se entregarán al Comisión Administrativa de Boletas de Votación Anticipada ubicados en la Oficina Administrativa Electoral del Condado de Brazos. Los votos anticipados se contarán en la estación central de conteo. La Comisión Administrativa de Boleta de Votación Anticipada se desempeñará en conformidad con las disposiciones aplicables del Código Electoral.

SECCIÓN 6. El Sistema de Registro Electrónico Directo ("DRE"), como el término se define en el Código Electoral de Texas, se utilizará para las elecciones. Este sistema se utilizará para todas las votaciones tempranas, así como para todas las votaciones hechas en los distritos electorales que se lleven a cabo el Día de las Elecciones. El administrador de la Oficina Administrativa Electoral del Condado de Brazos designará a un programador, quién preparará el programa para el equipo automático de tabulación. Se proporcionará un amplio número de equipos de votación, para la

votación temprana, para cada uno de los precintos electorales en donde se lleven a cabo votaciones el Día de Elecciones. La estación central de conteo se ha establecido en la Oficina Administrativa Electoral del Condado de Brazos, localizada en 300 E. William J Bryan, Suite 100, Bryan.

SECCIÓN 7. Se les permitirá a todos los votantes calificados residentes de la ciudad de College Station votar por los Miembros del Concejo / Ayuntamiento para el puesto Número 4 y para el puesto Número 6.

SECCIÓN 8. De acuerdo con la Sección 123.001 del Código Electoral de Texas, el Sistema Electrónico de Votación de Registro Directo Hart Intercivic, el Sistema de Votación de Escaneo Óptico y el Sistema Administrativo Electrónico para el Condado de Brazos, Texas y certificado por el Secretario de Estado el 3 de enero de 2002 - y certificaciones subsiguientes cada año- e identificados como eSlate, se han adoptado oficialmente para la presente elección de segunda vuelta o desempate.

SECCIÓN 9. La elección de segunda vuelta se realizará de acuerdo con los requisitos y disposiciones para las elecciones bilingües según se han establecido en las enmiendas de Ley de Derecho al Voto de 1975 (42USC 1973aa-1a) y en la Sección 272.001 del Código Electoral. Todos los formularios y materiales electorales se imprimirán en inglés y español y ayuda oral bilingüe estará disponible dentro de los requisitos de la ley.

SECCIÓN 10. Se autoriza al Secretario de la Ciudad el publicar una NOTIFICACIÓN OFICIAL DE AVISO DE DESEMPATE, mostrando un listado de los precintos electorales y centros de votación para estas elecciones. La copia de la NOTIFICACIÓN OFICIAL DE AVISO DE DESEMPATE, cuando se publique en un periódico de circulación general en inglés y en español, servirá como notificación adecuada y apropiada de la elecciones de la Ciudad.

SECCIÓN 11. Esta Ordenanza tomará efecto inmediatamente a partir y después de su aprobación.

SECCIÓN 12. Que esta Ordenanza entrará en vigor inmediatamente a partir de y después de su aprobación.

APROBADO Y ADOPTADO por el Concejo / Ayuntamiento de la Ciudad de College Station el día 19 de noviembre del 2018.

CIUDAD DE COLLEGE STATION:

Karl Mooney, Alcalde

JURAMENTAR:

Tanya Smith, Secretaria de la Ciudad

APROBADO EN CUANTO A LA FORMA:

Carla A. Robinson, Abogada de la Ciudad

INTERLOCAL GOVERNMENT AGREEMENT

Joint Election

This agreement is made this _____ day of _____, 2018, by and between Brazos County ("the County") and the City of College Station ("the City").

WHEREAS, the City of College Station anticipates the need to call for a runoff municipal election to be held within the city limits of College Station, Texas, on December 11, 2018; and

WHEREAS, in the event of a runoff election, Brazos County will conduct the runoff municipal election for the City with the Brazos County Elections Administrator administering the election for the City; and

WHEREAS, the parties to this agreement desire to enter into this agreement in order to set out the terms and conditions under which the County will conduct the runoff election for the City;

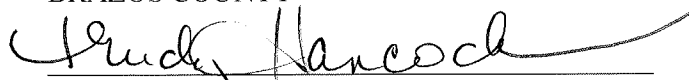
NOW, THEREFORE, IT IS AGREED that a runoff election will be held by the City and conducted by the County under the following terms and conditions, and the parties hereto agree with said conditions:

1. That there shall be one ballot that contains all appropriate races and propositions available for qualified voters of the City.
2. That the County shall provide voting equipment to be used at the polling places.
3. That election forms used and records shall be maintained in a manner convenient and adequate to record and report the results of the election for the City.
4. That the City shall be responsible for the preparation, publication and Spanish translations of its Notice of Election and Order of Election.
5. That the implementation, conduct and management of said election shall be by the Brazos County Elections Administrator. The Brazos County Elections Administrator is hereby designated as the Chief Election Official and Early Voting Clerk for the City for the election to be held on December 11, 2018. The implementation, conduct and management of the election shall include, but not be limited to:
 - A. The securing of qualified individuals to serve as election judges for each polling place.
 - B. The securing of locations and facilities where the election is to be conducted.
 - C. The securing of the election materials and supplies requisite to the proper administration of the election, and the programming and preparation of DRE voting equipment to be used in the election.
 - D. The securing of a contract with an independent, qualified contractor for election services and supplies.
 - E. The Brazos County Elections Administrator will be responsible for the conduct of early voting by personal appearance and by mail, with the City Secretary serving as Early Voting Clerk.

6. The amount to be paid by the City to the County for services rendered by the County in the December 11, 2018, election is:
- A. Brazos County will first fund all costs in full, other than the publication of each entity's Notice of Election.
- B. The City of College Station will reimburse the County for certain costs as follows:
1. The cost for payment of the early voting election workers.
 2. The cost paid to an independent, qualified contractor for election services and supplies.
 3. The expenses of the Election Day polling places at vote centers as approved by the Secretary of State's Office.
 4. The cost of publication for all required notices of Public Test.
 5. The cost of rental of twenty-eight (28) DRE voting equipment.
 6. The cost of the Early Ballot Board, Central Counting Station, the tabulation supervisor and data processing manager.
 7. Administrative fee of 10% of final cost for the City's expenses as allowed in the Texas Election Code.
7. The financial obligations of the parties under this agreement are payable from current revenues of the respective parties.
8. That the undersigned are the duly authorized representatives of the parties' governing bodies, and their signatures represent adoption and acceptance of the terms and conditions of this agreement.

APPROVED AND AGREED this _____ day of _____, 2018.

BRAZOS COUNTY



Trudy Hancock, Elections Administrator

CITY OF COLLEGE STATION

Mayor

City Attorney

Attest:

City Secretary

ACUERDO DEL GOBIERNO LOCAL

Elección conjunta

Este acuerdo se realiza el día _____ de _____ del 2018, por y entre el Condado de Brazos ("el Condado") y la ciudad de College Station ("la Ciudad").

CONSIDERANDO QUE, la Ciudad de College Station anticipa la necesidad de que se lleven a cabo a unas elecciones municipales de segunda vuelta dentro de los límites de la ciudad de College Station, Texas, el 11 de diciembre del 2018; y

CONSIDERANDO QUE, en caso que sea necesario las elecciones de segunda vuelta, el Condado de Brazos será encargado de las elecciones municipales de segunda vuelta de la Ciudad y la Oficina de Administración de Elecciones del Condado de Brazos será la que administre estas elecciones de la Ciudad; y

CONSIDERANDO QUE, las partes en este acuerdo desean ponerse de acuerdo para establecer los términos y condiciones bajo las cuales el Condado dirigirá las elecciones de segunda vuelta de la Ciudad;

AHORA, POR LO TANTO, SE ACUERDA que las elecciones de segunda vuelta para la Ciudad y administrada por el Condado se lleven a cabo bajo los siguientes términos y condiciones, y las partes están de acuerdo con dichas condiciones:

1. Que habrá una boleta que contenga todos los candidatos y propuestas disponibles para los votantes calificados de la Ciudad.
2. Que el Condado proporcionará el equipo de votación para ser utilizado en los lugares de votación.
3. Que los formularios de votación que se utilicen y los récords se mantengan de manera conveniente y adecuada para que sean registrados y después dar a conocer públicamente los resultados de las elecciones hechas por la Ciudad.
4. Que cada entidad será responsable de la preparación, publicación y traducción al español de su Notificación de Elecciones y Orden de Elecciones.
5. Que la implementación, la conducción y administración de dicha elección corresponden a la Oficina de Administración de Elecciones del Condado de Brazos. El administrador de la Oficina de Administración de Elecciones del Condado de Brazos es designado como el Jefe Oficial de Elecciones y Secretario de Votación Anticipada para las elecciones de la Ciudad que se celebrarán el 11 de diciembre de 2018. La puesta en marcha, dirección y gestión de la elección deberá incluir, pero no se limitará, a:
 - A. Garantizar el reclutamiento de personas calificadas para servir como jueces electorales para cada casilla de votación.
 - B. Garantizar la obtención de ubicaciones e instalaciones donde se realizarán la elecciones.
 - C. Conseguir los materiales y artículos necesarios para las elecciones para poder llevar una administración adecuada de las elecciones; y la programación y preparación del equipo de votación DRE para ser utilizado en las elecciones.
 - D. Obtener un contrato con un contratista independiente y calificado para que suministre los servicios y materiales electorales.

- E. El administrador de la Oficina de Administración de Elecciones del Condado de Brazos será responsable de llevar a cabo la votación anticipada en persona y por correo postal, con el Secretario de la Ciudad sirviendo como Secretario de Votación.
6. El monto a pagar por la Ciudad al Condado por los servicios prestados por el Condado en las elecciones del 11 de diciembre del 2018 es:
- A. El Condado de Brazos financiará todos los costos en su totalidad, aparte de la publicación del Aviso de Elección de cada entidad.
- B. La Ciudad de College Station reembolsará al Condado ciertos costos de la siguiente manera:
1. El pago de los trabajadores electorales de votación anticipada.
 2. El pago al contratista independiente y calificado que se contrató para suministrar los servicios y materiales electorales.
 3. Los gastos asociados al Día de Elecciones en los centros de votación y que hayan sido aprobados por la Secretaría de Estado.
 4. El costo de publicación para todos los avisos requeridos de Prueba Pública.
 5. El costo del alquiler de veintiocho (28) equipos de votación DRE.
 6. El pago al Panel de Elecciones Tempranas, de la Estación Central de Conteo, del supervisor de las tabulaciones y del gerente de procesamiento de datos.
 7. La cuota administrativa del 10% de costo final para los gastos de la Ciudad según lo permitido en el Código de Elecciones de Texas.
7. Las obligaciones financieras de las diferentes partes que conforman este acuerdo son pagaderas por las diferentes fuentes actuales de ingresos de estas respectivas partes.
8. Que los firmantes que siguen aquí abajo son los representantes debidamente autorizados por los órganos de gobierno de las partes que conforman este acuerdo, y sus firmas representan la adopción y aprobación de los términos y condiciones de este acuerdo.

EN CONFORMIDAD Y APROBADO el día _____ de _____ del 2018.

CONDADO DE BRAZOS


Trudy Hancock, Administradora de Elecciones

CIUDAD DE COLLEGE STATION

Alcalde

Abogado / Fiscal de la Ciudad

Testigo:

Secretario de la Ciudad



Legislation Details (With Text)

File #:	18-0685	Version:	2	Name:	Ord Amend Sec. 30-24 Vegetation
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	10/5/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding an ordinance amending Chapter 30, "Nuisances," Article II, "Lot Clearing," Section 30-24, "View of Traffic Obstructed by Trees, Shrubs, and Vegetation of the Code of Ordinances by amending certain sections relating to view of traffic obstructed by trees, shrubs, and vegetation.				
Sponsors:	Debbie Eller				
Indexes:					
Code sections:					
Attachments:	Sec 30-24 Veg Ord Amend				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding an ordinance amending Chapter 30, "Nuisances," Article II, "Lot Clearing," Section 30-24, "View of Traffic Obstructed by Trees, Shrubs, and Vegetation of the Code of Ordinances by amending certain sections relating to view of traffic obstructed by trees, shrubs, and vegetation.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Neighborhood Integrity

Recommendation(s): Staff recommends approval of this ordinance amendment.

Summary: At the September 27, 2018 Workshop meeting, staff presented a proposed amendment to Chapter 30, "Nuisances," Article II, "Lot Clearing," Section 30-24, of the Code of Ordinances of the City of College Station, Texas, by amending certain sections relating to view of traffic obstructed by trees, shrubs, and vegetation. This amendment is housekeeping in nature and adds language that ensure consistency in language with other sections of the Code of Ordinances.

Budget & Financial Summary: N/A

Attachments: Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 30, “NUISANCE,” ARTICLE II, “LOT CLEARING,” SECTION 30-24, “VIEW OF TRAFFIC OBSTRUCTED BY TREES, SHRUBS, AND VEGETATION,” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING VEGETATION OBSTRUCTING THE VIEW OF TRAFFIC, AND; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1:** That Chapter 30, “Nuisance,” Article II, “Lot Clearing,” Section 30-24 “View of Traffic Obstructed by Trees, Shrubs, and Vegetation,” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT A

That Chapter 30, “Nuisance,” Article II, “Lot Clearing,” Section 30-24, “View of Traffic Obstructed by Trees, Shrubs, and Vegetation,” of the Code of Ordinances is hereby amended to read as follows:

Section 30-24. View of Traffic Obstructed by Trees, Shrubs, and Vegetation

- (a)** It is unlawful for a person to allow any vegetation including, but not limited to, trees, shrubs, bushes, plants, grass, weeds, or any other type of vegetation to grow at or near any intersections, roads, sidewalks or rights-of-way obstructing or interfering with the view or travel of any pedestrian, cyclist or motor vehicle operator.
- (b)** The City Manager or designee is authorized to remove any vegetation violating this section.



Legislation Details (With Text)

File #:	18-0686	Version:	2	Name:	Residential Parking Ord Amendt Sec. 38-43
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	10/5/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding an ordinance amending Chapter 38, "Traffic and Vehicles," Article II, "Stopping, Standing and Parking," Division 1, "Generally," Section 38-43, "Parking, Standing, or Storing of Recreational Vehicles, Trailers or Trucks in Residential Areas," of the Code of Ordinances by amending certain sections relating to parking, standing, or storing of recreational vehicles, trailers, or trucks in residential areas.				
Sponsors:	Debbie Eller				
Indexes:					
Code sections:					
Attachments:	Res Parking Ord Amend Sec 38-43				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding an ordinance amending Chapter 38, "Traffic and Vehicles," Article II, "Stopping, Standing and Parking," Division 1, "Generally," Section 38-43, "Parking, Standing, or Storing of Recreational Vehicles, Trailers or Trucks in Residential Areas," of the Code of Ordinances by amending certain sections relating to parking, standing, or storing of recreational vehicles, trailers, or trucks in residential areas.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Neighborhood Integrity

Recommendation(s): Staff recommends approval of this ordinance amendment.

Summary: At the September 27, 2018 Workshop meeting, staff presented a proposed amendment to Chapter 38, "Traffic and Vehicles," Article II, "Stopping, Standing and Parking," Division 1, "Generally," Section 38-43 of the Code of Ordinances of the City of College Station, Texas, by amending certain sections relating to parking, standing, or storing of recreational vehicles, trailers, or trucks in residential area. Staff reviewed this section of the Code of Ordinances and determined that the regulations needed some clarifying language and addition of a definition. While bringing these changes forward, staff recommended additional changes be considered by Council due to citizen and Homeowner Association complaints. The following is a summary of direction received from Council for additions or changes:

-Add definition of Commercial Vehicle to this section to be consistent with definitions found in other areas of the Code of Ordinances.

-Add commercial vehicles to th list of vehicles that are prohibited from parking, standing or storing in residential areas and add an exception for vehicles providing a service to the property.

-Add a regulation that prohibits the owner, driver or person in charge of a commercial vehicle from parking, stopping or storing a commercial vehicles in a residentially zoned area with an exception for supervised loading or unloading or vehicles providing a service to the property.

-Adding a prohibition for the owner, occupant or person in charge of a property from parking, standing, or storing of any vehicles on yards or lawns.

-Adding a prohibition for the owner, drive, or person in charge of a vehicle from parking, standing, or storing of any vehicles on yards or lawns.

-Adding obstruction of a solid waste container currently located in the Utility chapter to Chapter 38.

Budget & Financial Summary: N/A

Attachments: Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 38, "TRAFFIC AND VEHICLES," ARTICLE II "STOPPING, STANDING AND PARKING," DIVISION 1 "GENERALLY," SECTION 38-43 "PARKING, STANDING, OR STORING OF RECREATIONAL VEHICLES, TRAILERS OR TRUCKS IN RESIDENTIAL AREAS," RELATING TO RESIDENTIAL AREA VEHICLE PARKING OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1:** That Chapter 38, "Traffic and Vehicles," Article II "Stopping, Standing and Parking," Division 1 "Generally," Section 38-43 "Parking, Standing, or Storing of Recreational Vehicles, Trailers or Trucks in Residential Areas," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit "A"** attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance upon a finding of liability thereof shall be deemed liable for a civil offense and punished with a civil penalty of not less than one dollar (\$1.00) and not more than two thousand dollars (\$2,000.00) or upon conviction thereof guilty of a misdemeanor, shall be punished by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

Exhibit A

That Chapter 38, "Traffic and Vehicles," Article II "Stopping, Standing and Parking," Division 1 "Generally," Section 38-43 "Parking, Standing, or Storing of Recreational Vehicles, Trailers or Trucks in Residential Areas," is hereby amended to read as follows:

Sec. 38-43. - Residential Area-Recreational Vehicles, Trailers or Trucks Parking, Standing or Storing.

(a) **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Camper means a separate vehicle designed for human habitation which can be attached and detached to or towed by a motor vehicle.

Commercial Vehicle means a motor vehicle or combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight or a gross vehicle weight rating of more than 10,000 pounds; or has a gross vehicle weight or gross vehicle weight rating of 26,001 or more pounds.

Driveway means any paved concrete, asphalt, gravel and/or other impervious surface area on a lot designed and required to provide direct access for vehicles between a street and private garage, carport, or other permitted parking space, or parking area or loading area, garage and attached or detached accessory building located on a lot developed with a residential dwelling used by the occupant of the premises principally for, but not limited to, the storage of passenger vehicles or other vehicles and equipment. Driveways or paved parking areas must be substantially free from grass, weeds, or other vegetation and must be adequately maintained.

Motor home means a self-contained vehicle designed for human habitation with its own motive power and with a passageway from the body of the home to the driver and front passenger seats.

Motor vehicle means a self-propelled device in, upon or by which any person or property is or may be transported.

Recreational vehicle means any motor vehicle or trailer designed or used as a travel trailer, camper, motor home, tent trailer, boat, boat trailer, camping trailer, or other similar purposes.

Residential area or residential lot means any area or lot occupied by residential dwellings though the area may be zoned for use other than residential.

Trailer means a vehicle without motive power designed for carrying persons, animals, or property on its own structure and to be drawn by a vehicle with motive power. The term "trailer" shall include, but not be limited to, semi-trailer and utility trailer. The term "trailer" shall not include any trailer defined as a recreational vehicle.

Truck means any motor vehicle designed, used or maintained primarily for the transportation of property, with a manufacturer's rated carrying capacity exceeding 2,000 pounds.

Truck-tractor means any motor vehicle designed or used primarily for drawing other vehicles. It is intended that the term "truck tractor" includes a motor vehicle that is otherwise a truck-tractor that may be engaged with a semi-trailer.

Unapproved surface means any surface not approved by the City according to this Code as a parking surface for vehicles

(b) Parking Regulations.

- (1) Owner, Occupant or Person in Charge.** It shall be unlawful for the owner, occupant or person in charge in a residential area to:
 - a.** Permit or allow the parking, standing or storing of commercial vehicles, trucks, trailers, or truck-tractors on residential streets, unless used for actual supervised loading or unloading of goods or passengers or providing an active service to the property.
 - b.** Permit or allow the parking, standing or storing of recreational vehicles on residential streets for a period of time in excess of seventy-two (72) hours within any thirty (30)-day period.
 - c.** Permit or allow the parking, standing or storing of motor vehicles, recreational vehicles, commercial vehicles, trucks, trailers, or truck-tractors on yards or lawns, unless parked in areas screened from the right-of-way by permanent fencing.
- (2) Commercial Vehicles.** It shall be unlawful for the owner, driver, or person in charge of a commercial vehicle to park, stop, or store a commercial vehicle on residential streets in residential areas, unless used for actual supervised loading or unloading of goods and passengers or for vehicles providing an active service to the property.
- (3) Yards and Lawns.** It shall be unlawful for the owner, driver, or person in charge of a motor vehicle, recreational vehicle, commercial vehicle, truck, trailer, or truck-tractor park or permit the parking, standing or storing of such vehicle on the yards or lawns in a residential area or residential lot, unless parked in areas screened from the right-of-way by permanent fencing.
- (4) Solid Waste Containers.** It shall be unlawful for owner, driver, or person in charge of a vehicle to park, place, allow, permit, or cause to be parked or placed any motor vehicle, trailer, boat, or any similar obstruction or item ("obstructing item") within fifteen (15) feet of, or obstruct in any manner, the collection of solid waste contained in a City-owned container larger than ninety (90) gallons. If an obstructing item prevents the collection of a City-owned solid waste container larger than ninety (90) gallons, the City is authorized to remove the obstructing item. The cost of the removal shall be the responsibility of the owner of the obstructing item. All City-owned solid waste containers larger than ninety (90) gallons shall be marked with a sign or label stating: *"Do Not Block or Park Within 15 Feet of Container - Tow Away Zone."*

(c) Zoning Board of Adjustment Special Exceptions.

- (1) A special exception may be granted to any person identified in Subsection (b) of this section, upon application to and approval by the Zoning Board of Adjustment. The Zoning Board of Adjustment shall have the authority to accept applications for special exceptions for the parking of vehicles on front yard lawns in residential areas.
- (2) The Zoning Board of Adjustment shall hear and consider applications for special exceptions for the parking of vehicles on residential yards. The Board may issue special exceptions where it determines that the issuance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the section will result in unnecessary hardship, and so that the spirit of the section shall be observed and substantial justice done. In the event that the Board determines that a special exception shall be issued, then it may impose such restrictions as it deems necessary to protect the character of the neighborhood. Such restrictions may include, but are not limited to, screening and landscaping.
- (3) The Zoning Board of Adjustment shall have the authority, upon ten days' written notice, to set a hearing date to consider whether or not the terms of the special exception have been complied with upon presentation of evidence by the City staff and the permittee. Upon a finding that the terms of the special exception have been violated, the Zoning Board of Adjustment shall have the authority to revoke, suspend, maintain or alter the terms of the special exception issued.

(d) Exemptions.

- (1) Residential properties zoned R Rural or E Estate are exempt from the regulations in Subsection (b) of this section.
- (2) Commercial properties zoned GC General Commercial, CI Commercial Industrial, BP Business Park and BPI Business Industrial Park are exempt from the regulations in Subsection (b) (1 & 4) of this section.



Legislation Details (With Text)

File #:	18-0687	Version:	2	Name:	Ord Amend Sec. 26-6 Open Storage
Type:	Ordinance	Status:		Status:	Consent Agenda
File created:	10/5/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:			
Title:	Presentation, possible action, and discussion regarding on amending Chapter 26, "Miscellaneous Provisions and Offenses," Section 26-6, "Open Storage in Residential Areas," of the Code of Ordinances amending certain sections relating to open storage.				
Sponsors:	Debbie Eller				
Indexes:					
Code sections:					
Attachments:	Sec 26-6 Open Storage (1)				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding on amending Chapter 26, "Miscellaneous Provisions and Offenses," Section 26-6, "Open Storage in Residential Areas," of the Code of Ordinances amending certain sections relating to open storage.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Neighborhood Integrity

Recommendation(s): Staff recommends approval of this ordinance amendment.

Summary: At the September 27, 2018 Workshop meeting, staff presented a proposed amendment to Chapter 26, "Miscellaneous Provisions and Offenses," Section 26-6, , of the Code of Ordinances of the City of College Station, Texas, by eliminating the ability to openly store commodities for sale, lease or inventory in areas zoned as rural and allow for storage of materials for personal so long as it is not visible from public right-of-way. This amendment will remove language that allows the open storage of commodities and materials for sale, lease or inventory and limit open storage to commodities and materials for private use only in areas zoned as residential. The exemption for screening requirements will remain in Rural or Estate zoned areas.

Budget & Financial Summary: N/A

Attachments: Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 26, “MISCELLANEOUS PROVISIONS AND OFFENSES,” SECTION 26-6, “OPEN STORAGE IN RESIDENTIAL AREAS,” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO OPEN STORAGE IN RESIDENTIAL AREAS; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1:** That Chapter 26, “Miscellaneous Provisions and Offenses,” Section 26-6, “Open Storage in Residential Areas,” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT A

That Chapter 26, “Miscellaneous Provisions and Offenses,” Section 26-6, “Open Storage in Residential Areas,” of the Code of Ordinances is hereby amended to read as follows:

Sec. 26-6 Open Storage in Residential Areas.

(a) Open Storage. The open storage of commodities and materials are prohibited in residential zoned areas. Commodities and materials are defined as, but not limited to, appliances, automotive parts, building materials, firewood, furniture and landscape materials.

(1) Exceptions.

- a. Back or Side Yards.** Commodities and materials may be stored in back or side yards and must be screened by a permanent solid fence and must not be visible from a public right-of-way.
- b. Firewood.** Firewood for personal use may be stored in back or side yards and must be stored in an orderly manner.

(2) Exemptions. Exempt from open storage screening requirements are:

- a.** R Rural and E Estate zoning districts; and
- b.** Patio and lawn furniture for residential use.

(b) Nuisance. A violation of this section is declared a nuisance and may be enforced 5,000 feet outside the City limits.



Legislation Details (With Text)

File #:	18-0720	Version:	1	Name:	PARCS for College Main Parking Garage
Type:	Contract	Status:		Status:	Consent Agenda
File created:	10/22/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding a general service contract with NextGEN for delivery, installation, training and four (4) years maintenance and support for the College Main Garage Parking Access & Revenue Control System (PARCS) in the amount of \$319,767.				
Sponsors:	Debbie Eller				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding a general service contract with NextGEN for delivery, installation, training and four (4) years maintenance and support for the College Main Garage Parking Access & Revenue Control System (PARCS) in the amount of \$319,767.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Diverse Growing Economy
- Improving Mobility

Recommendation(s): Staff recommends approval of the contract with NextGEN

Summary: After over 8 years of heavy use, the current parking access and revenue control system in the College Main Parking Garage has reached the end of its useful life. While the existing equipment is currently functional, staff has identified numerous mechanical elements that are severely outdated and malfunction on a regular basis. The company that manufactured the current equipment (3M) is no longer in the parking garage equipment business, and acquiring the necessary spare parts to adequately maintain the current system is becoming more difficult. Also, the current management software is no longer supported by the manufacturer. This situation unnecessarily drains department resources and often creates both operational inefficiencies and a frustrating experience for many of our parking customers.

The proposed Designa PARC system design resembles the existing mechanical layout, but the new updated elements will allow for a significantly more efficient revised operational model which will provide several new options to our garage users. In addition to standard garage operational procedures, the proposed system will allow for credit-card in/credit card out (CI/CO) functionality, capability at paying at the exit gates, and will be a credit/debit card only system (no cash). The system has the capability of allowing for business validation and special event parking should we

decide to acquire this functionality in the future. The system meets all new credit card EMV reader and associated information technology and business security standards.

The proposed system replaces the following equipment:

Complete replacement of all access and exit components along with all associated mechanical equipment. This includes new entry and exit gates (2 entry, 2 exit, and one reversible), gate ticket dispensers, exit verifiers and vehicle sensor loops, gate control boxes, gate arms, walk-up credit/debit card only pay stations (4), and a new call-forward capable intercom system with integrated security cameras to better insure patron safety and assist NG Staff in monitoring and preventing the abuse and vandalizing of all new system components.

Finally, all related installation materials, peripherals, labor costs, system configuration and training are included in the contract and will be provided by NextGEN as is a 4 year extended preventive maintenance and support agreement. There is zero expected downtime to our patrons as we will have the capability of operating both the old and new systems concurrently during the project installation.

Budget & Financial Summary: The cost of the new College Main Parking Garage Revenue and Access Control System (PARCS) is \$319,767.00. This item is budgeted in the 2018 Northgate Enterprise Fund.

Attachments:

1. General Service Contract between City of College Station and NextGEN



Legislation Details (With Text)

File #:	18-0741	Version:	1	Name:	Christmas Parade Banner Resolution
Type:	Resolution	Status:		Status:	Consent Agenda
File created:	11/1/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion on approval of a Resolution authorizing banners for the annual Christmas Parade.				
Sponsors:	Jennifer Prochazka				
Indexes:					
Code sections:					
Attachments:	Christmas Banner Resolution Christmas banner Location Map				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on approval of a Resolution authorizing banners for the annual Christmas Parade.

Relationship to Strategic Goals:

- Good Governance
- Diverse Growing Economy

Recommendation(s): Staff recommends approval.

Summary: In recognition of the College Station/Bryan annual Christmas Parade, the City has been approached about the possibility of erecting and displaying seven banners at various locations around the City to advertise the December 2, 2018 event (see attached map). This Resolution allows the display of seven free-standing banners from November 20, 2018 to December 4, 2018. Section 7.5.E.13 of the Unified Development Ordinance (UDO) exempts banners from UDO regulations where there has been a resolution of the City Council that finds that the display of the signs (a) promotes a positive image for the City of College Station for the attraction of business or tourism; (b) depicts an accomplishment of an individual or group; or (c) creates a positive community spirit.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Map (location of banners)
2. Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE DISPLAY OF BANNERS IN RECOGNITION OF THE ANNUAL CHRISTMAS PARADE

WHEREAS, the annual College Station/Bryan Christmas Parade has been a tradition for over 90 years in our community; and

WHEREAS, the 92nd annual Christmas Parade is scheduled for Sunday, December 2, 2018; and

WHEREAS, the annual Christmas Parade promotes a positive image for the City of College Station for the attraction of business or tourism and creates a positive community spirit; and

WHEREAS, Section 7.5.E.13 of the City of College Station Unified Development Ordinance (UDO) exempts signs from UDO regulation where there has been a resolution of the City of College Station City Council that finds that the display of the signs (a) promotes a positive image for the City of College Station for the attraction of business or tourism; (b) depicts an accomplishment of an individual or group; or (c) creates a positive community spirit; 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 the display of Christmas Parade banners promotes a positive image for the City of College Station for the attraction of business or tourism, and creates a positive community spirit.
- PART 2:** That the City Council hereby authorizes the display of up to seven free-standing banners within the City.
- PART 3:** That the City Council hereby allows the display of said banners from November 20, 2018 until December 4, 2018.
- PART 4:** That this Resolution shall take effect immediately from and after its passage.

ADOPTED this 19th day of November, A.D. 2018.

ATTEST:

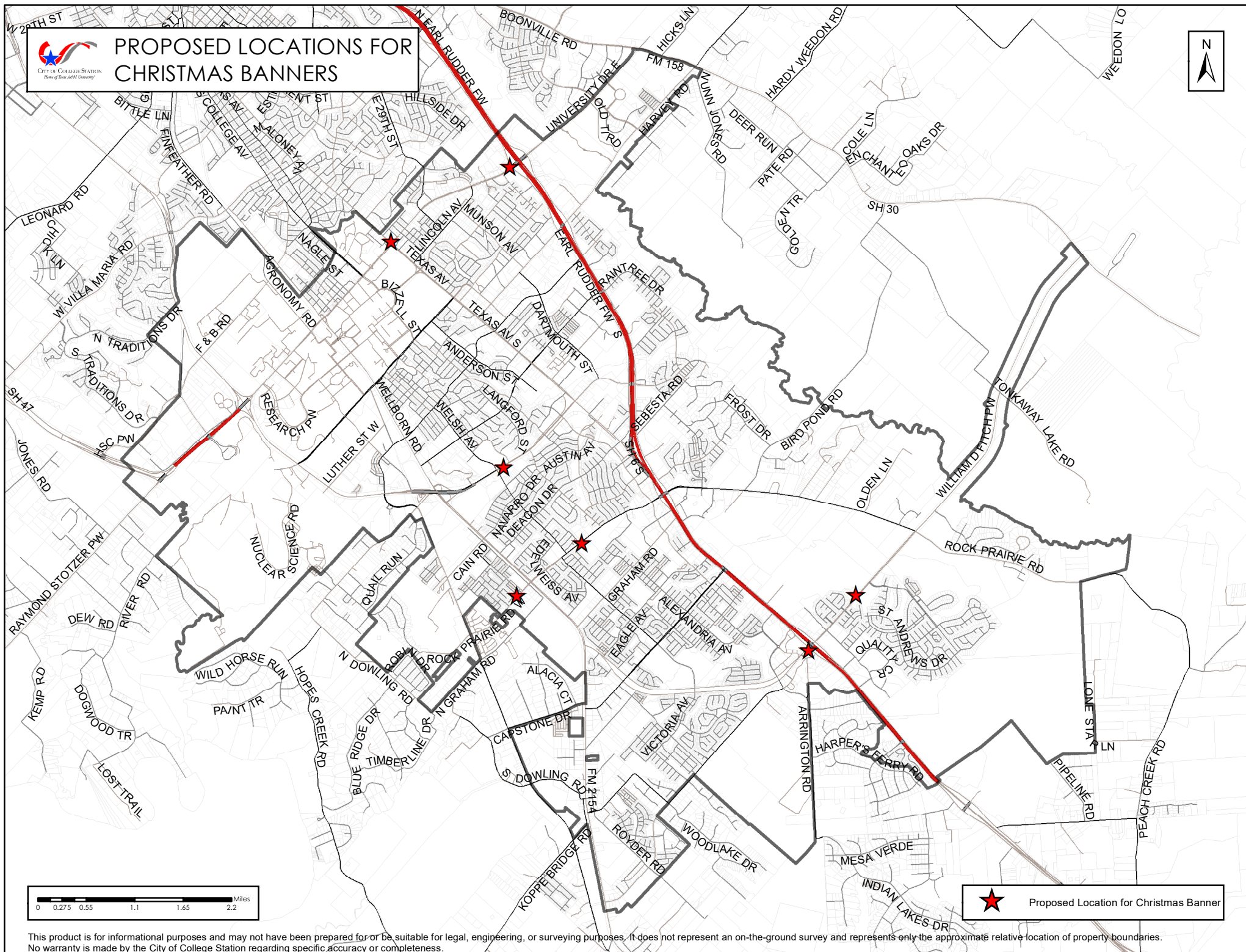
APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. No warranty is made by the City of College Station regarding specific accuracy or completeness.

Legislation Details (With Text)

File #:	18-0759	Version:	1	Name:	Cement Stabilized Materials Annual Price Agreement Renewal
Type:	Renewal	Status:			Consent Agenda
File created:	11/7/2018	In control:			City Council Regular
On agenda:	11/19/2018	Final action:			
Title:	Presentation, possible action, and discussion regarding the renewal of an annual blanket order for the purchase of Cement Stabilized Base and Type D Grade 1 Cement Stabilized Recycled Crushed Concrete Base with BPI Materials, LLC for an amount not to exceed \$335,380.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Bid 18-003 Signed Cement Stabilized Rock - Renewal Letter				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the renewal of an annual blanket order for the purchase of Cement Stabilized Base and Type D Grade 1 Cement Stabilized Recycled Crushed Concrete Base with BPI Materials, LLC for an amount not to exceed \$335,380.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends the approval of an annual blanket order for the purchase of Cement Stabilized Base and Type D Grade 1 Cement Stabilized Recycled Crushed Concrete Base.

Summary: Two (2) sealed competitive bids were received for Bid 18-003 for the Annual Purchase of Cement Stabilized Base Rock on November 7, 2017. Staff awarded the total annual estimated purchase of Cement Stabilized Base and Type D Grade 1 Cement Stabilized Recycled Crushed Concrete Base to BPI Materials, LLC as the lowest responsible bidder.

Estimated Cement Stabilized Base to be picked up by City Crews or delivered is 1,500 tons each, for a total of 3,000 tons. Type D Grade 1 Cement Stabilized Recycled Crushed Concrete base to be picked up by City Crews is 4,828.52 or delivered is 3,000 tons, for a total of 7,828.52 tons. The combined total award is for an amount not to exceed \$335,380 for up to 10,828.52 tons of material. This is the first of two possible renewals.

Budget & Financial Summary: Funds to purchase these materials are budgeted and available in the Roadway Maintenance Fund and General Fund Streets Maintenance budget.

Attachments:

1. Renewal Letter



October 25, 2018

ATTN:
Martin Jackson
Brazos Paving, Inc.
P.O. Box 714
Bryan, TX 77806

RE: Renewal 1 – Bid 18-003
Annual Price Agreement for Cement Stabilized Rock

Dear Mr. Jackson,

The City of College Station appreciates the services provided by Brazos Paving, Inc. this past year. We would like to exercise our option to renew the above referenced contract for the term of December 15, 2018 through December 14, 2019.

If this meets with your company's approval, please complete the following renewal agreement and return it no later than Wednesday, October 31, 2018 via e-mail to hpavelka@cstx.gov. ***Please follow up by mailing an original signed copy to my attention at the following address:***

City of College Station
Purchasing Division
PO Box 9960
College Station, TX 77842

Sincerely,

Heather Pavelka
Buyer

Attachment

PO Box 9960
1101 Texas Avenue
College Station, TX 77842

www.cstx.gov

RENEWAL ACCEPTANCE

By signing herewith, I acknowledge and agree to renew Bid 18-003, for the Annual Price Agreement for Cement Stabilized Rock, in accordance with all terms and conditions previously agreed to and accepted, for an amount not to exceed Three Hundred Thirty Five Thousand Three Hundred Eighty and 06/100 Dollars (\$335,380.06).

Line Item Pricing:

Cement Stabilized Base, City Pick Up	\$34.00/ton
Cement Stabilized Base, Delivered to Job Site	\$39.50/ton
Recycled Crushed Base, City Pick Up	\$26.65/ton
Recycled Crushed Base, Delivered to Job Site	\$32.15/ton

I understand this renewal term will be for the period beginning December 15, 2018 through December 14, 2019. This is the first of two possible renewals.

BRAZOS PAVING, INC.

By: 

Printed Name: Billy Prewitt

Title: V.P.

Date: 10/29/18

Legislation Details (With Text)

File #:	18-0760	Version:	1	Name:	Lakeway Design Change Order No. 3
Type:	Change Order	Status:		Status:	Consent Agenda
File created:	11/7/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding approval of Design Change Order No. 3 in the amount of \$114,108 to the Lakeway Drive Extension Project professional services contract with Mitchell & Morgan, LLP.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Project Location Map Lakeway Change Order				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding approval of Design Change Order No. 3 in the amount of \$114,108 to the Lakeway Drive Extension Project professional services contract with Mitchell & Morgan, LLP.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends approval of this change order with Mitchell & Morgan, LLP in the amount of \$114,108.00.

Summary: The project consists of the construction of the extension of Lakeway Drive between its current southern terminus near William D. Fitch Parkway to the existing northern terminus near Scott and White Hospital near Rock Prairie Rd. Also, Pebble Creek Parkway shall be constructed from its intersection with the new section of Lakeway Drive to the northbound State Highway 6 frontage road. This change order includes additional onsite time for the structural engineer related to the bridge construction. Additional funding for construction materials testing and construction phase services by the engineer of record. Additional time for the structural engineer for construction services related to the construction for the two bridges, at Lick Creek and Spring Creek. Remaining work includes the setting and pouring of bridge decks. Original estimates for the costs of materials testing in the A/E contract, from 2016, are insufficient. In working with the A/E and the testing lab, remaining material testing costs are estimated, in an amount not to exceed, \$91,908. This includes testing of concrete, HMAC, lime treated subgrade, and base material. Construction activities for the project have led to an increased number of meetings and addendums to the construction plans than initially anticipated in the original design contract scope.

Budget & Financial Summary: Budget for this project has been included in the Streets Capital

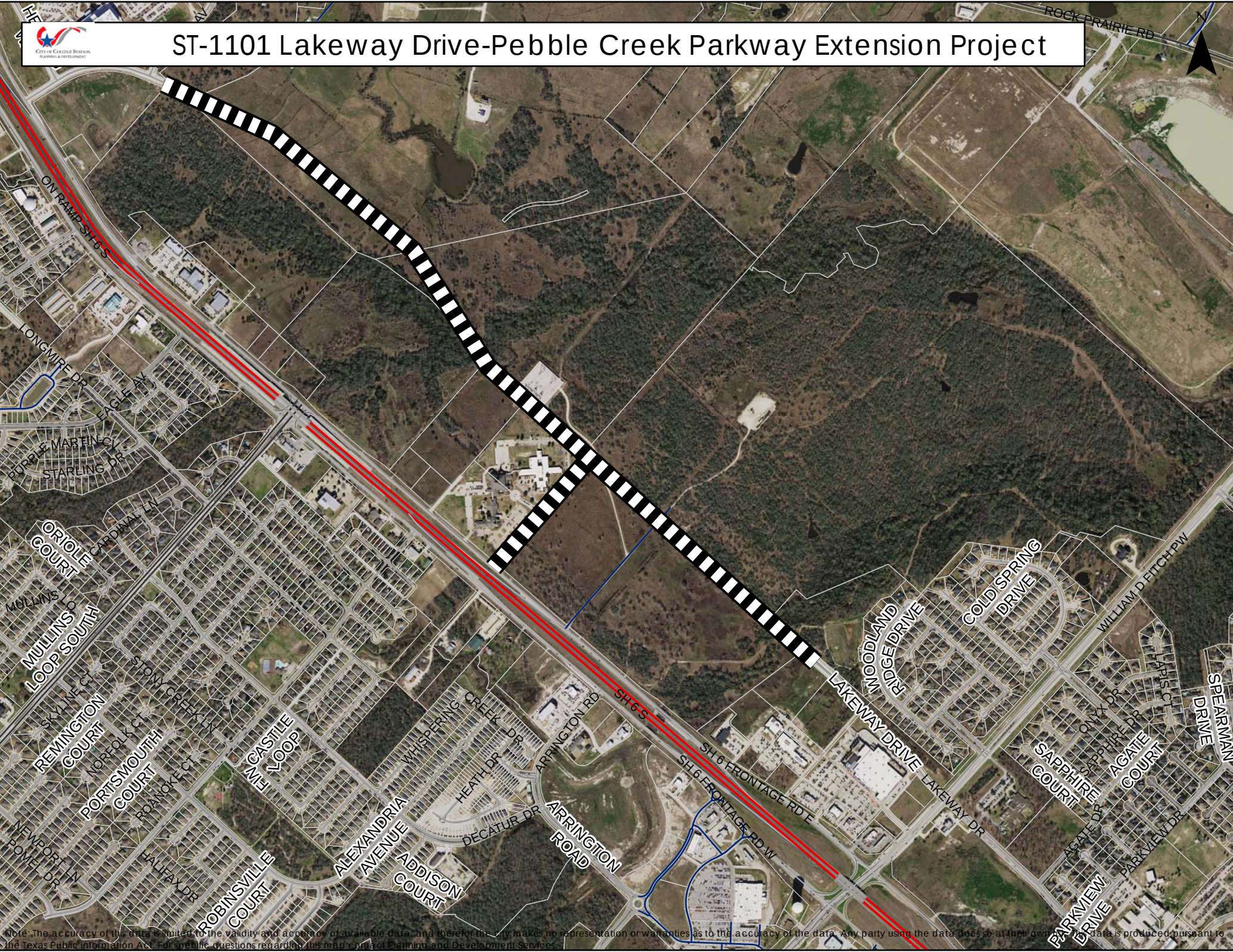
Improvement Projects Fund, the Wastewater Capital Improvement Projects Fund, the Water Capital Improvement Projects Fund, and the Electric Capital Improvement Projects Fund. The Streets portion of this contract is impacted by this change order and sufficient budget is available.

Attachments:

1. Change Order No. 3
2. Project Map



ST-1101 Lakeway Drive-Pebble Creek Parkway Extension Project



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

CHANGE ORDER NO.3 P.O.# 16203352	DATE: June 18, 2018 PROJECT: Lakeway-Pebble Creek Parkway	Contract No. 16300323				
OWNER: City of College Station P.O. Box 9960 College Station, Texas 77842		CONTRACTOR: Mitchell & Morgan, LLP 3204 Earl Rudder FWY South Ph: (979) 260-6963 College Station, TX 77845 Fax: (979) 260-3564				
PURPOSE OF THIS CHANGE ORDER: Additional Time for the Structural Engineer: Additional time for the structural engineer for construction services related to the construction for the two bridges, at Lick Creek and Spring Creek. Remaining work includes the setting and pouring of bridge decks. B. Additional Materials Testing: Original estimates for the costs of materials testing in the A/E contract, from 2016, are insufficient. In working with the A/E and the testing lab, remaining material testing costs are estimated, in an amount not to exceed, \$91,908. This includes testing of concrete, HMAc, lime treated subgrade, and base material. Additional Construction Phase Services for the A/E: Construction activities for the project have led to an increased number of meetings and addendums to the construction plans than initially anticipated in the original design contract scope. With the project at approximately 60% complete, it is anticipated that the fee for construction phase services will need to be increased by \$20,000.						
ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
1	LS	Additional on site Time for Structural Engineer	\$2,200.00	0	1	\$2,200.00
2	LS	Additional Materials Testing	\$91,908.00	0	1	\$91,908.00
3	LS	Construction Phase Services for A/E	\$20,000.00	0	1	\$20,000.00
					TOTAL	\$114,108.00
THE NET AFFECT OF THIS CHANGE ORDER IS 12.1 % INCREASE.						
LINE 1 (41399971-6560/ST1101) LINE 2 (SCWOC-DESIGN/WW1963325) LINE 3 (WTWOC-DESIGN/WA1869604) TOTAL CHANGE ORDER			\$114,108.00 \$0.00 \$0.00 \$114,108.00			
ORIGINAL CONTRACT AMOUNT CHANGE ORDER NO. 1 CHANGE ORDER NO. 2 CHANGE ORDER NO. 3 REVISED CONTRACT AMOUNT			\$944,474.00 \$8,500.00 \$33,000.00 \$114,108.00 \$1,100,082.00	0.9% 3.5% 12.1% 16.5%	CHANGE CHANGE CHANGE % TOTAL CHANGE	
ORIGINAL CONTRACT TIME Time Extension No. 1 Revised Contract Time			250 0 250	Days Days Days		
SUBSTANTIAL COMPLETION DATE REVISED SUBSTANTIAL COMPLETION DATE			N/A N/A			
APPROVED A/E CONTRACTOR N/A 21 Jun 18 Date CONSTRUCTION CONTRACTOR N/A 6/21/18 Date PROJECT MANAGER N/A 6/21/18 Date CITY ENGINEER N/A 6/21/18 Date DEPARTMENT DIRECTOR N/A 11/7/2018 Date ASST CITY MGR - CFO N/A 11/7/2018 Date CITY ATTORNEY N/A 11/7/2018 Date CITY MANAGER N/A 11/7/2018 Date						



Legislation Details (With Text)

File #:	18-0761	Version:	1	Name:	Lincoln Center Parking Lot Change Order
Type:	Change Order	Status:		Status:	Consent Agenda
File created:	11/7/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding approval of Change Order No. 10 in the amount of \$162,650.25 to the Lincoln Recreation Center Addition construction contract with JaCody, Inc. and consideration of a debt reimbursement resolution.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Project location map signed change order PK1213 Lincoln Center expansion - DRR				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding approval of Change Order No. 10 in the amount of \$162,650.25 to the Lincoln Recreation Center Addition construction contract with JaCody, Inc. and consideration of a debt reimbursement resolution.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends approval of this change order with JaCody, Inc. in the amount of \$162,650.25, and approval of the debt reimbursement resolution.

Summary: This project includes the construction of the new 15,355 square foot multi-purpose facility at the Lincoln Recreation Center and the renovations to the existing facility, including asbestos abatement and technology updates. Change Order No. 10 includes the removal and replacement of the front parking lot with concrete pavement.

Budget & Financial Summary: Funds in the amount of \$4,342,973 are budgeted for this project in the Parks Capital Improvement Projects Fund. A total of \$4,128,237.11 has been expended or committed to date, leaving a balance of \$132,556.72. The remaining funding will come as a budget transfer from the Lincoln Center Basketball Pavilion rehab project in the Parks CIP Fund, which is projected to be under budget. The "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" is necessary for this items because the long term debt that is projected to be issued for this project has not yet been issued. The debt for this project is scheduled to be issued later this fiscal year.

Attachments:

1. Change Order No. 10
2. Project Map
3. Debt Reimbursement Resolution

Lincoln Recreation Center Additions & Renovation Project Location Map



Project
Location

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

WELLBORN RD

LONNIE LN

ELEANOR ST

THOMPSON ST

EDWARD ST

HOLLEMAN DR

ONEY HERVEY DR

ARIZONA ST

PHOENIX ST

CAROLINA ST

DETROIT ST

CHANGE ORDER NO. 10 DATE: 11/2/2018 Contract No. 16300432
P.O.# 16205731 PROJECT: Lincoln Recreation Center Addition

OWNER:
City of College Station
P.O. Box 9960
College Station, Texas 77842

CONTRACTOR:
JaCody Inc.
10770 SH30
Suite 400
College Station, TX 77845

Ph: 979-774-5613
Fax: 979-774-5603

PURPOSE OF THIS CHANGE ORDER: To replace the existing front parking area with new concrete pavement.

ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
PCO -28	LS	Remove and Replace Parking Lot	\$162,650.25	0	1	\$162,650.25
				TOTAL		\$162,650.25

THE NET AFFECT OF THIS CHANGE ORDER IS 15.2% INCREASE.

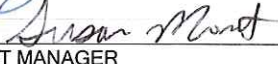
LINE 1 (41389971-6411)
TOTAL CHANGE ORDER \$162,650.25

ORIGINAL CONTRACT AMOUNT	\$3,366,146.00	
CHANGE ORDER NO. 1	\$6,087.85	0.2% CHANGE
CHANGE ORDER NO. 2	\$18,194.39	0.5% CHANGE
CHANGE ORDER NO. 3	(\$8,877.60)	-0.3% CHANGE
CHANGE ORDER NO. 4	\$4,832.30	0.1% CHANGE
CHANGE ORDER NO. 5	\$1,081.20	0.0% CHANGE
CHANGE ORDER NO. 6	\$220,759.22	6.6% CHANGE
CHANGE ORDER NO. 7	\$30,480.31	0.9% CHANGE
CHANGE ORDER NO. 8	\$23,525.95	0.7% CHANGE
CHANGE ORDER NO. 9	\$53,475.00	1.6% CHANGE
CHANGE ORDER NO. 10	\$162,650.25	4.8% CHANGE
REVISED CONTRACT AMOUNT	\$3,878,354.87	15.2% TOTAL CHANGE

ORIGINAL CONTRACT TIME	450	Days
Time Extension No. 1	10	Days
Time Extension No. 2	N/A	Days
Time Extension No. 3	15	Days
Time Extension No. 4	N/A	Days
Time Extension No. 5	N/A	Days
Time Extension No. 6	25	Days
Time Extension No. 7	10	Days
Time Extension No. 8	15	Days
Time Extension No. 9	12	Days
Revised Contract Time	537	Days

SUBSTANTIAL COMPLETION DATE - PHASE 2 September 27, 2018 SUBCOMPLETION REACHED
Additional Work ~ 60 days to complete

APPROVED

A/E-CONTRACTOR	Date	DEPARTMENT DIRECTOR	Date
	11.2.2018		
CONSTRUCTION CONTRACTOR	Date	ASST CITY MGR - CFO	Date
	11/2/18		
PROJECT MANAGER	Date	CITY ATTORNEY	Date
CITY ENGINEER	Date	CITY MANAGER	Date

JaCody Construction, LP
10770 Hwy 30
College Station, Texas 77845
Phone: (979) 774-5613
Fax: (979) 774-5693

Project: 1007 - Lincoln Center
1000 Eleanor
College Station, Texas 77840

Prime Contract Change Order #012: Lincoln Center - Change Order #012

TO:	City of College Station PO Box 9973 College Station, Texas 77842-9973	FROM:	JaCody Construction, LP 10770 State Highway 30 Suite 400 College Station Texas 77845
DATE CREATED:	10/ 24 /2018	CREATED BY:	Andy Prado (JaCody Construction, LP)
CONTRACT STATUS:	Pending - In Review	REVISION:	0
DESIGNATED REVIEWER:	Susan Monnat (City of College Station)	REVIEWED BY:	
DUE DATE:	11/02 /2018	REVIEW DATE:	
INVOICED DATE:		PAID DATE:	
SCHEDULE IMPACT:	0 days	EXECUTED:	No
CONTRACT FOR:	1:Lincoln Center Prime Contract	TOTAL AMOUNT:	\$ 162,650.25

DESCRIPTION:

CE #047 - Remove and Replace Parking Lot
Remove and Replace Parking at Lincoln Center per attached drawings dated 10.04.2018 and per Owner Directive.

Note Comments From A/E in regards to issued drawings:

- 10.4.2018 Comments from Architect (Andrew Hawkins):
 - So upon review my only question is about the islands. The existing curbs creating them are to be demolished and removed, but the existing fill/dirt/landscaping is to remain with the hopes that it will live? Is that correct? It seems a bit unclear on the demo sheet as it shows to demo all.
 - But the intent is to demo the curb and leave the dirt, form up new curb around that and hope the crepe myrtles survive. Correct? It may be best to somehow change the hatch pattern so that is clear, but maybe just as long as we inform JaCody of the intent it will be fine.
 - Yes, you've got the intent correct. However, I'll clean up as you suggest so that the picture is clearer for JaCody. The other option is just to demo the crepe myrtles and replace, but they are a pretty good size and fairly resilient plant.
 - Other than that issue, I do not see any issues with the proposed sheets. It took me a little while to figure out the walk ramps on the southeast corner at the drive, but I finally understood what is happening there; two ambulatory ramps each connecting to a sidewalk direction. Hopefully the utilities there will not be an issue for construction.
 - Surveyed in the utilities in that area so we should be good to go.
- 10.4.2018 Comments from Engineer (Rabon Metcalf):
 1. This drawings should be a part of the original set;
 2. Paving design mirrors the paving section of the original design (no lime, compacted subgrade, beefed up slab);
 3. Grading at the islands is similar so that exiting landscape can remain and have a chance to survive;
 4. No sodding included. Disturbed areas should be hydro-seeded (per the plans);
 5. Ramps added at the sidewalk crossing at the driveway entrance;

ATTACHMENTS:

[PCO#028-Remove and Replace Parking Lot.pdf](#)

POTENTIAL CHANGE ORDERS IN THIS CHANGE ORDER:

PCO #	Title	Schedule Impact	Amount
028	CE #047 - Remove and Replace Parking Lot	0 days	162,650.25
TOTAL:			\$162,650.25

CHANGE ORDER LINE ITEMS:

**JACODY**

CONSTRUCTION, LP

PCCO #012**PCO # 028 : CE #047 - Remove and Replace Parking Lot**

#	Cost Code	Description	Type	Amount
1	31-0501 - Earthwork Subk 1	Demo and Grade	Commitment	\$ 38,500.00
2	32-1101 - Paving & Surfacing Subk 1	Parking Lot Pavement	Commitment	\$ 94,500.00
3	32-1721 - Pavement Markings Subk 1	Pavement Markings	Commitment	\$ 2,235.00
4	01-5701 - Erosion&Sedmnt Cntrl Subk 1	SWPPP	Commitment	\$ 2,000.00
5	32-3101 - Fences & Gates Subk 1	Dumpster Fence and Gate	Commitment	\$ 4,200.00
Subtotal:				\$141,435.00
OH&P: 15.00% Applies to all line item types.				21,215.25
Grand Total:				\$162,650.25

The original (Contract Sum)	\$ 3,366,146.00
Net change by previously authorized Change Orders	\$ 349,558.62
The contract sum prior to this Change Order was	\$ 3,715,704.62
The contract sum would be changed by this Change Order in the amount of	\$ 162,650.25
The new contract sum including this Change Order will be	\$ 3,878,354.87
The contract time will not be changed by this Change Order by 0 days	

Andrew Hawkins (Hawkins Architecture)
7607 Eastmark Drive Suite 200
College Station Texas 77840

City of College Station
PO Box 9973
College Station Texas 77842-9973

JaCody Construction, LP
10770 State Highway 30 Suite 400
College Station Texas 77845

SIGNATURE

DATE

SIGNATURE

DATE

SIGNATURE

10.24.2018

DATE

JaCody Construction, LP
 10770 Hwy 30
 College Station, Texas 77845
 Phone: (979) 774-5613
 Fax: (979) 774-5693

Project: 1007 - Lincoln Center
 1000 Eleanor
 College Station, Texas 77840

Prime Contract Potential Change Order #028: CE #047 - Remove and Replace Parking Lot

TO:	City of College Station PO Box 9973 College Station Texas, 77842-9973	FROM:	JaCody Construction, LP 10770 State Highway 30 Suite 400 College Station Texas, 77845
PCO NUMBER/REVISION:	028 / 0	CONTRACT:	1 - Lincoln Center Prime Contract
REQUEST RECEIVED FROM:	Susan Monnat (City of College Station)	CREATED BY:	Andy Prado (JaCody Construction, LP)
STATUS:	Pending - In Review	CREATED DATE:	10/24 /2018
REFERENCE:		PRIME CONTRACT CHANGE ORDER:	None
FIELD CHANGE:	No		
LOCATION:		ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:	0 days	PAID IN FULL:	No
		TOTAL AMOUNT:	\$162,650.25

POTENTIAL CHANGE ORDER TITLE: CE #047 - Remove and Replace Parking Lot

CHANGE REASON: Client Request

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

CE #047 - Remove and Replace Parking Lot

Remove and Replace Parking at Lincoln Center per attached drawings dated 10.04.2018 and per Owner Directive.

Note Comments From A/E in regards to issued drawings:

- 10.4.2018 Comments from Architect (Andrew Hawkins):
 - So upon review my only question is about the islands. The existing curbs creating them are to be demolished and removed, but the existing fill/dirt/landscaping is to remain with the hopes that it will live? Is that correct? It seems a bit unclear on the demo sheet as it shows to demo all.
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 - Surveyed in the utilities in that area so we should be good to go.
- 10.4.2018 Comments from Engineer (Rabon Metcalf):
 1. This drawings should be a part of the original set;
 2. Paving design mirrors the paving section of the original design (no lime, compacted subgrade, beefed up slab);
 3. Grading at the islands is similar so that exiting landscape can remain and have a chance to survive;
 4. No sodding included. Disturbed areas should be hydro-seeded (per the plans);
 5. Ramps added at the sidewalk crossing at the driveway entrance;

ATTACHMENTS:

[LCC-Parking Improvements-100418.pdf](#)

#	Cost Code	Description	Type	Amount
1	31-0501 - Earthwork Subk 1	Demo and Grade	Commitment	\$ 38,500.00
2	32-1101 - Paving & Surfacing Subk 1	Parking Lot Pavement	Commitment	\$ 94,500.00
3	32-1721 - Pavement Markings Subk 1	Pavement Markings	Commitment	\$ 2,235.00
4	01-5701 - Erosion&Sedmnt Cntrl Subk 1	SWPPP	Commitment	\$ 2,000.00
5	32-3101 - Fences & Gates Subk 1	Dumpster Fence and Gate	Commitment	\$ 4,200.00
Subtotal:				\$141,435.00
OH&P: 15.00% Applies to all line item types.				\$ 21,215.25
Grand Total:				\$162,650.25

Andrew Hawkins (Hawkins Architecture)
7607 Eastmark Drive Suite 200
College Station Texas 77840

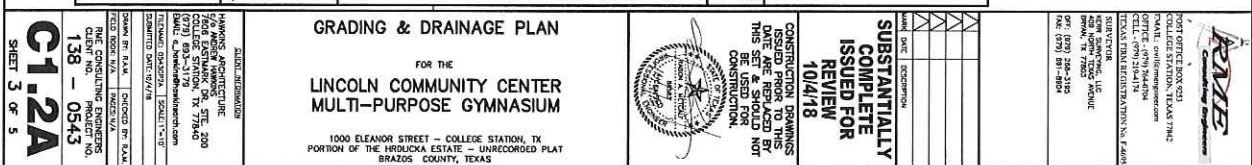
City of College Station
PO Box 9973
College Station Texas 77842-9973

JaCody Construction, LP
10770 State Highway 30 Suite 400
College Station Texas 77845

SIGNATURE _____ DATE _____

SIGNATURE _____ DATE _____

 10.24.2018
SIGNATURE _____ DATE _____





CONSTRUCTION DRAWINGS
ISSUED PRIOR TO THIS
DATE SET & SHOULD NOT
BE USED FOR
CONSTRUCTION.

REVIEW

NO.	DATE	REVISION
1	10/4/18	ISSUED FOR REVIEW

FOR THE
LINCOLN COMMUNITY CENTER
MULTI-PURPOSE GYMNASIUM

1000 ELEANOR STREET - COLLEGE STATION, TX
 PORTION OF THE HOOKER ESTATE - UNRECORDED PLAT
 BRAZOS COUNTY, TEXAS

CLIENT INFORMATION

BRADSHAW ARCHITECTURE
 504 BRADSHAW BLVD
 COLLEGE STATION, TX 77840
 (937) 693-3178
 bradshawarch.com

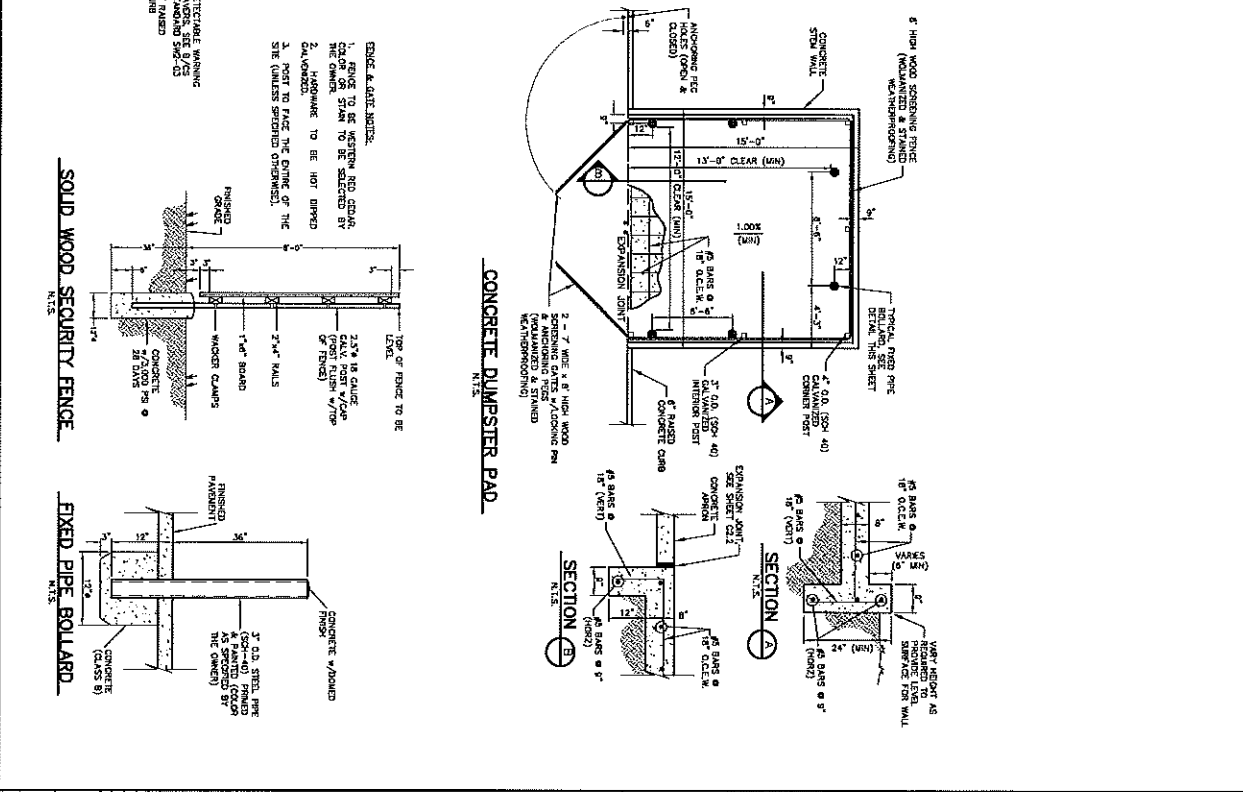
DESIGNED BY: R. A. R. E. NO. 138-0543
 CHECKED BY: R. A. R. E. NO. 138-0543
 DATE: 10/4/18

CONTRACT INFORMATION

PROJECT NO. 138-0543
 SHEET NO. 5 OF 5

NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS BUILDING CODE, THE TEXAS ELECTRICAL CODE, AND THE TEXAS MECHANICAL CODE.



RESOLUTION NO. _____

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 \$300,000 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 19th DAY OF November, 2018.

Karl Mooney, Mayor

ATTEST:

Tanya Smith, City Secretary

(Seal)

APPROVED:

A handwritten signature in dark ink, appearing to be 'J. McCall', written over a horizontal line.

McCall, Parkhurst & Horton L.L.P.
Bond Counsel

Exhibit "A"

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

Lincoln Center Park Amenities and Improvements. This project is for the expansion of the Lincoln Center building to include additional space for programming, storage and pavilions.



Legislation Details (With Text)

File #:	18-0762	Version:	1	Name:	Mustang Rentals Annual Price Agreement
Type:	Agreement	Status:		Status:	Consent Agenda
File created:	11/7/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding an increase of the Annual Rental of Heavy Machinery contract with Mustang Rentals from \$85,000 to \$150,000.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding an increase of the Annual Rental of Heavy Machinery contract with Mustang Rentals from \$85,000 to \$150,000.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends approving the increase of the Annual Rental of Heavy Machinery contract 16300251R2 with Mustang Rentals from \$85,000 to \$150,000.

Summary: The rental of heavy machinery was originally awarded to Mustang Rental Services, based on a joint bid with the City of Bryan. Council approved the original \$75,000 award on February 25, 2016. The price agreement has since been renewed twice, and had a small increase of \$10,000 approved in 2018. The current agreement term will expire in February of 2019, at which time a new bid will be awarded.

Budget & Financial Summary: Funds are available in the Streets and Roadway Maintenance Funds operational and maintenance budgets.

Attachments: None



Legislation Details (With Text)

File #:	18-0765	Version:	1	Name:	Lick Creek Park custom shade structure contract with USA Shade & Fabric Structures
Type:	Contract	Status:			Consent Agenda
File created:	11/8/2018	In control:			City Council Regular
On agenda:	11/19/2018	Final action:			
Title:	Presentation, possible action, and discussion regarding the approval of a contract with USA Shade & Fabric Structures, for purchase and installation of a cantilevered shade structure for the Lick Creek Park amphitheater for \$139,516.49; and presentation, possible action, and discussion regarding consideration of a debt reimbursement resolution.				
Sponsors:	David Schmitz				
Indexes:					
Code sections:					
Attachments:	PK1905 Lick Creek Shade Structure - DRR				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the approval of a contract with USA Shade & Fabric Structures, for purchase and installation of a cantilevered shade structure for the Lick Creek Park amphitheater for \$139,516.49; and presentation, possible action, and discussion regarding consideration of a debt reimbursement resolution.

Relationship to Strategic Goals:

1. Financially Sustainable City
2. Core Services and Infrastructure

Recommendation(s): Staff recommends approval of Contract#19300137, and the debt reimbursement resolution.

Summary: The intent of this contract is to install a shade structure over the amphitheater at Lick Creek Park to provide protection from the elements for patrons and classes to enjoy.

The quotes for this contract utilize the BuyBoard Purchasing Cooperative Contract 512-16. Procurement Statutes allow for the use of purchasing cooperatives in lieu of a formal bidding process, as the services have already been bid by the cooperative.

Budget & Financial Summary: This project (PK1905) has been appropriated \$200,000 in the FY19 Parks CIP Budget. The full budget is available and the "Resolution Declaring Intention to Reimburse Certain Expenditures with Proceeds from Debt" is necessary for this items because the long term debt that is projected to be issued for this project has not yet been issued. The debt for this project is scheduled to be issued later this fiscal year.

Reviewed and Approved by Legal: Yes

Attachments: Contract 19300137 is available for review in the City Secretary's Office.

1. Debt Reimbursement Resolution

RESOLUTION NO. _____

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 \$200,000 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 19th DAY of November, 2018.

Karl Mooney, Mayor

ATTEST:

Tanya Smith, City Secretary

(Seal)

APPROVED:

A handwritten signature in dark ink, appearing to be 'J. McCall', written over a horizontal line.

McCall, Parkhurst & Horton L.L.P.
Bond Counsel

Exhibit "A"

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

Lick Creek Park Shade Structure. Design and installation of new shade structure over the new amphitheater at the Nature Center in Lick Creek Park.



Legislation Details (With Text)

File #:	18-0767	Version:	1	Name:	Auto Parts / Service Increase
Type:	Contract	Status:		Status:	Consent Agenda
File created:	11/12/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding approving the increase of the Annual Auto Parts and Services contract with NAPA Auto Parts from \$95,000 to \$150,000.				
Sponsors:	Mary Ellen Leonard				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding approving the increase of the Annual Auto Parts and Services contract with NAPA Auto Parts from \$95,000 to \$150,000.

Relationship to Strategic Goals:

1. Core Services and Infrastructure

Recommendation(s): Staff recommends approving the increase of the Annual Auto Parks and Services contract 18300268 with NAPA Auto Parts from \$95,000 to \$150,000.

Summary: NAPA Auto Parts is the local (College Station, TX) PSA contract dealer for auto parts, shop equipment and services. PSA is a purchasing cooperative for public agencies. All products and services available for purchase through PSA contracts have been competitively bid and awarded and satisfy any State law requirements relating to competitive bids or proposals. Contingent upon Council approval, the blanket purchase order will be increased for the remaining term of January 29, 2018 through January 28, 2019.

Budget & Financial Summary: Funds are available in the Fleet Maintenance budget.

Reviewed and Approved by Legal: Yes

Attachments: N/A



Legislation Details (With Text)

File #:	18-0770	Version:	1	Name:	Sealcoat Bid Rejection
Type:	Bid Award	Status:		Status:	Consent Agenda
File created:	11/12/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding the rejection of all bids submitted for Bid (ITB) #18-091 for the repair and sealcoat of city streets.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the rejection of all bids submitted for Bid (ITB) #18-091 for the repair and sealcoat of city streets.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends the approval of the rejections of all bids, and the recommendation of no award for ITB #18-091 for the repair and sealcoat of city streets.

Summary: On Thursday, June 14, 2018 the Repair and Sealcoat of City Streets bid tabulation #18-091 was opened. In the best interest of the City, it was decided to revise the specification of the bid and to re-bid at a later date. A Notice of no award was sent to all interested parties on July 2, 2018.

Budget & Financial Summary: N/A

Attachments: None

Legislation Details (With Text)

File #:	18-0754	Version:	1	Name:	UDO Amendment - Accessory Living Quarters
Type:	Unified Development Ordinance	Status:		Status:	Agenda Ready
File created:	11/5/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amendment Appendix A, Unified Development Ordinance, Section 6.5 "Accessory Uses", Section 7.3.H, "Number of Off-Street Parking Spaces Required", and Section 11.2, "Defined Terms", of the Code of Ordinances of the City of College Station, Texas, to provide for the rental of accessory living quarters.				
Sponsors:	Laura Gray				
Indexes:					
Code sections:					
Attachments:	Option A Ordinance Option B Ordinance Option A Sec. 6.5. Accessory Uses..pdf Option B Sec. 6.5. Accessory Uses.pdf Sec. 7.3 Off-Street Parking Standards.pdf Sec. 11.2. Defined Terms.pdf				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding an ordinance amendment Appendix A, Unified Development Ordinance, Section 6.5 "Accessory Uses", Section 7.3.H, "Number of Off-Street Parking Spaces Required", and Section 11.2, "Defined Terms", of the Code of Ordinances of the City of College Station, Texas, to provide for the rental of accessory living quarters.

Relationship to Strategic Goals:

Recommendation: The Planning & Zoning Commission considered this item at their November 1, 2018 meeting and voted 5-0 to recommend approval with the recommendation that staff consider provisions allowing property owners to have minimum allowance for accessory uses of around 400-square feet. An additional redline and ordinance with this recommendation is included as Section 6.3 Option B in the supporting materials.

Summary: The purpose of this proposed ordinance is to provide for the rental of accessory living quarters while maintaining neighborhood integrity. The proposed ordinance would:

- Eliminate code language that restricts the use of accessory living quarters to "bona fide servants employed on the premises and members of the family of the occupant (s) of the principal structure."
- Require the property owner reside on-site and uses the subject property as their primary residence.
- Limit the number of accessory living quarters on a building plot to one (1) per principal residence.
- Limit the number of unrelated people living in the living quarters to no more than two (2).

- Require a minimum of one off-street parking space for the accessory living quarters.
- Clean-up code section number sequencing issues, remove redundant text and reorder the provisions for clarity.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Section 6.5. Accessory Uses Redline Option A
2. Section 6.5. Accessory Uses Redline Option B
3. Section 7.3. Off-Street Parking Standards Redline
4. Section 11.2 Defined Terms Redline
5. Ordinance Option A
6. Ordinance Option B

OPTION A:

Ordinance without 400-sqft provision

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A, "UNIFIED DEVELOPMENT ORDINANCE," ARTICLE 6, "USE REGULATIONS", SECTION 6.5, "ACCESSORY USES", SUBSECTION B. "ACCESSORY STRUCTURES;" ARTICLE 7, "GENERAL DEVELOPMENT STANDARDS", SECTION 7.3.H, "NUMBER OF OFF-STREET PARKING SPACES REQUIRED", AND ARTICLE 11, "DEFINITIONS", SECTION 11.2, "DEFINED TERMS" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO ACCESSORY LIVING QUARTERS; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1:** That Appendix A, "Unified Development Ordinance," Article 6, "Use Regulations", Section 6.5, "Accessory Uses", Article 7, "General Development Standards", Section 7.3.H, "Number Of Off-Street Parking Spaces Required", and Article 11, "Definitions", Section 11.2, "Defined Terms" of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit "A," Exhibit "B," and Exhibit "C"** attached hereto and made a part of this Ordinance for all purposes relating to accessory living quarters.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this 19th day of November, 2018.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT A

That Appendix A, "Unified Development Ordinance," Article 6, "Use Regulations", Section 6.5, "Accessory Uses, " Subsection B "Accessory Structures" of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

"Sec. 6.5. - Accessory Uses.

. . . .

B. Accessory Structures.

1. In combination, all accessory uses shall contain no more square footage than twenty-five (25) percent of the habitable floor area of the principal structure. Garage or carport areas devoted to the storage of vehicles shall not be included in the calculation of the twenty-five (25) percent restriction.
2. No accessory structure shall be erected in any required setback area. Excluded from this requirement is any portable storage building or structure if the Building Official has determined that it does not require a Building Permit.
3. On lots with approved rear access all setbacks shall be measured from the nearest boundary of the access easement or alley. On all other lots rear setbacks shall be measured from the rear property line. In no event shall more than thirty (30) percent of the rear yard area (that portion of the yard between the rear setback line of the principal structure and the rear property line) be covered with accessory buildings, structures, or uses.
4. The following restrictions shall apply to accessory buildings, structures, or uses other than garages, carports, and living quarters.
 - a. A minimum rear setback of fifteen (15) feet; and,
 - b. A maximum building eave height of eight (8) feet.
5. **Garage and Carports.**

Garages and carports in residential zoning districts, including those of a temporary nature, shall have a minimum rear setback of twenty (20) feet. A minimum side yard setback of twenty (20) feet shall also be applied when garages and carports, including those of a temporary nature, gain access from a side street. All other setbacks shall be applied as required in the district in which the structure is located. The following restrictions shall apply to garages and carports:

 - a. A minimum rear setback of twenty (20) feet; and,
 - b. A minimum side street setback of twenty (20) feet is required for garages or carports that face onto side streets.
6. **Living Quarters.**

In areas zoned and used for single family residential use, accessory living quarters are allowed subject to the following:

- a. The property owner resides on-site and uses the subject property as their primary residence.
- b. There is a limit of one (1) accessory living quarter per building plot.
- c. No more than two (2) unrelated persons live in the accessory living quarters; and
- d. One (1) additional off-street parking space is provided for the living quarters.”

EXHIBIT B

That Appendix A, "Unified Development Ordinance," Article 7, "General Development Standards," Section 7.3 "Off-Street Parking Standards," Subsection H "Number of Off-Street Parking Spaces Required," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

"ARTICLE 7. GENERAL DEVELOPMENT STANDARDS.

. . . .

Sec. 7.3 Off-Street Parking Standards.

. . . .

H. Number of Off-Street Parking Spaces Required.

In computing the number of parking spaces required, the following rules shall govern:

1. Parking requirements based on square footage shall be based upon the gross floor area, unless otherwise stated. Service areas such as mechanical rooms, restrooms, and closets shall be included in the calculation of "gross floor area" for determining required parking spaces;
2. Where fractional spaces result in computing required parking spaces, the required number of spaces must be increased to the nearest whole number. At least one (1) parking space must be provided unless otherwise specified in this UDO;
3. The parking space requirements for a use not specifically listed shall be the same as those for the most similar to the proposed use, as determined by the Administrator;
4. Whenever a building or use constructed or established after the effective date of this UDO is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, parking requirements shall be met on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this UDO is enlarged, the enlarged building or increased use shall then and thereafter comply with the parking requirements set forth herein;
5. At the time of construction, redevelopment, or when an addition to the number of existing bedrooms is completed, all single-family and townhouse uses shall come into compliance with the minimum off-street parking requirements. Garages that meet minimum dimensional standards may be counted towards parking requirements;
6. Where requirements are established on the basis of the number of seats, such requirements shall be based on the seating capacity as determined by the Building Official;
7. Where a manufacturing/industrial use has more than one (1) working shift of employees, parking shall be provided to accommodate overlap requirements during transition periods; and

8. The Design Review Board may waive parking space requirements in the Northgate and Wolf Pen Creek districts if the development meets the goals of the master plan for the respective district.

MINIMUM OFF-STREET PARKING REQUIREMENTS

Use	Unit	Spaces/Unit	Plus Spaces For:
Assisted Living/Residential Care Facility	As determined by the Administrator *****		
Airport	As determined by the Administrator *****		
Banks	250 s.f.	Floor area over 500 s.f.: 1.0	
Bowling Alley	As Determined by the Administrator *****		
Bus Depot	As Determined by the Administrator *****		
Car Wash (Self-Serve)	Wash Bay	1.0	1.0 space per vacuum bay
Church	Seat	0.33 *	
Convalescent Home/Hospital	Bed	0.5	
Duplex Dwelling:			
1 & 2 Bedroom	DU	2.0	
3+ Bedroom	BR	1.0	
Dormitory	Bed	0.75	
Day Care Center	250 s.f.	Floor area over 500 s.f.: 1.0	
Fraternal Lodge	75 s.f.	Floor area over 150 s.f.: 1.0	
Fraternity/Sorority House	Person	1.0	1/30 s.f. meeting room
Freight Station	As Determined by the Administrator *****		
Funeral Parlor	Seat	0.33	
Furniture Sales, Freestanding	350 s.f.	Floor area over 700 s.f.: 1.0	
Golf Driving Range	Tee Station	1.0	
Health Club/Sports Facility	As Determined by the Administrator *****		

Gasoline and Fuel Service	300 s.f.	1.0	
Group Housing	BR	2.0	As Determined by the Administrator
Health Studio	150 s.f.	Floor area over 300 s.f.: 1.0	
Hospital	As Determined by the Administrator *****		
Hotel/Motel	DU	1.0	1/200 s.f. meeting room
HUD-Code Manu. Home	DU	2.0	
Laundry	150 s.f.	Floor area over 300 s.f.: 1.0	
Live-Work Unit	250 s.f. of non-residential portion of structure	Floor area over 250 s.f.: 1.0	1/BR, Residential DU
Motor Vehicle Sales/Service:			
Office/Sales Area	250 s.f.	1.0	
Service Area	200 s.f.	1.0	
Medical or Dental Clinic			
< 20,000 s.f.	200 s.f.	Floor area over 400 s.f.: 1.0	
Mixed-Use Structure ****	250 s.f. of non-residential portion of structure	Floor area over 500 s.f.: 1.0	1/BR, including residential DU and hotel/motel DU
Multi-Family Dwelling:			
1 Bedroom	BR	1.5	
2+ Bedroom	BR	1.0	
Night Club	50 s.f.	1.0	
Office Building	250 s.f.	Floor area over 500 s.f.: 1.0	
Personal Service Shop	250 s.f.	Floor area over 500 s.f.: 1.0	
Priv. School or Comm. Studio	100 s.f.	Floor area over 200 s.f.: 1.0	
Retail Sales & Service:			

GC, SC, WC, C-3	250 s.f.	Floor area over 500 s.f.: 1.0	
CI	350 s.f.	Floor area over 700 s.f.: 1.0	
Restaurant (w/o drive-through)	65 s.f.	Floor area over 130 s.f.: 1.0	
Restaurant (w/drive-through)	100 s.f.	Floor area over 200 s.f.: 1.0	
Rooming/Boarding House	Person	1.0	
Sales Display	250 s.f.	Floor area over 500 s.f.: 1.0	
Single-Family Dwelling ***	BR	1.0 *** Minimum of 2, Maximum of 4	1.0/Accessory Living Quarter
Single-Unit Dwelling	BR	1.0	
Shopping Center ** :			
GC, SC, WC, C-3	250 s.f.	1.0	
CI	350 s.f.	1.0	
Townhouse ***	BR	1.0 *** Minimum of 2, Maximum of 4	
Theater	Seat	0.25	
Truck Terminal	As Determined by the Administrator *****		
Two-Dwelling Unit	BR	1.0	
Veterinary Clinic	300 s.f.	Floor area over 600 s.f.: 1.0	
Warehouse	1,000 s.f.	1.0	

"s.f." = square footage. "DU" = Dwelling Unit. "BR" = Bedroom.

* Overflow parking above required parking spaces may be grassed rather than paved. All unpaved spaces shall be shown on site plan and organized for efficient traffic circulation using wheel stops and other appropriate measures as required by the Administrator.

** The minimum number of parking spaces for a shopping center shall be calculated at a rate of 1:250 in GC SC, or WC, and 1:350 in CI regardless of the composing uses unless otherwise determined by the Administrator that such composing uses require a modification to the applicable requirements.

*** For areas designated Neighborhood Conservation on the Comprehensive Plan's Future Land Use and Character Map there shall be no maximum number of parking spaces.

**** Mixed-Use structures in the MU Mixed-Use and MF Multi-Family districts.

***** When determining the required off-street parking requirements for the uses noted above, the Administrator shall consider the anticipated traffic demand, traffic circulation, and surrounding conditions. The Administrator may also consider information provided by the applicant that demonstrates the proposed number of off-street parking spaces is adequate for the proposed use and has been successfully employed in other locations.”

EXHIBIT C

That Appendix A, "Unified Development Ordinance," Article 11, "Definitions", Section 11.2, "Defined Terms" of the Code of Ordinances of the City of College Station, Texas, is hereby amended by modifying the following definition:

“ARTICLE 11. DEFINITIONS.

For the purpose of this UDO, certain words as used herein are defined as follows:

. . . .

Accessory Use or Structure, or Building:

- (1) A building, structure, or use which is subordinate to and serves a primary use or principal structure;
- (2) A building, structure, or use which is subordinate in area, extent, or purpose to the primary use served;
- (3) A building, structure, or use which contributes to the comfort, convenience, or necessity of occupants of the primary use served;
- (4) A building, structure, or use which is located within the same zoning district as the primary use; and
- (5) A building, structure, or use which in residential districts is not used for commercial purposes other than legitimate home occupations.

Examples of accessory buildings, structures, or uses include, but are not limited to, private garages, greenhouses, living quarters, tool sheds, radio or television antennae, or bathhouses.”

OPTION B:

Ordinance with 400-sqft provision

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A, "UNIFIED DEVELOPMENT ORDINANCE," ARTICLE 6, "USE REGULATIONS", SECTION 6.5, "ACCESSORY USES", SUBSECTION B. "ACCESSORY STRUCTURES;" ARTICLE 7, "GENERAL DEVELOPMENT STANDARDS", SECTION 7.3.H, "NUMBER OF OFF-STREET PARKING SPACES REQUIRED", AND ARTICLE 11, "DEFINITIONS", SECTION 11.2, "DEFINED TERMS" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO ACCESSORY LIVING QUARTERS; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1:** That Appendix A, "Unified Development Ordinance," Article 6, "Use Regulations", Section 6.5, "Accessory Uses", Article 7, "General Development Standards", Section 7.3.H, "Number Of Off-Street Parking Spaces Required", and Article 11, "Definitions", Section 11.2, "Defined Terms" of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit "A," Exhibit "B," and Exhibit "C"** attached hereto and made a part of this Ordinance for all purposes relating to accessory living quarters.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this 19th day of November, 2018.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT A

That Appendix A, "Unified Development Ordinance," Article 6, "Use Regulations", Section 6.5, "Accessory Uses, " Subsection B "Accessory Structures" of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

"Sec. 6.5. - Accessory Uses.

.

B. Accessory Structures.

1. In combination, all accessory uses shall contain no more square footage than twenty-five (25) percent of the habitable floor area of the principal structure or 400 square feet, whichever is greater. Garage or carport areas devoted to the storage of vehicles shall not be included in the calculation of the twenty-five (25) percent restriction.
2. No accessory structure shall be erected in any required setback area. Excluded from this requirement is any portable storage building or structure if the Building Official has determined that it does not require a Building Permit.
3. On lots with approved rear access all setbacks shall be measured from the nearest boundary of the access easement or alley. On all other lots rear setbacks shall be measured from the rear property line. In no event shall more than thirty (30) percent of the rear yard area (that portion of the yard between the rear setback line of the principal structure and the rear property line) be covered with accessory buildings, structures, or uses.
4. The following restrictions shall apply to accessory buildings, structures, or uses other than garages, carports, and living quarters.
 - a. A minimum rear setback of fifteen (15) feet; and,
 - b. A maximum building eave height of eight (8) feet.
5. **Garage and Carports.**

Garages and carports in residential zoning districts, including those of a temporary nature, shall have a minimum rear setback of twenty (20) feet. A minimum side yard setback of twenty (20) feet shall also be applied when garages and carports, including those of a temporary nature, gain access from a side street. All other setbacks shall be applied as required in the district in which the structure is located. The following restrictions shall apply to garages and carports:

 - a. A minimum rear setback of twenty (20) feet; and,
 - b. A minimum side street setback of twenty (20) feet is required for garages or carports that face onto side streets.
6. **Living Quarters.**

In areas zoned and used for single family residential use, accessory living quarters are allowed subject to the following:

- a. The property owner resides on-site and uses the subject property as their primary residence.
- b. There is a limit of one (1) accessory living quarter per building plot.
- c. No more than two (2) unrelated persons live in the accessory living quarters; and
- d. One (1) additional off-street parking space is provided for the living quarters.”

EXHIBIT B

That Appendix A, "Unified Development Ordinance," Article 7, "General Development Standards," Section 7.3 "Off-Street Parking Standards," Subsection H "Number of Off-Street Parking Spaces Required," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

"ARTICLE 7. GENERAL DEVELOPMENT STANDARDS.

. . . .

Sec. 7.3 Off-Street Parking Standards.

. . . .

H. Number of Off-Street Parking Spaces Required .

In computing the number of parking spaces required, the following rules shall govern:

1. Parking requirements based on square footage shall be based upon the gross floor area, unless otherwise stated. Service areas such as mechanical rooms, restrooms, and closets shall be included in the calculation of "gross floor area" for determining required parking spaces;
2. Where fractional spaces result in computing required parking spaces, the required number of spaces must be increased to the nearest whole number. At least one (1) parking space must be provided unless otherwise specified in this UDO;
3. The parking space requirements for a use not specifically listed shall be the same as those for the most similar to the proposed use, as determined by the Administrator;
4. Whenever a building or use constructed or established after the effective date of this UDO is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, parking requirements shall be met on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this UDO is enlarged, the enlarged building or increased use shall then and thereafter comply with the parking requirements set forth herein;
5. At the time of construction, redevelopment, or when an addition to the number of existing bedrooms is completed, all single-family and townhouse uses shall come into compliance with the minimum off-street parking requirements. Garages that meet minimum dimensional standards may be counted towards parking requirements;
6. Where requirements are established on the basis of the number of seats, such requirements shall be based on the seating capacity as determined by the Building Official;
7. Where a manufacturing/industrial use has more than one (1) working shift of employees, parking shall be provided to accommodate overlap requirements during transition periods; and

8. The Design Review Board may waive parking space requirements in the Northgate and Wolf Pen Creek districts if the development meets the goals of the master plan for the respective district.

MINIMUM OFF-STREET PARKING REQUIREMENTS

Use	Unit	Spaces/Unit	Plus Spaces For:
Assisted Living/Residential Care Facility	As determined by the Administrator *****		
Airport	As determined by the Administrator *****		
Banks	250 s.f.	Floor area over 500 s.f.: 1.0	
Bowling Alley	As Determined by the Administrator *****		
Bus Depot	As Determined by the Administrator *****		
Car Wash (Self-Serve)	Wash Bay	1.0	1.0 space per vacuum bay
Church	Seat	0.33 *	
Convalescent Home/Hospital	Bed	0.5	
Duplex Dwelling:			
1 & 2 Bedroom	DU	2.0	
3+ Bedroom	BR	1.0	
Dormitory	Bed	0.75	
Day Care Center	250 s.f.	Floor area over 500 s.f.: 1.0	
Fraternal Lodge	75 s.f.	Floor area over 150 s.f.: 1.0	
Fraternity/Sorority House	Person	1.0	1/30 s.f. meeting room
Freight Station	As Determined by the Administrator *****		
Funeral Parlor	Seat	0.33	
Furniture Sales, Freestanding	350 s.f.	Floor area over 700 s.f.: 1.0	
Golf Driving Range	Tee Station	1.0	
Health Club/Sports Facility	As Determined by the Administrator *****		

Gasoline and Fuel Service	300 s.f.	1.0	
Group Housing	BR	2.0	As Determined by the Administrator
Health Studio	150 s.f.	Floor area over 300 s.f.: 1.0	
Hospital	As Determined by the Administrator *****		
Hotel/Motel	DU	1.0	1/200 s.f. meeting room
HUD-Code Manu. Home	DU	2.0	
Laundry	150 s.f.	Floor area over 300 s.f.: 1.0	
Live-Work Unit	250 s.f. of non-residential portion of structure	Floor area over 250 s.f.: 1.0	1/BR, Residential DU
Motor Vehicle Sales/Service:			
Office/Sales Area	250 s.f.	1.0	
Service Area	200 s.f.	1.0	
Medical or Dental Clinic			
< 20,000 s.f.	200 s.f.	Floor area over 400 s.f.: 1.0	
Mixed-Use Structure ****	250 s.f. of non-residential portion of structure	Floor area over 500 s.f.: 1.0	1/BR, including residential DU and hotel/motel DU
Multi-Family Dwelling:			
1 Bedroom	BR	1.5	
2+ Bedroom	BR	1.0	
Night Club	50 s.f.	1.0	
Office Building	250 s.f.	Floor area over 500 s.f.: 1.0	
Personal Service Shop	250 s.f.	Floor area over 500 s.f.: 1.0	
Priv. School or Comm. Studio	100 s.f.	Floor area over 200 s.f.: 1.0	
Retail Sales & Service:			

GC, SC, WC, C-3	250 s.f.	Floor area over 500 s.f.: 1.0	
CI	350 s.f.	Floor area over 700 s.f.: 1.0	
Restaurant (w/o drive-through)	65 s.f.	Floor area over 130 s.f.: 1.0	
Restaurant (w/drive-through)	100 s.f.	Floor area over 200 s.f.: 1.0	
Rooming/Boarding House	Person	1.0	
Sales Display	250 s.f.	Floor area over 500 s.f.: 1.0	
Single-Family Dwelling ***	BR	1.0 *** Minimum of 2, Maximum of 4	1.0/Accessory Living Quarter
Single-Unit Dwelling	BR	1.0	
Shopping Center ** :			
GC, SC, WC, C-3	250 s.f.	1.0	
CI	350 s.f.	1.0	
Townhouse ***	BR	1.0 *** Minimum of 2, Maximum of 4	
Theater	Seat	0.25	
Truck Terminal	As Determined by the Administrator *****		
Two-Dwelling Unit	BR	1.0	
Veterinary Clinic	300 s.f.	Floor area over 600 s.f.: 1.0	
Warehouse	1,000 s.f.	1.0	

"s.f." = square footage. "DU" = Dwelling Unit. "BR" = Bedroom.

* Overflow parking above required parking spaces may be grassed rather than paved. All unpaved spaces shall be shown on site plan and organized for efficient traffic circulation using wheel stops and other appropriate measures as required by the Administrator.

** The minimum number of parking spaces for a shopping center shall be calculated at a rate of 1:250 in GC SC, or WC, and 1:350 in CI regardless of the composing uses unless otherwise determined by the Administrator that such composing uses require a modification to the applicable requirements.

*** For areas designated Neighborhood Conservation on the Comprehensive Plan's Future Land Use and Character Map there shall be no maximum number of parking spaces.

**** Mixed-Use structures in the MU Mixed-Use and MF Multi-Family districts.

***** When determining the required off-street parking requirements for the uses noted above, the Administrator shall consider the anticipated traffic demand, traffic circulation, and surrounding conditions. The Administrator may also consider information provided by the applicant that demonstrates the proposed number of off-street parking spaces is adequate for the proposed use and has been successfully employed in other locations.”

EXHIBIT C**EXHIBIT C**

That Appendix A, "Unified Development Ordinance," Article 11, "Definitions", Section 11.2, "Defined Terms" of the Code of Ordinances of the City of College Station, Texas, is hereby amended by modifying the following definition:

“ARTICLE 11. DEFINITIONS.

For the purpose of this UDO, certain words as used herein are defined as follows:

.

Accessory Use or Structure, or Building:

- (1) A building, structure, or use which is subordinate to and serves a primary use or principal structure;
- (2) A building, structure, or use which is subordinate in area, extent, or purpose to the primary use served;
- (3) A building, structure, or use which contributes to the comfort, convenience, or necessity of occupants of the primary use served;
- (4) A building, structure, or use which is located within the same zoning district as the primary use; and
- (5) A building, structure, or use which in residential districts is not used for commercial purposes other than legitimate home occupations.

Examples of accessory buildings, structures, or uses include, but are not limited to, private garages, greenhouses, living quarters, tool sheds, radio or television antennae, or bathhouses.”

Sec. 6.5. - Accessory Uses.

. . . .

B. Accessory Structures.

1. In combination, all accessory uses shall contain no more square footage than twenty-five (25) percent of the habitable floor area of the principal structure. Garage or carport areas devoted to the storage of vehicles shall not be included in the calculation of the twenty-five (25) percent restriction.
2. No accessory structure shall be erected in any required setback area. Excluded from this requirement is any portable storage building or structure if the Building Official has determined that it does not require a Building Permit.
3. On lots with approved rear access all setbacks shall be measured from the nearest boundary of the access easement or alley. On all other lots rear setbacks shall be measured from the rear property line. In no event shall more than thirty (30) percent of the rear yard area (that portion of the yard between the rear setback line of the principal structure and the rear property line) be covered with accessory buildings, structures, or uses.
4. The following restrictions shall apply to accessory buildings, structures, or uses other than garages, carports, and living quarters for family or servants:
 - a. A minimum rear setback of fifteen (15) feet; and,
 - b. A maximum building eave height of eight (8) feet.

4. Garage and Carports.

Garages and carports in residential zoning districts, including those of a temporary nature, shall have a minimum rear setback of twenty (20) feet. A minimum side yard setback of twenty (20) feet shall also be applied when garages and carports, including those of a temporary nature, gain access from a side street. All other setbacks shall be applied as required in the district in which the structure is located. The following restrictions shall apply to garages and carports:

- a. A minimum rear setback of twenty (20) feet; and,
- b. A minimum side street setback of twenty (20) feet is required for garages or carports that face onto side streets.

5. Living Quarters.

In areas zoned and used for single family residential use, accessory living quarters are allowed subject to the following:

- a. The property owner resides on-site and uses the subject property as their primary residence.
- b. There is a limit of one (1) accessory living quarter per building plot.
- c. No more than two (2) unrelated persons live in the accessory living quarters; and
- d. One (1) additional off-street parking space is provided for the living quarters."

Sec. 6.5. - Accessory Uses.

. . . .

B. Accessory Structures.

1. In combination, all accessory uses shall contain no more square footage than twenty-five (25) percent of the habitable floor area of the principal structure or 400 square feet, whichever is greater. Garage or carport areas devoted to the storage of vehicles shall not be included in the calculation of the twenty-five (25) percent restriction.
2. No accessory structure shall be erected in any required setback area. Excluded from this requirement is any portable storage building or structure if the Building Official has determined that it does not require a Building Permit.
3. On lots with approved rear access all setbacks shall be measured from the nearest boundary of the access easement or alley. On all other lots rear setbacks shall be measured from the rear property line. In no event shall more than thirty (30) percent of the rear yard area (that portion of the yard between the rear setback line of the principal structure and the rear property line) be covered with accessory buildings, structures, or uses.
4. The following restrictions shall apply to accessory buildings, structures, or uses other than garages, carports, and living quarters for family or servants:
 - a. A minimum rear setback of fifteen (15) feet; and,
 - b. A maximum building eave height of eight (8) feet.

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- a. A minimum rear setback of twenty (20) feet; and,
- b. A minimum side street setback of twenty (20) feet is required for garages or carports that face onto side streets.

5. Living Quarters.

In areas zoned and used for single family residential use, accessory living quarters are allowed subject to the following:

- a. The property owner resides on-site and uses the subject property as their primary residence.
- b. There is a limit of one (1) accessory living quarter per building plot.
- c. No more than two (2) unrelated persons live in the accessory living quarters; and
- d. One (1) additional off-street parking space is provided for the living quarters."

Sec. 7.3. - Off-Street Parking Standards.

H. Number of Off-Street Parking Spaces Required .

In computing the number of parking spaces required, the following rules shall govern:

1. Parking requirements based on square footage shall be based upon the gross floor area, unless otherwise stated. Service areas such as mechanical rooms, restrooms, and closets shall be included in the calculation of "gross floor area" for determining required parking spaces;
2. Where fractional spaces result in computing required parking spaces, the required number of spaces must be increased to the nearest whole number. At least one (1) parking space must be provided unless otherwise specified in this UDO;
3. The parking space requirements for a use not specifically listed shall be the same as those for the most similar to the proposed use, as determined by the Administrator;
4. Whenever a building or use constructed or established after the effective date of this UDO is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, parking requirements shall be met on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this UDO is enlarged, the enlarged building or increased use shall then and thereafter comply with the parking requirements set forth herein;
5. At the time of construction, redevelopment, or when an addition to the number of existing bedrooms is completed, all single-family and townhouse uses shall come into compliance with the minimum off-street parking requirements. Garages that meet minimum dimensional standards may be counted towards parking requirements;
6. Where requirements are established on the basis of the number of seats, such requirements shall be based on the seating capacity as determined by the Building Official;
7. Where a manufacturing/industrial use has more than one (1) working shift of employees, parking shall be provided to accommodate overlap requirements during transition periods; and
8. The Design Review Board may waive parking space requirements in the Northgate and Wolf Pen Creek districts if the development meets the goals of the master plan for the respective district.

MINIMUM OFF-STREET PARKING REQUIREMENTS

Use	Unit	Spaces/Unit	Plus Spaces For:
Assisted Living/Residential Care Facility	As determined by the Administrator *****		
Airport	As determined by the Administrator *****		
Banks	250 s.f.	Floor area over 500 s.f.: 1.0	
Bowling Alley	As Determined by the Administrator *****		

Bus Depot	As Determined by the Administrator *****		
Car Wash (Self-Serve)	Wash Bay	1.0	1.0 space per vacuum bay
Church	Seat	0.33 *	
Convalescent Home/Hospital	Bed	0.5	
Duplex Dwelling:			
1 & 2 Bedroom	DU	2.0	
3+ Bedroom	BR	1.0	
Dormitory	Bed	0.75	
Day Care Center	250 s.f.	Floor area over 500 s.f.: 1.0	
Fraternal Lodge	75 s.f.	Floor area over 150 s.f.: 1.0	
Fraternity/Sorority House	Person	1.0	1/30 s.f. meeting room
Freight Station	As Determined by the Administrator *****		
Funeral Parlor	Seat	0.33	
Furniture Sales, Freestanding	350 s.f.	Floor area over 700 s.f.: 1.0	
Golf Driving Range	Tee Station	1.0	
Health Club/Sports Facility	As Determined by the Administrator *****		
Gasoline and Fuel Service	300 s.f.	1.0	
Group Housing	BR	2.0	As Determined by the Administrator

Health Studio	150 s.f.	Floor area over 300 s.f.: 1.0	
Hospital	As Determined by the Administrator *****		
Hotel/Motel	DU	1.0	1/200 s.f. meeting room
HUD-Code Manu. Home	DU	2.0	
Laundry	150 s.f.	Floor area over 300 s.f.: 1.0	
Live-Work Unit	250 s.f. of non- residential portion of structure	Floor area over 250 s.f.: 1.0	1/BR, Residential DU
Motor Vehicle Sales/Service:			
Office/Sales Area	250 s.f.	1.0	
Service Area	200 s.f.	1.0	
Medical or Dental Clinic			
< 20,000 s.f.	200 s.f.	Floor area over 400 s.f.: 1.0	
Mixed-Use Structure *****	250 s.f. of non- residential portion of structure	Floor area over 500 s.f.: 1.0	1/BR, including residential DU and hotel/motel DU
Multi-Family Dwelling:			
1 Bedroom	BR	1.5	
2+ Bedroom	BR	1.0	
Night Club	50 s.f.	1.0	

Office Building	250 s.f.	Floor area over 500 s.f.: 1.0	
Personal Service Shop	250 s.f.	Floor area over 500 s.f.: 1.0	
Priv. School or Comm. Studio	100 s.f.	Floor area over 200 s.f.: 1.0	
Retail Sales & Service:			
GC, SC, WC, C-3	250 s.f.	Floor area over 500 s.f.: 1.0	
CI	350 s.f.	Floor area over 700 s.f.: 1.0	
Restaurant (w/o drive- through)	65 s.f.	Floor area over 130 s.f.: 1.0	
Restaurant (w/drive- through)	100 s.f.	Floor area over 200 s.f.: 1.0	
Rooming/Boarding House	Person	1.0	
Sales Display	250 s.f.	Floor area over 500 s.f.: 1.0	
Single-Family Dwelling ***	BR	1.0 *** Minimum of 2, Maximum of 4	1.0/Accessory Living Quarter
Single-Unit Dwelling	BR	1.0	
Shopping Center **:			
GC, SC, WC, C-3	250 s.f.	1.0	
CI	350 s.f.	1.0	

Townhouse ***	BR	1.0 *** Minimum of 2, Maximum of 4	
Theater	Seat	0.25	
Truck Terminal	As Determined by the Administrator *****		
Two-Dwelling Unit	BR	1.0	
Veterinary Clinic	300 s.f.	Floor area over 600 s.f.: 1.0	
Warehouse	1,000 s.f.	1.0	

"s.f." = square footage. "DU" = Dwelling Unit. "BR" = Bedroom.

* Overflow parking above required parking spaces may be grassed rather than paved. All unpaved spaces shall be shown on site plan and organized for efficient traffic circulation using wheel stops and other appropriate measures as required by the Administrator.

** The minimum number of parking spaces for a shopping center shall be calculated at a rate of 1:250 in GC SC, or WC, and 1:350 in CI regardless of the composing uses unless otherwise determined by the Administrator that such composing uses require a modification to the applicable requirements.

*** For areas designated Neighborhood Conservation on the Comprehensive Plan's Future Land Use and Character Map there shall be no maximum number of parking spaces.

**** Mixed-Use structures in the MU Mixed-Use and MF Multi-Family districts.

***** When determining the required off-street parking requirements for the uses noted above, the Administrator shall consider the anticipated traffic demand, traffic circulation, and surrounding conditions. The Administrator may also consider information provided by the applicant that demonstrates the proposed number of off-street parking spaces is adequate for the proposed use and has been successfully employed in other locations.

Sec. 11.2. - Defined Terms.

For the purpose of this UDO, certain words as used herein are defined as follows:

Accessory Use or Structure, or Building:

- (1) A building, structure, or use which is subordinate to and serves a primary use or principal structure;
- (2) A building, structure, or use which is subordinate in area, extent, or purpose to the primary use served;
- (3) A building, structure, or use which contributes to the comfort, convenience, or necessity of occupants of the primary use served;
- (4) A building, structure, or use which is located within the same zoning district as the primary use; and
- (5) A building, structure, or use which in residential districts is not used for commercial purposes other than legitimate home occupations

Examples of accessory buildings, structures, or uses include, but are not limited to, private garages, greenhouses, tool sheds, radio or television antennae, or bathhouses.



Legislation Details (With Text)

File #:	18-0755	Version:	2	Name:	UDO Amendment - Low Density Residential Height
Type:	Unified Development Ordinance	Status:		Status:	Agenda Ready
File created:	11/5/2018	In control:		In control:	City Council Regular
On agenda:	11/19/2018	Final action:		Final action:	
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Appendix A, "Unified Development Ordinance," Section 7.2.H, "Height," and Section 11.2, "Defined Terms," regarding single-family height protection and building height.				
Sponsors:	Molly Hitchcock				
Indexes:					
Code sections:					
Attachments:	Section 7.pdf Section 11.2 Defined Terms Ordinance				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Appendix A, "Unified Development Ordinance," Section 7.2.H, "Height," and Section 11.2, "Defined Terms," regarding single-family height protection and building height.

Relationship to Strategic Goals:

- Neighborhood Integrity

Recommendation: The Planning & Zoning Commission will consider this item at their meeting on November 15. Their final report will be made at the Council meeting.

Summary: In response to a future agenda item request, staff presented an overview of UDO Section 7.2.H to the Planning & Zoning Commission in April. The Commission expressed a desire to make changes to the section. The topic was presented as part of the community engagement meetings and surveys this past spring.

In June, Staff provided the Commission and City Council with a summary of the results from the community engagement meetings and online surveys and solicited feedback regarding any possible changes to Section 7.2.H. There was general consensus among both bodies that the existing language lacks clarity and that simplicity was needed.

In August, Staff presented a draft ordinance to the Commission that rearranged subsections and reformatted and retitled sections to make the text more user-friendly, and simplified language, updated a graphic, and tweaked language to provide clarity. The Commission discussed concerns about uncertainty of how complex roof systems may be measured and expressed a desire to simplify the ordinance. The Commission voted to defer action on this draft.

The current proposed ordinance seeks to clarify and simplify the regulation. The purpose has been edited, an applicability section has been added, and the standard for height protection clearly states that structures shall

fall under a certain sloped plane. In addition, a definition of building height (with graphics included) is proposed for the Defined Terms section of the Unified Development Ordinance.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. UDO Section 7.2.H Low-Density Residential Height Protection redline
2. UDO Section 11.2 Defined Terms redline
3. Ordinance

Sec. 7.2. - General Provisions.

H. Low-Density Residential Height Protection.

1. Purpose.

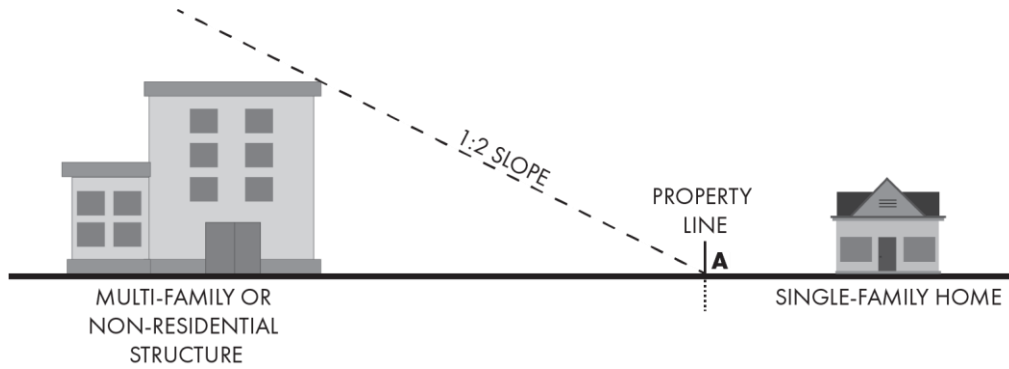
The purpose of low-density residential height protection is to help mitigate negative visual impacts of higher-density residential and non-residential uses on adjacent, low-density residential uses and districts. This is accomplished by regulating the height of such higher-density residential or any non-residential uses when adjacent to low-density residential uses and districts.

2. Applicability.

- a. This subsection shall apply to all multifamily and nonresidential structures to be constructed or reconstructed in any way that would increase the building height as defined in Section 11.2 Defined Terms of this UDO, on property adjacent to a detached single-family, manufactured home park, or townhouse use or district.
- b. Unless otherwise stated in this UDO, the regulations herein shall not apply to any of the following:
 - 1) Structures located in NG, RDD, and P-MUD zoning districts;
 - 2) Utility structures such as elevated water storage tanks and electrical transmission lines;
 - 3) Individual architectural structures such as flagpoles, belfries, cupolas, spires, domes, monuments, chimneys, bulkheads, elevators, or chimney flues; or any other similar structure extending above the roof of any building where such structure does not occupy more than thirty-three (33) percent of the surface area of the roof;
 - 4) Residential radio/television receiving antennas;
 - 5) When the detached single family, manufactured home park or townhome use on the adjacent tract is nonconforming;
 - 6) When the use on the adjacent tract is agricultural; or
 - 7) Developments designed to be mixed use or that are within areas where it has been identified that redevelopment is appropriate, as shown on the Future Land Use and Character Map of the City's Comprehensive Plan. Such developments at the periphery of the mixed use area or area identified as appropriate for redevelopment shall meet the terms of Low-Density Residential Height Protection, when applicable.

3. Slope Requirement.

- a. Multi-family and non-residential structures shall remain under an imaginary line formed by a 1:2 slope as illustrated by the inclined plane in the graphic below, where 'A' is located at the property line shared with a detached single-family, manufactured home park or townhouse use or district.



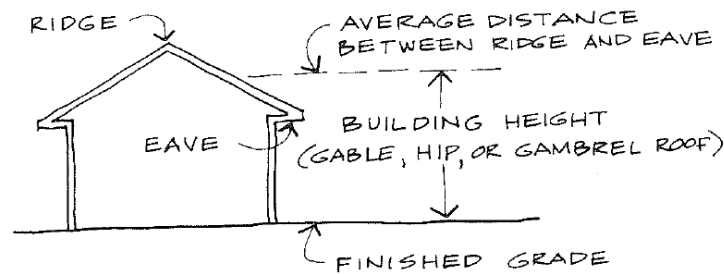
b. In addition to the height limitations set forth above in this subsection, the following additional height limitations apply in WC Wellborn Commercial zoning:

- 1) No building may exceed two (2) stories;
- 2) Maximum eave height shall be twenty-four (24) feet;
- 3) Maximum overall height to peak of roof shall be thirty-five (35) feet;
- 4) Any structure with an eave height over fifteen (15) feet will be constructed to resemble a two-story facade;
- 5) Buildings located closest to detached single-family, manufactured home park or townhouse use or district and that are within fifty (50) feet of the property line are limited to one-story in height with an eave maximum of twelve (12) feet; and
- 6) An eave maximum of fourteen (14) feet in height is permitted when mechanical equipment is housed within a mezzanine.

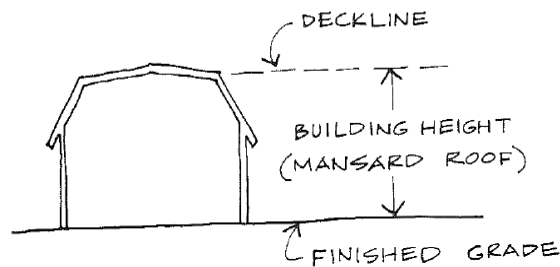
Sec. 11.2. - Defined Terms.

Building Height: Building height refers to the vertical distance measured from the finished grade and the height of the roof as described below. For buildings with multiple roof levels, the highest of the various roof levels must be used to determine the building height. The average height of multiple roof levels is not to be used to determine building height.

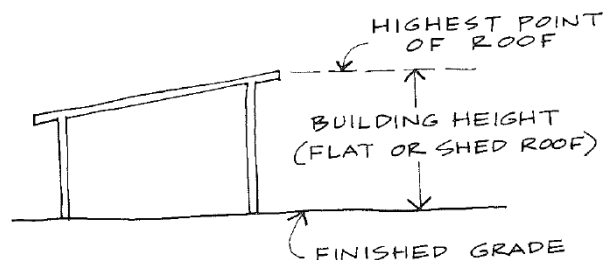
- 1) The average height level between the eaves and ridge line of a gable, hip, or gambrel roof;



- 2) The deck line of a mansard roof;



- 3) The highest point of the coping of a flat or shed roof;



- 4) The highest point of equipment located on top of a structure such as satellite dishes, heating and air conditioning units.

....

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A, "UNIFIED DEVELOPMENT ORDINANCE," ARTICLE 7, "GENERAL DEVELOPMENT STANDARDS", SECTION 7.2.H, "HEIGHT ", AND ARTICLE 11, "DEFINITIONS", SECTION 11.2, "DEFINED TERMS" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO SINGLE-FAMILY HEIGHT PROTECTION AND BUILDING HEIGHT; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1:** That Appendix A, "Unified Development Ordinance," Article 7, "General Development Standards", Section 7.2.H, "Height", and Article 11, "Definitions", Section 11.2, "Defined Terms" of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit "A"** and **Exhibit "B"** attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this 19th day of November, 2018.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT A

That Appendix A, "Unified Development Ordinance," Article 7, "General Development Standards", Section 7.2.H, "Height" of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

Sec. 7.2. - General Provisions.

H. Low-Density Residential Height Protection.**1. Purpose.**

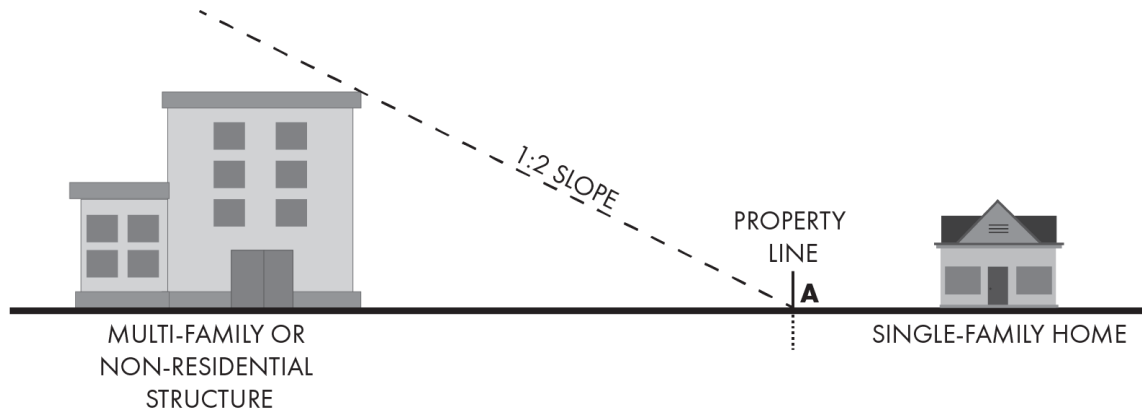
The purpose of low-density residential height protection is to help mitigate negative visual impacts of higher-density residential and non-residential uses on adjacent, low-density residential uses and districts. This is accomplished by regulating the height of such higher-density residential or any non-residential uses when adjacent to low-density residential uses and districts.

2. Applicability.

- a. This subsection shall apply to all multifamily and nonresidential structures to be constructed or reconstructed in any way that would increase the building height as defined in Section 11.2 Defined Terms of this UDO, on property adjacent to a detached single-family, manufactured home park, or townhouse use or district.
- b. Unless otherwise stated in this UDO, the regulations herein shall not apply to any of the following:
 - 1) Structures located in NG, RDD, and P-MUD zoning districts;
 - 2) Utility structures such as elevated water storage tanks and electrical transmission lines;
 - 3) Individual architectural structures such as flagpoles, belfries, cupolas, spires, domes, monuments, chimneys, bulkheads, elevators, or chimney flues; or any other similar structure extending above the roof of any building where such structure does not occupy more than thirty-three (33) percent of the surface area of the roof;
 - 4) Residential radio/television receiving antennas;
 - 5) When the detached single family, manufactured home park or townhome use on the adjacent tract is nonconforming;
 - 6) When the use on the adjacent tract is agricultural; or
 - 7) Developments designed to be mixed use or that are within areas where it has been identified that redevelopment is appropriate, as shown on the Future Land Use and Character Map of the City's Comprehensive Plan. Such developments at the periphery of the mixed use area or area identified as appropriate for redevelopment shall meet the terms of Low-Density Residential Height Protection, when applicable.

3. Slope Requirement.

- a. Multi-family and non-residential structures shall remain under an imaginary line formed by a 1:2 slope as illustrated by the inclined plane in the graphic below, where 'A' is located at the property line shared with a detached single-family, manufactured home park or townhouse use or district.



- b. In addition to the height limitations set forth above in this subsection, the following additional height limitations apply in WC Wellborn Commercial zoning:
- 1) No building may exceed two (2) stories;
 - 2) Maximum eave height shall be twenty-four (24) feet;
 - 3) Maximum overall height to peak of roof shall be thirty-five (35) feet;
 - 4) Any structure with an eave height over fifteen (15) feet will be constructed to resemble a two-story facade;
 - 5) Buildings located closest to detached single-family, manufactured home park or townhouse use or district and that are within fifty (50) feet of the property line are limited to one-story in height with an eave maximum of twelve (12) feet; and
 - 6) An eave maximum of fourteen (14) feet in height is permitted when mechanical equipment is housed within a mezzanine.

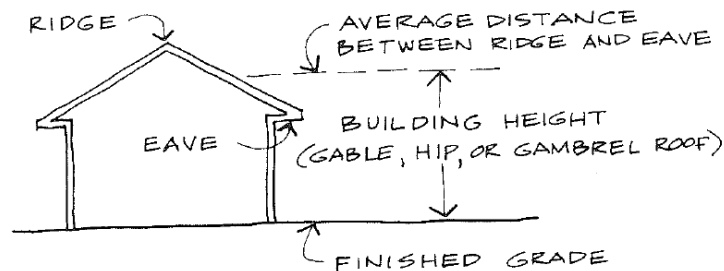
EXHIBIT B

That Appendix A, "Unified Development Ordinance," Article 11, "Definitions", Section 11.2, "Defined Terms" of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

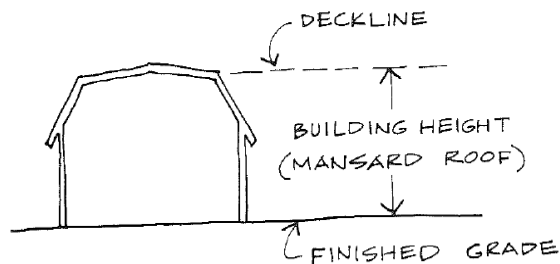
a. That the following definition is added to read as follows:

Building Height: Building height refers to the vertical distance measured from the finished grade and the height of the roof as described below. For buildings with multiple roof levels, the highest of the various roof levels must be used to determine the building height. The average height of multiple roof levels is not to be used to determine building height.

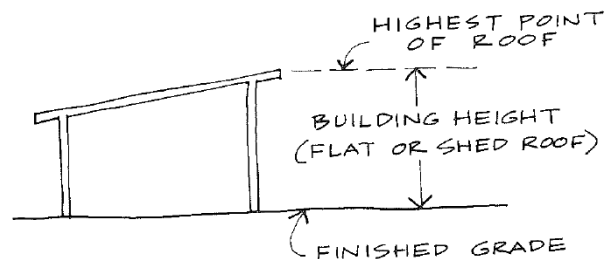
- 1) The average height level between the eaves and ridge line of a gable, hip, or gambrel roof;



- 2) The deck line of a mansard roof;



- 3) The highest point of the coping of a flat or shed roof;



- 4) The highest point of equipment located on top of a structure such as satellite dishes, heating and air conditioning units.

b. That the following definition is deleted:

~~**Height:** The vertical distance from the established grade at the center of the front of the structure to the highest point of the roof surface if a flat roof, to the deck line for mansard roofs, and to the mean height level between eaves and ridge for gabled, hip, and gambrel roofs.~~