



College Station, TX

Meeting Agenda City Council

1101 Texas Ave, College Station, TX 77840

Internet: www.microsoft.com/microsoft-teams/join-a-meeting

Meeting ID: 223 427 023 174 | Passcode: MvPmTr

*Phone: 833-240-7855 | Phone Conference: 952 310 468#

May 25, 2023

4:00 PM

City Hall Council Chambers

Notice is hereby given that a quorum of the meeting body will be present in the physical location stated above where citizens may also attend in order to view a member(s) participating by videoconference call as allowed by 551.127, Texas Government Code. The City uses a third-party vendor to host the virtual portion of the meeting; if virtual access is unavailable, meeting access and participation will be in-person only.

1. Call to Order.

2. Executive Session Agenda.

Executive Session is closed to the public and will be held in the 1938 Executive Conference Room. The City Council may according to the Texas Open Meetings Act adjourn the Open Meeting during the Consent, Workshop or Regular Agendas and return into Executive Session to seek legal advice from the City Attorney regarding any item on the Workshop, Consent or Regular Agendas under Chapter 551, Texas Government Code.

2.1. Consultation with Attorney {Gov't Code Section 551.071};

Possible action. The City Council may seek advice from its attorney regarding a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Kathryn A. Stever-Harper as Executrix for the Estate of John Wesley Harper v. City of College Station and Judy Meeks; No. 15,977-PC in the County Court No. 1, Brazos County, Texas.
- b. 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.
- c. Shana Elliott and Lawrence Kalke v. City of College Station, et al., Cause No. 22-001122-CV-85, in the 85th District Court, Brazos County, Texas.
- d. Kristin Marriott v. City of College Station, Cause No. 22-002259-CV-272, in the 272nd District Court, Brazos County, Texas.
- e. SOAH Docket No. 473-22-2464 and PUC Docket No. 52728 – Application of the City of College Station to Change Rates for Wholesale Transmission Services.
- f. Legal advice related to a 2016 Economic Development Agreement with Viasat, Inc.

2.2. Real Estate {Gov't Code Section 551.072};

Possible action. The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote

taken will be in public. The following subject(s) may be discussed:

- a. Approximately 12 acres of land generally located southeast of the intersection of Gateway Boulevard and the State Highway 6 Frontage Road in the Business Center at College Station.
- b. Approximately 28 acres of land generally located at Midtown Drive and Corporate Pkwy in the Midtown Business Park.

2.3. **Personnel {Gov't Code Section 551.074};**

Possible action. The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

- a. City Manager
- b. Council Self Evaluation

3. **The Open Meeting will Reconvene No Earlier than 6:00 PM from Executive Session and City Council will take action, if any.**

4. **Pledge of Allegiance, Invocation, and Consider Absence Request.**

Speaker Protocol

An individual who desires to address the City Council regarding any agenda item other than those items posted for Executive Session must register with the City Secretary two (2) hours before the meeting being called to order. Individuals shall register to speak or provide written comments at <https://forms.cstx.gov/Forms/CSCouncil> or provide a name and phone number by calling 979-764-3500. Upon being called to speak an individual 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. Please do not carry purses, briefcases, backpacks, liquids, foods or any other object other than papers or personal electronic communication devices to the lectern, nor advance past the lectern unless you are invited to do so. Each speaker's remarks are limited to three (3) minutes. Any speaker addressing the Council using a translator may speak for six (6) minutes. The speaker's microphone will mute when the allotted time expires and the speaker must leave the podium.

5. **Presentation - Proclamations, Awards, and Recognitions.**

5.1. Presentation proclaiming the week of May 21 - May 27, 2023, as National Public Works Week.

Sponsors: Emily Fisher

Attachments: 1. Public Works Week Proclamation

6. **Hear Visitors.**

During Hear Visitors an individual may address the City Council on any item which does not appear on the posted agenda. 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 concern shall be directed to the City Manager.

7. **Consent Agenda.**

Presentation, discussion, and possible action on consent items which consist of ministerial or "housekeeping" items as allowed by law. A Councilmember may request additional information at this time. Any Councilmember may remove an item from Consent for discussion or a separate vote.

- 7.1. Presentation, discussion, and possible action of minutes for:
 • May 15, 2023 Council Meeting
Sponsors: Tanya Smith
Attachments: 1. CCM051523 DRAFT Minutes
- 7.2. Presentation, discussion, and possible action regarding an ordinance amending Chapter 38 "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1014 "Traffic Schedule XIV, no parking here to corner and no parking any time" by removing parking on the north side of Antone Court.
Sponsors: Emily Fisher
Attachments: 1. Antone Court Parking Removal Ordinance Form
 2. Antone Court Parking Removal Map
 3. Antone Court_Location Map
- 7.3. Presentation, discussion, and possible action regarding an ordinance amending Chapter 38 "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1014 "Traffic Schedule XIV, no parking here to corner and no parking any time" by removing parking on the west side of Lemon Tree Lane between Cedar Run and the end of Lemon Tree Lane.
Sponsors: Emily Fisher
Attachments: 1. Lemon Tree Lane Parking Removal Ordinance Form
 2. Lemon Tree Lane Parking Removal Map
 3. Lemon Tree_location map
- 7.4. Presentation, discussion, and possible action regarding a landscape maintenance agreement with the Texas Department of Transportation for the maintenance of landscape in certain areas along FM 2818.
Sponsors: Emily Fisher
Attachments: 1. Form 2043 - FM 2818 at BS 6R
- 7.5. Presentation, discussion, and possible action on approving annual polymer purchases from Polydyne, Inc. for an amount not to exceed \$288,144.
Sponsors: Gary Mechler
Attachments: 1. Polydyne BuyBoard Quote
- 7.6. Presentation, discussion, and possible action regarding purchasing bullet resistant shields from M-Pak, Inc. for \$172,707.47.
Sponsors: Rodney Sigler
Attachments: 1. Quote and buyboard summary
- 7.7. Presentation, discussion, and possible action on a resolution for Heart of Texas Goodwill Industries to receive a tax-exempt loan related to their new store in College Station.
Sponsors: Mary Ellen Leonard
Attachments: 1. GOODWILL 2023 - Resolution of College Station 5-2-23

8. Workshop Agenda.

- 8.1. Presentation, discussion, and possible action regarding a City Hall room use policy.
Sponsors: Bryan Woods
Attachments: None
- 8.2. Presentation, discussion, and possible action regarding an update related to the Northeast Trunkline Phase Four capital project.
Sponsors: Jennifer Cain

Attachments: None

9. Regular Agenda.

- 9.1. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, "Unified Development Ordinance," Article 4, "Zoning Districts," Section 4.2 "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from GS General Suburban to GS General Suburban and ROO Restricted Occupancy Overlay on approximately 27.1 acres of land, being 39 lots within Southwood Phase 21, Blocks 3-6, generally located along Bee Creek Drive and Southwood Drive.

Sponsors: Naomi Sing

Attachments:

1. Ordinance
2. Vicinity, Aerial, and Small Area Map
3. Background Information
4. Rezoning Map
5. Future Land Use
6. Original Subdivision Plat
7. Applicant's Supporting Information
8. Petition Committee Members
9. Neighborhood Meeting Materials
10. Petition Signatures

10. Council Calendar - Council May Discuss Upcoming Events.

11. Items of Community Interest.

The Council may receive reports from a Council Member or City Staff about items of community interest for which notice has not been given, including: expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary or salutary recognitions of a public official, public employee, or other citizen; reminders of upcoming events organized or sponsored by the City of College Station; information about a social, ceremonial or community event organized or sponsored by an entity other than the City of College Station that is scheduled to be attended by a Council Member, another city official or staff of the City of College Station; and announcements involving an imminent threat to the public health and safety of people in the City of College Station that has arisen after the posting of the agenda.

12. Council Reports on Committees, Boards, and Commissions.

13. Future Agenda Items and Review of Standing List of Council Generated Future Agenda Items.

A Council Member may make a request to City Council to place an item for which no notice has been given on a future agenda or may inquire about the status of an item on the standing list of council generated future agenda items. A Council Member's or City Staff's response to the request or inquiry will be limited to a statement of specific factual information related to the request or inquiry or the recitation of existing policy in response to the request or inquiry. Any deliberation of or decision about the subject of a request will be limited to a proposal to place the subject on the agenda for a subsequent meeting.

14. Adjourn.

The City council may adjourn into Executive Session to consider any item listed on the agenda if a matter is raised that is appropriate for Executive Session discussion.

I certify that the above Notice of Meeting was posted on the website and at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on May 19, 2023 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."

May 25, 2023
Item No. 5.1.
Public Works Week Proclamation

Sponsor: Emily Fisher, Director of Public Works

Reviewed By CBC: City Council

Agenda Caption: Presentation proclaiming the week of May 21 - May 27, 2023, as National Public Works Week.

Relationship to Strategic Goals:

Recommendation(s):

Summary:

Budget & Financial Summary:

Attachments:

1. Public Works Week Proclamation



Proclamation

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as streets, public buildings, transportation, and solid waste collection; and

WHEREAS, the health, safety, and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, I, John Nichols, by virtue of the authority vested in me as Mayor of the City of College Station, Texas, do hereby proclaim the week of May 21-27, 2023, as

National Public Works Week

And call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the City of College Station, Texas this 25th Day of May, 2023.

John Nichols
Mayor

Attest:

Tanya Smith
City Secretary

May 25, 2023
Item No. 7.1.
Minutes

Sponsor: Tanya Smith, City Secretary

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action of minutes for:

- May 15, 2023 Council Meeting

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): Recommends Approval.

Summary: N/A

Budget & Financial Summary: None

Attachments:

1. CCM051523 DRAFT Minutes

MINUTES OF THE CITY COUNCIL MEETING
IN-PERSON WITH TELECONFERENCE PARTICIPATION
CITY OF COLLEGE STATION
MAY 15, 2023

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

John Nichols, Mayor

Council:

Mark Smith
William Wright
Linda Harvell
Elizabeth Cunha
Bob Yancy
Dennis Maloney

City Staff:

Bryan Woods, City Manager
Jeff Capps, Deputy City Manager
Adam Falco, City Attorney
Leslie Whitten, Deputy 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 meeting of the College Station City Council was called to order by Mayor Nichols via In-Person and Teleconference at 4:01 p.m. on May 15, 2023, in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

2. Executive Session Agenda.

In accordance with the Texas Government Code §551.071-Consultation with Attorney, §551.072-Real Estate, §551.074-Personnel, and §551.086-Competitive Matters, the College Station City Council convened into Executive Session at 4:02 p.m. on May 15, 2023, to continue discussing matters pertaining to:

2.1. 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; and
- Shana Elliott and Lawrence Kalke v. City of College Station, et al., Cause No. 22-001122-CV-85, in the 85th District Court, Brazos County, Texas; and

- Kristin Marriott v. City of College Station, Cause No. 22-002259-CV-272, in the 272nd District Court, Brazos County, Texas; and
- SOAH Docket No. 473-22-2464 and PUC Docket No. 52728 – Application of the City of College Station to Change Rates for Wholesale Transmission Services; and
- Legal advice related to an interlocal agreement with the City of Bryan regarding EMS and fire service.

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

- Approximately 4 acres of land generally located in the 15000 block of FM 2154 in College Station.
- Approximately 4 acres of land south of Greens Prairie Road generally located between Arrington Road and Woodlake Drive in College Station.

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

- City Manager
- Municipal Court Judge

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

- Power Supply

3. The Open Meeting Will Reconvene No Earlier than 6:00 PM from Executive Session and City Council will take action, if any.

Executive Session recessed at 6:00 p.m. No action was taken.

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

5. PRESENTATION - PROCLAMATIONS, AWARDS, AND RECOGNITIONS.

5.1. Presentation proclaiming May 2023 as Motorcycle Safety and Awareness Month.

Mayor Nichols presented a proclamation to the Texas Council of Clubs and Independents Region 1 Motorcycle Safety & Awareness Team, Distorted MC, and The Ranch Harley Davidson, proclaiming May 2023 as Motorcycle Safety and Awareness Month.

5.2. Presentation of a check by the College Station Rotary Club to the City representing proceeds of a recent fundraiser in support of youth leadership and literacy.

Dr. Nancy Dickey and members of the College Station Rotary Club presented a check to the City of College Station for recent fundraiser in support of youth leadership and literacy.

6. Hear Visitors Comments.

Neo Jang, College Station, came before Council to request the city engage in Tactical Urbanism. Mr. Jang explained that tactical urbanism is a community effort to effect lasting change through small but incremental steps toward building cities for communities rather than isolated individuals. He presented

an example of offering to personally painting crosswalks with bright, decorative colors where children often cross to draw attention and hopefully increase safety at those intersections.

Fred Dupriest, College Station, came before Council to discuss a preliminary study of enforcement practices in college towns and recommendations as found by the citizen group "Occupancy Enforcement Alliance" or OEA. Their recommendations are: 1) Change to civil offense. Publish a simple explanation of the law and how it is enforced; 2) Issue civil citations based primarily on prima facie definition of vehicle count; 3) Document vehicles present before 7:30 AM. 4) Count vehicles that are on the street, if previously observed overnight on the property; 5) Use evidence submitted by the public; 6) Clarify "occupants" may be any individuals, including boyfriends and others; 7) Seek meaningful financial consequences. Fine for multiple days of violation, 8) Require occupants to sign a disclosure of the occupancy restriction provided by the owner; 9) Create metrics to confirm the effectiveness of the changes in enforcement practices.

Lloyd Davis, College Station, came before Council to discuss OEA preliminary study of enforcement practices in Texas Tech University.

Shirley Dupriest, College Station, came before Council to discuss OEA preliminary study of enforcement practices in Colorado State University Fort Collins, Colorado.

Eden Fielder, College Station, came before Council to discuss OEA preliminary study of enforcement practices in University of North Carolina- Chapel Hill, North Carolina.

Liana Vincent, College Station, came before Council to discuss preliminary OEA study of enforcement practices in University of Alabama Tuscaloosa, Alabama, University of Arkansas Fayetteville, Arkansas and Penn State, State College, Pennsylvania. Ms. Vincent also restated the recommendations as Mr. Fred Dupriest explained above.

Abbie Krolczyk, Bryan, came before Council to discuss her concerns about the sewer line proposed in the Rosemary area of Bryan and requested Council consider the lift station options.

7. CONSENT ITEMS

Presentation, discussion, and possible action on consent items which consist of ministerial, or "housekeeping" items as allowed by law: A Councilmember may request additional information at this time. Any Councilmember may remove an item from the Consent Agenda for a separate vote.

7.1. Presentation, discussion, and possible action of minutes for:

- **April 24, 2023 Special Meeting**
- **April 27, 2023 Council Meeting**

7.2. Presentation, discussion, and possible action regarding appointment of Hay Glover (Position No. 1), Uri Geva (Position No. 2), Mark Lindemulder (Position No. 3) to the board of directors for Rock Prairie Management District No. 2.

7.3. Presentation, discussion, and possible action regarding final approval of the Event, Program, and Activity Sponsorship Policy.

7.4. Presentation, discussion, and possible action regarding the award of bids to KBS Electrical Distributors not to exceed \$95,327.64 and Techline, Inc. not to exceed \$278,075.82 for

underground distribution materials required for relocating electric facilities to accommodate the TxDOT State Highway 6 widening project.

7.5. Presentation, discussion, and possible action regarding an amendment to the Milsoft Utility Solutions contract for the total amount of \$110,140, over a five-year term, to add additional electric utility functionality and customer text notifications.

7.6. Presentation, discussion, and possible action regarding a Semi-Annual Report on System-Wide Impact Fees for Water, Wastewater, and Roadway.

7.7. Presentation, discussion, and possible action on the City Council's meeting procedures.

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

8. WORKSHOP ITEMS

8.1. Presentation, discussion, and possible action regarding recent action by the Brazos Valley Groundwater Conservation District, and the City's water and wastewater system rehabilitation program.

Gary Mechler, Water Services Director, introduced Stephen Maldonado, Assistant Director of Water Services and Alan Day, the General Manager of the Brazos Valley Groundwater Conservation District who will provide the information on recent well permits granted to export groundwater from the Brazos Valley and City's projects.

Mr. Maldonado provided an update on the City's past, ongoing, and planned system rehabilitation capital improvement projects, as well as the process for prioritizing rehabilitation work.

Water Main Rehabilitation Program

- Based on Data Driven Decision Making
- Prioritization Process Generally Utilizes the Following Data:
 - ✓ Age
 - ✓ Material
 - ✓ Number of Repairs
 - ✓ Customer Service Issues
 - ✓ Critical Locations
 - ✓ Diameter (i.e. – indication of excessive head loss)
 - ✓ Hydraulic Modeling Data (e.g. – available fire flow, etc.)
 - ✓ Field Collected Pipe Assessment Information
 - ✓ Coordination with Public Works Street/Drainage Rehabilitation Plans

Alan Day, General Manager of the Brazos Valley Groundwater Conservation District, provided update on the information on recent well permits granted to export groundwater from the Brazos Valley. Details included desired future conditions, management options, and strategy for maintaining the water supply.

Data Collection:

- An aggregate of 195 monitoring wells in eight aquifers

- Wells within an aquifer are measured in both the confined and unconfined portions
- Data collection done quarterly
- Strict protocol is followed (curtailments)
- Five methods of collection Board approved
 - ✓ Steel Tape (most accurate)
 - ✓ Electric Line (very accurate)
 - ✓ Air Line (measures to within 2.31')
 - ✓ Sonic devices
 - ✓ Pressure transducers

DFC Management Strategies

- First DFC management trigger – 65% of DFC
- Second trigger – 80% of DFC
- Board avails itself at each trigger of the “tools in the toolbox” for further development of management strategies such as management zones, spacing requirements, etc.

UW Brazos Valley Farm LLC – Transport Permits

- Production permits (49,999 ac-ft/yr) issued 10-20-22
- Transport permit (49,999 ac-ft/yr) issued 3-9-23
- UWBVF funds the mitigation of affected wells
- Administered by BVGCD
- \$7.5 M available for proactive mitigation beginning two years prior to transport exceeding 10,000 ac-ft/yr
- Mitigation fund will be self-sufficient once export fees of \$0.12375/1000 gallons produced

8.2. Presentation, discussion, and possible action regarding a Tourism program update.

Jeremiah Cook, Tourism Manager, provided an overview of highlights from 2022 and strategic focus areas for 2023 and discussed the leisure travel attraction as well as Meetings/Convention and Sports Tournament recruitment.

Tourism Advisory Committee Priorities

Conventions/Meeting Attraction	Sports Business Development	Texas A&M Collaboration Efforts	Visitor Experience	HOT Grant Usage/Allocation
Hosting Leisure Events	Leisure Marketing Campaigns	Bus Tour Recruitment	Brand Enhancement	Transportation

A majority of Council would like to see more promote the City of College Station outside of university activities, maintain efforts to present the city with a distinct identity in relation to its neighbors, and a broad age base for advertisements and marketing.

8.3. Presentation, discussion, and possible action on the Wellborn District Plan Update.

Naomi Sing, Planning and Development, provided an update on the Wellborn District Plan Update, an important priority project from the FY23 PDS Plan of Work that is underway. The current Wellborn Community Plan, which was adopted in 2013, will reach the end of its planning horizon this year. Currently through Phase 2 of the plan update, staff have engaged a wide audience of community members through two working group meetings, three area-wide meetings, and a virtual area-wide meeting, as well as launching a virtual engagement website to gather additional feedback. Participants can submit feedback on maps to provide location-specific ideas and comments on the plan's proposed goal language. Additionally, staff is directly engaging with residents, property owners, and representatives from the Texas Department of Transportation on future projects in the planning area. Staff continues to coordinate internally to ensure the plan's development meets the needs of all departments and maintains the City's excellent services. Staff is seeking the Council's direction to finalize the goal language and planning boundary in advance of plan writing.

Goals for the Plan

- Community Character - Preserve the core rural character of Wellborn with small-scale growth that enhances the uniqueness and history of the area.
- Mobility - Promote a safe, efficient, and connected mobility system that encourages transportation options while recognizing the lower density of the district.

At approximately 8:44 p.m., Mayor Nichols opened for Citizen Comments.

Jeff Lehde, College Station, came before Council regarding some concerns of interpretation of the understanding of the original agreement in 2013. He believes changes are being made that are against the original plan in the district, some citizens feel like there is lack of communication which leads to lack of trust, and would like an email group to set up on any changes, upcoming meetings, or discussions.

There being no further comments, the Citizen Comments was closed at 8:55 p.m.

Majority of the Council directed staff to not move forward with expanding the boundaries lines, to keep the original boundaries lines and attempt to preserve the core rural character of Wellborn.

Mayor Nichols recessed the meeting at 9:30 p.m.

The meeting reconvened at 9:40 p.m.

8.4. Presentation, discussion, and possible action on the collection rates for impact fees.

Carol Cotter, Planning and Development, stated that the System-wide impact fees were initially adopted in 2016 for water, wastewater, and roadways. The statutory 5-year update was completed in November of 2021. As with the initial adoption, the maximum assessable impact fee was calculated based on the land use assumptions (10-year growth projections) and capital improvement plans included in the study. The City Council adopted the maximum assessable rates, and increased collection rates by 10% for residential uses. Also, there were no changes in collection rates for non-residential uses, and at the end of last year, the City Council expressed an interest in revisiting the collection rates. Mrs. Cotter explained, to facilitate the discussion, the existing impact fee collection rates are provided along with maximum assessable rates. Benchmark comparisons and projected revenues based on these rates are also provided.

Impact Fees (5-year update)

Water			Wastewater			Roadway		
Impact Fee CIP	=	\$67.7 M	Impact Fee CIP	=	\$189.7 M	Impact Fee CIP	=	\$215 M
Pre-Credit Eligible Cost	=	\$56.4 M	Pre-Credit Eligible Cost	=	\$74.4 M	Pre-Credit Eligible Cost	=	\$133 M
Max Assessable (97%)	=	\$54.5 M	Max Assessable (97%)	=	\$71.9 M	Max Assessable (84%)	=	\$112 M
\$3,877 for single family			\$5,572 for single family			\$1,876-\$12,980 for single family		
Collection Rate (14%)	=	\$4.5 M	Collection Rate (59%)	=	\$24.2 M	Collection Rate (11%)	=	12.2 M
\$550 for single family			\$3,300 for single family			\$1,650 for single family		

Maximum Assessable Impact Fee and Collections Rates

Impact Fee Type	2021 Max Fee Per Service Unit	Collection Rate Per Service Unit Res / Non-Res
Water	\$3,877	\$550 / \$500
Wastewater	\$5,572	\$3,330 / \$3,000
Roadway Service Area A	\$499	\$438.83 / \$80
Roadway Service Area B	\$1,261	\$438.83 / \$80
Roadway Service Area C	\$2,127	\$438.83 / \$80
Roadway Service Area D	\$3,452	\$438.83 / \$80

Grandfathering Impact

10-year Impact Fee Projections w/ No Grandfathering

Impact Fee Type	Existing Collection Rate	Maximum Rate
Water	\$4.5M	\$49.4M
Wastewater	\$24.2M	\$62.2M
Roadway Service Area A	\$3.1M	\$7.8M
Roadway Service Area B	\$2.9M	\$16.7M
Roadway Service Area C	\$3.5M	\$21.3M
Roadway Service Area D	\$2.7M	\$46.6M
Roadway Total	\$12.2M	\$92.4M

Impact Fee Projections w/ Grandfathering

Impact Fee Type	Existing Collection Rate	Maximum Rate
Water	\$4.5M	\$12.0M
Wastewater	\$24.2M	\$33.7M
Roadway Service Area A	\$3.1M	\$4.6M
Roadway Service Area B	\$2.9M	\$7.2M
Roadway Service Area C	\$3.5M	\$9.0M
Roadway Service Area D	\$2.7M	\$16.4M
Roadway Total	\$12.2M	\$37.2M

At approximately 10:05 p.m., Mayor Nichols opened for Citizen Comments.

John Crompton, College Station, stated that Impact fees are user fees which require new homeowners to pay for the additional services for which they have created a need. He stated that house prices went up over 30% in the aftermath of the pandemic and this had minimal impact on the number of residences we built. Full impact fees will at most increase them by 2% so if they are building at \$200 a foot and with an impose an \$8,000 additional impact fee, then instead of a 1570 feet residence the build would be 1530 feet. Alternatively, the builder pays less for the land to make the numbers work. He stated that council may also exempt low-income housing as they did last year with the Parkland Dedication ordinance. He urged council to follow the precedent set last year with Parkland Dedication and move

all impact fees for water, wastewater, and roads to 60% starting Oct. 1, 2023; 80% in Oct 2024; and 100% in October 2025, and be the first council in 15 years to honor its pledge to be “fiscally conservative”.

Austin McKnight, College Station, came before Council to represent the local Homebuilders Association to urge taking a slow and cautious approach to increasing impact fees. He stated that not all square footage in a home cost the same so to compensate for increased impact fees a home is more likely to get one less bathroom or a smaller kitchen than to have a slightly smaller living room to account for an increased fee. To avoid negatively impacting the new home market he believes council should work with the homebuilders to develop a reasonable plan on impact fees.

Craig Regan, College Station, came before Council to discuss his concerns on impact fees and is of the opinion that an increase will push home prices higher and lower income individuals out of the market.

There being no further comments, the Citizen Comments was closed at 10:14 p.m.

Potential Direction

- Maintain the current collection rate.
 - ✓ No further action.
- Change the collection rate.
 - ✓ What collection rate to charge?
 - ✓ Is the collection rate the same or different for the different roadway service areas?
 - ✓ Are any properties grandfathered?
 - ✓ When do the new collection rates go into effect?

MOTION: Upon a motion made by Councilmember Wright, and a second by Councilmember Smith, the City Council voted five (5) for and two (2) opposed, with Councilmembers Harvell and Yancy voting against, to direct staff to bring back an Ordinance which sets residential water at 50% of the max rate in 2024 and increases by 5% in 2025 and 2026 for a total of 60% of the max rate in 2026, beginning January 1st of each year. Residential roadway impact fees will be set at 20% of the max fee in '24 and will add 5% of the max fee each year in '25 and '26 ending at 30% of the max fee. Roadway zones A and B will hit their max due to the increases there will be a difference in fees compared to those for roadway zones C and D. The motion carried.

REGULAR ITEMS

9.1. Public Hearing, presentation, discussion, and possible action regarding the approval of Resolution No. 05-15-23-9.1 approving a funding application in the amount of \$500,000 in Community Development Block Grant Mitigation grant funds administered by the Texas General Land Office and allocated regionally through the Brazos Valley Council of Governments approved Method of Distribution.

Debbie Eller, Community Service Director, stated that the City of College Station is eligible for funds for flood mitigation projects due to the Federal/Presidential Disaster Declaration for Texas by County for the 2017 floods. The U.S. Department of Housing and Urban Development defines mitigation as "Those activities that increase resilience to disasters and reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship, by lessening the impact of future disasters," Community Services, Planning & Development Services, Public Works, Capital Projects, Emergency Management, Finance, and the City Manager's Office developed a list of eligible

activities. At the April 27th meeting, the Council selected the projects to be included in the CDBG-MIT funding application to be submitted to TxGLO.

Mrs. Eller explained that staff requested an extension of the application deadline to allow for sufficient public comment period for the proposed projects. TxGLO granted a one-time 14-days extension for the application deadline. Therefore, the application deadline is May 17th. The City utilized a consultant contract with Blais and Associates for Professional Grant Writing and Consulting Services for the development of the CDBG-MIT application, along with preparing all required documents and publications. As required by CDBG-MIT, public comment is included regarding the proposed use of funds. A public comment period was open from March 30th to April 13th, including a Public Hearing at the April 13th City Council meeting. Due to comments received from the Council at the April 13th meeting, the Council was asked to consider a list of projects at the April 27th meeting and direct staff regarding projects to be included in the application. The final funding application was available for a public comment period from April 28th to May 12th, with a Public Hearing at this meeting. Funds will be available for the proposed projects upon approval by the TxGLO and execution of the funding agreement.

At approximately 11:51 p.m., Mayor Nichols opened the Public Hearing.

There being no further comments, the Public Hearing was closed at 11:51 p.m.

MOTION: Upon a motion made by Councilmember Harvell, and a second by Councilmember Maloney, the City Council voted seven (7) for and none (0) opposed, to approve Resolution No. 05-15-23-9.1, for a funding application in the amount of \$500,000 in Community Development Block Grant Mitigation grant funds administered by the Texas General Land Office and allocated regionally through the Brazos Valley Council of Governments approved Method of Distribution. The motion carried unanimously.

9.2. Public Hearing, presentation, discussion, and possible action regarding Ordinance No. 2023-4436 amending Appendix A, "Unified Development Ordinance," Article 4, "Zoning Districts," Section 4.2 "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundary from C-3 Light Commercial to SC Suburban Commercial for approximately 1.667 acres of land at 100 Graham Road, being Lot 4A-1, and 140 Graham Road being lot 4-B, Block 1 of the JHW Commercial Addition Phase 2, generally located at the corner of Wellborn Road and Graham Road.

Items 9.2, 9.3, and 9.4 were presented together along with the public hearings and separate motions for each item.

Gabriel Schrum, Planning and Development, presented items on Comprehensive Plan Future Land Use Change from Business Center to Neighborhood Commercial, and two (2) rezonings: C-3 Light Commercial to SC Suburban Commercial and M-2 Heavy Industrial to SC Suburban Commercial.

Mr. Schrum stated that the request for 9.2 is to rezone approximately 1.667 acres of land from C-3 Light Commercial to SC Suburban Commercial. The subject properties were platted in 2020. The two subject lots are currently being used as a daycare facility (Prodigy Learning Center) and it is the applicant's intent to expand the use. Nearby properties include duplexes, a vacant light manufacturing warehouse, office space, and a daycare.

Mr. Schrum went on to state that the request for 9.3 is to rezone approximately 0.472 acres of land from M-2 Heavy Industrial to SC Suburban Commercial. The subject property was platted in 2020 and is currently undeveloped. It is the applicant's intent to continue the existing adjacent use and expand the daycare facilities onto the subject property. Nearby properties include duplexes, vacant light manufacturing, warehouse, office space, and a daycare.

Mr. Schrum state that for item 9.4 the applicant is requesting an amendment to the Comprehensive Plan Future Land Use & Character Map from Business Center to Neighborhood Commercial for approximately 2.611 acres of land, generally located on Graham Road at its intersection with Wellborn Road. This Comprehensive Plan Amendment is in conjunction with two SC Suburban Commercial rezonings for the property. It is the applicant's intent to extend the existing Prodigy Learning Center Daycare as a commercial development in this space. The applicant is requesting an amendment to the Future Land Use & Character Map to Neighborhood Commercial. Neighborhood Commercial areas are intended to accommodate limited commercial services that are more appropriate in size and scale to adjacent residential properties that also provide buffering as required within the zoning districts that are appropriate within the Neighborhood Commercial category, such as O Office and SC Suburban Commercial. The applicant held a neighborhood meeting on March 8, 2023. All property owners within 200 feet of the subject property were notified of the neighborhood meeting. Two property owners attended and expressed concern about the drainage on the sites. There have been no other expressed concerns regarding extending the uses onto these additional lots. The proposed development will provide a compatible commercial use adjacent to the surrounding existing residential duplex developments and existing daycare commercial development. The proposal is compatible with the character of the area.

The Planning & Zoning Commission heard this item at their April 20, 2023 meeting and recommended approval 5-0. Staff recommends approval of the request.

At approximately 11:58 p.m., Mayor Nichols opened the Public Hearing.

There being no further comments, the Public Hearing was closed at 11:58 p.m.

MOTION: Upon a motion made by Councilmember Yancy, and a second by Councilmember Maloney, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 2023-4436, amending Appendix A, "Unified Development Ordinance," Article 4, "Zoning Districts," Section 4.2 "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundary from C-3 Light Commercial to SC Suburban Commercial for approximately 1.667 acres of land at 100 Graham Road, being Lot 4A-1, and 140 Graham Road being lot 4-B, Block 1 of the JHW Commercial Addition Phase 2, generally located at the corner of Wellborn Road and Graham Road. The motion carried unanimously.

9.3. Public Hearing, presentation, discussion, and possible action regarding Ordinance No. 2023-4437 amending Appendix A, "Unified Development Ordinance, Article 4, "Zoning Districts," Section 4.2 "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundary from M-2 Heavy Industrial to SC Suburban Commercial for approximately 0.472 acres of land at 170 Graham Road, being Lot 2, Block 1 of the JHW Commercial Addition, generally located at the corner of Wellborn Road and Graham Road.

MOTION: Upon a motion made by Councilmember Maloney, and a second by Councilmember Yancy, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 2023-4437,

amending Appendix A, “Unified Development Ordinance, Article 4, “Zoning Districts,” Section 4.2 “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundary from M-2 Heavy Industrial to SC Suburban Commercial for approximately 0.472 acres of land at 170 Graham Road, being Lot 2, Block 1 of the JHW Commercial Addition, generally located at the corner of Wellborn Road and Graham Road. The motion carried unanimously.

9.4. Public Hearing, presentation, discussion, and possible action regarding Ordinance No. 2023-4438 amending the Comprehensive Plan - Future Land Use & Character Map from Business Center to Neighborhood Commercial for approximately 2.611 acres of land, generally located at 100-170 Graham Road.

The Planning & Zoning Commission heard this item at their April 20, 2023 meeting and recommended approval 5-0. Staff recommends approval of the Comprehensive Plan Future Land Use & Character Map amendment.

MOTION: Upon a motion made by Councilmember Cunha, and a second by Councilmember Smith, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 2023-4438, amending the Comprehensive Plan - Future Land Use & Character Map from Business Center to Neighborhood Commercial for approximately 2.611 acres of land, generally located at 100-170 Graham Road. The motion carried unanimously.

9.5. Presentation, discussion, and possible action regarding a construction contract with Texas Materials Group, Inc. dba Gulf Coast a CRH Company in the amount of \$287,807 plus the City’s contingency in the amount of \$30,000 for a total appropriation of \$317,807 for Egremont Court Drainage Improvements. Approval of this item grants authority for the City Manager to authorize expenditures up to the City’s contingency amount.

Jennifer Cain, Capital Projects Manager, stated that this project is to eliminate water ponding in the Egremont Court Cul-De-Sac where the pavement has subsided. The work includes removal and replacement of the subsided concrete pavement, a drainage system which will drain the concrete pavement to a new location, and all the various items required to complete this construction. This project was procured using the Competitive Sealed Proposals (CSP) Delivery Method. Two proposals were received and evaluated. The proposal by Texas Materials Group was found to provide the best value to the City of College Station. The budget in the amount of \$350,000 is included for this project in the Streets Projects Fund. A total of \$21,426 has been expended or committed to date, leaving a balance of \$328,574 for contract and future expenses.

MOTION: Upon a motion made by Councilmember Wright, and a second by Councilmember Smith, the City Council voted seven (7) for and none (0) opposed, approve a construction contract with Texas Materials Group, Inc. dba Gulf Coast a CRH Company in the amount of \$287,807 plus the City’s contingency in the amount of \$30,000 for a total appropriation of \$317,807 for Egremont Court Drainage Improvements. Approval of this item grants authority for the City Manager to authorize expenditures up to the City’s contingency amount. The motion carried unanimously.

9.6. Presentation, discussion, and possible action regarding an interlocal agreement with the City of Bryan for fire and EMS automatic and mutual aid.

Robert Mumford, Assistant Fire Chief, stated that the City of College Station has been in discussions with the City of Bryan since June 2021 regarding revision of the 1997 automatic aid agreement for

fire and EMS services between the City of College Station and the City of Bryan fire departments. Council direction from March 9, 2023, was to continue negotiations with the City of Bryan to establish an ILA that included an annual financial adjustment in alignment with the EMS contract with the Brazos County. This proposed ILA will reduce the reliance on City of College Station EMS resources by the City of Bryan and provides for an annual financial payment of \$550 per EMS run difference between aid given and received.

Staff recommends approval of the interlocal agreement between the City of College Station and the City of Bryan for Fire/EMS automatic and mutual aid with the proposed reimbursement clause.

MOTION: Upon a motion made by Councilmember Harvell, and a second by Councilmember Yancy, the City Council voted seven (7) for and none (0) opposed, to approve an interlocal agreement with the City of Bryan for fire and EMS automatic and mutual aid. The motion carried unanimously.

9.7. Presentation, discussion, and possible action regarding Resolution No. 05-15-23-9.7 supporting the submission of a grant application to the Texas Department of Transportation for the State Highway 6 Shared-Use Path Project.

Items 9.7, 9.8, and 9.9 were presented together with separate motions.

Jason Schubert, Planning and Development, explained that for item 9.7 the Texas Department of Transportation (TxDOT) issued a call for projects to local communities for funding assistance to help enhance bicycle and pedestrian safety, mobility, and connectivity through infrastructure projects and planning documents in December of 2022. Eligible projects for the Transportation Alternatives Set-Aside Program (TA) include bicycle improvements, shared-use paths, sidewalk improvements, other infrastructure related projects to improve safety for non-motorized transportation, and related planning documents. Project identification and selection of projects is based on criteria set by TxDOT including safety, connectivity and accessibility, geographic equity, community support and planning, and project readiness. It is anticipated that up to \$250 million in grant funds will be awarded. A change in the grant program with this call for projects is that local jurisdictions can request that TxDOT District offices sponsor projects and applications for project submissions. The deadline for grant applications is June 5, 2023 and it is anticipated TxDOT will announce the awarded grants in October 2023.

- Project seeks to obtain additional funding for SH 6 widening project being designed by TxDOT.
- Would provide 10-foot-wide shared use paths on both sides of SH 6 down to William D. Fitch Pkwy.
- There is a sister application for portion within the City of Bryan.
- TxDOT has chosen to sponsor this project and would cover all costs.

Mr. Schubert presented the following information for item 9.8, FM 2818 Shared Use Paths.

- Project is a 10-foot-wide shared use path on south side of FM 2818 (Harvey Mitchell Pkwy) from Larry Ringer Library to Texas Ave.
- Would continue the shared use path planned from the Larry Ringer Library west to the Jones Crossing development that was funded in most recent round of grants. That project has begun design.
- TxDOT has chosen to sponsor this project and would cover all costs.

Mr. Schubert continued to present information on item 9.9, Complete Streets Plan for Core of City.

- Project is to develop a Complete Streets Plan in core area of City in proximity to Texas A&M University and other key destinations.
- Would provide focused evaluation and feasibility analysis of bicycle and pedestrian corridors within a roughly 1.5-mile area of campus.
- Plan scope and cost is being finalized and estimated between \$250k to \$300k. City match would range from \$57.5k to \$69k.

MOTION: Upon a motion made by Councilmember Cunha, and a second by Councilmember Harvell, the City Council voted seven (7) for and none (0) opposed, to approve Resolution No. 05-15-23-9.7, supporting the submission of a grant application to the Texas Department of Transportation for the State Highway 6 Shared-Use Path Project. The motion carried unanimously.

9.8. Presentation, discussion, and possible action regarding Resolution No. 05-15-23-9.8 supporting the submission of a grant application to the Texas Department of Transportation for the FM 2818 (Harvey Mitchell Parkway) Shared-Use Path Project.

MOTION: Upon a motion made by Councilmember Cunha, and a second by Councilmember Maloney, the City Council voted seven (7) for and none (0) opposed, to approve Resolution No. 05-15-23-9.8, supporting the submission of a grant application to the Texas Department of Transportation for the FM 2818 (Harvey Mitchell Parkway) Shared-Use Path Project. The motion carried unanimously.

9.9. Presentation, discussion, and possible action regarding Resolution No. 05-15-23-9.9 supporting the submission of a grant application to the Texas Department of Transportation to develop a Complete Streets Plan for the Core of College Station.

MOTION: Upon a motion made by Councilmember Smith, and a second by Councilmember Cunha, the City Council voted seven (7) for and none (0) opposed, to approve Resolution No. 05-15-23-9.9, supporting the submission of a grant application to the Texas Department of Transportation to develop a Complete Streets Plan for the Core of College Station. The motion carried unanimously.

10. Council Calendar

Council reviewed the calendar.

11. Items of Community Interest: The Council may receive reports from a Council Member or City Staff about items of community interest for which notice has not been given, including: expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary or salutary recognitions of a public official, public employee, or other citizen; reminders of upcoming events organized or sponsored by the City of College Station; information about a social, ceremonial or community event organized or sponsored by an entity other than the City of College Station that is scheduled to be attended by a Council Member, another city official or staff of the City of College Station; and announcements involving an imminent threat to the public health and safety of people in the City of College Station that has arisen after the posting of the agenda.

Councilmembers Harvell and Maloney reported on the Washington D.C. with the Chamber of Commerce to meet with the Legislative Officials.

Councilmember Maloney reported on April 30th he attended a luncheon with members of the Islamic

Community.

12. Council Reports on Committees, Boards, and Commission: A Council Member may make a report regarding meetings of City Council boards and commissions or meetings of boards and committees on which a Council Member serves as a representative that have met since the last council meeting. (Committees listed in Coversheet)

Nothing to report at this time.

13. Future Agenda Items and Review of Standing List of Council Generated Future Agenda Items: A Council Member may make a request to City Council to place an item for which no notice has been given on a future agenda or may inquire about the status of an item on the standing list of council generated future agenda items. A Council Member's or City Staff's response to the request or inquiry will be limited to a statement of specific factual information related to the request or inquiry or the recitation of existing policy in response to the request or inquiry. Any deliberation of or decision about the subject of a request will be limited to a proposal to place the subject on the agenda for a subsequent meeting.

No items at this time.

14. Adjournment.

There being no further business, Mayor Nichols adjourned the Meeting of the City Council at 12:29 a.m. on Tuesday, May 16, 2023.

John P. Nichols, Mayor

ATTEST:

Tanya Smith, City Secretary

May 25, 2023

Item No. 7.2.

Ordinance Amendment Removing Parking from One Side of Antone Court

Sponsor: Emily Fisher, Director of Public Works

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding an ordinance amending Chapter 38 "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1014 "Traffic Schedule XIV, no parking here to corner and no parking any time" by removing parking on the north side of Antone Court.

Relationship to Strategic Goals:

1. Core Services and Infrastructure
2. Improving Mobility

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

Summary: Earlier this year, fire department staff raised concerns regarding emergency response on Antone Court. Public Works conducted a review and, along with consultation from the Traffic Management Team, concluded that parking should be prohibited on one side of the street to best accommodate emergency response. The street width is 26 feet, which is within the range of city ordinance to have a parking prohibition on one side. A public meeting was held on April 5, 2023. There was no attendance at the public meeting and no questions or concerns were received by staff.

Budget & Financial Summary: The signs are planned operation and maintenance expenses accounted for in the Public Works Traffic Operations budget. The signs are estimated to cost between \$300 and \$400.

Attachments:

1. Antone Court Parking Removal Ordinance Form
2. Antone Court Parking Removal Map
3. Antone Court_Location Map

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 38, “TRAFFIC AND VEHICLES,” ARTICLE VI “TRAFFIC SCHEDULES,” SECTION 38-1014 “TRAFFIC SCHEDULE XIV, NO PARKING HERE TO CORNER AND NO PARKING AT ANY TIME,” BY REMOVING PARKING ON THE NORTH SIDE OF ANTONE COURT BETWEEN THE CUL-DE-SAC AND ANDERSEN STREET, 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 VI “Traffic Schedules,” Section 38-1014 “Traffic Schedule XIV, No Parking Here to Corner and No Parking at Any Time,” 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 VI. “Traffic Schedules”, Section 38-1014 “Traffic Schedule XIV, No Parking Here to Corner and No Parking at Any Time,” is hereby amended to include the following:

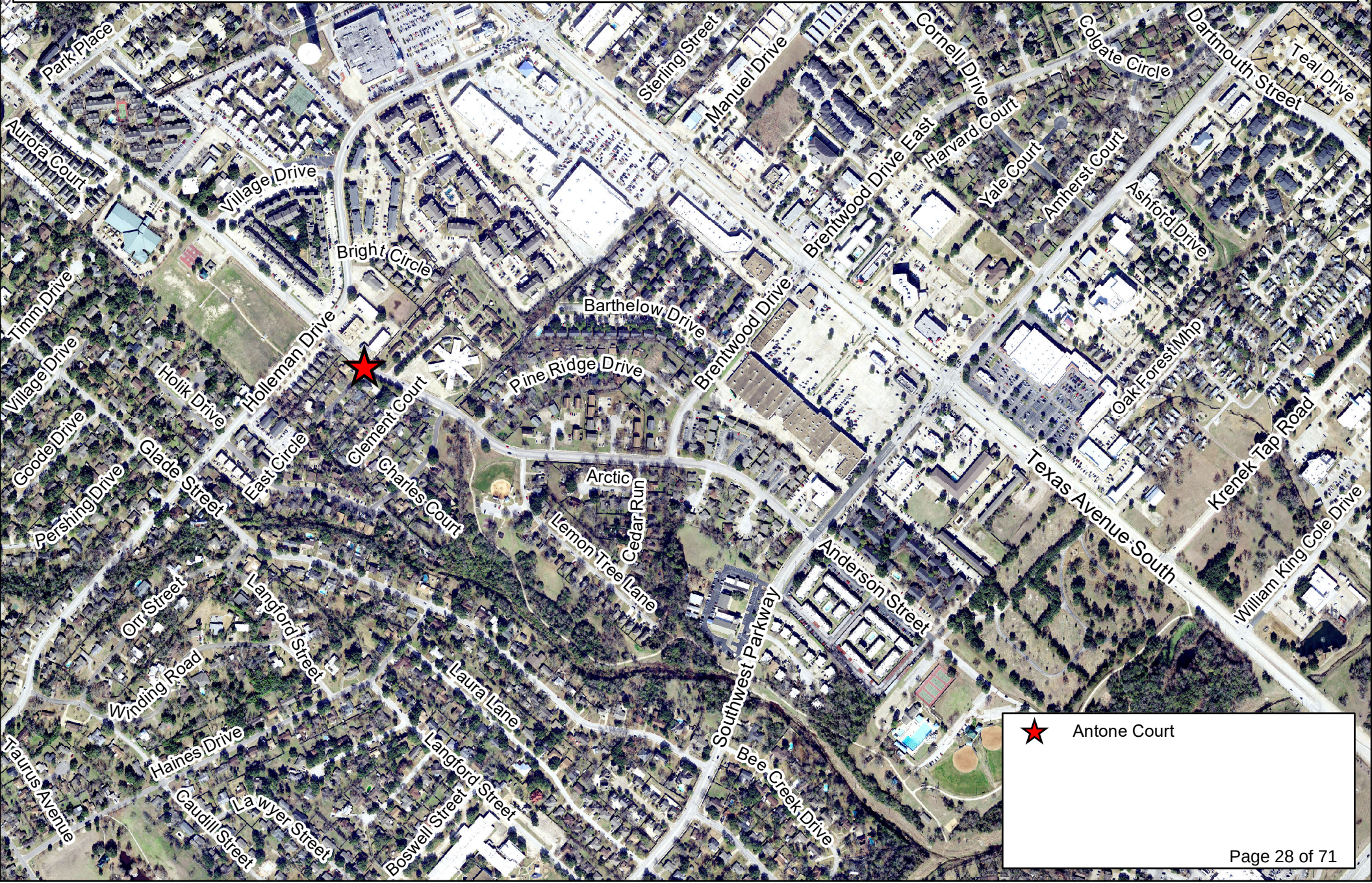
<i>Traveling on</i>	<i>Between</i>	<i>Travel Direction</i>	
Antone Court	Anderson Street and the cul-de-sac	West	No parking at Any Time

Antone No Parking Proposal

April 5th, 2023



Antone Court Location Map



Antone Court

Page 28 of 71

May 25, 2023

Item No. 7.3.

Ordinance Amendment Removing Parking from One Side of Lemon Tree Lane Between Cedar Run and the End of Lemon Tree Lane

Sponsor: Emily Fisher, Director of Public Works

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding an ordinance amending Chapter 38 "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1014 "Traffic Schedule XIV, no parking here to corner and no parking any time" by removing parking on the west side of Lemon Tree Lane between Cedar Run and the end of Lemon Tree Lane.

Relationship to Strategic Goals:

1. Core Services and Infrastructure
2. Improving Mobility

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

Summary: Earlier this year, fire department staff raised concerns regarding emergency response on Lemon Tree Lane. Public Works conducted a review and, along with consultation from the Traffic Management Team, concluded that parking should be prohibited on one side between Cedar Run and the end of the street to best accommodate emergency response. The street width is 26 feet, which is within the range of city ordinance to have a parking prohibition on one side. A public meeting was held on April 5, 2023. There was no attendance at the public meeting and no questions or concerns were received by staff.

This ordinance amendment would remove parking from the west side of Lemon Tree Lane from Cedar Run to the end of the street.

Budget & Financial Summary: The signs are planned operation and maintenance expenses accounted for in the Public Works Traffic Operations budget. The signs are estimated to cost between \$300 and \$400.

Attachments:

1. Lemon Tree Lane Parking Removal Ordinance Form
2. Lemon Tree Lane Parking Removal Map
3. Lemon Tree_location map

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 38, “TRAFFIC AND VEHICLES,” ARTICLE VI “TRAFFIC SCHEDULES,” SECTION 38-1014 “TRAFFIC SCHEDULE XIV, NO PARKING HERE TO CORNER AND NO PARKING AT ANY TIME,” BY REMOVING PARKING ON THE WEST SIDE OF LEMON TREE LANE BETWEEN CEDAR RUN AND THE END OF LEMON TREE LANE, 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 VI “Traffic Schedules,” Section 38-1014 “Traffic Schedule XIV, No Parking Here to Corner and No Parking at Any Time,” 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 VI. “Traffic Schedules”, Section 38-1014 “Traffic Schedule XIV, No Parking Here to Corner and No Parking at Any Time,” is hereby amended to include the following:

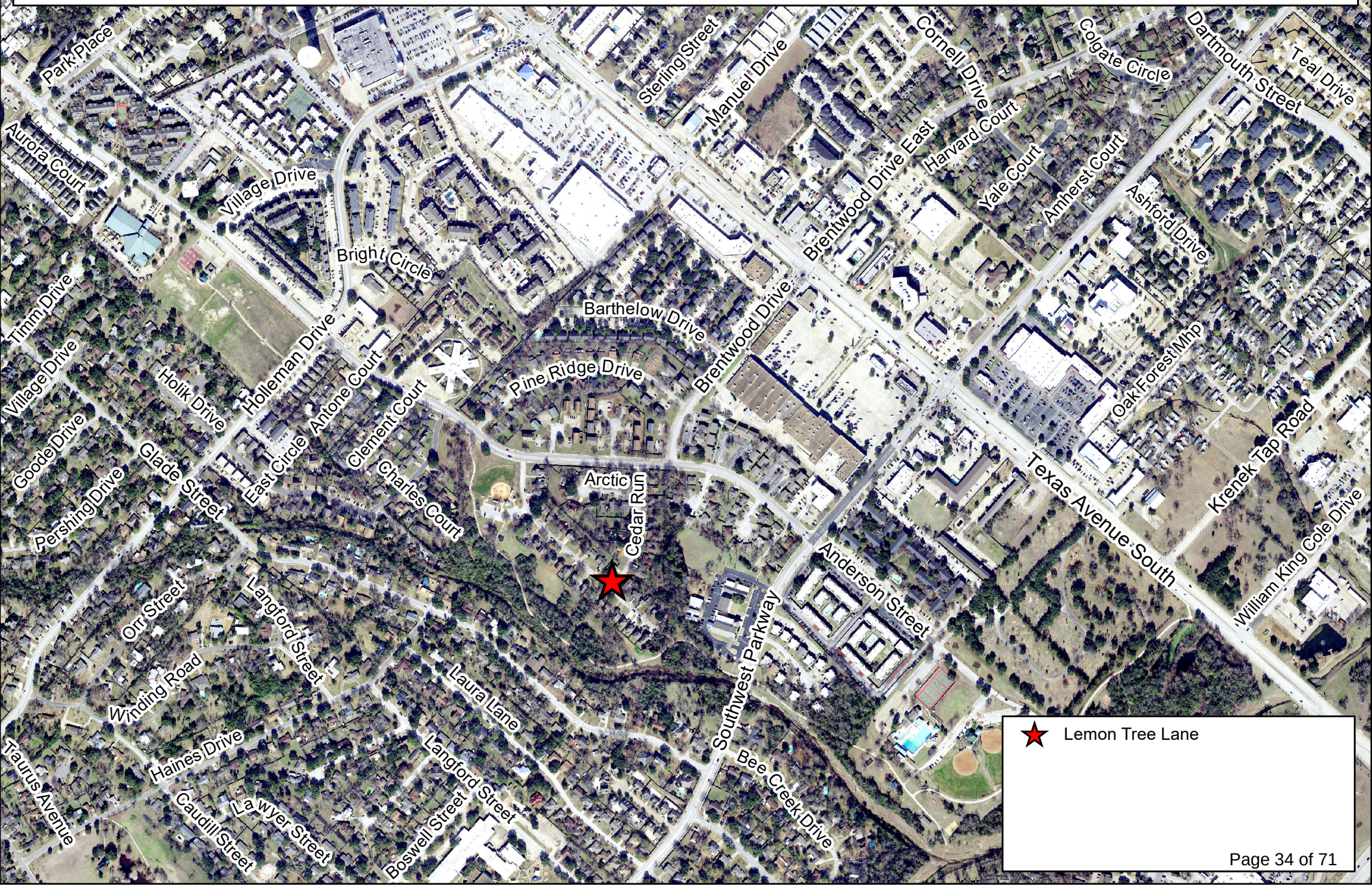
<i>Traveling on</i>	<i>Between</i>	<i>Travel Direction</i>	
Lemon Tree Lane	Cedar Run and the end of the street	South	No parking at Any Time

Lemon Tree Lane No Parking Proposal

April 5th, 2023



Lemon Tree Lane Location Map



★ Lemon Tree Lane

May 25, 2023

Item No. 7.4.

TxDOT FM 2818 Landscape Maintenance Agreement

Sponsor: Emily Fisher, Director of Public Works

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding a landscape maintenance agreement with the Texas Department of Transportation for the maintenance of landscape in certain areas along FM 2818.

Relationship to Strategic Goals:

1. Core Services and Infrastructure

Recommendation(s): Staff recommends approval of the landscape maintenance agreement.

Summary: Earlier this year, Public Works began transplanting trees from the SH 6 and University Drive intersection. The trees located in this area are scheduled for clearing as part of the SH 6 widening project. While not all trees will be able to be transplanted, the city is attempting to move as many as possible before the start of the project. Several areas have been identified for replanting, including several parks and city facilities. Areas along FM 2818 between Texas Avenue and Southwood Drive were also identified as viable areas for replanting. FM 2818 is a state controlled roadway. Therefore, the Texas Department of Transportation (TxDOT) has requested that the city enter into a landscape maintenance agreement. By entering into this agreement, the city agrees to maintain all landscape elements it installs within the right of way, including but not limited to plant maintenance and replacement, mowing and trimming, etc. The locations of the replanted trees are shown in the attachment to the agreement. The ten trees located in front of the post office have already been planted along with the replacement of several dead trees along the north side of FM 2818. 10 additional trees will be replanted next season.

Budget & Financial Summary: Replanting and maintenance of the trees will be done by Public Works staff and is included in the operations and maintenance budget for the Streets, Landscape, Irrigation, and Drainage Division.

Attachments:

1. Form 2043 - FM 2818 at BS 6R



LANDSCAPE MAINTENANCE AGREEMENT

THE STATE OF TEXAS

THE COUNTY OF TRAVIS

This AGREEMENT made this 1st day of May 2023, by and between the Texas Department of Transportation, hereinafter referred to as the "State," and the City of College Station, Brazos County, Texas, acting by and through its duly authorized officers, hereinafter called the "City".

WITNESSETH

WHEREAS, Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter into agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through its corporate limits; and

WHEREAS, Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter into agreements with cities to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through the corporate limits of such cities; and

WHEREAS, the State and the City have entered into a Municipal Maintenance Agreement dated May 18, 2009, **the provisions of which are incorporated herein by reference**, and wherein the City has agreed to retain all functions and responsibilities for maintenance and operations which are not specifically described as the responsibility of the department.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, it is agreed as follows:

Contract Period

This Agreement becomes effective upon the date of final execution by the State, and shall remain in effect until terminated or modified as hereinafter provided.

Coverage

This agreement prescribes the responsibilities of the State and the City relating to the maintenance of the FM 2818 at Texas Avenue Landscape project which is located on FM 2818 non-controlled access state highway, as defined in the Municipal Maintenance Agreement. The maintenance is further described in Attachment A, the location map for this project, and limited to the portions along FM 2818 from Southwood Drive to BS 6R (Texas Avenue).

Amendment

The parties agree that this agreement may be amended. Such amendments, to be effective, must be in writing and signed by both parties.

City's Responsibilities

The City may install landscape elements including but not limited to trees, shrubs, grasses, sidewalks, irrigation systems, and hardscape features through its employees or duly appointed agents. Any installations shall be performed in accordance with Texas Department of Transportation specifications and standards and must be approved by the State in writing prior to any work being performed. The City shall notify the State of any proposed removal or relocation of healthy plant material that is located within the State's right-of-way (ROW), and shall obtain prior approval from the State before undertaking any such removal or relocation.

The City shall maintain all landscape elements within the limits of the right of way including all median and island areas but excluding paved areas intended for vehicular travel. Landscape maintenance shall include but not be limited to plant maintenance, plant replacement, mowing and trimming, hardscape element maintenance, and irrigation system operation and maintenance. The City will be responsible for all utility costs associated with maintaining landscape elements. All landscape elements must be maintained in a functional and aesthetically pleasing condition.

TERMINATION

It is understood and agreed between the parties hereto that should either party fail to properly fulfill its obligations as herein outlined, the other party may terminate this agreement upon thirty days written notice. Additionally, this agreement may be terminated by mutual agreement and consent of both parties.

Should the City terminate this agreement, as prescribed here above, the City shall, at the option of the State, reimburse any reasonable costs incurred by the State.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures,
the City of College Station on the _____ day of
_____, year _____, and the Texas Department of Transportation,
on the _____ day of _____, year _____.

ATTEST:

THE STATE OF TEXAS

CITY OF COLLEGE STATION

By _____
(Title of Signing Official)

Executed for the Executive Director and
approved for the Texas Transportation
Commission for the purpose and effect
of activating and/or carrying out the
orders, and the established policies or
work programs heretofore approved and
authorized by the Texas Transportation
Commission.

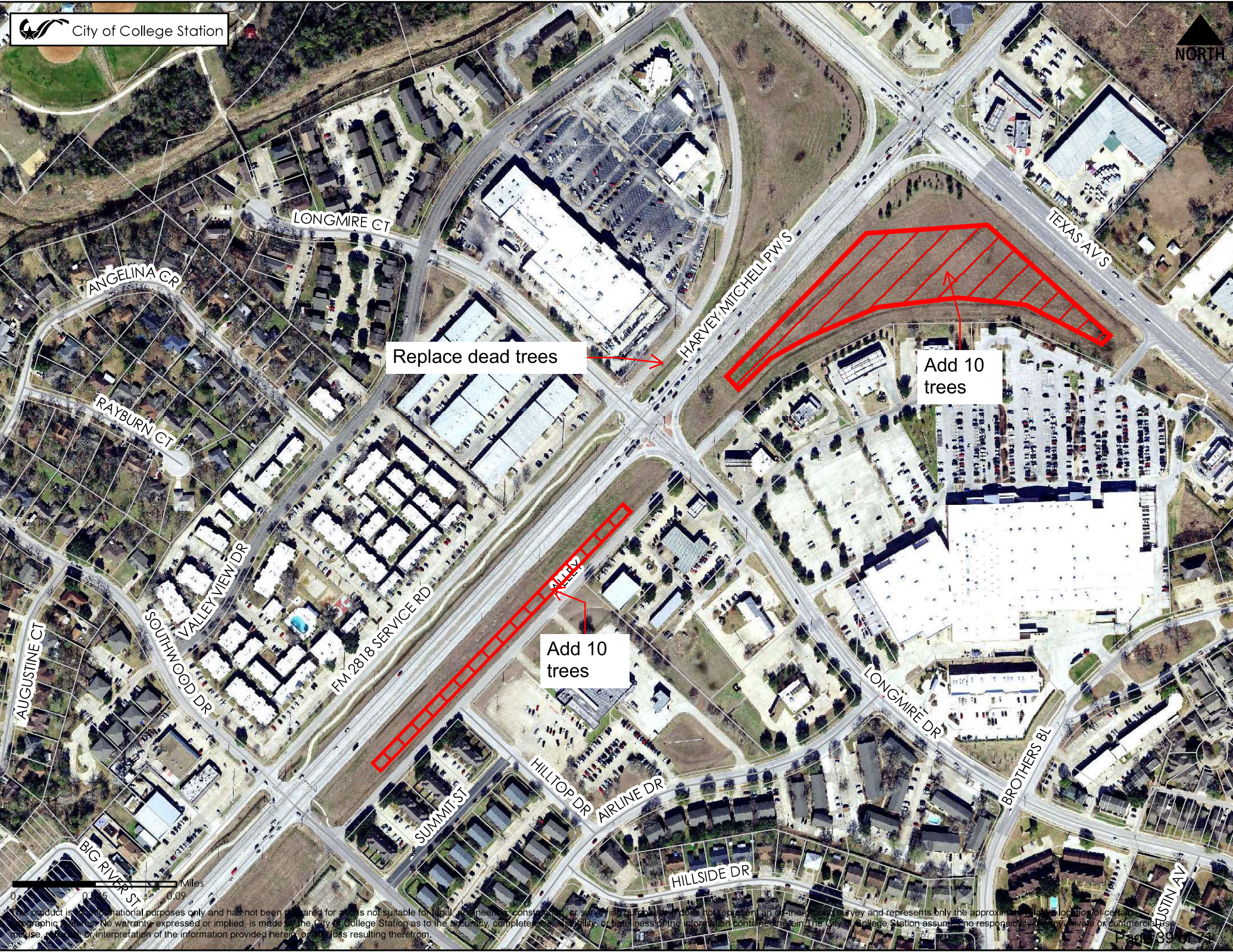
By _____
District Engineer

District

Attachments

Attachment A: Location Map

Contact/Help



May 25, 2023
Item No. 7.5.
Annual Polymer Purchase

Sponsor: Gary Mechler, Director of Water

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action on approving annual polymer purchases from Polydyne, Inc. for an amount not to exceed \$288,144.

Relationship to Strategic Goals:

1. Financially Sustainable City
2. Core Services and Infrastructure

Recommendation(s): Staff recommends approval to purchase polymer from Polydyne, Inc.

Summary: Polymer is a treatment chemical that aids in the separation of solids from wastewater. It concentrates the solids in wastewater sludge for efficient treatment, allowing the removal of excess water for treatment and disposal. Two separate processes use polymer for solids removal:

- Carters Creek WWTP centrifuge process
- Lick Creek WWTP centrifuge process

Polydyne, Inc products are available on the Texas Buy Board, Agreement #691-23. Because Polydyne, Inc's product also represents the best value for the City of College Station's wastewater treatment process, staff recommends they be awarded this annual purchase agreement.

All services and products available for purchase via BuyBoard contracts have been competitively bid and awarded in compliance with Texas statutes relating to competitive bids and proposals. This cooperative is administered by the Texas Association of School Boards and is endorsed by the Texas Municipal League and the Texas Association of Counties.

Budget & Financial Summary: Wastewater Operating funds are budgeted and available for the anticipated amount of polymer usage.

Attachments:

1. Polydyne BuyBoard Quote

Transmitted via email: dwallace@cstx.gov

March 24, 2023

Doug Wallace
City of College Station
2200 N. Forest Pkwy
College Station, TX 77802

SUBJECT: Texas BuyBoard Polymer Price Quotation

Dear Mr. Wallace,

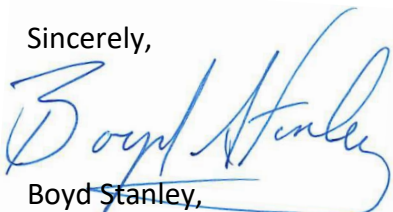
Polydyne Inc. is pleased to offer the City of College Station the following price quotation:

PRODUCT	UNIT PRICE	PACKAGE
CLARIFLOC TX-2302A	\$1.74/LB. DELIVERED	450 LBS. DRUM
CLARIFLOC TX-2302B	\$1.74/LB. DELIVERED	450 LBS. DRUM

In accordance with the Texas Buy Board Agreement # 691-23.

Thank you for your business. If you have any questions or need additional information, please feel free to contact Marcus Ortiz, Technical Sales Representative, at (281) 633-6086. Orders may be placed online at: www.polydyneinc.com or through our Customer Service Department. Your Customer Service Representative is Jonathan Jones. You can reach Mr. Jones by calling (800) 848-7659, Ext. 8730 or by e-mail to jonathanj@snf.com.

Sincerely,



Boyd Stanley,
Sr. Vice-President

May 25, 2023
Item No. 7.6.
Purchasing Bullet Resistant Shields

Sponsor: Rodney Sigler

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding purchasing bullet resistant shields from M-Pak, Inc. for \$172,707.47.

Relationship to Strategic Goals:

- Good governance

Recommendation(s):

Staff respectfully recommends approving purchase of bullet resistant shields from M-Pak, Inc.

Summary:

The grant was awarded and activated on January 23, 2023, from the Office of the Governor. In the wake of the school shooting in Uvalde, TX the Office of the Governor responded with this grant to better equip law enforcement agencies to engage more safely in high-risk shooting scenarios. The use of rifle resistant shields gives a distinct tactical advantage to law enforcement. Officers can penetrate active shooting zones with a level of protection to achieve law enforcement objectives. The department currently has 16 shields, but all are not rated to stop a rifle round. The shields from M-Pak, Inc. are rated to stop a rifle round and 29 shields will allow for all first responding vehicles to be equipped with a bullet resistant shield.

The bullet resistant shields will be purchased from M-Pak, Inc., who is the awarded vendor on BuyBoard Cooperative Contract #698-23 of these shields. All products and services on BuyBoard Cooperative have been carefully and competitively bid and awarded based on Texas Law by the Local Government Purchasing Cooperative. Purchasing through a cooperative or "interlocal contract" satisfies the Texas state law requirement of local governments to seek competitive procurement for the purchase of goods or services. Contingent upon City Council approval, this purchase will then be made.

Budget & Financial Summary:

This purchase is using awarded funds from Grant #4659501 from the Office of the Governor for an amount not to exceed \$172,707.47. A total of \$170,920.84 was awarded from the grant and \$1,786.63 is taken from the Police department budget to pay for the 29th shield.

Attachments:

1. Quote and buyboard summary



College Station Police Department
800 Krenek Tap Rd., College Station, TX 77840
Rodney Sigler
rsigler@cstx.gov
979-764-3613

03/29/2023

Quote # 2023-0099-5

Item #	Description	Size	Per Unit
1	SH3OASVSV1H1L1-Point Blank VANGUARD Level III Shield with View Port and Light	20x30	\$5955.43 each
	TOTAL for 29 Shields		\$172,707.47

Quote term good until March 31st, 2024

Price is based off open Market Value

Shipping is included in quoted price.

Please do not hesitate to contact me with any questions or concerns.

Thank you for the opportunity to quote you!

Sincerely,
Chad Whiteley
M-Pak, Inc.
11255 Camp Bowie West
Suite 111
Aledo, Texas, 76008
Phone: 817-696-0004
chad@m-pakinc.com | www.mpaktactical.com

11255 Camp Bowie West, Suite 111
Aledo, TX 76008
Ph. 817-696-0004 Fax. 817-696-0005
www.m-pakinc.com
www.mpaktactical.com



Vendor Contract Information Summary

Vendor M-Pak, Inc
Contact Shawn Bouyer
Phone 817-696-0004
Email shawn@m-pakinc.com
Vendor Website www.mpaktactical.com
TIN 75-2956664
Address Line 1 11255 Camp Bowie West
Vendor City Aledo
Vendor Zip 76008
Vendor State TX
Vendor Country USA
Delivery Days 10
Freight Terms FOB Destination
Payment Terms Per Contract
Shipping Terms Freight prepaid by vendor and added to invoice
Ship Via Common Carrier
Designated Dealer No
EDGAR Received Yes
Service-disabled Veteran Owned No
Minority Owned No
Women Owned Yes
Certificate Number 423840
Certifying Agency Central Texas Regional Certification Agency
National No
No Foreign Terrorist Orgs Yes
No Israel Boycott Yes
MWBE Yes
ESCs All Texas Regions
States All States
Contract Name Public Safety and Firehouse Supplies and Equipment
Contract No. 698-23
Effective 04/01/2023
Expiration 03/31/2026
Accepts RFQs Yes

4/25/2023 11:46 AM

May 25, 2023
Item No. 7.7.
Goodwill Industries Debt Issuance

Sponsor: Mary Ellen Leonard, Director of Fiscal Services

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action on a resolution for Heart of Texas Goodwill Industries to receive a tax-exempt loan related to their new store in College Station.

Relationship to Strategic Goals:

Sustainable City of College Station
Core Services and Infrastructure

Recommendation(s): City staff recommends adoption of the Resolution.

Summary: Heart of Texas Goodwill Industries wants to borrow \$5,947,000 in a tax-exempt loan for a comprehensive rehab for a new Goodwill store, located 4101 State Highway 6 South, in College Station. The site is currently being remodeled. (The site used to be a Harley-Davidson building.) The new loan will refinance a current Goodwill debt and will also provide funds to complete the new Goodwill store. Goodwill qualifies as a tax-exempt borrower since they have a designation as a 501 (c)(3) charitable organization under the Internal Revenue Code. For the loan to be tax exempt it must be approved by the City and Brazos County. The approval is required both under Section 147(f) of the Internal Revenue Code, and Section 221.030(a)(1)(B) of the Texas Health and Safety Code. The City's approval has no impact on bonds issued by the City. The sole obligation to repay the loan is that of Goodwill. The new loan also has no impact on any other bonds that the City may issue in 2023.

Brazos County has approved a resolution for the same on May 9, 2023.

Goodwill's attorney will be available for questions via Zoom.

Budget & Financial Summary: There is no impact to the City Budget for this resolution.

Attachments:

1. GOODWILL 2023 - Resolution of College Station 5-2-23

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING THE ISSUANCE OF A TAX-EXEMPT NOTE BY THE OGLESBY CULTURAL FACILITIES CORPORATION FOR HEART OF TEXAS GOODWILL INDUSTRIES, INC.; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Heart of Texas Goodwill Industries, Inc. (“Goodwill”), desires to finance or refinance the costs of comprehensive renovation and equipping of a Goodwill store and donation processing area in an approximately 15,000 square foot building to be located at the frontage road to 4101 State Highway 6 South, College Station, Texas 77845 (the "Project"), with the Project to be owned and operated by Goodwill; and

WHEREAS, Goodwill desires to finance the Project in part through the issuance of a tax exempt note (the “Note”) to be issued by the Oglesby Cultural Facilities Corporation (the “Oglesby Corporation”), in an aggregate maximum principal amount not to exceed \$5,947,000, with the proceeds of such Note to be loaned to Goodwill to construct and equip the Project; and

WHEREAS, Mr. Ted Smith, designated hearing officer of the Oglesby Corporation held a public hearing regarding this financing and the Project at 10:00 a.m. on March 29, 2023, in the City of Bryan, Texas, following publication of notice of such hearing as required by Section 147(f) of the Internal Revenue Code; and

WHEREAS, Goodwill has requested the City of College Station, Texas (the “City”) to give its approval with regard to the issuance of the Note solely for the purpose of satisfying (i) the provisions of Section 147(f) of the *Internal Revenue Code* of 1986 as amended (which requires for tax purposes that the Note be approved by a jurisdiction in which the Project is located) and (ii) the requirements of Section 221.030(a)(1)(B) of the *Texas Health and Safety Code* (which requires the permission of the City for the Oglesby Corporation to exercise its powers for a project located within the City); and

WHEREAS, the City is willing to consider Goodwill’s request that the Note may be issued; and

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

PART 1. That solely for the purpose of satisfying the provisions of Section 147(f) of the *Internal Revenue Code* of 1986 as amended, and to give the consent required by Section 221.030(a)(1)(B) of the *Texas Health and Safety Code*, the City hereby approves the Project and the issuance of the Note by the Oglesby Corporation to finance the Project as defined above. The owner and user of the Project shall be Heart of Texas Goodwill Industries, Inc. and the maximum principal amount of the Note shall be \$5,947,000.

PART 2. That this approval is given by the City Council of the City of College Station solely to satisfy the requirements of Section 147(f) of the Internal Revenue Code and Section 221.030(a)(1)(B) of the *Texas Health and Safety Code* and for no

other purpose. In particular, this approval does not grant a building permit, approve the zoning for the Project, or give any other approval which may be required by the City for the Project.

PART 3. That this Resolution is passed based on the express understanding and representation by Goodwill that the Note and related financing does not and will not constitute in any way a liability or obligation of the City of College Station, Texas or Brazos County, Texas in any manner whatsoever, and that the City of College Station, Texas and Brazos County, Texas shall have no liability whatsoever for the Note or the Project.

PART 4. That it is officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and that notice of the time, place and subject matter of this meeting has been given in the manner required by law.

PART 5. That this Resolution is effective immediately upon adoption.

ADOPTED this _____ day of _____, 2023.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

May 25, 2023
Item No. 8.1.
City Hall room use policy

Sponsor: Bryan Woods, City Manager

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding a City Hall room use policy.

Relationship to Strategic Goals:

Good Governance

Recommendation(s): Staff recommends that council adopt a policy to determine uses by the public for city hall meeting facilities.

Summary: City Hall currently has meeting rooms that can be used by the public. They are the Bush 4141 Community Room and the Heart of Aggieland Multipurpose Room. A policy needs to be adopted similar to the policies of other city meeting facilities. This policy will determine the terms of use and guidelines for potential users.

Budget & Financial Summary: N/A

Attachments:

None

May 25, 2023

Item No. 8.2.

Northeast Trunkline Phase Four capital project

Sponsor: Jennifer Cain, Director Capital Projects

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding an update related to the Northeast Trunkline Phase Four capital project.

Relationship to Strategic Goals:

Core Services and Infrastructure

Recommendation(s):

Summary: Presentation and update related to the Northeast Trunkline Phase Four capital project.

Budget & Financial Summary:

Attachments:

None

May 25, 2023

Item No. 9.1.

REZ2023-000007 Southwood Phase 21 Restricted Occupancy Overlay

Sponsor: Naomi Sing

Reviewed By CBC: Planning & Zoning Commission

Agenda Caption: Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, “Unified Development Ordinance,” Article 4, “Zoning Districts,” Section 4.2 “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from GS General Suburban to GS General Suburban and ROO Restricted Occupancy Overlay on approximately 27.1 acres of land, being 39 lots within Southwood Phase 21, Blocks 3-6, generally located along Bee Creek Drive and Southwood Drive.

Relationship to Strategic Goals:

Neighborhood Integrity

Recommendation(s): The Planning and Zoning Commission heard this item at their May 4, 2023 meeting and recommended approval of the request 5-2.

Summary: This request is to rezone approximately 27.1 acres being 39 lots within the Southwood Phase 21 subdivision from GS General Suburban to GS General Suburban and ROO Restricted Occupancy Overlay. This request is to add the ROO, which is a single-family overlay zoning district, to the existing base zoning within the Southwood Phase 21 subdivision boundaries. The ROO is intended to provide subdivision-specific occupancy regulations – not to exceed two unrelated persons per single-family dwelling or accessory living quarter. The Petition Committee, comprised of Southwood Phase 21 homeowners, has met all requirements of the ROO application process. The Petition Committee submitted the application materials including the ROO petition that contained 25 total signatures. City staff were able to verify all 25 signatures, representing 64.1% of the subdivision in support of the requested ROO.

REZONING REVIEW CRITERIA

1. Whether the proposal is consistent with the Comprehensive Plan:

The subject tract is designated as Neighborhood Conservation on the Comprehensive Plan Future Land Use & Character Map. The surrounding areas to the north are designated as Natural & Open Areas in the areas where Bee Creek runs through, Parks & Greenways where Bee Creek Park is located, and Urban Residential which is developed as multi-family housing. The surrounding properties to the east and south are designated as Natural & Open Areas and are part of Bee Creek Tributary and its floodplain. The subject properties are bounded by Southwest Parkway to the west, which is an existing 4-lane minor arterial and is shown on the Comprehensive Plan’s Thoroughfare Plan.

The Comprehensive Plan discusses single-family overlay zoning districts in both *Chapter 3, Strong Neighborhoods* and *Chapter 9, Collaborative Partnerships*. The plan states that, “various single-family overlay zoning districts have been created to help mitigate the issues associated with tear-downs in established neighborhoods. These include the Neighborhood Conservation Overlay, the Restricted Occupancy Overlay, and the Historic Preservation Overlay.” The plan goes on to state that collaboration between the City and Texas A&M University is vital to proactively address issues

caused by the rapid growth of the university and the stressors and potential changes that places on nearby neighborhoods. Single-family overlay zoning is a tool that a neighborhood can choose for itself to help address and mitigate perceived, anticipated, and actual changes within an established single-family neighborhood. While the NCO Neighborhood Conservation and HP Historic Preservation Overlays address and mitigate changes to physical property characteristics, the intent of a ROO is to address and mitigate issues associated with over-occupancy. As a tool that a neighborhood can pursue for itself to address issues of over-occupancy and preserve neighborhood character, the request is aligned with the Comprehensive Plan.

2. Whether the uses permitted by the proposed zoning district will be appropriate in the context of the surrounding area:

The subject property is surrounded by GS General Suburban zoned single-family homes, except to the north which is zoned R-6 High Density Multi-Family and is currently developed with multi-family housing. The GS General Suburban zoned property located north is Bee Creek Park. The single-family uses allowed by the GS General Suburban zoning district will remain and the addition of the ROO solely restricts the number of unrelated persons per single-family dwelling or accessory living quarters to no more than two unrelated persons.

As stated in the Unified Development Ordinance (UDO):

Single-family overlay districts create an additional zoning district that is superimposed over the underlying zoning district. Single-family overlay districts are intended to provide additional standards for College Station neighborhoods. These standards promote residential development patterns and are intended to protect and enhance desirable neighborhood characteristics, livability, and harmonious, orderly, and efficient growth and development. The underlying zoning district establishes the permitted uses and standards and shall remain in effect. The requirements of the overlay district are to be applied in addition to the underlying zoning district standards.

The ROO overlay standard is as follows:

Occupancy of either, a detached single-family dwelling or accessory living quarter, shall not exceed two unrelated persons per single-family dwelling or accessory living quarter. Related persons are specified in Section 11.2 'Defined Terms' in the definition of 'Family.' Accessory living quarter requirements are further specified in Section 6.5 'Accessory Uses' within the standards for 'Living Quarters.'

UDO sections 3.3 Zoning Map Amendment (Rezoning), 4.1 Establishment of Districts, and 5.11 Single-Family Overlay Districts detail the application process and regulations for single-family overlay districts and the ROO Process Handbook serves as a policy guide for residents. The process requires that a subdivision interested in pursuing a ROO form a Petition Committee. That committee is tasked with leading the effort, organizing their neighbors, hosting a neighborhood-led meeting and notifying all neighbors of the meeting via certified mail, collecting the petition signatures, and submitting the completed application and all required materials.

The Southwood Phase 21 Petition Committee was comprised of four members: Ruth Barbee, Harold Boas, Susan Hartman, and Sherron McKenzie. The Petition Committee hosted their neighborhood meeting on March 7, 2023, discussed pursuing the ROO for their subdivision, answered questions from their neighbors, and collected petition signatures. There were 20 attendees at the meeting, 19 were property owners and one was representing property owners who were not able to attend the meeting. City staff was present as well. Some property owners signed the petition at the meeting.

The Petition Committee finished collecting petition signatures and submitted their ROO application in March 2023. City staff verified that the application was complete, and all requirements were met. The submitted ROO Petition contained 25 total signatures, representing 64.1% of the subdivision in support of the requested ROO. City staff were able to verify all signatures on the petition.

Staff held a required City-hosted neighborhood meeting for the Southwood Phase 21 ROO request on April 19, 2023. There were fifteen residents in attendance, eight from Southwood Phase 21 who signed the petition in support of the ROO, four participating remotely on Zoom, and three from the surrounding properties who were interested in learning about the ROO application and whether it applied to their properties, which it does not.

3. Whether the property to be rezoned is physically suitable for the proposed zoning district:

The ROO zoning does not affect any of the physical characteristics of the underlying GS General Suburban zoning district. The existing subdivision meets the dimensional standards for GS General Suburban zoned properties as set forth in the UDO and is already developed as a single-family residential subdivision.

4. Whether there is available water, wastewater, stormwater, and transportation facilities generally suitable and adequate for uses permitted by the proposed zoning district:

The existing water, wastewater, stormwater, and transportation infrastructure is adequate to support the needs of this existing development. No additional development and subsequent impacts are anticipated from the addition of the ROO zoning designation.

5. The marketability of the property:

The single-family uses allowed by the GS General Suburban zoning district will remain and are marketable as single-family residential homes. The ROO only restricts the number of unrelated persons per single-family dwelling or accessory living quarters to no more than two unrelated persons.

Budget & Financial Summary: N/A

Attachments:

1. Ordinance
2. Vicinity, Aerial, and Small Area Map
3. Background Information
4. Rezoning Map
5. Future Land Use
6. Original Subdivision Plat
7. Applicant's Supporting Information
8. Petition Committee Members
9. Neighborhood Meeting Materials
10. Petition Signatures

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A “UNIFIED DEVELOPMENT ORDINANCE,” ARTICLE 4 “ZONING DISTRICTS,” SECTION 4.2, “OFFICIAL ZONING MAP” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING APPROXIMATELY 27.1 ACRES, BEING 39 LOTS WITHIN SOUTHWOOD PHASE 21, BLOCKS 3-6 AS DESCRIBED BELOW; 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 4 “Zoning Districts,” Section 4.2 “Official Zoning Map” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A” and 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 25th day of May, 2023.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

Exhibit A

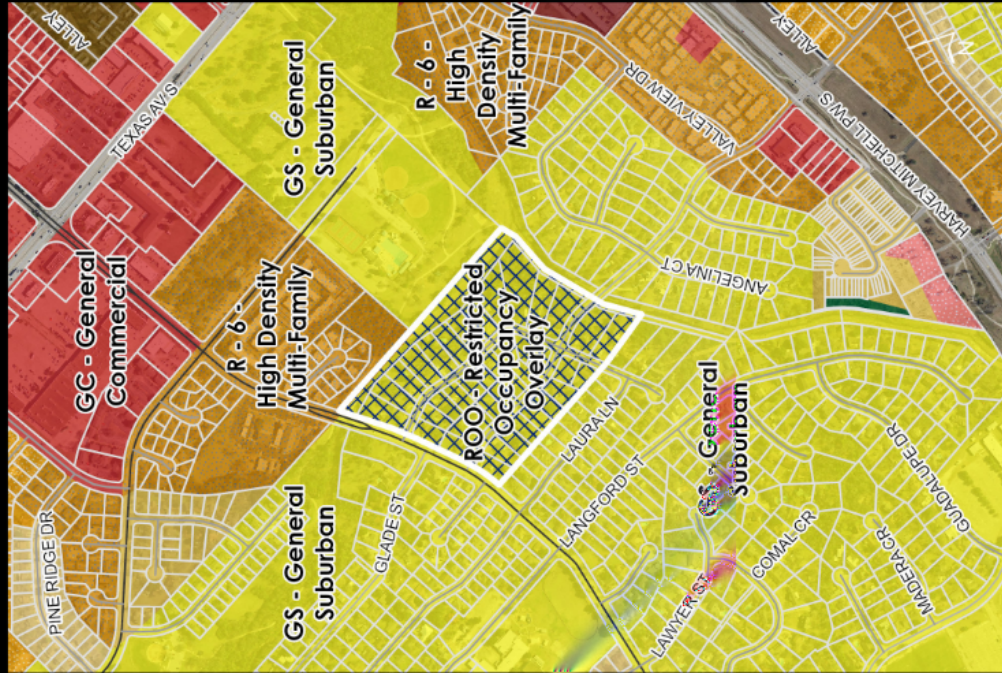
That Appendix A, “Unified Development Ordinance,” Article 4, “Zoning Districts,” Section 4.2, “Official Zoning Map,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended and is to read as follows:

The following properties are rezoned to apply a ROO Restricted Occupancy Overlay zoning as provided in Appendix A, “Unified Development Ordinance,” Article 5 “District Purpose Statements and Supplemental Standards”, Section 5.11 “Single-Family Overlay Districts”:

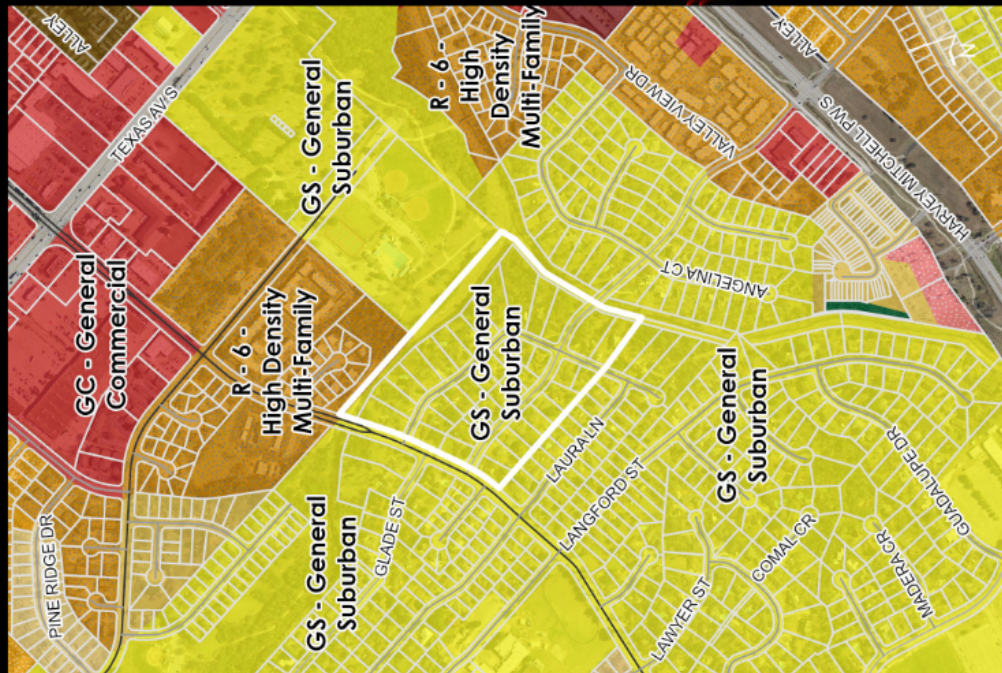
Approximately 27.1 acres, being 39 lots within Southwood Phase 21, Blocks 3-6

Exhibit B

PROPOSED Zoning



EXISTING Zoning



VICINITY MAP

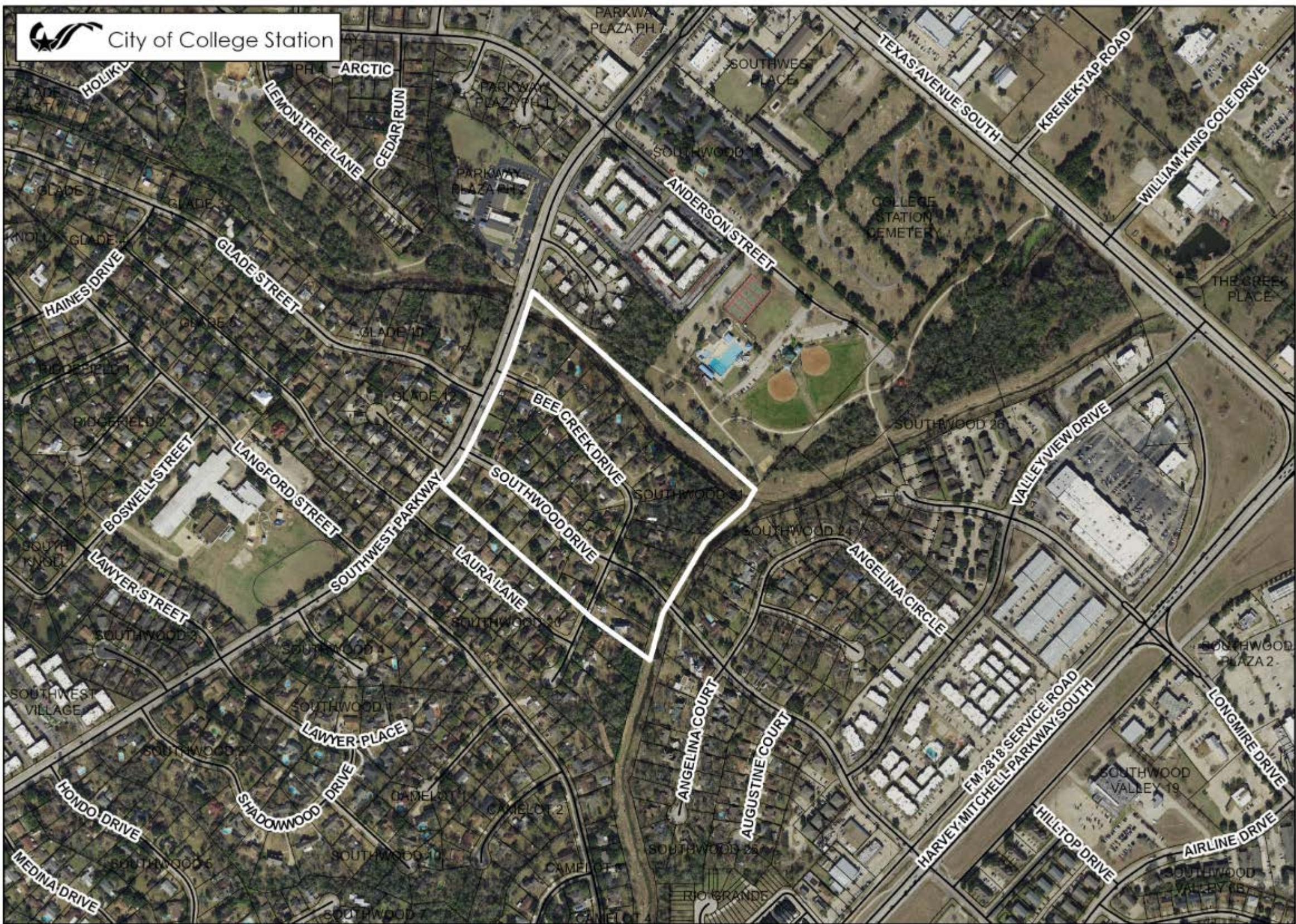
RESTRICTED OCCUPANCY OVERLAY
REZ2023-000007

Legend

- City Limits
- 5 mile Extra Territorial Jurisdiction

0 1.25 2.5 Miles



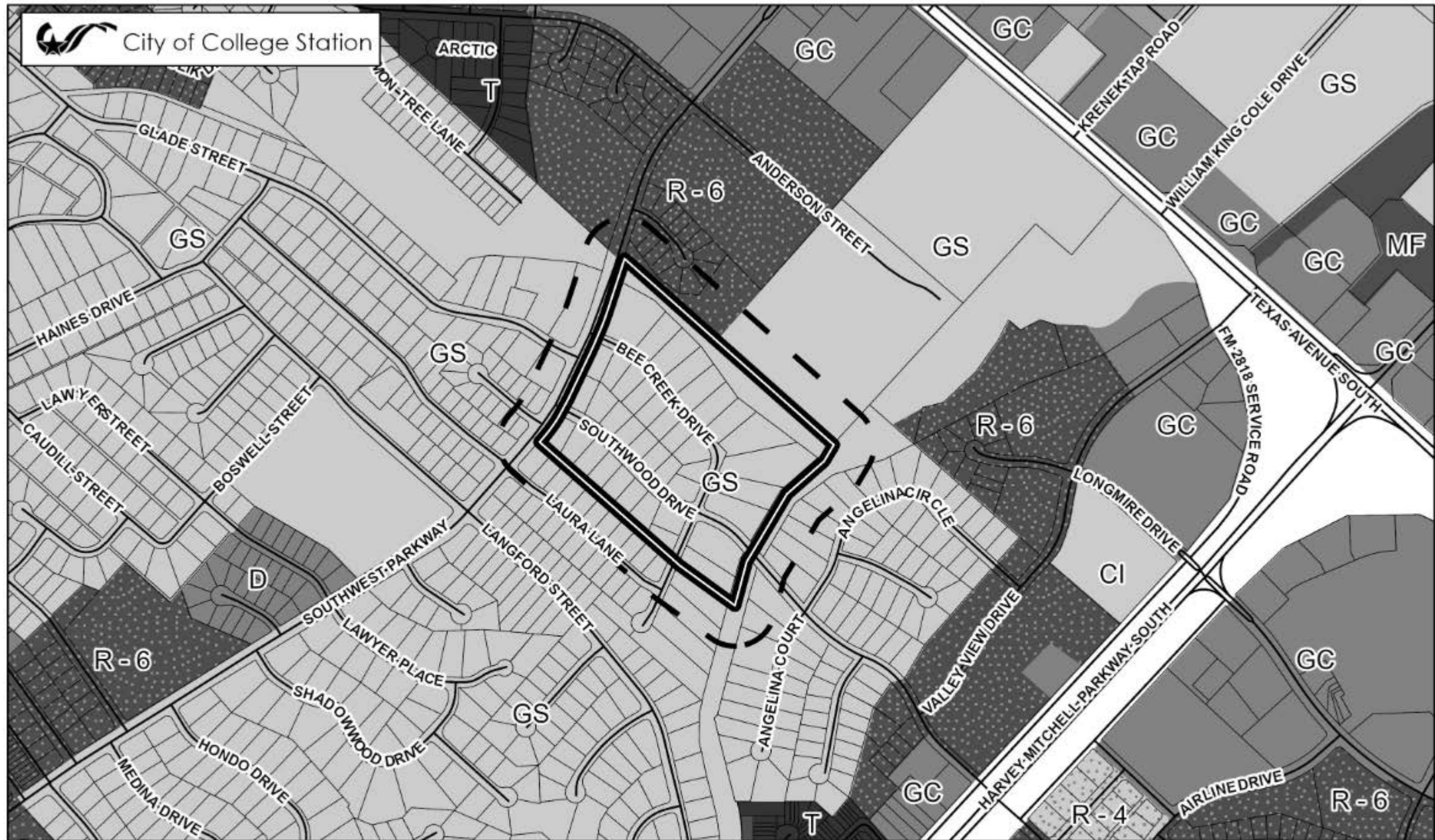


0 500 1,000 Feet

RESTRICTED OCCUPANCY OVERLAY

Case:
REZ2023-000007

REZONING



ZONING DISTRICTS (In Grayscale)

<u>Residential</u>		MH	Middle Housing
R	Rural	MF	Multi-Family
WE	Wellborn Estate	MU	Mixed-Use
E	Estate	MHP	Manufactured Home Pk.
WRS	Wellborn Restricted Suburban		
RS	Restricted Suburban		
GS	General Suburban		
D	Duplex		
T	Townhome		

Non-Residential

NAP	Natural Area Protected
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
C-U	College and University

Planned Districts

P-MUD	Planned Mixed-Use Dist.
PDD	Planned Develop. Dist.

Design Districts

WPC	Wolf Pen Creek Dev. Cor.
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate

Overlay Districts

OV	Corridor Ovr.
RDD	Redevelopment District
ROO	Restricted Occupancy Ovr.
NPO	Nbrhd. Prevailing Ovr.
NCO	Nbrhd. Conservation Ovr.
HP	Historic Preservation Ovr.

Retired Districts

R-1B	Single Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
RD	Research and Dev.
M-1	Light Industrial
M-2	Heavy Industrial



0 500 1,000
Feet

RESTRICTED OCCUPANCY OVERLAY

Case:
REZ2023-000007

REZONING

BACKGROUND INFORMATION

NOTIFICATIONS

Advertised Commission Hearing Date: May 4, 2023
Advertised Council Hearing Date: May 25, 2023

Property owner notices mailed: 79

Contacts in support: None at the time of this report
Contacts in opposition: None at the time of this report
Inquiry contacts: Three at the time of this report

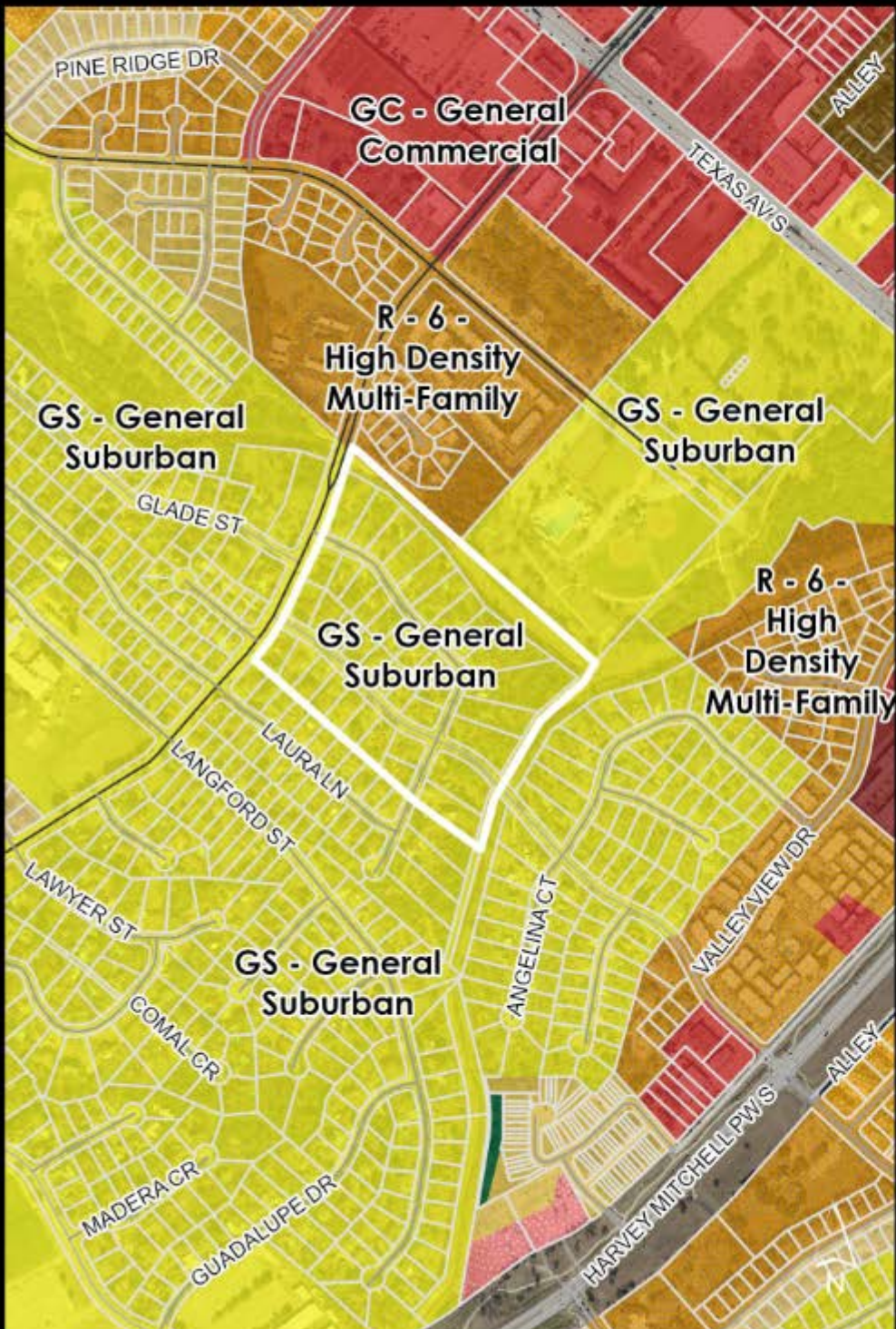
ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North	Natural & Open Areas; Parks & Greenways; Urban Residential	GS General Suburban; R-6 High Density Multi-Family	Bee Creek Park; Residential
South	Neighborhood Conservation; Natural & Open Areas	GS General Suburban	Residential
East	Neighborhood Conservation; Natural & Open Areas	GS General Suburban	Residential
West	Right-of-Way 4-Lane Minor Arterial	n/a	Southwest Parkway 4-Lane Minor Arterial

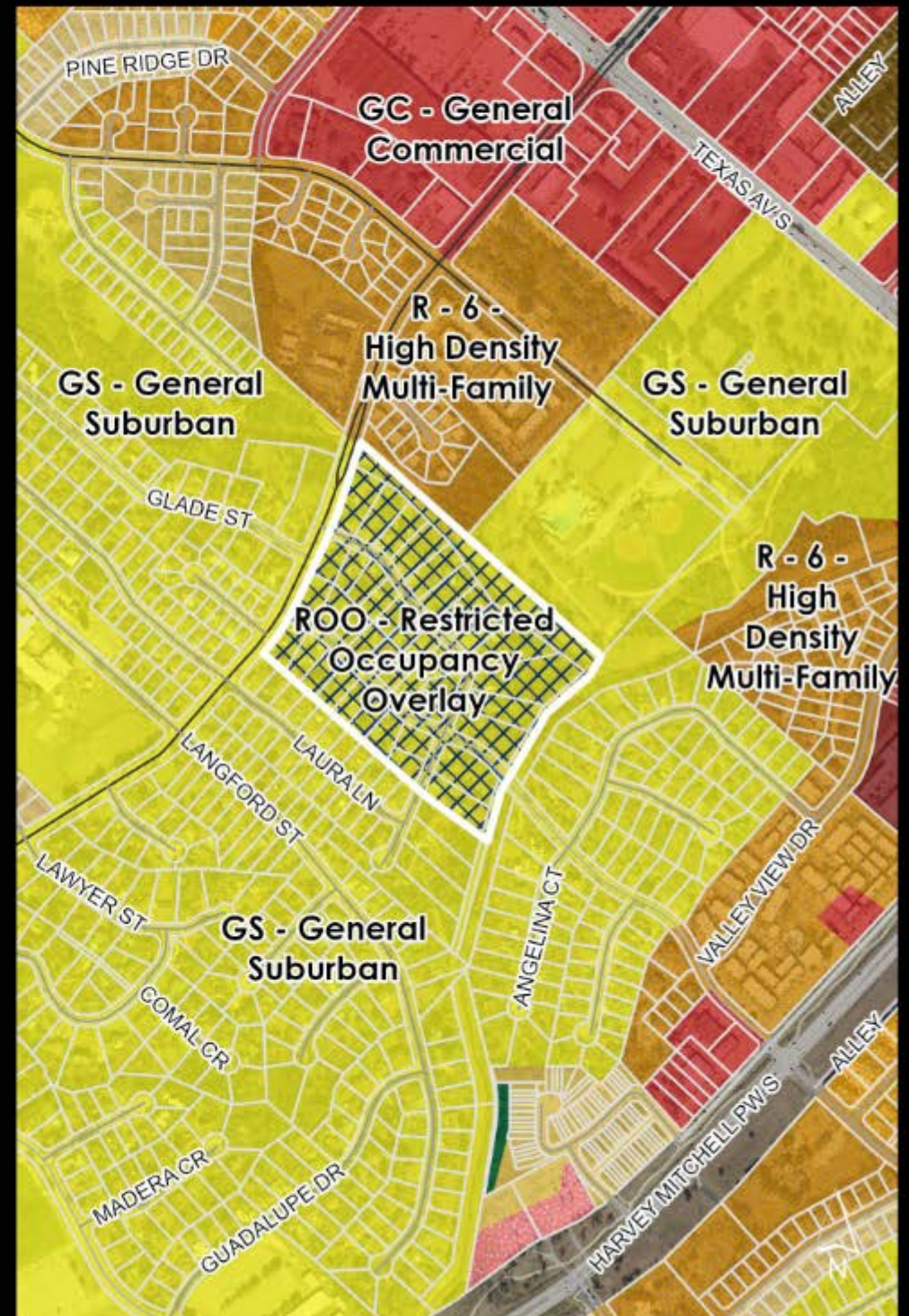
DEVELOPMENT HISTORY

Incorporated: January 1968 and May 1969
Zoning: R-1 Single-Family Residential
R-1 Single-Family Residential renamed to GS General Suburban (2013)
Final Plat: Southwood Phase 21 (1971), amended by The Glade
Site Development: Single-Family Residential

EXISTING Zoning

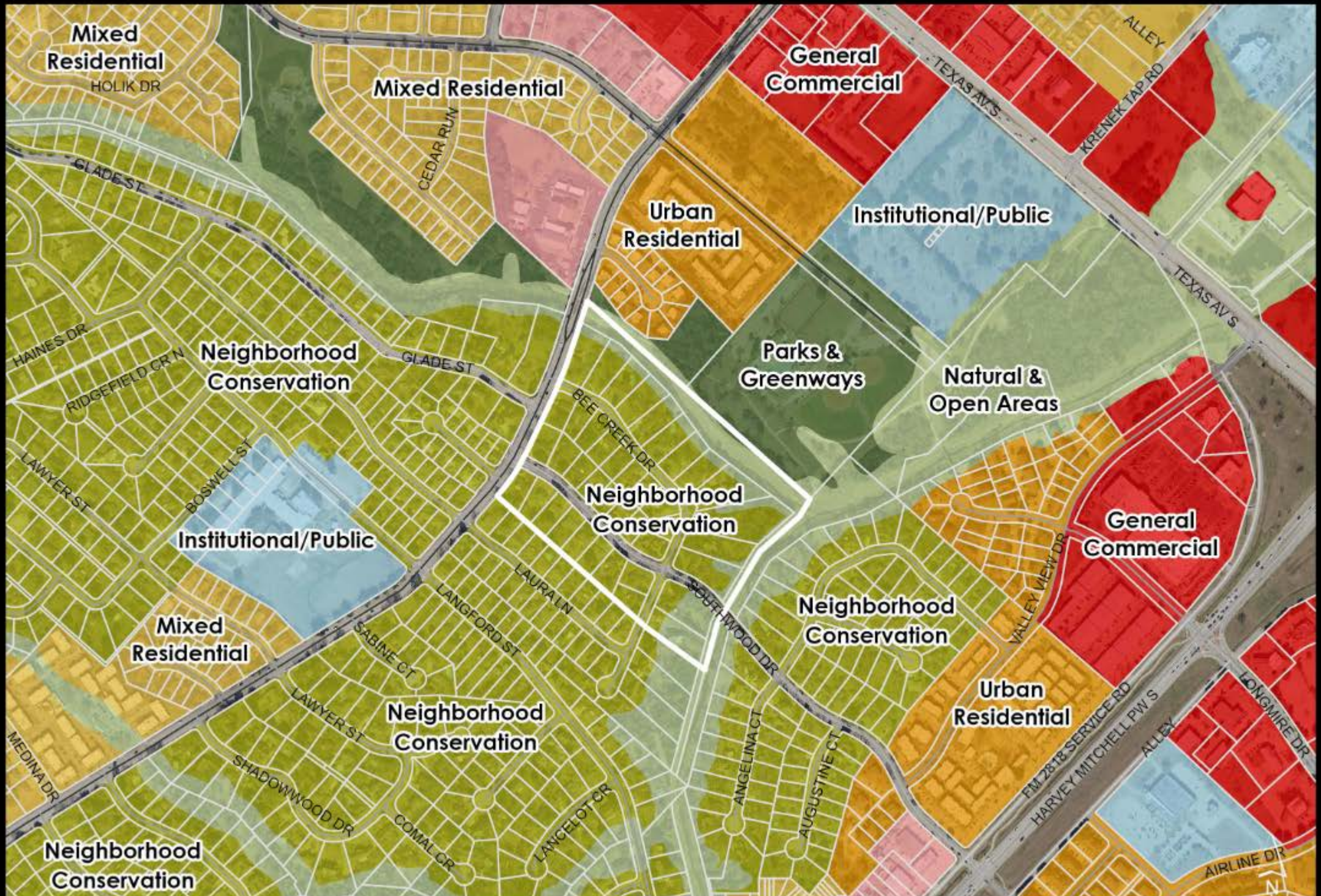


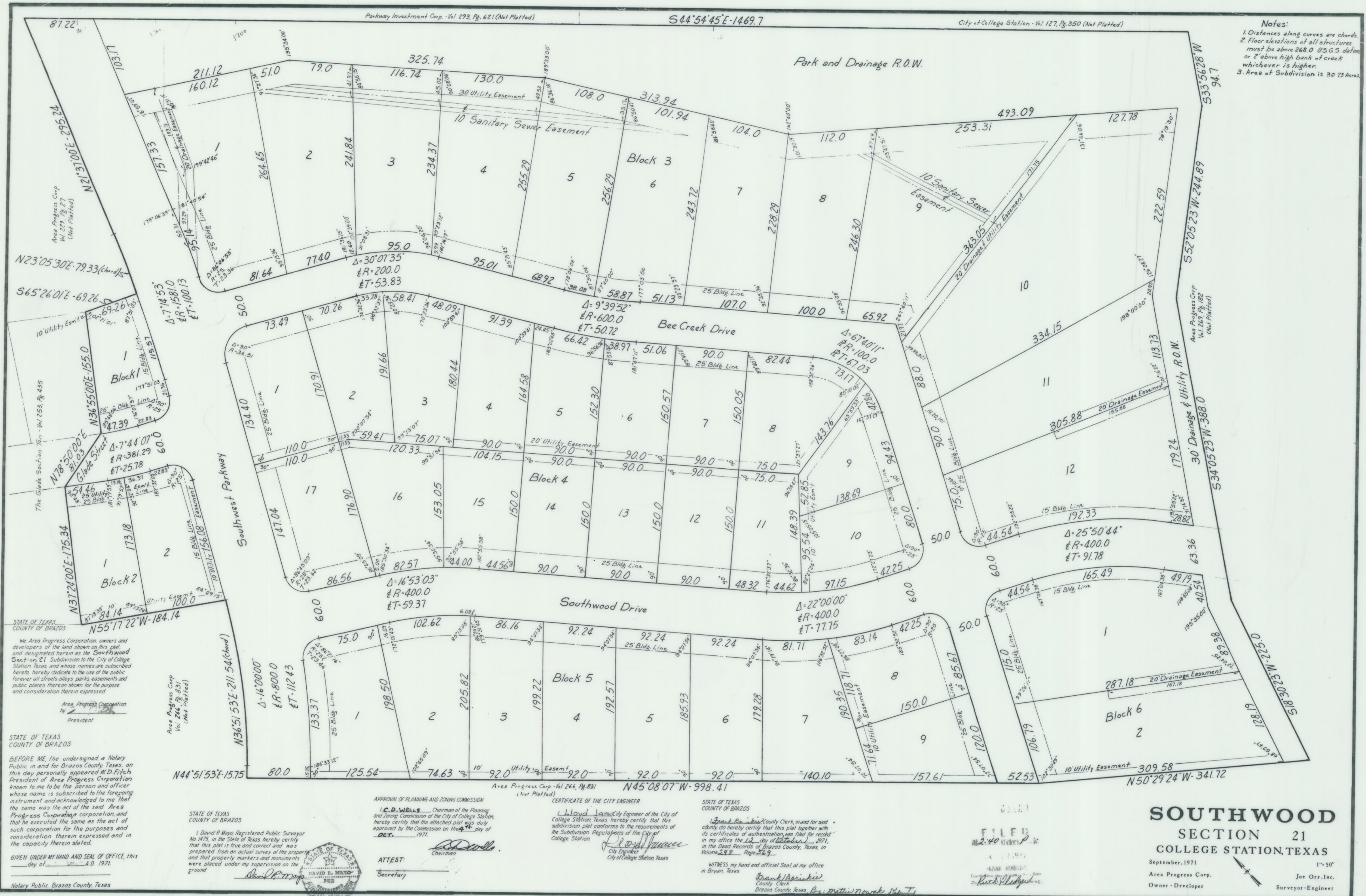
PROPOSED Zoning



EXISTING

Future Land Use





Notes:
1. Distances along curves are chords.
2. Floor elevations of all structures must be above 268.0 U.S.G.S. datum or 2' above high bank of creek whichever is higher.
3. Area of Subdivision is 30.23 Acres.

STATE OF TEXAS
COUNTY OF BRAZOS

We, Area Progress Corporation, owners and developers of the land shown on this plat, and designated herein as the Southwood Section 21 Subdivision to the City of College Station, Texas, and whose names are subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, easements and public places thereon shown for the purpose and consideration therein expressed.

Area Progress Corporation
by _____
President

STATE OF TEXAS
COUNTY OF BRAZOS

BEFORE ME, the undersigned, a Notary Public in and for Brazos County, Texas, on this day personally appeared W.D. Fitch, President of Area Progress Corporation known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Area Progress Corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this day of _____ AD 1971.

Notary Public, Brazos County, Texas

STATE OF TEXAS
COUNTY OF BRAZOS

I, David R. Mayo, Registered Public Surveyor No. 1475, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.



APPROVAL OF PLANNING AND ZONING COMMISSION

C.D. Wells, Chairman of the Planning and Zoning Commission of the City of College Station, Texas, hereby certify that the attached plat was duly approved by the Commission on the 14th day of OCT., 1971.

ATTEST:
Secretary

CERTIFICATE OF THE CITY ENGINEER

Lloyd J. Amos, City Engineer of the City of College Station, Texas, hereby certify that this subdivision plat conforms to the requirements of the Subdivision Regulations of the City of College Station.

City Engineer
City of College Station, Texas

STATE OF TEXAS
COUNTY OF BRAZOS

I, Frank R. Boush, County Clerk in and for said county do hereby certify that this plat together with its certificates of authentication, was filed for record in my office the 12th day of September, 1971, in the Deed Records of Brazos County, Texas, in Volume 288, Page 569.

WITNESS my hand and official Seal, at my office in Bryan, Texas.

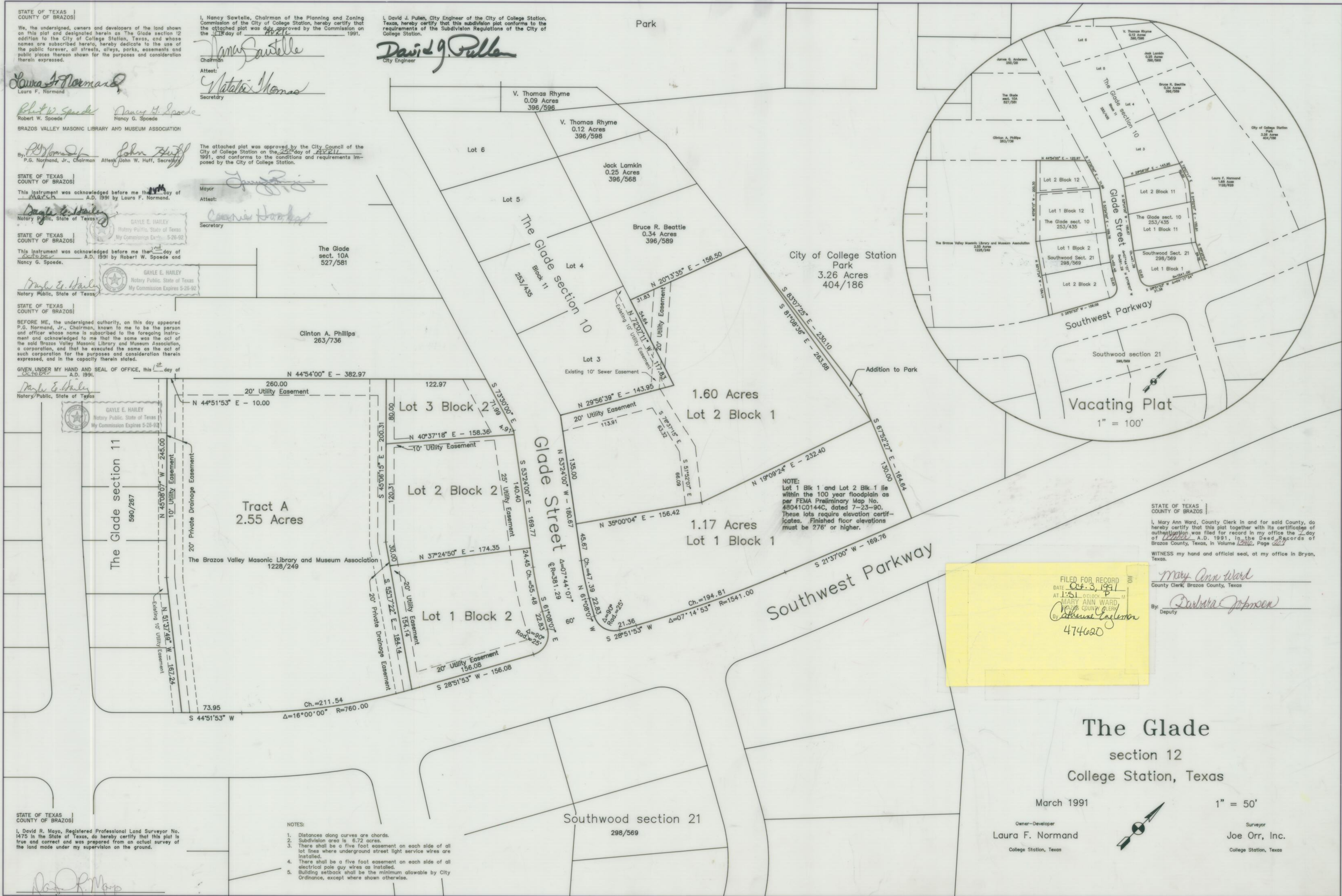
Frank R. Boush
County Clerk
Brazos County, Texas

FILED
2-40

SOUTHWOOD
SECTION 21
COLLEGE STATION, TEXAS

September, 1971
Area Progress Corp.
Owner - Developer

Joe Orr, Inc.
Surveyor - Engineer





REZONING APPLICATION SUPPORTING INFORMATION

Name of Project: RESTRICTED OCCUPANCY OVERLAY

Address: 1801 BEE CREEK DR

Legal Description: SOUTHWOOD PH 21, BLOCK 3, LOT 1 & 2

Total Acreage: 0

Applicant:: SHERRON MCKENZIE

Property Owner: MCKENZIE SHERRON KATHRYN (LIFE

List the changed or changing conditions in the area or in the City which make this zone change necessary.

We are submitting this petition because for many decades we have been a family-oriented neighborhood with most families having lived here for many, many years. Our neighborhood is zoned for single-family homes, but we are starting to see that investors are beginning to turn single-family homes near us into “mini-dorms.” We would like to preserve our area and keep it as a place where families and professionals associated with Texas A&M can live in a quiet, well-maintained neighborhood near the University.

Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

SFOD and Neighborhood Conservation land use

How will this zone change be compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood?

SFOD

Explain the suitability of the property for uses permitted by the rezoning district requested.

SFOD

Explain the suitability of the property for uses permitted by the current zoning district.

SFOD

Explain the marketability of the property for uses permitted by the current zoning district.

SFOD

List any other reasons to support this zone change.

65% of neighbors signed a petition in favor of ROO

**NEIGHBORHOOD PROPERTY OWNERS/PETITION COMMITTEE MEMBERS
CONTACT INFORMATION**

Ruth Barbee, Treasurer
1809 Bee Creek Dr.
College Station, TX 77840
211221bambi@suddenlink.net
979.739.8835 (cell)

Harold Boas, Chair
1812 Bee Creek Dr.
College Station, TX 77840
hpboas@gmail.com
936.245.0442 (cell)

Susan (Sue) Hartman, Secretary
1810 Bee Creek Dr.
College Station, TX 77840
roy.hartman@gmail.com
979.220.3725 (cell)

Sherron (Sherry) McKenzie, Chair & eTrakit registered
1801 Bee Creek Dr.
College Station, TX 77840
sherronmckenzie@verizon.net
214.415.9349 (cell)

ROO NEIGHBORHOOD MEETING ONE MINUTES

Subdivision Name: Southwood 21

Date: March 7, 2023

Meeting: Larry J. Ringer Library, Tuesday, March 7, 2023 6:00 P.M. - 7:30 P.M.

Present: *Southwood Phase 21 ROO Petition committee members:

Chair Sherry McKenzie, Chair Harold Boas, Secretary Sue Hartman,
Treasurer Ruth Barbee.

*College Station City Council staff: Alyssa Halle-Schramm, Naomi Sing.

*19 homeowners from Southwood Phase 21. See sign-in sheet.

*1 realtor and his young son. See sign-in sheet.

Purpose: To inform the residents of Southwood 21 about the ROO application and to answer questions regarding the process.

The Petition Committee arrived early at 4:45 P.M. to set up the room.

Attendance sign-in sheet, email contact list, name tags and donation receptacle at the welcome table.

Petition sheets and 2 Petition committee members at the Petition sign-in table.

Speaker table for Alyssa, Naomi and Petition Committee Presenter, Sherry.

Handout table for handbooks, plat, and assorted ROO Handbook pages.

Sherry McKenzie, Presenter, opened the meeting at 6:00 P.M., welcomed the residents, introduced the Petition Committee members and the City of College Station staff.

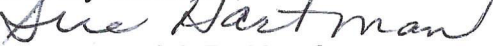
Sherry began by giving an overview of the last 2 months of ROO Committee work. She answered the questions: Why do we need a ROO? What are the requirements for submitting the ROO application?

She then turned the meeting over to the residents for question and answer time. She explained that Alyssa was there to field questions from the group. Some of the questions:

1. How long will the ROO be in place?
2. How is ROO enforced? Alyssa detailed the process for the Code Enforcement and the City Legal Teams.
3. Is there a loss of value to home if sign the petition? No data to support this allegation.
4. City definition of "family and legacy clause" discussed.
5. HOA and ROO: How do they differ?
6. What is the role of apartment associations?
7. What is the % of rentals of our 39 homes?
8. Much discussion centered on the rental registry loophole in the ROO. We had one attendee, a real estate broker (representing the owners of two rental properties), who had called many of the owners of rentals in our Southwood 21 subdivision.
9. Several long-time residents expressed strong support for ROO, stating that they valued the family orientation of the neighborhood, the lasting friendships that have developed among neighbors, and the culture of neighbors helping neighbors. One homeowner commented that family-oriented neighborhoods have the advantage of stability, safety and quietness; moreover, family-occupied properties tend to be more attractive and better maintained.

As no-one had any additional questions or comments, the meeting adjourned at 7:25 P.M.

Respectfully submitted,


Sue Hartman, ROO Petition Secretary

Attest: Print: Sherron McKenzie, chair Sign: Sherron McKenzie, chair
Neighborhood Petition Committee member

Required Sign-In Sheet

RESTRICTED OCCUPANCY OVERLAY MEETING SIGN-IN

DATE 3/7/2023
MEETING # 1

NAME	ADDRESS	EMAIL/PHONE	SIGNATURE
1. Sherron McKenzie	1801 Bee Creek Dr	Sherron McKenzie@Verizon.net	Sherron McKenzie
2. Sue Hartman	1810 Bee Creek Dr	roy.hartman@gmail.com	Sue Hartman
3. Ruth E. Barbee	1809 Bee Creek Dr.	979-696-2983	Ruth Barbee
4. Heidi Marie Boas	1812 Bee Creek Dr. 9/5	979-693-1464	H - Boas
5. Harold Boas	1812 Bee Creek Dr	hpboas@gmail.com	Harold Boas
6. Betty Warhol	1808 Southwood D	979-693-3287	Betty Warhol
7. Fred Warhol	1808 Southwood Dr.	979-324-4478	Fred Warhol
8. Adam Farmer	1818 Bee Creek	979-703-7537	Adam Farmer
9. Benita Williams	1800 Bee Creek Dr	979-219-4986	Benita A. Williams
10. Sally Coble	1805 Bee Creek	979-229-8467	Sally S. Coble
11. Josh Jenkins	1801 Southwood	979-575-7559	Josh Jenkins
12. David Williams	1800 Bee Creek	979-574-9279	David Williams
13. Debbie Walker	1813 Bee Creek	979-220-8709	Debbie Walker
14. Roger Walker	" "	979-324-5948	Roger Walker
15. Bonnie Andersson	1804 Bee Creek	979-693-8595	Bonnie Andersson
16. Harry A. Jensen	" "	" "	Harry A. Jensen
17. Angela P. Hudson	1815 Bee Creek Dr.	678-577-2986	Angela P. Hudson
18. Troy A. Hartman	1810 Bee Creek	979-693-2998	Troy Hartman
19. Carolyn West	1808 Bee Creek Dr.	979-218-3256	Carolyn West
20. Andrea Harvey	1805 Southwood Dr	979-450-6413	Andrea Harvey
21.			
22.			
23.			
24.			
25. Naomi Sang	1101 Texas Ave	nsing@cctx.gov	Naomi Sang
26. Alyssa Hale-Schramm	1101 Texas Ave. (City Hall)	aschramm@cctx.gov	Alyssa Hale-Schramm

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MAR 22 2023

Restricted Occupancy Overlay Petition

By signing below, I agree that the Restricted Occupancy Overlay (ROO) ordinance will limit occupancy to no more than two unrelated persons in a detached single-family dwelling or in an accessory living quarters in (insert subdivision name). I understand that related persons are related by blood, adoption, guardianship, marriage, are an authorized caretaker, or members of a group home for disabled persons, as defined in UDO Section 11.2 Defined Terms in the definition of "Family." I understand that at least 50% + 1 of the total number of single-family zoned or developed building plots in the original subdivision are required to submit the ROO application for consideration. I understand that submitting an application does not guarantee ROO approval.

DATE 3/22/2023
FULL LEGAL
SUBDIVISION NAME: SOUTHWOOD PH 21

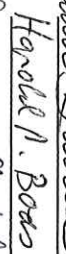
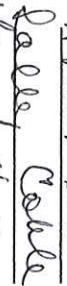
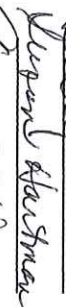
ADDRESS	LEGAL DESCRIPTION	PROPERTY OWNER NAME	SIGNATURE	DATE
1. 1803 Southwood dr	SOUTHWOOD PH 21, Block 4, LOT 10	Kendra Giltis		03/05/23
2. 1805 Southwood Dr.	Southwood PH 21, Block 4, Lot 15	Samuel Eugene Harvey		3/05/2023
3. 1808 Southwood Dr	SOUTHWOOD PH 21, Block 5 Lot 5	FRED WARRICK JR		3/05/2023
4. 1813 Southwood Dr	SOUTHWOOD PH 21, Block 4, Lot 11	SHAWN H REED		3/05/2023
5. 1903 Bee Creek Dr.	Southwood PH 21, Block 6 Lot 2	Jacob Fennell		3/05/23
6. 1901 Bee Creek Dr.	Southwood PH 21, Block 6 Lot 1	Udale SELL		3/05/23
7. 1817 Bee Creek Dr	Southwood PH 21, Block 3, Lot 9	Kimberly Wright		3/5/23
8. 1815 Bee Creek Dr.	Southwood PH 21, Block 3, Lot 8	Angelabudson		3/5/23
9. 1800 Bee Creek Dr	Southwood PH 21, Block 4, Lot 1	Rebecca Williams		3/5/23
10. 1804 Bee Creek Dr.	Southwood PH 21, Block 4, Lot 3	Bonnie Anderson		3-5-23
11. 1823 Bee Creek Dr.	Southwood PH 21, Block 3, Lot 12	Lance Greenhouse		3-5-2023
12. 1807 Bee Creek Dr	Southwood PH 21, Block 3, Lot 4	WALTER KENNEDY		3-5-2023
13. 1811 Bee Creek Dr	Southwood PH 21, Block 3, Lot 6	Solomon, Mary T (Estate)		3-5-2023
14. 1801 Bee Creek Dr	Southwood PH 21, Block 3, Lot 12	Sherron K. McKenzie (Estate)		3-7-2023
15. 1819 Bee Creek Drive	SOUTHWOOD PH 21, Block 3, Lot 10	GRAN BYRON YOUNG JR		3/8/2023
16. 1811 Southwood Dr	Southwood PH 21, Block 4, Lot 13	Wesley J McCLendon Trust		3/8/2023
17. 1802 Bee Creek Drive	Southwood PH 21, Block 4, Lot 2	Ronald G Duclenorth		3/8/2023
18. 1805 Southwood Dr.	Southwood PH 21, Block 5, Lot 1	Christophers Carson		3-8-23

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MAR 22 2023
2:02pm

Restricted Occupancy Overlay Petition

By signing below, I agree that the Restricted Occupancy Overlay (ROO) ordinance will limit occupancy to no more than two unrelated persons in a detached single-family dwelling or in an accessory living quarters in (insert subdivision name). I understand that related persons are related by blood, adoption, guardianship, marriage, are an authorized caretaker, or members of a group home for disabled persons, as defined in UDO Section 11.2. Defined Terms in the definition of "Family." I understand that at least 50% + 1 of the total number of single-family zoned or developed building plots in the original subdivision are required to submit the ROO application for consideration. I understand that submitting an application does not guarantee ROO approval.

DATE 3/22/2023
FULL LEGAL
SUBDIVISION NAME: SOUTHWOOD P14 21

ADDRESS	LEGAL DESCRIPTION	PROPERTY OWNER NAME	SIGNATURE	DATE
1. 1813 Bee Creek Dr	Southwood P14 21 Block 3 Lot 7	Deborah St. Walker		3-7-23
2. 1809 Bee Creek Dr	Southwood P14 21 Block 3 Lot 5	Ruth E. Barbee		3-7-23
3. 1812 Bee Creek Dr	Southwood P14 21 Block 4 Lot 7	Harold P. Boas		3-7-23
4. 1805 Bee Creek Dr	Southwood P14 21 Block 3 Lot 3	Charles & Sally Coble		3/7/23
5. 1810 Bee Creek Dr	Southwood P14 21 Block 4 Lot 6	Susan Hawthorn		3/7/23
6. 1808 Bee Creek Dr	Southwood P14 21 Block 4 Lot 5	Carol Ann Kuykendall		3-7-23
7. 1806 Bee Creek Dr	Southwood P14 21 Block 4 Lot 3	Matthew Cuts		3-13-23
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