



College Station, TX

City Hall
1101 Texas Ave
College Station, TX 77840

Meeting Agenda - Final

City Council Regular

Thursday, February 8, 2018

6:00 PM

City Hall Council Chambers

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

Presentation

- Presentation and recognition of College Station High School state champion football team
- Proclamation for United Way of the Brazos Valley 2-1-1 Day
- Proclamation for Shen Yun Performance Days at Texas A&M
- Presentation recognizing local student participation in the Science and Technology Lego League

Hear Visitors: During this time a citizen may address the City Council on any item which does not appear on the posted Agenda. Registration forms are available in the lobby and at the desk of the City Secretary. This form should be completed and delivered to the City Secretary by 5:30 PM on the day of the Council meeting. Upon stepping to the podium the speaker must state their name and city of residence, including the state of residence if the city is located out of state. Each speaker's remarks are limited to three minutes. A series of timer lights will change from green to yellow and an alarm will sound after two and one-half minutes to signal thirty seconds remaining to conclude the remarks. At three minutes the timer light will change to red and the final alarm will sound. The speaker must then conclude the remarks. The City Council will listen and receive the information presented by the speaker, ask staff to look into the matter, or place the issue on a future agenda. Topics of operational concerns shall be directed to the City Manager. Comments should not personally attack other speakers, Council or staff.

Consent Agenda

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

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

- 2a. [18-0103](#)** Presentation, possible action, and discussion of minutes for:
- January 25, 2018 Workshop

- January 25, 2018 Regular

Sponsors:

Smith

Attachments:[WKSHPO12518 DRAFT Minutes](#)[RM012518 DRAFT Minutes](#)**2b. [18-0067](#)**

Presentation, possible action, and discussion on a bid award for the annual purchase of pad-mounted 15 kV solid dielectric switchgears, which will be maintained in electrical inventory and expended as needed. Techline, Inc. is being recommended the award for a total not to exceed amount of \$539,000.

Sponsors:

Leonard

Attachments:[Tabulation](#)**2c. [18-0070](#)**

Presentation, possible action, and discussion regarding an amendment to Contract No. 16300279 with PGAL for design of the new Police Department Headquarters Building to utilize the Construction Manager at Risk project delivery method.

Sponsors:

Wozniak

2d. [18-0073](#)

Presentation, possible action, and discussion regarding the award of Bid 18-036 and approval of award to Techline, Inc. in the amount of \$109,060 for the purchase of materials related to transmission poles replacement.

Sponsors:

Crabb

Attachments:[Tabulation](#)**2e. [18-0077](#)**

Presentation, possible action, and discussion regarding an Advance Funding Agreement (AFA) for Voluntary Local Government Contributions to Transportation Improvement Projects with No Required Match on System with the Texas Department of Transportation (TXDOT) for the FM 2818 Widening project.

Sponsors:

Harmon

Attachments:[FM 2818 Schematic - AFA-AFA VolTIP - for Partial Execution](#)[2017-06-22 PLM - FM2818 Capacity Improvements](#)**2f. [18-0078](#)**

Presentation, possible action, and discussion 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," of the Code of Ordinances of the City of College Station, Texas, by removing parking On the west side of Oney Harvey Drive to the end of the road and on the east side from Holleman Drive to 140 feet down the east side of Oney Harvey Drive and on the north side of Southland Street to the end of the road

and from Wellborn Road to 125 feet down the south side of Southland Street.

Sponsors:

Rother

Attachments:

[No Parking - Map - Oney Hervey and Southland](#)

[Oney Hervey Southland Parking Ord](#)

2g. [18-0079](#)

Presentation, possible action, and discussion regarding approval of Change Order No. 2 to the construction contract with Larry Young Paving for a reduction of \$253,599.11 on the Royder Road Expansion Project.

Sponsors:

Harmon

Attachments:

[Royder Change Order #2](#)

[Project Map-1](#)

2h. [18-0080](#)

Presentation, possible action, and discussion on a professional services contract (No. 18300230) with Halff Associates, Inc. in the amount of \$1,221,004 for the design and construction phase services related to the Southeast Park Project.

Sponsors:

Harmon

Attachments:

[Southeast Park Project Location Map](#)

[Phasing Plan Aerial Map](#)

2i. [18-0081](#)

Presentation, possible action, and discussion regarding the award of a service contract (Contract No. 18300261) between the City of College Station and All Around Tree Service, Inc., for an annual amount not to exceed \$150,000 for Landscaping, Tree Trimming and Removal Services as needed.

Sponsors:

Harmon

2j. [18-0084](#)

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

Sponsors:

McCollum

Attachments:

[Letter to City Council](#)

[2017 Analysis](#)

Regular Agenda

Individuals who wish to address the City Council on an item posted as a public hearing shall register with the City Secretary prior to the Mayor's announcement to open the public hearing. A speaker who wishes to include computer-based information while addressing the Council must provide the electronic file to the City Secretary by noon of the Council meeting day when the presentation is planned. The Mayor will recognize individuals who

wish to come forward to speak for or against the item. Upon stepping to the podium the speaker must state their name and city of residence, including the state of residence if the city is located out of state. On items related to land use and those that would directly impact the speaker's residence or neighborhood, the speaker is encouraged to identify their College Station neighborhood. Each speaker's remarks are limited to three minutes. A series of timer lights will change from green to yellow and an alarm will sound after two and one-half minutes to signal thirty seconds remaining to conclude the remarks. At three minutes the timer light will change to red and the final alarm will sound. The speaker must then conclude the remarks. After a public hearing is closed, there shall be no additional public comments. If Council needs additional information from the general public, some limited comments may be allowed at the discretion of the Mayor.

1. [18-0100](#) Public Hearing, presentation, possible action, and discussion regarding a Conditional Use Permit for a bar in approximately 1,980 square feet of an existing commercial space at 650 William D. Fitch Parkway, Suite 500, generally located on the southwest corner of Arrington Road and William D. Fitch Parkway.

Sponsors:

Helton

Attachments:

[Background Information](#)

[Vicinity, Aerial & SAM](#)

[ordinance](#)

2. [18-0096](#) Public Hearing, presentation, possible action, and discussion regarding an Ordinance amending Appendix A, "Unified Development Ordinance," Section 3.22 "Comprehensive Plan," and Section 3.3 "Zoning Map Amendment (Rezoning)" of the Code of Ordinances of the City of College Station, Texas, regarding the criteria used in the consideration of Comprehensive Plan amendments and rezonings.

Sponsors:

Hitchcock

Attachments:

[UDO Sec. 3.22 Comp Plan Redline](#)

[UDO Sec. 3.3 Rezoning Redline](#)

[Ordinance](#)

3. [18-0101](#) Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Appendix A, "Unified Development Ordinance", Section 2.5 "Design Review Board", Section 2.12 "Summary of Review Authority", Section 3.7 "Wolf Pen Creek Design District Site Plan Review", Section 3.8 "Wolf Pen Creek Design District Building and Sign Review", and Section 5.8 "Design Districts - Wolf Pen Creek (WPC)" of the Code of Ordinances of the City of College Station, Texas, regarding the criteria for administrative approval of site plans, buildings and signs in the Wolf Pen Creek Design District.

Sponsors:

Helton

Attachments:

[Section 2.5 Design Review Board Redline.pdf](#)
[Section 2.12 Summary of Review Authority Redline.pdf](#)
[Section 3.7 WPC Site Plan Review Redline.pdf](#)
[Section 3.8 WPC Building & Sign Review Redline.pdf](#)
[Section 5.8 WPC Design Districts Redline.pdf](#)
[Ordinance](#)

4. [18-0087](#)

Public Hearing, presentation, possible action, and discussion on Budget Amendment #1 amending Ordinance No. 3936 which will amend the budget for the 2017-2018 Fiscal Year in the amount of \$3,079,541 and increase the net personnel FTE count by 2.0 and presentation, possible action and discussion on interfund transfer totaling \$54,000.

Sponsors:

Leonard

Attachments:

[FY18 BA#1 rev CK REV](#)
[Ordinance](#)

5. [18-0105](#)

Presentation, possible action, and discussion regarding appointments to the following boards and commissions:

- Construction Board of Adjustments and Appeal
- Design Review Board
- Historic Preservation Committee
- Joint Relief Funding Review Committee
- Zoning Board of Adjustment

Sponsors:

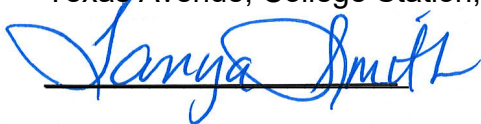
Smith

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

7. Adjourn.

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

I certify that the above Notice of Meeting was posted at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on February 2, 2018 at 5:00 p.m.



City Secretary

This building is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are asked to contact the City Secretary's Office at (979) 764-3541, TDD at 1-800-735-2989, or email adaassistance@cstx.gov at least two business days prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least two business days prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

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

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

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

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



Legislation Details (With Text)

File #: 18-0103 **Version:** 1 **Name:** Minutes
Type: Minutes **Status:** Consent Agenda
File created: 1/29/2018 **In control:** City Council Regular
On agenda: 2/8/2018 **Final action:**
Title: Presentation, possible action, and discussion of minutes for:
• January 25, 2018 Workshop
• January 25, 2018 Regular
Sponsors: Tanya Smith
Indexes:
Code sections:
Attachments: [WKSHP012518 DRAFT Minutes](#)
[RM012518 DRAFT Minutes](#)

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

- January 25, 2018 Workshop
- January 25, 2018 Regular

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): Approval

Summary: None

Budget & Financial Summary: None

Attachments:

- January 25, 2018 Workshop
- January 25, 2018 Regular

MINUTES OF THE CITY COUNCIL WORKSHOP
CITY OF COLLEGE STATION
JANUARY 25, 2018

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Karl Mooney, Mayor

Council:

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

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Carla Robinson, City Attorney
Lisa McCracken, Records Management Administrator
Yvette Dela Torre, Deputy Local Registrar

1. Call to Order and Announce a Quorum is Present

With a quorum present, the Workshop of the College Station City Council was called to order by Mayor Mooney at 4:04 p.m. on Thursday, January 25, 2018 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

2. Executive Session

In accordance with the Texas Government Code §551.071-Consultation with Attorney, and §551.074-Personnel, the College Station City Council convened into Executive Session at 4:07 p.m. on Thursday, January 25, 2018 in order to continue discussing matters pertaining to:

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

- City of College Station v. Gerry Saum, Individually, and as Independent Executrix of the Estate of Susan M. Wood, Deceased; Cause No. 17-002742-CV-361; In the 361st District Court, Brazos County, Texas

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

- Council Self-evaluation
- City Manager
- City Attorney
- City Internal Auditor
- City Municipal Judge

The Executive Session recessed at 4:40 p.m.

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

No action was required from Executive Session.

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

Items 2g, 2h, 2i, 2j, 2k were pulled from Consent for clarification.

(2g): *Lance Simms*, Director of Planning and Development Services, provided clarification of the adoption of ordinance to prepare service plan and establishing public hearing dates for annexation.

(2h): *Lance Simms*, Director of Planning and Development Services, provided clarification on an Ordinance approving an Oversize Participation agreement with BKCK LTD for a new water main along Hwy 6 South and the intersection of Sebesta Road. Mr. Simms clarified that the new main was being built to accommodate new growth and explained the definition of an Over Size Participation. *David Coleman*, Director of Water Services, explained that the impact fees still apply for the initial development of the new water main. The reason for the OP was to feed the third water tower being constructed.

2(i) and (j): *Jason Schubert*, Transportation Planning Coordinator, explained that the reason for parking removals for new street construction was to provide emergency access.

2(j): *Jason Schubert*, Transportation Planning Coordinator, there was no additional discussion on this item.

2(k): *Donald Harmon*, Director of Public Works, clarified that the project was not being funded by impact fees but by the Streets Capital Projects fund. *Jeff Kersten*, Assistant City Manager, clarified that impact fees are just being collected and are no available as of yet. As they are collected they will be distributed into the various zones for future projects.

5. Presentation, possible action, and discussion regarding an annual report on the activities of the Historic Preservation Committee.

Lou Hodges, Chair, provided Council with an annual report on the activities of the Historic Preservation Committee, including pamphlet with a map of A&M Faculty Homes, the approval of two historic home markers, monthly history luncheons, historic markers, revisions to the American Mile, new programs for 2018, and combining the duties of the Landmark Commission with those of the HPC. Plans for 2018 are to continue with the aforementioned activities.

6. Presentation, possible action, and discussion concerning the City Internal Auditor's Audit of the Procurement Card Program.

Ty Elliott, Internal Auditor, reported that the City's Procurement Card Program was adequately mitigating risk and encouraging efficient and effective use of procurement cards. As a result, City employees are predominately using their cards to the achievement of the program's objectives. Despite this positive assertion, we believe some controls could be strengthened in order to further reduce risk. We have summarized some of our key recommendations below:

1. Restructure internal controls to better ensure that transactions are appropriately reviewed.
2. Adjust the current process to ensure the procurement cards of terminated employees are closed as quickly as possible.
3. Investigate JP Morgan system controls that would prevent split purchases.
4. Prevent employees from exceeding highest approved single and monthly transaction limits.
5. Work with departments annually to reassign cardholders into appropriate spending categories.

7. Due to a numbering error this item did not appear on the agenda.

8. Presentation, possible action, and discussion regarding providing additional flexibility for the single-family Neighborhood Conservation Overlay district.

Justin Golbabai, Planning and Development, presented a request that will allow for more flexible and customizable language to the Neighborhood Conservation Overlay (NCO) as supported by Action Item NI&CC 2.1 in Southside Neighborhood Plan to "Amend the Unified Development Ordinance to include a Character Preservation zoning option that provides the neighborhood with the flexibility to select the character elements and to determine the area to which they may apply." The Eastgate Neighborhood Plan similarly has actions items to "Develop/amend the single-family overlay ordinance options" and to "work with neighborhood residents to identify and resolve roadblocks to adopting or implementing a new type of neighborhood overlay." Planning and Development Services Staff is currently working with the Southside neighborhood on an application to form a NCO District for College Park, Oakwood, and Dulaney neighborhoods. Through this process, the neighborhood has felt that the language in the section of the UDO governing NCO District options to be overly restrictive and rigid. Therefore, they have asked for additional flexibility in the ordinance language that would allow more customization in the overlay to better target neighborhood issues without overregulating other areas in the process.

Some of the requested changes include:

- Allowing maximum lot coverage calculations to be customized of what is and isn't included so they can exclude impervious elements such as patios and outdoor recreational areas.
- Allow the neighborhood to customize what is included in tree preservation to able to exclude certain invasive species of trees from tree protection as well as to be able to select a larger caliper inch standard than the eight-inch caliper inches allowed for in the ordinance.
- Allow further restrictions on the amount and placement of parking areas.
- Allow minimum lot size calculations to only apply to new subdivisions as is currently applied without the overlay.

Staff requested direction from City Council on whether or not to move forward with the development of an ordinance amendment that provides additional flexibility to the Neighborhood Conservation Overlay District.

Council directed staff to come up with a process to ensure that information and notification is being shared by the City to all those concerned at the earliest time possible. Council would like for staff to clarify and establish the boundaries for any proposed changes in any district throughout the City. Staff should make themselves available if asked to attend any of the neighborhood meetings.

9. Presentation, possible action, and discussion regarding the renovation of the existing Arts Council Building for use as a Community Center with an emphasis on Senior Programming.

Erica Wozniak, Project Manager-Vertical Design and Construction, and David Schmitz, Parks and Recreation Director, provided an overview of the current Arts Council Building, after it is vacated, which will be renovated for use as a Community Center with an emphasis on Senior Programming. The layout of the building will be reconfigured to better accommodate community activities, ADA issues will be addressed and the HVAC system will be replaced. Senior Advisory Committee recommends the inclusion of Wanda and Robert Meyer in the naming of the facility. The official naming will be made after consideration by the Parks and Recreation Advisory Board at the February meeting before recommendations are presented to the City Council for approval.

Mayor Mooney recessed the Workshop at 7:04 p.m.

Workshop reconvened at 9:58 p.m.

10. Council Calendar

Council reviewed the calendar.

11. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Annexation Task Force, Arts Council of Brazos Valley, Arts Council Sub-committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of

Commerce, Budget and Finance Committee, BVSWMA, BVWACS, Compensation and Benefits Committee, Experience Bryan-College Station, Design Review Board, Economic Development Committee, FBT/Texas Aggies Go to War, Gulf Coast Strategic Highway Coalition, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Sister Cities Association, Transportation and Mobility Committee, TAMU Economic Development, TAMU Student Senate, Texas Municipal League, Twin City Endowment, Walk with the Mayor, YMCA, Youth Advisory Council, Zoning Board of Adjustments.

Councilmember Rektorik reported on Experience Bryan-College Station (EBCS) and the RVP.

12. Adjournment

There being no further business, Mayor Mooney adjourned the workshop of the College Station City Council at 10:00 p.m. on Thursday, January 25, 2018.

Karl Mooney, Mayor

ATTEST:

Tanya Smith, City Secretary

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
JANUARY 25, 2018

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Karl Mooney, Mayor

Council:

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

City Staff:

Kelly Templin, City Manager
Chuck Gilman, Deputy City Manager
Carla Robinson, City Attorney
Tanya Smith, City Secretary
Lisa McCracken, Records Management Administrator
Yvette Dela Torre, Deputy Local Registrar

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Mooney at 7:07 p.m. on Thursday, January 25, 2018 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

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

Historic Marker presentation for 601 Montclair Avenue by Historic Preservation Committee chairperson Lou Hodges.

Lou Hodges, Historic Preservation Committee Chair, provided a brief overview of the Historic Marker program. Mayor Mooney presented Marker No. 93 to Paul Dutton, a resident of the house, on behalf of Jeff and Brenda Hood for the residence located at 601 Montclair. The original plaque has disappeared over the years so the current owners applied for a new plaque.

Historic Marker presentation for 700 Thomas Avenue by Historic Preservation Committee chairperson Lou Hodges.

Lou Hodges, Historic Preservation Committee Chair, provided a brief overview of the Historic Marker program. Mayor Mooney presented Marker No. 92 to Jim and Stephanie Russ for the residence located at 700 Thomas Avenue.

Hear Visitors Comments

James Benham, College Station, came before Council to honor the service and sacrifice of Sergeant Glenn Hicks Jr.

CONSENT AGENDA

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

- **January 11, 2018 Workshop Meeting**
- **January 11, 2018 Regular Meeting**

2b. Presentation, possible action, and discussion concerning award of contract 18300144 in the amount of \$560,900 to JaCody Construction to purchase and install replacement Screw Lift Pumps 2 & 4 at the Carters Creek Wastewater Treatment Plant.

2c. Presentation, possible action and discussion regarding Change Order No. 1 to construction contract 17300389 with McDonald Municipal & Industrial decreasing the contract amount by \$52,182 resulting in a new contract total of \$1,074,287.

2d. Presentation, possible action, and discussion on the second reading of Ordinance No. 2018-3974 a franchise agreement with CCAA Management Series, LLC d/b/a Brazos Valley Recycling d/b/a The Big Dumpster; for the collection of recyclables from commercial businesses and multi-family locations.

2e. Presentation, possible action and discussion on approving annual tire purchases and retread services from Southern Tire Mart, LLC through the BuyBoard Purchasing Cooperative (Contract 470-14) in the annual not-to-exceed amount of \$230,000.

2f. Presentation, possible action, and discussion on approving an annual blanket purchase order for the purchase of repair parts and repair labor for fire trucks from Siddons-Martin Emergency Group through the BuyBoard Purchasing Cooperative (Contract 481-15) in an amount not to exceed \$120,000.

2g. Presentation, possible action, and discussion regarding adoption of Ordinance No. 2018-3975 directing staff to prepare a service plan and establishing public hearing dates and times for the annexation of approximately 65 acres on the west side of the City.

2h. Presentation, possible action, and discussion regarding Ordinance No. 2018-3976 approving an Oversize Participation (OP) agreement with BKCK, LTD. in the amount of \$149,805.60 for a new water main along State Highway 6 South near the intersection of Sebesta Road.

2i. Presentation, possible action, and discussion of an Ordinance No. 2018-3977 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,” of the Code of Ordinances of the City of College Station, Texas, by removing parking on the north side of Hayes Lane from the intersection with Towers Parkway west to Papa Bear Drive, on both sides of Regiment Way, and on the north and west sides of Papa Bear Drive from the intersection with Towers Parkway and extending west and south to 120 feet southwest of the intersection with Hayes Lane.

2j. Presentation, possible action, and discussion regarding Ordinance No. 2018-3978 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,” of the Code of Ordinances of the City of College Station, Texas, by removing parking on the north side of Alamosa Street between Summit Crossing Lane and Dakota Lane, on the south side of Buena Vista between Summit Crossing Lane and Dakota Lane, on the east side of Dakota Lane between Alamosa Street and Buena Vista, and on both sides of the Public Alley between Alamosa Street and Buena Vista.

2k. Presentation, possible action, and discussion regarding approval of construction contract no. 18300175 with Larry Young Paving in the amount of \$9,437,032.49 for the construction of the Holleman South Widening Project.

2l. Presentation, possible action, and discussion regarding Resolution No. 01-25-18-2l for Strong and Sustainable Grant Program that repeals resolution No. 04-09-09-2d and delegates authority to the City Manager to administer and implement the Strong & Sustainable Neighborhoods Grant Program Policy.

City Attorney, Carla Robinson, distributed an updated Resolution No. 01-25-18-2l to the council.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Rektorik, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda with the updated resolution of (2l). The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance No. 2018-3979 amending Appendix A, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from PDD Planned Development District to PDD Planned Development District for approximately 5.6 acres being situated in Pooh's Park Subdivision, more generally located in the 200 block of Holleman Drive East.

Jenifer Paz, Planning and Development stated that this request is to rezone approximately 5.6 acres from PDD Planned Development District to PDD Planned Development District with a base zoning of T Townhouse. The PDD would modify the definition of townhouse to allow for detached structures. With this modification, this development would allow for the development of 62 detached townhouses designed for students.

The Planning & Zoning Commission considered this item at their January 4, 2018 meeting and voted 5-0 to recommend approval. Staff recommended approval of the PDD Planned Development District zoning request and the associated Concept Plan.

At approximately 7:43p.m., Mayor Mooney opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:43 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Rektorik, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance no. 2018-3979, amending Appendix A, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from PDD Planned Development District to PDD Planned Development District for approximately 5.6 acres being situated in Pooh's Park Subdivision, more generally located in the 200 block of Holleman Drive East. The motion carried unanimously.

2. Public Hearing, presentation, possible action, and discussion regarding Ordinance No. 2018-3980 amending the Comprehensive Plan - Future Land Use & Character Map from Suburban Commercial, Estate, and Natural Areas Reserved to General Commercial and Natural Areas Reserved for approximately 35 acres generally located at the intersection of Rock Prairie Road and William D. Fitch Parkway.

Jade Broadnax, Planning and Development, stated that the applicant has requested an amendment to the Comprehensive Plan's Future Land Use and Character Map from Suburban Commercial, Estate, and Natural Areas Reserved to General Commercial and Natural Areas Reserved. Though the subject property is located near the intersection of two regionally significant roadways, with the surrounding low density land uses, the Comprehensive Plan specifically states that the land adjacent to the intersection of William D. Fitch Parkway and Rock Prairie Road would be appropriate for suburban or neighborhood commercial and office uses. Staff recommends denial of the Comprehensive Plan Future Land Use and Character Map amendment due to the existing rural and estate context, lack of changed conditions in the area, and the pending changes to the Suburban Commercial zoning district.

The Planning & Zoning Commission considered this request at their January 4th meeting and voted 5-0 to recommended approval of General Commercial land use from the intersection of William D. Fitch Parkway and Rock Prairie Road to the boundary of Williams Creek Drive with the boundaries of Estate and Natural Areas Reserved to remain the same.

At approximately 8:10 p.m., Mayor Mooney opened the Public Hearing.
Dr. Bhaskar Dutta & Dr. Nandita Chaudhuri, provided written comments, attached.

Janet Johnson, provided written comments, attached.

Williams Creek Lake Estates Owners Association, provided written comments, attached.

Estate of Williams Creek Owners Association, provided written comments, attached.

Joe Johnson, developer of Williams Creek Lake Estates and Estate of Williams Creek, would like to stay close to the original comp plan.

James Bruggeman, resident of Williams Creek subdivision, opposes the amendment of the Comprehensive Plan. Believes the area should remain rural in character and that there is no need for General Commercial in the area.

There being no further comments, the Public Hearing was closed at 8:19 p.m.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Harvell, the City Council voted five (5) for and one (2) opposed, to deny Ordinance No. 2018-3980, amending the Comprehensive Plan - Future Land Use & Character Map from Suburban Commercial, Estate, and Natural Areas Reserved to General Commercial and Natural Areas Reserved for approximately 35 acres generally located at the intersection of Rock Prairie Road and William D. Fitch Parkway. The motion carried.

3. Public Hearing, presentation, possible action, and discussion regarding Ordinance No. 2018-3981 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 from R Rural to PDD Planned Development District on approximately 8 acres of land, located at 3596 Greens Prairie Road West.

Rachel Lazo, Planning and Development, stated that this request is to rezone approximately 8 acres located at the northwest corner of Greens Prairie Road West and Victoria Avenue from R Rural to PDD Planned Development District with a base zoning district of WE Wellborn Estate. The stated purpose and intent of the requested PDD is “proposing to build a unique product that is comparable to the density required in the WE Wellborn Estate zoning district and designed for seniors and others in need of living assistance.” The Concept Plan proposes an assisted living development that physically appears to be similar to the adjacent residential homes. Buildings are proposed to be single-story. Access from Greens Prairie Road is proposed. The modifications requested: WE Wellborn Estate is proposed as the base zoning district with a modification to increase the maximum density from 0.5 dwelling units per acre, to 0.86 dwelling units per acre. A second modification has been proposed to provide approximately 64 parking spaces for 72 residents. The justification for this request is provided in the accompanying parking demand letter. Lastly, the applicant is requesting a modification to allow Assisted Living as a permitted use in the WE Wellborn Estate zoning district.

The Planning & Zoning Commission considered this item at their January 18, 2018 meeting and voted 6-0 to recommend approval. Staff recommended approval.

At approximately 9:31 p.m., Mayor Mooney opened the Public Hearing.

Jane Cohen, provided oral and written comments, attached. Mrs. Cohen had concerns with the disposal of hazardous and biomedical waste into the septic system. She also believes the area should follow the established Wellborn Community Plan.

Matthew Moore, a College Station resident, spoke in favor of the Small House Senior Living concept.

Bao, Le D.O., a College Station resident, spoke in favor of the Small House Senior Living concept. As a cardiologist, he sees patients that fear being institutionalized and losing their independence. The elderly want to live in a quiet environment and belong to the community.

There being no further comments, the Public Hearing was closed at 9:48p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Moore, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance No. 2018-3981, 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 from R Rural to PDD Planned Development District on approximately 8 acres of land, located at 3596 Greens Prairie Road West. The motion carried unanimously.

4. Presentation, possible action, and discussion regarding an appointment to the City of College Station Parks and Recreation Board.

MOTION: Upon a motion made by Councilmember Rektorik and a second by Councilmember Harvell, the City Council voted seven (7) for and none (0) opposed, to re-appoint Ann Hays to the Park and Recreation Board. The motion carried unanimously.

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

Councilmember Rektorik requested update on the annexation.

11. Adjournment.

There being no further business, Mayor Mooney adjourned the Regular Meeting of the City Council at 9:58 p.m. on Thursday, January 25, 2017.

Karl Mooney, Mayor

ATTEST:

Tanya Smith, City Secretary



Legislation Details (With Text)

File #:	18-0067	Version:	1	Name:	Purchase of Die Electric Switchgears
Type:	Presentation	Status:		Consent Agenda	
File created:	1/18/2018	In control:		City Council Regular	
On agenda:	2/8/2018	Final action:			
Title:	Presentation, possible action, and discussion on a bid award for the annual purchase of pad-mounted 15 kV solid dielectric switchgears, which will be maintained in electrical inventory and expended as needed. Techline, Inc. is being recommended the award for a total not to exceed amount of \$539,000.				
Sponsors:	Mary Ellen Leonard				
Indexes:					
Code sections:					
Attachments:	Tabulation				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on a bid award for the annual purchase of pad-mounted 15 kV solid dielectric switchgears, which will be maintained in electrical inventory and expended as needed. Techline, Inc. is being recommended the award for a total not to exceed amount of \$539,000.

Relationship to Strategic Goals: Core Services and Infrastructure

Recommendation(s): Recommend award to Techline, Inc. as the lowest responsible bidder providing the best value to the City.

Summary: Two (2) sealed competitive bids were received and opened on January 9, 2018. Only one bid received was considered responsive. Electric staff evaluated the responsive bid for compliance to the needed specifications and recommended award to Techline, Inc.

Upon Council approval, a blanket order will be issued to the Techline, Inc. The materials will be placed and maintained in the electrical inventory and expended as needed.

Budget & Financial Summary: Funds are budgeted and available in the Electrical Fund. Various projects may be expensed as supplies are pulled from inventory and issued.

Reviewed and Approved by Legal: N/A

Attachments: Bid Tabulation #18-025



City of College Station - Purchasing Division
Bid Tabulation for #18-025
"Annual Purchase of Dielectric Switchgears"
Open Date: Tuesday, January 9, 2018 @ 2:00 p.m.

			Techline, Inc.		TEC/ Solomon Corporation	
Item	Qty	Description	Unit Cost	Total Cost	Unit Cost	Total Cost
A1	10	Pad-Mounted Solid Dielectric Switchgear, (2) Source, (2) Load Front and Back Access	\$37,275.00	\$372,750.00		
		Manufacturer	Elastimold		No Bid	
		Catalog No.	ESD314-TTKK-6622			
		Delivery Time (weeks)	14-16 weeks			
A2	5	Pad-Mounted Solid Dielectric Switchgear, (3) Source, (1) Load Front and Back Access	\$33,250.00	\$166,250.00		
		Manufacturer	Elastimold		No Bid	
		Catalog No.	ESD314-TTTK-6662			
		Delivery Time (weeks)	12-14 weeks			
		Annual Award Amount	\$539,000.00			
		Bid Certification	Y			
		Addendum Acknowledged	Y			
		Notes				



Legislation Details (With Text)

File #: 18-0070 Version: 1 Name:
Type: Presentation Status: Consent Agenda
File created: 1/18/2018 In control: City Council Regular
On agenda: 2/8/2018 Final action:
Title: Presentation, possible action, and discussion regarding an amendment to Contract No. 16300279 with PGAL for design of the new Police Department Headquarters Building to utilize the Construction Manager at Risk project delivery method.
Sponsors: Erica Wozniak
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding an amendment to Contract No. 16300279 with PGAL for design of the new Police Department Headquarters Building to utilize the Construction Manager at Risk project delivery method.

- Core Services and Infrastructure

Recommendation(s): Amend the Professional Services Contract No. 16300279 with PGAL for the design of the new Police Department Headquarters Building in order to utilize the Construction Manager at Risk project delivery method as directed at the January 11th, 2018, City Council Meeting.

Summary:

With this amendment, the Professional Services Contract with PGAL for the design of the new Police Department Headquarters Building will be amended to reference a "construction manager" in lieu of a "Construction contractor" in order to utilize the Construction Manager at Risk project delivery method. PGAL has also agreed to comply with the terms and conditions in the City's Construction Manager at Risk Construction Contract that pertain to the architect. Additionally, the professional liability insurance requirements in the original contract will be modified to permit a higher deductible. The amendment allows PGAL to continue the design of this project given the need to move forward with this important project quickly in order to preserve and protect the public health and safety of the city's residents.

Budget & Financial Summary:

The approved total project budget is \$28,000,000.

Attachments:



Legislation Details (With Text)

File #:	18-0073	Version:	1	Name:	Electric Transmission Material for Transmission Project
Type:	Bid Award	Status:			Consent Agenda
File created:	1/19/2018	In control:			City Council Regular
On agenda:	2/8/2018	Final action:			
Title:	Presentation, possible action, and discussion regarding the award of Bid 18-036 and approval of award to Techline, Inc. in the amount of \$109,060 for the purchase of materials related to transmission poles replacement.				
Sponsors:	Timothy Crabb				
Indexes:					
Code sections:					
Attachments:	Tabulation				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the award of Bid 18-036 and approval of award to Techline, Inc. in the amount of \$109,060 for the purchase of materials related to transmission poles replacement.

Relationship to Strategic Goals: (Select all that apply)

- Core Services and Infrastructure

Recommendation(s):

Staff recommends approval the award to Techline, Inc. in the amount of \$109,060 to provide the transmission materials at the lowest evaluated cost to the City as shown by the attached Bid Tab 18-036.

Summary:

This bid is for materials which include new poles to replace five wood transmission poles, transmission crossarms for these poles, and new optical ground wire (OPGW) running from Southwood Valley to Post Oak to Switch Substation.

Four (4) sealed competitive bids were received and opened on January 5, 2018. Bids were evaluated on the cost to provide transmission materials. Of the four sealed competitive bids, one (1) was non-compliant with the NAFTA requirement, one (1) bidder was non-compliant with supplying the addendum and one (1) bidder took exception and required a deposit for steel reels housing fiber. Because of the exception and the non-compliant item, Staff chose to go with Techline, Inc. for the items bid.

Budget & Financial Summary:

Funds for this project are presently budgeted in the FY18 Budget, the Electric Capital Improvement Projects Fund.

Attachments:

1. Bid Tab 18-036

**BID 18-036 138 kV TRANSMISSION SYSTEM IMPROVEMENTS
CONCRETE POLES, COMPOSITE FIBERGLASS POLES, OPGW CONDUCTOR,
and INSULATORS**

BID SUMMARY

	Suzhou Furukawa Power Optics Cable Co., Ltd	Techline, Inc.	Wesco Distribution, Inc.
Group A	no bid	\$43,346.00	\$44,305.26
Group B	no bid	no bid	no bid
Group C	\$46,018.00	\$61,934.00	\$61,934.00
Group D	no bid	\$3,780.00	no bid
Recommended Award		\$109,060.00	
Bid Certification	Y	Y	Y
Addendum Acknowledged	Y	Y	N
Notes/Exceptions	Group C deemed non-responsive because they do not meet specifications of being manufactured on the North American Continent		Includes a deposit for steel reels in group C

Notes:

Texas Electric Cooperative submitted a bid with no pricing sheets. Their bid is deemed non-responsive.

GROUP A
CONCRETE POLES BID TABLE

					Techline						Wesco Distribution, Inc.					
Item	Structure Number	Quantity Required	Unit	Description	Tip Diameter (in)	Butt Diameter (in)	Weight (lbs)	Delivery (weeks)	Unit Bid Price (\$)	Extended Bid Price (\$)	Tip Diameter (in)	Butt Diameter (in)	Weight (lbs)	Delivery (weeks)	Unit Bid Price (\$)	Extended Bid Price (\$)
A-1	PO-SWV 60	1	Each	Concrete pole, Ninety-Five (95) feet . This pole is to be direct embedded with a concrete backfill. See included Drawing No. MEI-12678-200 in Exhibit B for details on design.	21.87	42.39	37,552	12	\$10,275.00	\$10,275.00	21.87	42.39	37,552	12	\$10,500.00	\$10,500.00
A-2	PO-SWV 64	1	Each	Concrete pole, Ninety-Five (95) feet . This pole is to be direct embedded with a concrete backfill. See included Drawing No. MEI-12678-204 in Exhibit B for details on design.	15.39	35.91	27,304	12	\$8,288.00	\$8,288.00	15.39	35.91	27,304	12	\$8,468.42	\$8,468.42
A-3	PO-SWV 68	1	Each	Concrete pole, Ninety-Five (95) feet . This pole is to be direct embedded with a concrete backfill. See included Drawing No. MEI-12678-208 in Exhibit B for details on design.	15.39	35.91	27,304	12	\$8,288.00	\$8,288.00	15.39	35.91	27,304	12	\$8,468.42	\$8,468.42
A-4	PO-SWV 69	1	Each	Concrete pole, One Hundred (100) feet . This pole is to be direct embedded with a concrete backfill. See included Drawing No. MEI-12678-210 in Exhibit B for details on design.	13.23	34.83	25,328	12	\$8,120.00	\$8,120.00	13.23	34.83	25,328	12	\$8,300.00	\$8,300.00
A-5	HWY6 POLE 12	1	Each	Concrete pole, Eighty-Five (85) feet . This pole is to be direct embedded with a concrete backfill. See included Drawing No. MEI-13016-150 in Exhibit B for details on design.	17.55	36.99	29040	12	\$8,375.00	\$8,375.00	17.55	36.99	29040	12	\$8,568.42	\$8,568.42
GROUP A TOTAL					Valmont				\$43,346.00		(not provided)				\$44,305.26	

GROUP C
OPGW CONDUCTOR BID TABLE

				Suzhou Furukawa Power Optics Cable Co., Ltd			Techline, Inc.			Wesco Distribution, Inc.		
Item	Quantity Required	Unit	Description	Delivery (weeks)	Unit Bid Price (\$)	Extended Bid Price (\$)	Delivery (weeks)	Unit Bid Price (\$)	Extended Bid Price (\$)	Delivery (weeks)	Unit Bid Price (\$)	Extended Bid Price (\$)
C-1	34,600	feet	96 Single Mode Fiber Count OPGW, Stainless Steel Loose Tube, Aluminum Alloy, Aluminum-Clad Steel Cable on two (2) reels. The reels will have the following quantity; Reel 1 13,500', and Reel 2 21,100'. Reels are to be returnable steel reels only. Wood reels arenot allowed. AFL Catalog Number S4-62/44/577 Specification DNO-11553 or Equal.	12 weeks	\$1.33	\$46,018.00	10-12 weeks	\$1.79	\$61,934.00	10-12 weeks	\$1.79	\$61,934.00
C-2	730	feet	96 Single Mode Fiber Count (Corning Fiber only), loose tube, gel-free cable. Corning ALTOS Catalog Number 096EU4-T4101D20 only - no substitutes.			\$0.00			\$0.00			\$0.00
GROUP C TOTAL				(not provided)	\$46,018.00		AFL	\$61,934.00		(not provided)	\$61,934.00	
				Group C deemed non-responsive because they do not meet specifications of being manufactured on the North American Continent					*If steel request there will be a deposit: - 60" Reel = \$732 each - 72" Reel = \$868 each - 84" Reel = \$1315 each			

GROUP D
INSULATOR BID TABLE

				Techline, Inc.		
Item	Quantity Required	Unit	Description	Delivery (weeks)	Unit Bid Price (\$)	Extended Bid Price (\$)
D-1	12	each	Insulator, Line Post, 65.3", 2.5" DIA, Polymer, 2 Hole Long Blade, HUB P250053S9070 (NO SUBSTITUTE ALLOWED)	12	\$315.00	\$3,780.00
GROUP D TOTAL				Hubbell	\$3,780.00	

Legislation Details (With Text)

File #:	18-0077	Version:	1	Name:	FM 2818 TXDOT AFA
Type:	Agreement	Status:		Consent Agenda	
File created:	1/20/2018	In control:		City Council Regular	
On agenda:	2/8/2018	Final action:			
Title:	Presentation, possible action, and discussion regarding an Advance Funding Agreement (AFA) for Voluntary Local Government Contributions to Transportation Improvement Projects with No Required Match on System with the Texas Department of Transportation (TXDOT) for the FM 2818 Widening project.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	FM 2818 Schematic - AFA-AFA_VolTIP - for Partial Execution 2017-06-22 PLM - FM2818 Capacity Improvements				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding an Advance Funding Agreement (AFA) for Voluntary Local Government Contributions to Transportation Improvement Projects with No Required Match on System with the Texas Department of Transportation (TXDOT) for the FM 2818 Widening project.

Relationship to Strategic Goals:

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

Recommendation(s): Staff recommends approval of the AFA.

Summary: The City of College Station and TXDOT are jointly designing the widening of FM 2818 from 0.5 miles north of FM 60 to FM 2154. The proposed widening includes new roadway construction, improved intersections, and bicycle-pedestrian shared-use paths. The City is funding the preliminary engineering and preparing the schematic for the project. TXDOT is funding the final design of the project and ultimately the construction of the roadway.

The preliminary engineering and schematic are wholly funded by the City therefore no funds will be exchanged between the City and TXDOT for this work.

Budget & Financial Summary: Budget in the amount of \$924,152 is included for this project in the Streets Capital Improvement Projects Fund.

Attachments:

1. Advance Funding Agreement
2. Project Map

CSJ #	2399-01-074
District #	17-Bryan
Code Chart 64 #	09050
Project Name	FM 2818 Widening

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT FOR VOLUNTARY
LOCAL GOVERNMENT CONTRIBUTIONS
TO TRANSPORTATION IMPROVEMENT PROJECTS
WITH NO REQUIRED MATCH
ON-SYSTEM**

THIS AGREEMENT is made by and between the State of Texas, acting by and through the **Texas Department of Transportation** called the "State", and the **City of College Station**, acting by and through its duly authorized officials, called the "Local Government". The State and Local Government shall be collectively referred to as "the parties" hereinafter.

WITNESSETH

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes, and

WHEREAS, Transportation Code, Chapters 201 and 221, authorize the State to lay out, construct, maintain, and operate a system of streets, roads, and highways that comprise the State Highway System; and

WHEREAS, Government Code, Chapter 791, and Transportation Code, §201.209 and Chapter 221, authorize the State to contract with municipalities and political subdivisions; and

WHEREAS, the Texas Transportation Commission passed Minute Order Number **115005** authorizing the State to undertake and complete a highway improvement generally described as FM 2818 Widening; and

WHEREAS, the Local Government has requested that the State allow the Local Government to participate in said improvement by funding that portion of the improvement described as **Preliminary Engineering and Schematic** (Project); and

WHEREAS, the State has determined that such participation is in the best interest of the citizens of the state;

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

CSJ #	2399-01-074
District #	17-Bryan
Code Chart 64 #	09050
Project Name	FM 2818 Widening

AGREEMENT

1. Period of the Agreement

This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in full force and effect until the Project has been completed and accepted by all parties or unless terminated as provided below.

2. Project Funding and Work Responsibilities

- A. The State will authorize the performance of only those Project items of work which the Local Government has requested and has agreed to pay for as described in Attachment A, Payment Provision and Work Responsibilities (Attachment A) which is attached to and made a part of this contract. Attachment A specifies those Project items of work that are the responsibility of the Local Government and will be carried out and completed by the Local Government, at no cost to the State.
- B. (Not Applicable) At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its financial share for the State's estimated construction oversight and construction costs.
- C. (Not Applicable) In the event that the State determines that additional funding by the Local Government is required at any time during the Project, the State will notify the Local Government in writing. The Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification.
- D. (Not Applicable) Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation" or may use the State's Automated Clearing House (ACH) system for electronic transfer of funds in accordance with instructions provided by TxDOT's Finance Division. The funds shall be deposited and managed by the State and may only be applied by the State to the Project.

3. Right of Access

If the Local Government is the owner of any part of the Project site, the Local Government shall permit the State or its authorized representative access to the site to perform any activities required to execute the work.

4. Adjustments Outside the Project Site

The Local Government will provide for all necessary right of way and utility adjustments needed for performance of the work on sites not owned or to be acquired by the State.

5. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

CSJ #	2399-01-074
District #	17-Bryan
Code Chart 64 #	09050
Project Name	FM 2818 Widening

6. Document and Information Exchange

The Local Government agrees to electronically deliver to the State all general notes, specifications, contract provision requirements and related documentation in a Microsoft® Word or similar document. If requested by the State, the Local Government will use the State's document template. This requirement applies whether the local government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

7. Interest

The State will not pay interest on funds provided by the Local Government. Funds provided by the Local Government will be deposited into, and retained in, the State Treasury.

8. Inspection and Conduct of Work

Unless otherwise specifically stated in Attachment A, the State will supervise and inspect all work performed hereunder and provide such engineering inspection and testing services as may be required to ensure that the Project is accomplished in accordance with the approved plans and specifications. All correspondence and instructions to the contractor performing the work will be the sole responsibility of the State. Unless otherwise specifically stated in Attachment A to this contract, all work will be performed in accordance with the *Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges* adopted by the State and incorporated in this agreement by reference, or special specifications approved by the State.

9. Increased Costs

If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than State or Federal Regulations, or if any other locally proposed changes, including but not limited to plats or replats, result in increased cost to the department for a highway improvement project, then any increased costs associated with the ordinances or changes will be paid by the Local Government. The cost of providing right of way acquired by the State shall mean the total expenses in acquiring the property interests either through negotiations or eminent domain proceedings, including but not limited to expenses related to relocation, removal, and adjustment of eligible utilities.

10. Insurance

If this Agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

CSJ #	2399-01-074
District #	17-Bryan
Code Chart 64 #	09050
Project Name	FM 2818 Widening

11. Project Maintenance

The Local Government shall be responsible for maintenance of locally owned roads and locally owned facilities after completion of the work. The State shall be responsible for maintenance of the State highway system after completion of the work if the work was on the State highway system, unless otherwise provided for in Attachment A or existing maintenance agreements with the Local Government.

12. Termination

- A. This agreement may be terminated in the following manner:
 - 1. By mutual written agreement and consent of both parties;
 - 2. By either party upon the failure of the other party to fulfill the obligations set forth in this agreement; or
 - 3. By the State if it determines that the performance of the Project is not in the best interest of the State.
- B. If the agreement is terminated in accordance with the above provisions, the Local Government will be responsible for the payment of Project costs incurred by the State on behalf of the Local Government up to the time of termination.
- C. Upon completion of the Project, the State will perform an audit of the Project costs. Any funds due to the Local Government, the State, or the Federal Government will be promptly paid by the owing party.

13. Notices

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid or sent by electronic mail, (electronic notice being permitted to the extent permitted by law but only after a separate written consent of the parties), addressed to such party at the following addresses:

Local Government:	State:
City of College Station ATTN: Director of Public Works PO Box 9960 College Station, Texas 77842	Texas Department of Transportation ATTN: Director of Contract Services 125 E. 11 th Street Austin, TX 78701

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided in this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that such notices shall be delivered personally or by certified U.S. mail and such request shall be honored and carried out by the other party.

14. Sole Agreement

In the event the terms of the agreement are in conflict with the provisions of any other existing agreements between the Local Government and the State, the latest agreement shall take precedence over the other agreements in matters related to the Project.

CSJ #	2399-01-074
District #	17-Bryan
Code Chart 64 #	09050
Project Name	FM 2818 Widening

15. Successors and Assigns

The State and the Local Government each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of such other party in respect to all covenants of this agreement.

16. Amendments

By mutual written consent of the parties, this agreement may be amended in writing prior to its expiration.

17. State Auditor

Pursuant to Texas Government Code § 2262.154, the state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

18. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the State and the Local Government.

THE STATE OF TEXAS	THE LOCAL GOVERNMENT
Signature	Signature
Lance Simmons	Typed or Printed Name
Typed or Printed Name	Typed or Printed Name
District Engineer	City Manager
Typed or Printed Title	Typed or Printed Title
Date	Date

CSJ #	2399-01-074
District #	17-Bryan
Code Chart 64 #	09050
Project Name	FM 2818 Widening

ATTACHMENT A
PAYMENT PROVISION AND WORK RESPONSIBILITIES

The Local Government shall perform the required preliminary engineering and prepare the schematic for the widening project on FM 2818 from 0.5 miles north of FM 60 to FM 2154 in College Station, Brazos County, Texas. The proposed work includes new roadway construction, improved intersections, and bicycle-pedestrian shared-use paths throughout.

The engineering plans shall be developed in accordance with the applicable State's *Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges* and the special specifications and special provisions related to it. For projects on the State highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the State highway system, the design shall, at a minimum, conform to applicable American Association of State Highway and Transportation Officials (AASHTO) design standards.

Costs will be allocated based on 100% Local Government funding. The Local Government shall then be responsible for all cost overruns.

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Engineering (by Local Government)	\$550,000	0%	\$0	0%	\$0	100%	\$550,000
TOTAL	\$550,000		\$0		\$0		\$550,000

Initial payment be the Local Government to the State: \$0
Payment by the Local Government to the State before construction: \$0
Estimated total payment by the Local Government to the State: \$0

This is an estimate. The final amount of Local Government participation will be based on actual costs.

Project Location Map

FM2818 Capacity Improvements

Legend

Project Location

Streets

Functional Classification

FREEWAY

MAJOR ARTERIAL

MAJOR COLLECTOR

MINOR ARTERIAL

MINOR COLLECTOR

LOCAL STREET

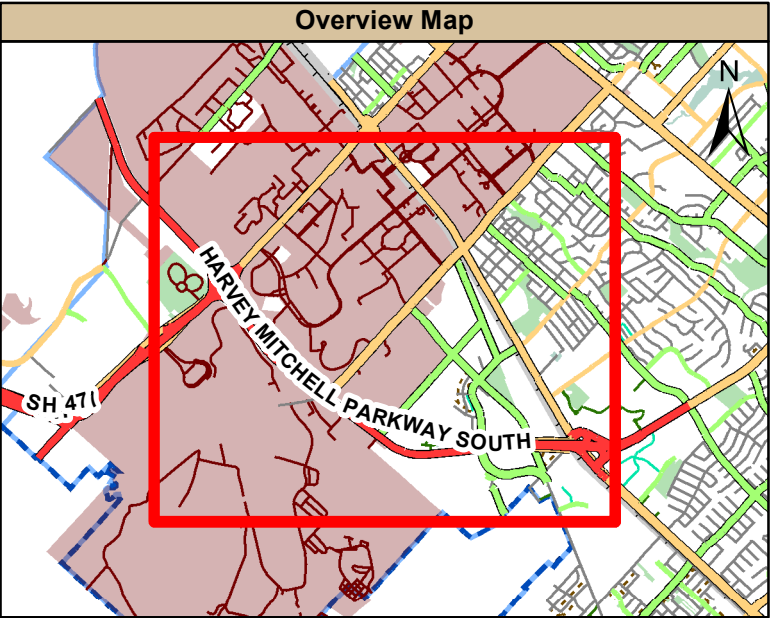
PRIVATE STREET

ALLEY

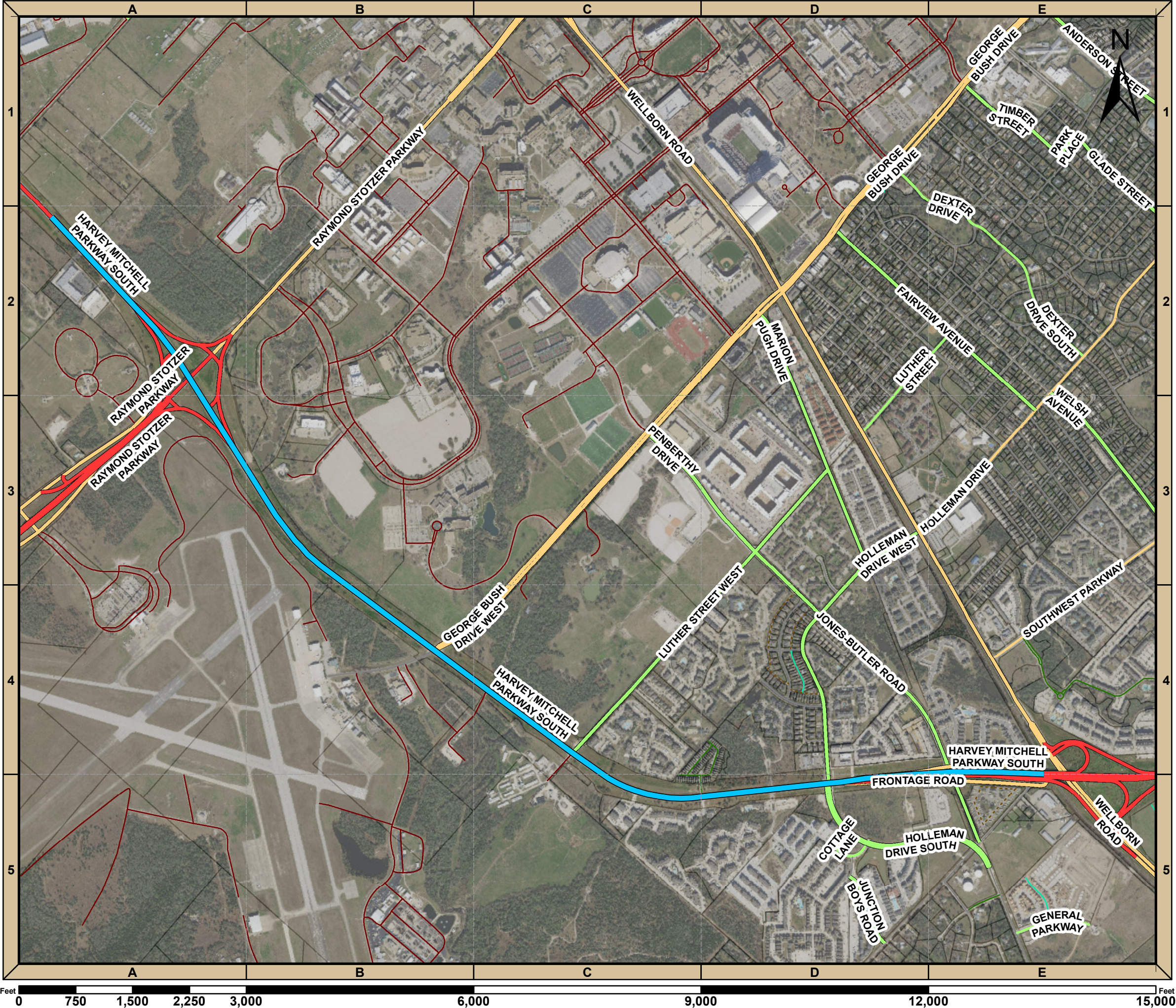
TAMU

ACCESS ROADS

Property Parcels



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





Legislation Details (With Text)

File #:	18-0078	Version:	1	Name:	No Parking Oney Hervey and Southland
Type:	Ordinance	Status:		Consent Agenda	
File created:	1/20/2018	In control:		City Council Regular	
On agenda:	2/8/2018	Final action:			
Title:	Presentation, possible action, and discussion 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," of the Code of Ordinances of the City of College Station, Texas, by removing parking On the west side of Oney Harvey Drive to the end of the road and on the east side from Holleman Drive to 140 feet down the east side of Oney Harvey Drive and on the north side of Southland Street to the end of the road and from Wellborn Road to 125 feet down the south side of Southland Street.				
Sponsors:	Troy Rother				
Indexes:					
Code sections:					
Attachments:	No Parking - Map - Oney Hervey and Southland Oney Hervey Southland Parking Ord				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding an Ordinance amending Chapter 38, "Traffic and Vehicles," Article VI "Traffic Schedules," Section 38-1014 "Traffic Schedule XIV, No Parking Here to Corner and No Parking Any Time," of the Code of Ordinances of the City of College Station, Texas, by removing parking On the west side of Oney Harvey Drive to the end of the road and on the east side from Holleman Drive to 140 feet down the east side of Oney Harvey Drive and on the north side of Southland Street to the end of the road and from Wellborn Road to 125 feet down the south side of Southland Street.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Neighborhood Integrity
- Improving Mobility

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

Summary: This ordinance removes parking from the west side of Oney Hervey Drive and the north side of Southland Street. This parking removal is needed to provide emergency vehicle access.

College Station Traffic Engineering received a request to evaluate parking along Oney Hervey Drive and Southland Street. This request was based upon an increase in on-street parking associated with rental properties. The College Station Fire Department and Traffic Engineering evaluated the streets and determined parking removal is needed to provide emergency vehicle access. With the streets being 27 feet wide, parking on both sides of the street impedes fires ability to fight a fire because they

would not be able to open the doors of the truck.

Traffic Engineering and Fire held a public meeting on May 8, 2017 to discuss the proposed removal with residents and property owners. Three people attended the meeting and were opposed to the parking removal along Oney Hervey (the attendees did not own property on Southland). Additionally, the City received 2 phone calls in support of the change and 6 phone calls opposed the change.

Based upon feedback from the meeting, traffic engineering and fire adjusted the map to maximize the available on-street parking while meeting the objective of allowing for emergency vehicle response.

To improve safety, mobility, and emergency vehicle access along these streets, the City of College Station Traffic Management Team recommends approving this ordinance.

Budget & Financial Summary: The “NO PARKING” signs are planned operation and maintenance expenses accounted for in the Public Works Traffic Operations budget.

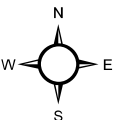
Attachments:

1. Ordinance
2. Map

Proposed No Parking Anytime Along Oney Hervey Drive and Southland Street



Proposed No Parking



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,” ON THE WEST SIDE OF ONEY HARVEY DRIVE TO THE END OF THE ROAD AND ON THE EAST SIDE FROM HOLLEMAN DRIVE TO 140 FEET DOWN THE EAST SIDE OF ONEY HARVEY DRIVE AND ON THE NORTH SIDE OF SOUTHLAND STREET TO THE END OF THE ROAD AND FROM WELLBORN ROAD TO 125 FEET DOWN THE SOUTH SIDE OF SOUTHLAND 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 read as follows by adding:

1. **Oney Hervey Drive:** No Parking Anytime on the west side to the end of the road and on the east side from Holleman Drive to 140 feet down the east side of Oney Harvey Drive.
2. **Southland Street:** No Parking Anytime on the north side to the end of the road and from Wellborn Road to 125 feet down the south side of Southland Street.



Legislation Details (With Text)

File #:	18-0079	Version:	1	Name:	Royder Road Construction Change Order No. 2
Type:	Change Order	Status:			Consent Agenda
File created:	1/20/2018	In control:			City Council Regular
On agenda:	2/8/2018	Final action:			
Title:	Presentation, possible action, and discussion regarding approval of Change Order No. 2 to the construction contract with Larry Young Paving for a reduction of \$253,599.11 on the Royder Road Expansion Project.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Royder Change Order #2 Project Map-1				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding approval of Change Order No. 2 to the construction contract with Larry Young Paving for a reduction of \$253,599.11 on the Royder Road Expansion Project.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Improving Mobility

Recommendation(s): Staff recommends approval of change order no. 2 to the construction contract with Larry Young Paving.

Summary: This project includes reconstruction of approximately 3000 LF of Royder from City Limit to just north of Backwater Drive. The project also includes changing the existing 2-lane asphalt roadway section into a 3 lane major collector concrete roadway. The construction of the roadway will include placement of fiber optic ductbank, installation of a traffic signal, and waterline relocation.

This change order includes the deduction of approximately 340 LF of roadway scope from the project adjacent to an idle Enterprise pipeline. The City had been in negotiations with Enterprise since March 2017 to have the idle pipeline adjusted for the project. Enterprise notified the City in November 2017 that they were abandoning the idle pipeline. The process to abandon the idle pipeline will not work with the timeline of the project, so the roadway section that is adjacent to the idle Enterprise pipeline (on the far north end of the project) will be moved into the phase II widening project that is currently under design.

Budget & Financial Summary: Budget in the amount of \$4,720,000 is included for this project in the Streets Capital Improvement Projects Fund. A total of \$3,407,356 has been expended or committed

to date. The portion of the budget related to this deduct change order will be transferred to the Royder Road Phase II project.

Attachments:

1. Change Order No. 2
2. Project Map

CHANGE ORDER NO. 2		1/8/2017	Contract No.		17300458	
P.O.# 17206332		PROJECT: ST1611 Royder Road Expansion				
OWNER:			CONTRACTOR:			
City of College Station			Larry Young Paving, INC			
P.O. Box 9960			PO Box 11779			
College Station, Texas 77842			College Station, TX 77842			
PURPOSE OF THIS CHANGE ORDER:			Ph: Fax:			
Removal of approx. 324 LF of roadway scope from the project. This removal of scope is required due to a conflict with Enterprise gas pipeline infrastructure. Enterprise is planning to abandon the gas line in 2018. This scope will be added into the 2nd phase of the project. Addition of 4 days to contract (2 Mud Days, 2 Rain Days)						
ITEM NO	UNIT	DESCRIPTION	UNIT PRICE	ORIGINAL QUANTITY	REVISED QUANTITY	ADDED COST
5	EA	SWPPP-Inlet Protection	\$125.00	21.00	17.00	(\$500.00)
6	EA	SWPPP-Rock Filter Dam	\$650.00	8.00	7.00	(\$650.00)
7	EA	SWPPP-Hay Bale	\$65.00	4.00	2.00	(\$130.00)
10	AC	Hydromulch Seeding all Disturbed Areas	\$2,100.00	1.33	1.14	(\$399.00)
14	Sta	ROW Preparation	\$800.00	30.00	27.00	(\$2,400.00)
15	CY	Roadway Excavation	\$6.00	2,819.00	2,590.00	(\$1,374.00)
16	CY	Roadway Embankment	\$10.00	4,775.00	4,349.00	(\$4,260.00)
17	SY	Demo & Remove Existing HMAC Pavement & Roadway Section	\$3.75	5,772.00	4,948.00	(\$3,090.00)
20	SY	6" Thick Reinforced Concrete Commercial Driveway Repair (#3 bars 12"	\$36.00	278.00	222.00	(\$2,016.00)
21	SY	HMAC Transition	\$36.00	913.00	708.00	(\$7,380.00)
22	SY	Furnish Labor and Equipment Required for 8" Thick Chemically Stabilized	\$3.00	16,716.00	14,694.00	(\$6,066.00)
23	TON	Lime	\$148.70	167.00	127.00	(\$5,948.00)
24	TON	Fly Ash	\$148.70	217.00	165.00	(\$7,732.40)
25	SY	9" Thick Reinforced Concrete Pavement (#4 bars at 12" OCEW)	\$47.30	14,893.00	13,028.00	(\$88,214.50)
26	LF	6" Monolithic Concrete Curb (B/CS Detail ST1-02)	\$3.25	6,264.00	5,770.00	(\$1,605.50)
27	SY	4" Thick Reinforced Concrete Sidewalk (8' & 10' Wide)	\$34.26	4,253.00	3,677.00	(\$19,733.76)
31	EA	10' Wide Sidewalk Ambulatory Ramp (B/CS Detail SW3-03)	\$900.00	7.00	5.00	(\$1,800.00)
34	LF	Barbed Wire Fence	\$8.00	1,292.00	999.00	(\$2,344.00)
38	EA	10' Recessed Curb Inlet (B/CS Detail D1-00)	\$5,500.00	3.00	1.00	(\$11,000.00)
40	EA	10' Recessed Curb Inlet (5'Box with 5' Extension)	\$5,250.00	10.00	8.00	(\$10,500.00)
		4'x2' ASTM C-1577 Pre-Cast Concrete Gasketed (ASTM 1677) Box				
49	LF	Culvert with Cement Stabilized Sand Bedding & Haunching with Structural Backfill	\$198.00	280.00	66.00	(\$42,372.00)
		24" Diameter ASTM C-76 Class III Gasketed RCP Storm Sewer Pipe with				
53	LF	Cement Stabilized Sand Bedding & Haunching with Structural Backfill	\$92.00	190.00	132.00	(\$5,336.00)
		18" Diameter ASTM C-76 Class III Gasketed RCP Storm Sewer Pipe with				
54	LF	Cement Stabilized Sand Bedding & Haunching with Structural Backfill	\$50.00	664.00	613.00	(\$2,550.00)
		Trench Safety System for Storm Sewer Improvements				
59	LF	TV Inspection of Storm Sewer System (All Sizes)	\$2.00	2,987.00	2,664.00	(\$646.00)
60	LF		\$3.50	2,987.00	2,664.00	(\$1,130.50)
78	EA	Left Turn Lane Pavement Markings Arrows (Type I Thermoplastic w/ Type	\$265.00	9.00	7.00	(\$530.00)
		Right Lane Pavement Markings Arrows (Type I Thermoplastic w/ Type I				
81	EA	Glass Beads)	\$265.00	4.00	3.00	(\$265.00)
		ONLY Pavement Markings Arrows (Type I Thermoplastic w/ Type I Glass				
82	EA	Beads)	\$340.00	11.00	10.00	(\$340.00)
		Bike Symbol Pavement Markings Arrows (Type I Thermoplastic w/ Type I				
83	EA	Glass Beads)	\$315.00	15.00	13.00	(\$630.00)
		Bike Arrow Pavement Markings Arrows (Type I Thermoplastic w/ Type I				
84	EA	Glass Beads)	\$210.00	15.00	13.00	(\$420.00)
		6" Wide Solid White Line (Type I Thermoplastic w/Type I Glass Beads)				
86	LF	Typical	\$2.60	5,281.00	4,704.00	(\$1,500.20)
88	LF	6" Wide Dotted White Line (2' Long at 6' Spacing)	\$1.00	484.00	469.00	(\$15.00)
		4" Wide Solid Yellow Line (Type I Thermoplastic w/Type I Glass Beads)				
90	LF	w/ Type II-A-A (At 80' Spacing), Typical	\$1.95	1,814.00	1,230.00	(\$1,138.80)
		4" Wide Solid Double Yellow Line (Type I Thermoplastic w/Type I Glass				
91	LF	Beads) w/ Type II-A-A (At 80' Spacing), Typical	\$3.90	456.00	441.00	(\$58.50)
		4" Wide Broken Yellow Line (10' Long at 30' Spacing)				
93	LF		\$1.30	1,750.00	1,166.00	(\$759.20)
		8" Wide Solid White Line (Type I Thermoplastic w/ Type I Glass Beads)				
94	LF	w/ Type I - C RPM (At 20' Spacing), Typical	\$3.35	356.00	271.00	(\$284.75)
		24" Wide Solid White Hatch Line (Type I Thermoplastic w/ Type I Glass				
96	LF	Beads) w/ Type I-C RPM (At 20' Spacing), Typical	\$12.00	192.00	196.00	\$48.00
		24" Yellow Solid White Hatch Line (Type I Thermoplastic w/ Type I Glass				
97	LF	Beads) w/ Type II-A-A RPM (At 20' Spacing), Typical	\$12.00	242.00	273.00	\$372.00
		(2) #6 Cu THHN and one (1) #8 Cu THHN Ground Cable in one (1) 2"				
169	LF	PVC Conduit	\$5.00	1,930.00	1,605.00	(\$1,625.00)
		Streetlight Foundation as Shown in SL-CF-C Detail on Drawing MEI-				
170	EA	12364-2	\$1,200.00	9.00	7.00	(\$2,400.00)
172	EA	Labor and materials to install one (1) 37.5' steel streetlight pole with one (	\$5,000.00	9.00	7.00	(\$10,000.00)
		1-2" schedule 40 PVC conduits including excavation, sand backfill,				
		warning tape and natural fill as shown on Drawing MEI-12364-2 Trench				
174	LF	Detail A	\$15.00	1,977.00	1,652.00	(\$4,875.00)
					TOTAL	(\$253,599.11)

THE NET AFFECT OF THIS CHANGE ORDER IS A 8.76% Decrease

LINE 1 (41399971-6561)	(\$253,599.11)		
TOTAL CHANGE ORDER	(253,599.11)		
ORIGINAL CONTRACT AMOUNT	\$2,877,493.99		
CHANGE ORDER NO. 1	\$18,000.00	0.63%	CHANGE
CHANGE ORDER NO. 2	(\$253,599.11)	-8.76%	CHANGE
REVISED CONTRACT AMOUNT	\$2,641,894.88	-8.2%	TOTAL CHANGE
ORIGINAL CONTRACT TIME	270	Days	
Contract Time ADD #1	4		
Revised Contract Time	274	Days	
SUBSTANTIAL COMPLETION DATE	6-Jul-18		
REVISED SUBSTANTIAL COMPLETION DATE	10-Jul-18		

APPROVED

 1/11/18
A/E CONTRACTOR Date


CONSTRUCTION CONTRACTOR Date

 1/11/18
PROJECT MANAGER Date

CITY ENGINEER Date

DEPARTMENT DIRECTOR Date

CHIEF FINANCIAL OFFICER Date

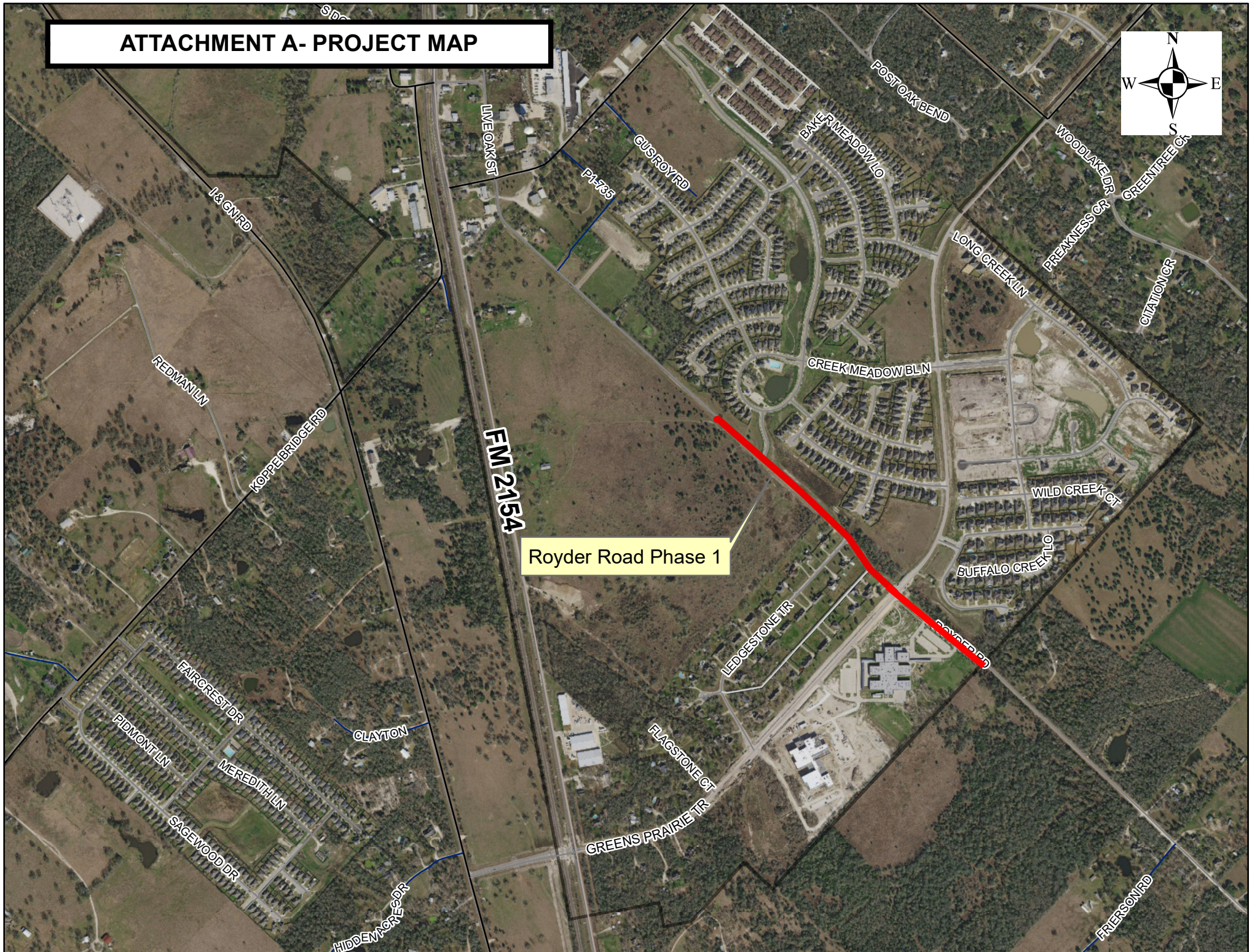
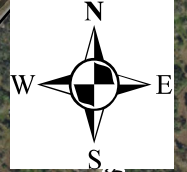
CITY ATTORNEY Date

CITY MANAGER Date

MAYOR Date

CITY SECRETARY Date

ATTACHMENT A- PROJECT MAP



FM 2154

Royder Road Phase 1



Legislation Details (With Text)

File #:	18-0080	Version:	1	Name:	Southeast Park Design Contract
Type:	Contract	Status:		Consent Agenda	
File created:	1/20/2018	In control:		City Council Regular	
On agenda:	2/8/2018	Final action:			
Title:	Presentation, possible action, and discussion on a professional services contract (No. 18300230) with Halff Associates, Inc. in the amount of \$1,221,004 for the design and construction phase services related to the Southeast Park Project.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:	Southeast Park Project Location Map Phasing Plan Aerial Map				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion on a professional services contract (No. 18300230) with Halff Associates, Inc. in the amount of \$1,221,004 for the design and construction phase services related to the Southeast Park Project.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends approval of the contract.

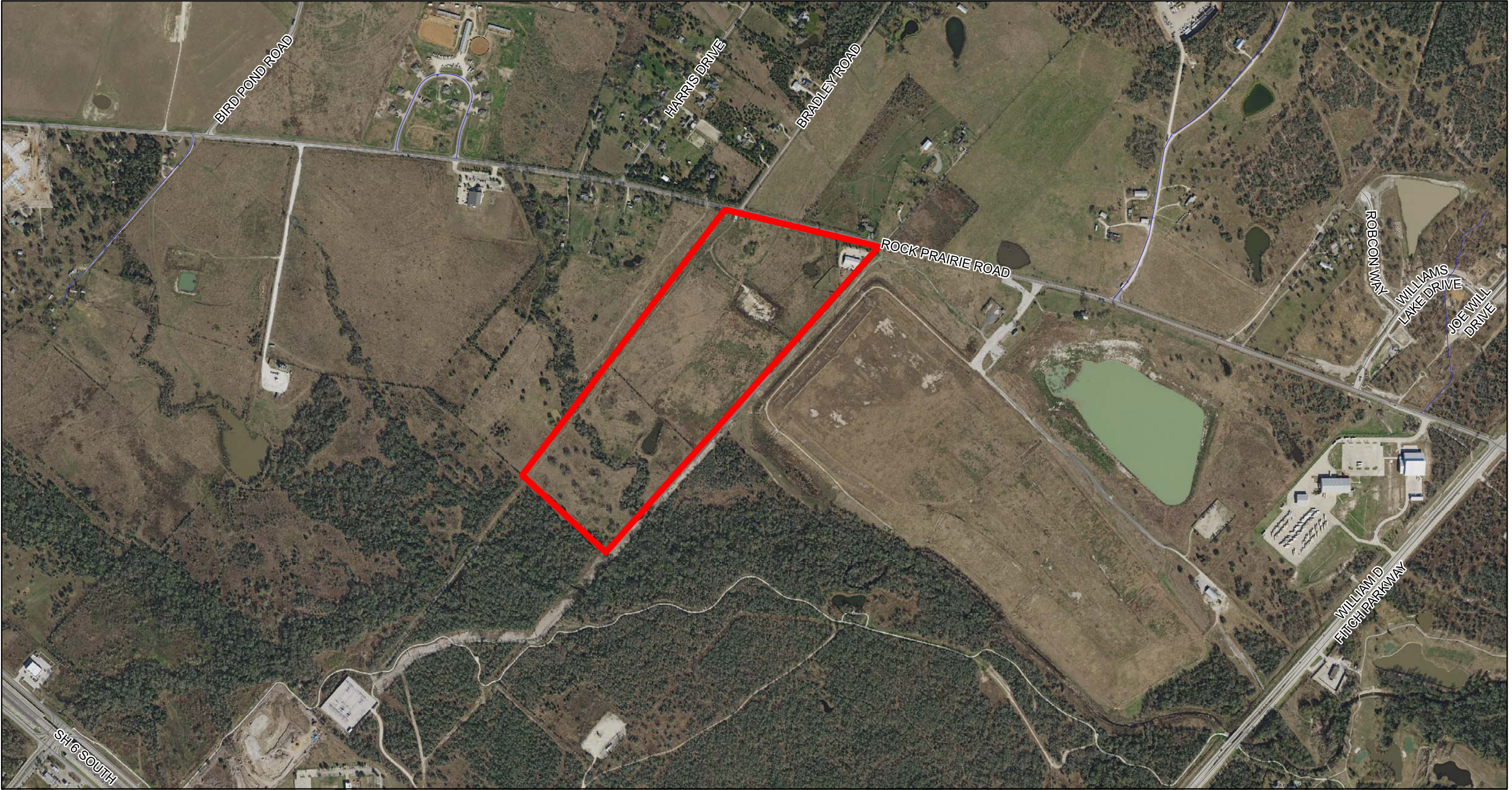
Summary: The Southeast Park Project is proposed to ultimately develop 8 ballfields with associated infrastructure including, but not limited to, parking, water service, wastewater infrastructure, restrooms, batting cages and bullpens, drainage structures, and other park amenities. The fields are proposed to have synthetic turf infields and natural grass outfields. This design contract includes the full design of the park facility for phase one of the park and preliminary site/civil design for phase 2 in order to construct utilities for phase 1 that will be crossing the phase 2 area of the property. The contract includes construction phase services for Phase 1 which is proposed to include 4 of the proposed ballfields and associated infrastructure to support their use.

Budget & Financial Summary: The design of this project and phase 1 construction of the project are forecasted to be paid for with a combination of Certificates of Obligation (CO's) and Hotel Occupancy Tax (HOT) funds. A total of \$10,000,000 is included in the budget and forecasts for this purpose, with \$6,000,000 projected to come from CO's and \$4,000,000 to come from HOT funds. This design contract will be paid primarily with CO's. The debt for the project has not yet been issued, but expenditure in advance of issue was authorized by Council on November 20, 2017 as part consent agenda item 2c.

Attachments:

1. Contract No. 18300230 (on file with the City Secretary)
2. Project Location Map
3. Project Phasing Map

Southeast Park Project
Location Map



Overall Project Phasing Plan





Legislation Details (With Text)

File #:	18-0081	Version:	1	Name:	Tree Trimming Service Contract
Type:	Contract	Status:			Consent Agenda
File created:	1/20/2018	In control:			City Council Regular
On agenda:	2/8/2018	Final action:			
Title:	Presentation, possible action, and discussion regarding the award of a service contract (Contract No. 18300261) between the City of College Station and All Around Tree Service, Inc., for an annual amount not to exceed \$150,000 for Landscaping, Tree Trimming and Removal Services as needed.				
Sponsors:	Donald Harmon				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the award of a service contract (Contract No. 18300261) between the City of College Station and All Around Tree Service, Inc., for an annual amount not to exceed \$150,000 for Landscaping, Tree Trimming and Removal Services as needed.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s): Staff recommends approval of the contract.

Summary: In response to RFP #18-018, four (4) sealed proposals were received and evaluated with All Around Tree Service, Inc. providing the best value for the City. This contract provides the city the ability to request landscape vegetation, right-of-way, and sight distance tree trimming from within the Corporate Limits of the City of College Station, TX from a qualified arborist. This contract will have an initial term of one (1) year with the option to renew for two (2) additional one (1) year terms, for a total of three (3) years.

Budget & Financial Summary: Funds are budgeted and available in the Landscape Maintenance operating budget and also in the Parks and Recreation budget.

Legal Review: Yes

Attachments:

1. Contract is on file in the City Secretary's Office



Legislation Details (With Text)

File #:	18-0084	Version:	1	Name:	Annual Traffic Contact Report
Type:	Report	Status:		Consent Agenda	
File created:	1/22/2018	In control:		City Council Regular	
On agenda:	2/8/2018	Final action:			
Title:	Presentation, possible action, and discussion regarding the annual traffic contact report required by Senate Bill 1074 of the 77th Texas Legislative session.				
Sponsors:	Scott McCollum				
Indexes:					
Code sections:					
Attachments:	Letter to City Council 2017 Analysis				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding the annual traffic contact report required by Senate Bill 1074 of the 77th Texas Legislative session.

Relationship to Strategic Goals:

- Core Services and Infrastructure

Recommendation(s):

This item is presented according to statutory requirements. Staff requests Council's acceptance of this report.

Summary:

Each year, in an effort to remain transparent to our community, the Police Department employs an independent consultant to analyze traffic contact data and develop this report. The report indicates that the department is in compliance with State law and continues to employ best practice strategies.

Since January 1, 2002, the College Station Police Department, in accordance with the Texas Racial Profiling Law (SB No. 1074), has been required to implement and maintain policy and procedures to satisfy the requirements of the law. This report indicates that the Department is in compliance.

Budget & Financial Summary: N/A

Attachments:

Cover letter to City Council- Dr. Alex del Carmen

Summary of Analysis- Dr. Alex del Carmen

A full copy of the 2017 Annual Traffic Contact Report can be reviewed in the City Secretary's Office

January 9, 2018

College Station City Council
College Station, Texas 77842

Dear Distinguished Members of the City Council,

The Texas Legislature, with the intent of addressing the issue of racial profiling in policing, enacted in 2001 the Texas Racial Profiling Law. The current report serves as evidence that the College Station Police Department, in accordance with the law, has collected and reported traffic and motor vehicle-related contact data for the purpose of identifying and addressing (if necessary) areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified and additional requirements were implemented. Moreover, in 2017, the Sandra Bland Act was passed and signed into law (along with HB 3051 which introduced new racial and ethnic designations). The Sandra Bland Law requires for all law enforcement agencies in the state to collect additional data and provide a more detailed analysis.

This particular report contains three sections with information on traffic and motor vehicle- related contact data. In addition, when appropriate, documentation is also a component of this report, aiming at demonstrating the manner in which the College Station Police Department has complied with the Texas Racial Profiling Law. In section 1, you will find the table of contents in addition to the Texas Senate Bill (SB1074); which later became the Texas Racial Profiling Law. In addition, you will find the Texas HB 3389, which, in 2009, introduced new requirements relevant to racial profiling as well as the Sandra Bland Act. Also, in this section, a list of requirements relevant to the Racial Profiling Law as established by TCOLE (Texas Commission on Law Enforcement) is included. In addition, you will find, in sections 2 and 3 documentation which demonstrates compliance by the College Station Police Department relevant to the requirements as established in the Texas Racial Profiling Law. That is, you will find documents relevant to the implementation of an institutional policy banning racial profiling, the incorporation of a racial profiling complaint process and the training administered to all law enforcement personnel.

The last section of this report provides statistical data relevant to contacts, made during the course of motor vehicle stops, between 1/1/17 and 12/31/17. In addition, this section contains the TCOLE Tier 1 form, which is required to be submitted to this particular organization by March 1st of each year. The data in this report has been analyzed and compared to data derived from the U.S. Census Bureau's Fair Roads Standard. The final analysis and recommendations are also included in this report. The findings in this report serve as evidence of the College Station Police Department's commitment to comply with the Texas Racial Profiling Law.

Sincerely,

Alex del Carmen, Ph.D.
Del Carmen Consulting, LLC

Analysis

In 2001, the Texas legislature passed Senate Bill 1074 which became the Texas Racial Profiling Law. That is, the law came into effect on January 1, 2002 and required all police departments in Texas, to collect traffic-related data and report this information to their local governing authority by March 1st of each year. In 2009, the racial profiling law was modified to include the collection and reporting of all motor vehicle related contacts where a citation was issued or arrest made. In addition, the modification to the law further requires that all police officers indicate whether or not they knew the race or ethnicity of the individual before detaining them. Further, it is required that agencies report motor vehicle related data to their local governing authority and to the Texas Commission on Law Enforcement (TCOLE) by March 1st of each year. The purpose in collecting and presenting this information is to determine if police officers in a particular municipality are engaging in the practice of racially profiling minority motorists.

The Texas Racial Profiling Law also requires police departments to interpret motor vehicle-related data. Even though most researchers would probably agree with the fact that it is within the confines of good practice for police departments to be accountable to the citizenry while carrying a transparent image before the community, it is very difficult to determine if individual police officers are engaging in racial profiling, from a review and analysis of aggregate/institutional data. In other words, it is challenging for a reputable researcher to identify specific “individual” racist behavior from aggregate-level “institutional” data on traffic or motor vehicle-related contacts.

As stated previously, in 2009, the Texas Legislature passed House Bill 3389, which modified the existing Racial Profiling Law by adding new requirements; this took effect on January 1st, 2010. These most recent changes include, but are not exclusive of, the re-definition of a contact to include motor vehicles where a citation was issued or an arrest made. In addition, it requires police officers to indicate if they knew the race or ethnicity of the individual before detaining them. Also, the 2009 law requires adding "middle eastern" to the racial and ethnic category and submitting the annual data report to TCOLE before March 1st of each year. I am pleased to inform you that these additional requirements have been addressed, since 2009, by the College Station Police Department as it is demonstrated throughout this report.

In 2017, the Texas Legislators passed H.B. 3051 which removed the Middle Eastern data requirement but standardized the racial and ethnic categories relevant to the individuals that came in contact with the police. In addition, the Sandra Bland Act (S.B. 1849) was passed and became law. That is, the most significant legislative act in Texas history regarding future data requirements on law enforcement contacts, became law and effective January 1, 2018. All future reports will contain more extensive data entries and analysis as well as records regarding audits and the analysis of searches, as required by law.

In an effort to comply with The Texas Racial Profiling Law, the College Station Police Department commissioned the analysis of its 2017 motor vehicle contact data. Thus, two different types of data analyses were performed. The first of these involved a careful evaluation of the 2017 motor vehicle-related data. This particular analysis measured, as required by the law, the number and percentage of Caucasians, African Americans, Hispanics, Asians, Native Americans, Middle Easterners and individuals belonging to the “other” category, that came in contact with the police in the course of a motor vehicle related contact, and were either issued a citation or arrested. Further, the analysis included information relevant to the number and percentage of searches (table 1) while indicating the type of search performed (i.e., consensual or probable cause). Also, the data analysis included the number and percentage of individuals who, after they came in contact with the police for a motor vehicle-related reason, were arrested.

The additional data analysis performed was based on a comparison of the 2017 motor vehicle contact data with a specific baseline. When reviewing this particular analysis, it should be noted that there is disagreement, in the literature, regarding the appropriate baseline to be used when analyzing motor vehicle-related contact information. Of the baseline measures available, the College Station Police Department opted to adopt, as a baseline measure, the Fair Roads Standard. This particular baseline is based on data obtained through the U.S. Census Bureau (2010) relevant to the number of households that have access to vehicles while controlling for the race and ethnicity of the heads of households.

It is clear that census data presents challenges to any effort made at establishing a fair and accurate racial profiling analysis. That is, census data contains information on all residents of a particular community, regardless of the fact they may or may not be among the driving population. Further, census data, when used as a baseline of comparison, presents the challenge that it captures information related to city residents only. Thus, excluding individuals who may have come in contact with the College Station Police Department in 2017 but live outside city limits. In some cases, the percentage of the population that comes in contact with the police but lives outside city limits represents a substantial volume of all motor vehicle-related contacts made in a given year.

Since 2002, several civil rights groups in Texas expressed their desire and made recommendations to the effect that all police departments should rely, in their data analysis, on the Fair Roads Standard. This source contains census data specific to the number of “households” that have access to vehicles. Thus, proposing to compare “households” (which may have multiple residents and only a few vehicles) with “contacts” (an individual-based count). This, in essence, constitutes a comparison that may result in ecological fallacy. Despite this, the College Station Police Department made a decision that it would use this form of comparison (i.e., census data relevant to households with vehicles) in an attempt to demonstrate its “good will” and “transparency” before the community. Thus, the Fair Roads Standard data obtained and used in this study is specifically relevant to College Station.

Tier 1 (2017) Motor Vehicle-Related Contact Analysis

When analyzing the Tier 1 data collected in 2017, it was evident that most motor vehicle-related contacts were made with Caucasian drivers. This was followed by African American and Hispanic drivers. With respect to searches, most of them were performed on Caucasian drivers. This was followed by African Americans and Hispanics. It is important to note that the arrest data revealed that Caucasian drivers were arrested the most in motor vehicle-related contacts.

Fair Roads Standard Analysis

The data analysis of motor vehicle contacts to the census data relevant to the number of “households” in College Station who indicated, in the 2010 census, that they had access to vehicles, produced interesting findings. Specifically, the percentage of individuals of African American and Hispanic descent that came in contact with the police was higher than the percentage of African American and Hispanic households in College Station that claimed, in the 2010 census, to have access to vehicles. With respect to Caucasians and Asians, a lower percentage of contacts were detected. That is, the percentage of Caucasian and Asian drivers that came in contact with the police in 2017 was lower than the percentage of Caucasian and Asian households in College Station with access to vehicles.

Summary of Findings

The comparison of motor vehicle contacts showed that the College Station Police Department came in contact (in motor vehicle-related incidents) with a smaller percentage of Caucasian and Asian drivers than the percentage that resided in College Station and had access to vehicles. Further, the data suggested that the percentage of African American and Hispanic drivers that came in contact with the police in 2017 was higher than the percentage of African American and Hispanic households in College Station with access to vehicles. In addition, the data showed that in a large number of instances, officers did not know the race or ethnicity of individuals before detaining them, when compared to instances where officers knew the race/ethnicity of individuals before they were detained.

While considering the findings made in this analysis, it is recommended that the College Station Police Department should continue to collect and evaluate additional information on motor vehicle contact data (i.e., reason for probable cause searches, contraband detected) which may prove to be useful when determining the nature of the contacts police officers are making with all individuals; particularly with African Americans and Hispanics. Although this additional data may not be required by state law, it is likely to provide insights regarding the nature and outcome of all motor vehicle contacts made with the public.

As part of this effort, the College Station Police Department is now required by law to:

- 1) Perform an independent search analysis on the search data collected throughout 2018.
- 2) Commission data audits in 2017 in order to assess data integrity; that is, to ensure that the data collected is consistent with the data being reported.

The College Station Police Department has complied with the Texas Racial Profiling Law.



Legislation Details (With Text)

File #:	18-0100	Version:	1	Name:	Conditional Use Permit – The Angry Elephant
Type:	Ordinance	Status:		Agenda Ready	
File created:	1/25/2018	In control:		City Council Regular	
On agenda:	2/8/2018	Final action:			
Title:	Public Hearing, presentation, possible action, and discussion regarding a Conditional Use Permit for a bar in approximately 1,980 square feet of an existing commercial space at 650 William D. Fitch Parkway, Suite 500, generally located on the southwest corner of Arrington Road and William D. Fitch Parkway.				
Sponsors:	Alaina Helton				
Indexes:					
Code sections:					
Attachments:	Background Information Vicinity, Aerial & SAM ordinance				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding a Conditional Use Permit for a bar in approximately 1,980 square feet of an existing commercial space at 650 William D. Fitch Parkway, Suite 500, generally located on the southwest corner of Arrington Road and William D. Fitch Parkway.

Relationship to Strategic Goals:

- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission considered this item at their February 1, 2018 meeting. Their recommendation will be presented at the City Council meeting.

Summary: Summary: This request is for a Conditional Use Permit for a bar in approximately 1,980 square feet of an existing commercial space, currently zoned GC General Commercial.

REVIEW CRITERIA

1. The proposed use shall meet the purpose and intent of the Unified Development Ordinance (UDO) and meet all minimum standards for this type of use per the UDO. The proposed use of a bar in the Castlegate Business Center requires a Conditional Use Permit (CUP). The lease space is currently open and operating as a restaurant. The applicant requests that, in addition to the restaurant, the establishment be able to operate as a bar, allowing more than 75% of their annual gross revenue be derived from the sale of alcohol. The applicant is also proposing that the bar operate with late night hours - open to the general public from 11:00 am to 9:00 pm and restricted to persons age 21 or older from 9:00 pm until 2:00 am. The applicant is not proposing any changes to the existing site.

2. The proposed use shall be consistent with the development policies and goals and objectives as embodied in the Comprehensive Plan for development in the City. The subject tract is shown on the Comprehensive Plan Future Land Use and Character Map as Institutional/Public and is located in Growth Area II. This land use designation is generally for areas that are, and are likely to remain, in some form of institutional or public activity. While there are some public uses in the area, this property and the adjacent properties are zoned and developed for General Commercial uses, with surrounding areas experiencing increasing commercial growth. Additionally, the Comprehensive Plan specifically states that in Growth Area II, the area consisting of land near the interchange of William D. Fitch Parkway and State Highway 6 should be used for intense land use activities including general commercial activities, office uses, townhomes, apartments, and vertical mixed-use.

3. The proposed use shall not be detrimental to the health, welfare, or safety of the surrounding neighborhood or its occupants, not be substantially or permanently injurious to neighboring property. The proposed use is required by the Unified Development Ordinance to be at least 300 feet away from any church, public school, or public hospital. There is no outdoor patio space or outdoor live music proposed with this use and all activities associated with the bar will be limited to the interior of the structure. Staff believes that the use will not be detrimental or substantially injurious to the surrounding neighborhood or its occupants.

4. The proposed site plan and circulation plan shall be harmonious with the character of the surrounding area. The applicant is not proposing any changes to the site. The building is an existing 9,000 square-foot shopping center with a drive-through, thus keeping the site plan and circulation plan harmonious with the surrounding area's character. The use would be limited to the square footage approved through the CUP, which in this case would be for a 1,980 square-foot tenant space in the shopping center.

5. The proposed use shall not negatively impact existing uses in the area or in the City through impacts on public infrastructure such as roads, parking facilities, electrical, or water and sewer systems, or on public services such as police and fire protection, solid waste collection, or the ability of existing infrastructure and services to adequately provide services. The proposed use will not negatively impact public infrastructure or services. This use will be in an existing site zoned GC General Commercial that was originally planned and developed to accommodate commercial uses. This site has existing parking spaces that meet the requirements for the proposed use. Staff also reached out to the College Station Police Department for feedback on any possible concerns with the proposed use and location. The response received was that this use did not pose any concerns at this time.

6. The proposed use shall not negatively impact existing uses in the area or in the City. Existing uses in the area include commercial, public/institutional, and single-family. The addition of this use will not negatively impact existing uses. Currently, the Castlegate Business Center has a car wash, three restaurants with a drive-thru, and a convenient store with gas pumps.

STAFF RECOMMENDATION

Staff recommends approval of the Conditional Use Permit.

Budget & Financial Summary: N/A
Legal Review: Yes

Attachments:

1. Background Information
2. Vicinity, Aerial & Small Area Map
3. Ordinance

NOTIFICATIONS

Advertised Commission Hearing Date: February 1, 2018
Advertised Council Hearing Date: February 8, 2018

Property owner notices mailed: Ten
Contacts in support: None
Contacts in opposition: None
Inquiry contacts: None

ADJACENT LAND USES

Direction	Comprehensive Plan	Zoning	Land Use
North (across William D. Fitch)	General Suburban, Natural Areas Protected, Natural Areas Reserved and & Growth Area II	Rural & PDD for Single-Family development	Spring Creek Tributary and Single-Family
South	Urban	General Commercial	Restaurant with a Drive-Thru
East	Urban	General Commercial	Convenient Store with Gas Pumps
West	Institutional/Public	General Commercial	Car Wash

DEVELOPMENT HISTORY

Annexation: 1995

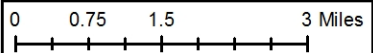
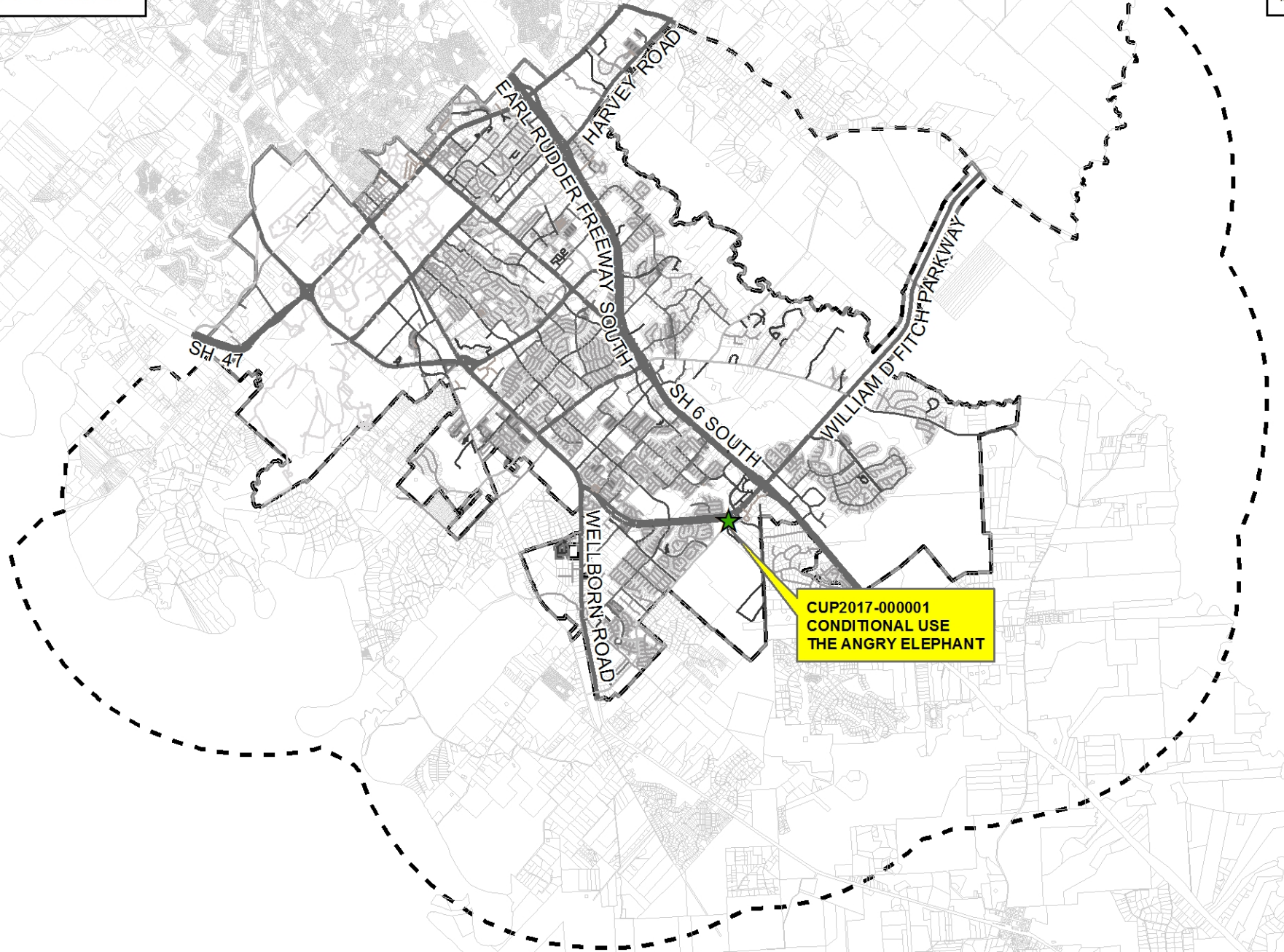
Zoning: A-O Agricultural Open (upon annexation)
C-1 General Commercial (2002)
Renamed GC General Commercial (2012)

Final Plat: December 2003 (Original Plat)
May 2014 & January 2017 (Replat)

Site development: General Commercial (Retail Shopping Center)

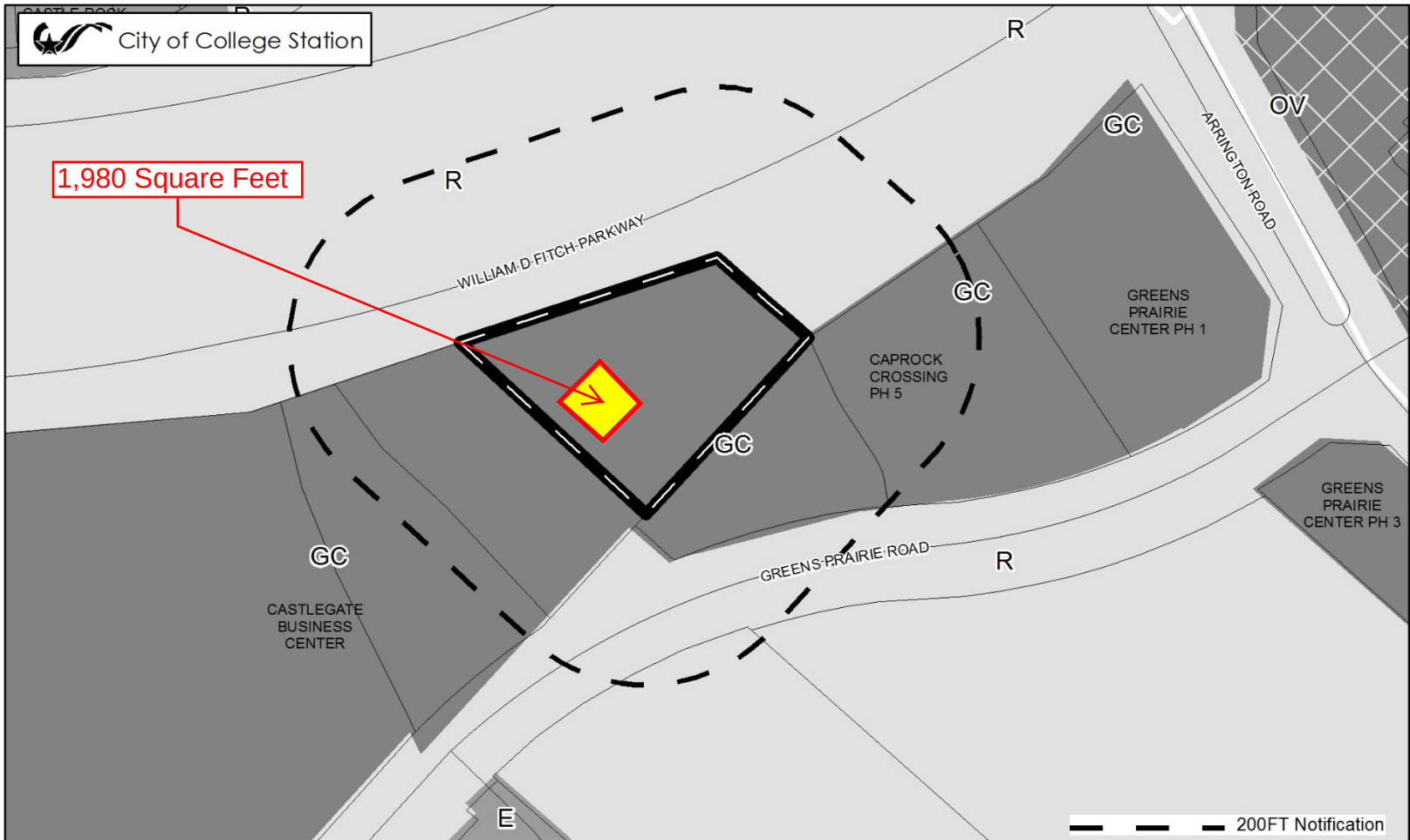
VICINITY MAP

NORTH



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





ZONING DISTRICTS (In Grayscale)							
<u>Residential</u>		MU	Mixed-Use	CI	Commercial Industrial	<u>Design Districts</u>	
R	Rural	MHP	Manufactured Home Pk.	BP	Business Park	WPC	Wolf Pen Creek Dev. Cor.
E	Estate			BPI	Business Park Industrial	NG-1	Core Northgate
RS	Restricted Suburban	<u>Non-Residential</u>		C-U	College and University	NG-2	Transitional Northgate
GS	General Suburban	NAP	Natural Area Protected	<u>Planned Districts</u>		NG-3	Residential Northgate
D	Duplex	O	Office	P-MUD	Planned Mixed-Use Dist.		
T	Townhome	SC	Suburban Commercial	PDD	Planned Develop. Dist.		
MF	Multi-Family	GC	General Commercial				
						<u>Overlay Districts</u>	
						OV	Corridor Ovr.
						RDD	Redevelopment District
						KO	Krenek Tap Ovr.
						NPO	Nbrhd. Prevailing Ovr.
						NCO	Nbrhd. Conservation Ovr.
						HP	Historic Preservation Ovr.
						<u>Retired Districts</u>	
						R-1B	Single Family Residential
						R-4	Multi-Family
						R-6	High Density Multi-Family
						RD	Research and Dev.
						M-1	Light Industrial
						M-2	Heavy Industrial

0 160 320 Feet

THE ANGRY ELEPHANT

Case: CUP2017-000001

CONDITIONAL USE

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT PURSUANT TO APPENDIX A, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 3.16, "CONDITIONAL USE PERMIT", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, AND OTHER APPLICABLE PROVISIONS THEREOF BY APPROVING A CONDITIONAL USE PERMIT FOR A NIGHTCLUB/BAR/TAVERN AFFECTING APPROXIMATELY 1,980 SQUARE FEET AT 650 WILLIAM D. FITCH PARKWAY, SUITE 500, BEING A PORTION OF LOT 1R-C, BLOCK 1, CASTLEGATE BUSINESS CENTER SUBDIVISION, GENERALLY LOCATED AT ON THE SOUTHWEST CORNER OF ARRINGTON ROAD AND WILLIAM D. FITCH PARKWAY 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 a conditional use permit be granted in accordance with Appendix A, "Unified Development Ordinance," Section 3.16 "Conditional Use Permit" of the Code of Ordinances of the City of College Station, Texas, and other applicable provisions thereof 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 8th day of February, 2018.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

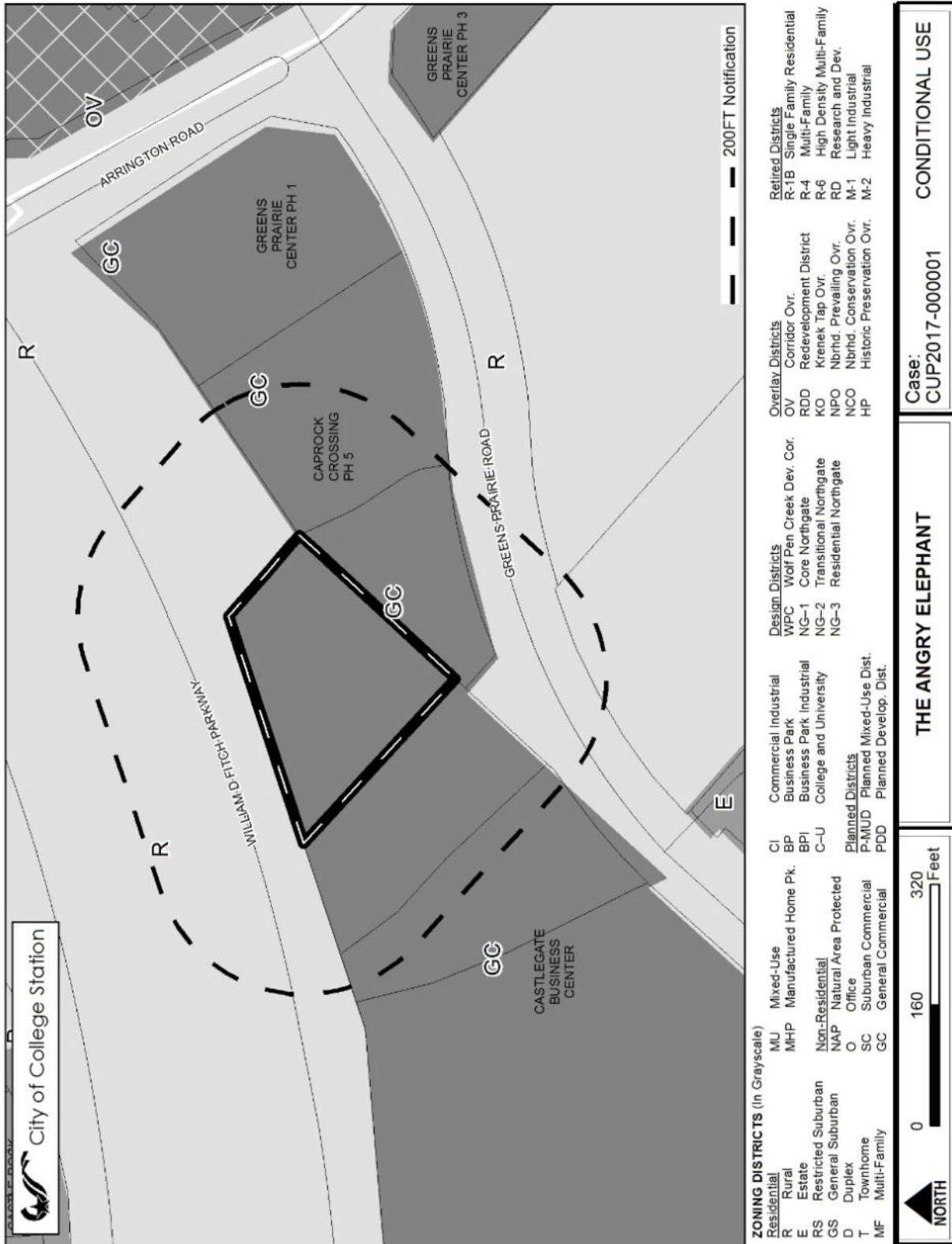
City Attorney

Exhibit A

That the following conditional use permit be granted in accordance with Appendix A “Unified Development Ordinance,” Section 3.16, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station, Texas, and other applicable provisions:

That a Conditional Use Permit is hereby granted for a Nightclub/Bar/Tavern as provided for in Appendix A, "Unified Development Ordinance", Section 3.16, "Development Review Procedures, Conditional Use Permit", of the Code of Ordinances of the City of College Station and other applicable provisions thereof. The property located at 650 William D. Fitch, Suite 500 is granted a Conditional Use Permit for a Nightclub/Bar/Tavern to be located in an approximately 1,980 square foot lease space.

EXHIBIT B



Legislation Details (With Text)

File #:	18-0096	Version:	1	Name:	UDO Amendments – Comprehensive Plan Amendment and Rezoning Criteria
Type:	Unified Development Ordinance	Status:			Agenda Ready
File created:	1/24/2018	In control:			City Council Regular
On agenda:	2/8/2018	Final action:			
Title:	Public Hearing, presentation, possible action, and discussion regarding an Ordinance amending Appendix A, “Unified Development Ordinance,” Section 3.22 “Comprehensive Plan,” and Section 3.3 “Zoning Map Amendment (Rezoning)” of the Code of Ordinances of the City of College Station, Texas, regarding the criteria used in the consideration of Comprehensive Plan amendments and rezonings.				
Sponsors:	Molly Hitchcock				
Indexes:					
Code sections:					
Attachments:	UDO Sec. 3.22 Comp Plan Redline UDO Sec. 3.3 Rezoning Redline Ordinance				

Date	Ver.	Action By	Action	Result
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Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Appendix A, “Unified Development Ordinance,” Section 3.22 “Comprehensive Plan,” and Section 3.3 “Zoning Map Amendment (Rezoning)” of the Code of Ordinances of the City of College Station, Texas, regarding the criteria used in the consideration of Comprehensive Plan amendments and rezonings.

Relationship to Strategic Goals:

- Good Governance
- Core Services and Infrastructure
- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission considered this item at their January 18, 2018 meeting and voted 4-3 to recommend approval of the Comprehensive Plan criteria and 5-2 to recommend approval of the rezoning criteria.

Summary: As part of the 2017 Plan of Work, the Planning and Zoning Commission directed staff to review and identify UDO requirements that add minimal value and consider opportunities to reduce regulations and streamline processes. One of the items identified by staff was to clearly state the minimum criteria that would be considered in the review of Comprehensive Plan amendments and rezoning requests.

The review criteria exist to provide a framework upon which to consider how to reasonably change plans and regulate land to promote the good of the community, not to limit the Planning and Zoning

Commission or City Council in their debates on Comprehensive Plan or land use matters.

There are no criteria currently identified in the UDO to assist applicants and guide decision-makers in their consideration to amend the Comprehensive Plan. The questions currently asked of applicants are taken from guidance provided by the Comprehensive Plan to analyze amendment requests. While the proposed amendment adds language to the UDO, it provides predictable expectations to applicants and valid decision points to policy makers when considering changes to the long-range plan for the City.

The criteria currently stated in the UDO for rezonings have been criticized for being difficult to understand and confusing to apply. The proposed amendment is intended to establish clear criteria for rezoning requests. The proposed questions encourage discussion on the same land-use matters as the current ordinance language, but should result in more clarity and less redundancy.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. Red-Lined Version - Section 3.22 Comprehensive Plan Amendment
2. Red-Lined Version - Section 3.3 Rezoning
3. Ordinance

Sec. 3.22. - Comprehensive Plan Amendment.

D. Approval Process.

3. City Council Action.

a. Notice.

The City Council shall publish and post public notice in accordance with the General Approval Procedures Section in Chapter 12, Article 3 of this UDO, before taking final action on a petition to amend the Comprehensive Plan.

b. Public Hearing.

The City Council shall hold a public hearing and approve, approve with modifications, or disapprove the application to amend the Comprehensive Plan.

c. Review and Final Action by City Council.

In determining whether to approve, approve with modifications, or disapprove the application to amend the Comprehensive Plan, the City Council shall review the amendment and approve, approve with conditions, or deny the application. consider the following matters regarding the proposed amendment:

- 1) Changed or changing conditions in the subject area of the City.
- 2) Compatibility with the existing uses, development patterns, and character of the immediate area concerned, the general area, and the City as a whole.
- 3) Impact on environmentally sensitive and natural areas.
- 4) Impacts on infrastructure, including water, wastewater, drainage, and the transportation network.
- 5) Consistency with the goals and strategies set forth in the Comprehensive Plan.

Sec. 3.3. - Zoning Map Amendment (Rezoning).

D. Approval Process.

9. City Council Action.

a. Notice.

The City Council shall publish, post, and mail public notice in accordance with the General Approval Procedures Section in Chapter 12, Article 3 of this UDO, and hold a public hearing before taking final action on an application to amend the Official Zoning Map.

b. Public Hearing.

The City Council shall hold a public hearing and approve, approve with modifications, or disapprove the application to amend the Official Zoning Map.

c. Effect of Protest to Proposed Amendment.

If a proposed change to this UDO or rezoning is protested in accordance with Chapter 211 of the Texas Local Government Code, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths ($\frac{3}{4}$) of all members of the City Council. The protest must be written and signed by the owners of at least twenty (20) percent of either the area of lots covered by the proposed change, or of the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred (200) feet from that area.

d. Review Criteria.

In determining whether to approve, approve with modifications, or disapprove the proposed Official Zoning Map amendment, the City Council shall consider the following matters regarding the proposed amendment:

- 1) ~~Whether the proposal is consistent~~ Consistency with the Comprehensive Plan.;
- 2) ~~Whether the uses permitted by the proposed zoning district will be appropriate in the context of the surrounding area. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;~~
- 3) ~~Whether the property to be rezoned is physically suitable for the proposed zoning district. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment;~~
- 4) ~~Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment;~~
- 4) ~~Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment; and~~
- 6) ~~Whether there is available~~ Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for uses permitted by the proposed zoning district.
- 5) In addition, for proposed amendments to Historic Preservation Overlay Districts, the City Council shall consider if the proposed amendment contains property(ies) and an environmental setting which meets two (2) or more of the criteria for designation of a Historic Preservation Overlay District as described in the Historic Preservation Overlay District Section in ~~Chapter 12~~, Article 5 of this UDO.

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A, “UNIFIED DEVELOPMENT ORDINANCE,” ARTICLE 3, “DEVELOPMENT REVIEW PROCEDURES,” SECTION 3.3, “ZONING MAP AMENDMENT (REZONING)” AND SECTION 3.22, “COMPREHENSIVE PLAN AMENDMENT” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO CRITERIA FOR REZONINGS AND COMPREHENSIVE PLAN AMENDMENTS; 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 3 “Development Review Procedures,” Section 3.3 “Zoning Map Amendment (Rezoning)” Subsection D “Approval Process,” paragraph 9 “City Council Action” ; and Appendix A “Unified Development Ordinance,” Article 3 “Development Review Procedures,” Section 3.22 “Comprehensive Plan Amendment” Subsection D “Approval Process,” paragraph 3 “City Council Action,” 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 8th day of February, 2018.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

Exhibit A

That Appendix A “Unified Development Ordinance,” Article 3 “Development Review Procedures,” Section 3.3 “Zoning Map Amendment (Rezoning),” Subsection D “Approval Process,” paragraph 9 “City Council Action” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“9. City Council Action.**a. Notice.**

The City Council shall publish, post, and mail public notice in accordance with the General Approval Procedures Section in Chapter 12, Article 3 of this UDO, and hold a public hearing before taking final action on an application to amend the Official Zoning Map.

b. Public Hearing.

The City Council shall hold a public hearing and approve, approve with modifications, or disapprove the application to amend the Official Zoning Map.

c. Effect of Protest to Proposed Amendment.

If a proposed change to this UDO or rezoning is protested in accordance with Chapter 211 of the Texas Local Government Code, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths ($\frac{3}{4}$) of all members of the City Council. The protest must be written and signed by the owners of at least twenty (20) percent of either the area of lots covered by the proposed change, or of the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred (200) feet from that area.

d. Review Criteria.

In determining whether to approve, approve with modifications, or disapprove the proposed Official Zoning Map amendment, the City Council shall consider the following matters regarding the proposed amendment:

- 1) Whether the proposal is consistent with the Comprehensive Plan;
- 2) Whether the uses permitted by the proposed zoning district will be appropriate in the context of the surrounding area;
- 3) Whether the property to be rezoned is physically suitable for the proposed zoning district;
- 4) Whether there is available water, wastewater, stormwater, and transportation facilities generally suitable and adequate for uses permitted by the proposed zoning district; and
- 5) In addition, for proposed amendments to Historic Preservation Overlay Districts, the City Council shall consider if the proposed amendment contains property(ies) and an environmental setting which meets two (2) or more of the criteria for designation of

a Historic Preservation Overlay District as described in the Historic Preservation Overlay District Section in Article 5 of this UDO.

e. Effect of Historic Preservation Overlay District Zoning Upon Official Public Records

Upon designation of a property with a Historic Preservation Overlay District, the City Council shall cause the designation to be recorded in the Official Public Records of Real Property of Brazos County, Texas, the tax records of the City of College Station, and the Brazos County Appraisal District, as well as the official zoning map of the City of College Station.”

Exhibit B

That Appendix A “Unified Development Ordinance,” Article 3 “Development Review Procedures,” Section 3.22 “Comprehensive Plan Amendment,” Subsection D “Approval Process,” paragraph 3 “City Council Action” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“3. City Council Action.**a. Notice.**

The City Council shall publish and post public notice in accordance with the General Approval Procedures Section in Chapter 12, Article 3 of this UDO, before taking final action on a petition to amend the Comprehensive Plan.

b. Public Hearing.

The City Council shall hold a public hearing and approve, approve with modifications, or disapprove the application to amend the Comprehensive Plan.

c. Review and Final Action by City Council.

In determining whether to approve, approve with modifications, or disapprove the application to amend the Comprehensive Plan, the City Council shall consider the following matters regarding the proposed amendment:

- 1) Changed or changing conditions in the subject area of the City;
- 2) Compatibility with the existing uses, development patterns, and character of the immediate area concerned, the general area, and the City as a whole;
- 3) Impact on environmentally sensitive and natural areas;
- 4) Impacts on infrastructure, including water, wastewater, drainage, and the transportation network; and
- 5) Consistency with the goals and strategies set forth in the Comprehensive Plan.”



Legislation Details (With Text)

File #:	18-0101	Version:	2	Name:	UDO Amendments – Wolf Pen Creek District
Type:	Unified Development Ordinance	Status:		Agenda Ready	
File created:	1/25/2018	In control:		City Council Regular	
On agenda:	2/8/2018	Final action:			
Title:	Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Appendix A, “Unified Development Ordinance”, Section 2.5 “Design Review Board”, Section 2.12 “Summary of Review Authority”, Section 3.7 “Wolf Pen Creek Design District Site Plan Review”, Section 3.8 “Wolf Pen Creek Design District Building and Sign Review”, and Section 5.8 “Design Districts - Wolf Pen Creek (WPC)” of the Code of Ordinances of the City of College Station, Texas, regarding the criteria for administrative approval of site plans, buildings and signs in the Wolf Pen Creek Design District.				
Sponsors:	Alaina Helton				
Indexes:					
Code sections:					
Attachments:	Section 2.5 Design Review Board Redline.pdf Section 2.12 Summary of Review Authority Redline.pdf Section 3.7 WPC Site Plan Review Redline.pdf Section 3.8 WPC Building & Sign Review Redline.pdf Section 5.8 WPC Design Districts Redline.pdf Ordinance				

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion regarding an ordinance amending Appendix A, “Unified Development Ordinance”, Section 2.5 “Design Review Board”, Section 2.12 “Summary of Review Authority”, Section 3.7 “Wolf Pen Creek Design District Site Plan Review”, Section 3.8 “Wolf Pen Creek Design District Building and Sign Review”, and Section 5.8 “Design Districts - Wolf Pen Creek (WPC)” of the Code of Ordinances of the City of College Station, Texas, regarding the criteria for administrative approval of site plans, buildings and signs in the Wolf Pen Creek Design District.

Relationship to Strategic Goals:

- Good Governance
- Core Services and Infrastructure
- Diverse Growing Economy

Recommendation(s): The Planning & Zoning Commission considered this item at their February 1st meeting. Their recommendation will be provided at the City Council meeting before the public hearing.

Summary: This item originated with the 2017 Planning & Zoning Commission’s Plan of Work and

helps streamline the development review process by allowing site plans, building design, and signs to be approved administratively unless the applicant is seeking an appeal. Appeals will be considered by the Design Review Board.

Budget & Financial Summary: N/A

Legal Review: Yes

Attachments:

1. UDO Section 2.5 - Redlined
2. UDO Section 2.12 - Redlined
3. UDO Section 3.7 - Redlined
4. UDO Section 3.8 - Redlined
5. UDO Section 5.8 - Redlined
6. Ordinance

Sec. ~~12~~-2.5. - Design Review Board.

A. Creation.

A Design Review Board is hereby established by the City of College Station for the purpose of enhancing the City's ability to review sign, building, and site design issues, including architectural issues as specified in this UDO, by bringing expertise from the community to bear on these issues in designated design districts.

B. Membership and Terms.

1. The Design Review Board shall consist of seven (7) members. Six (6) of the members shall be appointed by the City Council.
 - a. The City Council shall appoint a representative with expertise from each of the following disciplines or groups:
 - 1) Architecture;
 - 2) Landscape architecture;
 - 3) Business; and
 - 4) Design district connection (e.g., developer, land owner, business owner, resident, or employee within a design district).
 - b. The City Council shall appoint two (2) members that are citizens-at-large.
 - c. The seventh regular member shall be the Chairperson of the Planning and Zoning Commission or his/her designee.
2. Members shall be appointed for two-year terms.
3. The Design Review Board is a governmental body and shall comply with the Open Meetings Act.

C. Officers, Meetings, Quorum.

1. Officers.

A Chairperson shall be appointed annually by the City Council. The Board shall select a Vice-Chair from among its members as needed.

2. Meetings.

Members of the Design Review Board shall meet regularly and the Chairperson shall designate the time and place of such meetings. All meetings of the Board where a quorum is present shall be open to the public.

3. Quorum.

Four (4) members shall constitute a quorum for the transaction of any business. Any recommendation or decision which does not receive a majority of positive votes from those members present shall be deemed a negative report.

4. Rules of Proceeding.

The Design Review Board shall adopt its own rules of procedure.

5. Minutes.

The Design Review Board shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Administrator and shall be a public record.

D. Powers and Duties.

The Design Review Board has the following powers and duties:

1. ~~Site Plans.~~

~~The Design Review Board shall hear and take final action on design district site plans.~~

2.1. ~~Wolf Pen Creek District and Overlay District Review.~~

The Design Review Board shall approve or deny ~~any sign materials and colors in the Wolf Pen Creek District (WPC), and shall approve or deny~~ all alternate building or fence materials and fence height in the Krenok Overlay District, as specified within this UDO.

2. Wolf Pen Creek District Review

The Design Review Board shall hear and decide requests for waivers from the standards in the Wolf Pen Creek (WPC) subsection of the Design Districts Section of Article 5 of this UDO as limited to the possible waivers authorized by that subsection.

3. Wolf Pen Creek Parking Waivers.

The Design Review Board shall hear and decide requests to vary from the amount of required parking in the Wolf Pen Creek District (WPC).

4. Northgate District Standards Waivers.

The Design Review Board shall hear and decide requests to vary from the standards in the Northgate Districts (NG) subsection of the Design Districts Section of Article 5 of this UDO as limited to the possible Waivers authorized by that subsection.

5. Driveway Appeals.

The Design Review Board shall hear appeals to decisions of the Development Engineer regarding driveway appeals.

6. Appeal of Requirement Based on Site Plan Review Criteria.

The Design Review Board shall hear and decide appeals of the Administrator's application of site plan requirements to assure compliance with Sections 12-3.6.E, Site Plan Review Criteria, and 3.7.D, Additional Review Criteria for the WPC District.

7. Buffer Appeals.

The Design Review Board shall hear appeals of buffer requirements listed in Section ~~12-7.7~~, Buffer Requirements.

8. Non-Residential Architectural Standards Appeals.

The Design Review Board shall hear and decide waiver~~appeal~~ requests as specified in the Non-Residential Architectural Standards Section.

9. Non-Residential Architectural Standards Alternative Compliance.

The Design Review Board shall hear and decide proposals for alternative compliance to the Non-Residential Architectural Standards.

E. Staff.

The Administrator shall provide staff, as needed, to the Design Review Board.

(Ord. No. [2013-3471](#), Pt. 1(Exh. A), 1-10-2013; Ord. No. [2015-3663](#), Pt. 1(Exh. A), 5-28-2015; Ord. No. [2016-3835](#), Pt. 1(Exh. A), 11-10-2016)

Sec. ~~12~~-2.12. Summary of Review Authority.

The following table summarizes the authority of the various review bodies and staff.

PROCEDURE	City Council	P&Z Comm.	Zoning Bd. of Adj.	Design Rev. Bd.	Land. Comm.	Bike, Ped. & Grnwy	Admin.	Building Official	Dev. Engr.
CITY COUNCIL (CC)									
Oversize Participation	D								RR
Development Agreement	D						RR		R
Conditional Use permit	D	R					RR		
Zoning Map Amendment	D	R					RR		
Zoning Map Amendment (HP)	D	R			R		RR		
PDD/P-MUD Concept Plan	D	R					RR		
Text Amendment	D	R				R	RR		
Comp. Plan Amendment	D	R				R	RR		
Impact Fee/CIP Priorities	D	R				R			RR
Annexations	D	R					RR		
Municipal Utility Districts	D	R					RR		
PLANNING & ZONING COMMISSION (P&Z)									
Preliminary Plan*** (with waiver or discretionary item)		D					RR		R

Final Plat		D					RR		R
Development Plat		D					RR		R
Waiver of Subdivision Standard		D					RR		R
Development Exaction Appeal	A	D							RR

ZONING BOARD OF ADJUSTMENT (ZBA)

Variance			D				RR	R	RR
Administrative Appeal			D				RR		
Zoning Map Interpretation			D				RR		

LANDMARK COMMISSION (LC)

Certificates of Appropriateness	A				D		RR		
Certificates of Demolition	A				D		RR		
ADMINISTRATOR									
Architectural Reviews							D		
Interpretation		A**	A				D		
Sign Permit			A				D		
Site Plan		A		A*			D		R
Administrative Adjustment			A				D		
WPC District Building or Sign, Minor			A				D		
Preliminary Plan***							D		R
Minor or Amending Plat		A					D		R
PD Concept Plan Minor Amend.		A					D		
Certificate of Appropriateness, Routine					A		D		
NG Roof Color Palette Amendment		A					D		
Alternative Parking Plans		A					D		

Determination of Plat Applicability		A					D		R
BUILDING OFFICIAL (BO)									
Building Permit								D	
Certificate of Occupancy							R	D	R
Certificate of Completion							R	D	R
DEVELOPMENT ENGINEER (DE)									
Development Permit									D
Driveway Application				A					D
Alternative Const. Material				A					D

* Section 12-3.6.E. Site Plan Review Criteria and 12-3.7.FE. Wolf Pen Creek Design District General Site Plan Review Criteria only.

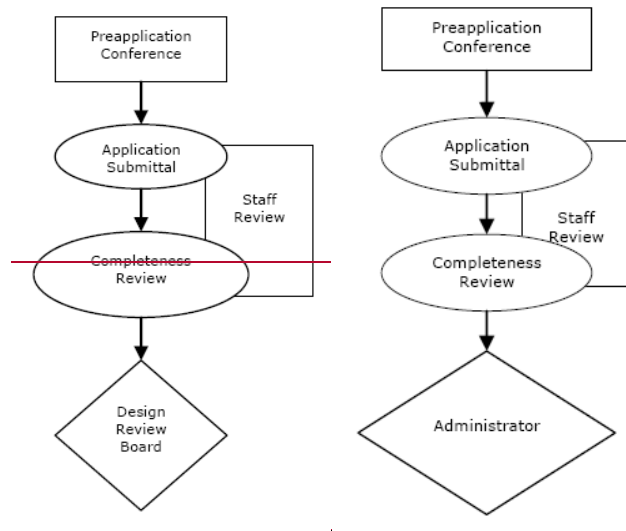
** Subdivision Regulations only.

*** See UDO Section 3.4, Plat Review, for specific review authority.

KEY: A =Appeal **R** =Recommend **D** =Final Action/Decision **RR** =Review/Report

Sec. ~~12~~-3.7. - Wolf Pen Creek Design District Site Plan Review.

A. **Applicability.**



1. **Design District.**

Prior to any development in the Wolf Pen Creek district (WPC) excluding minor additions such as storage buildings, fencing and the like, an applicant must obtain design district site plan approval under this Section.

In reviewing a project, the ~~Design Review Board~~ Administrator may require traffic and parking impact studies, a review of existing occupancy, and other reasonable data to determine the impact of the project.

2. **Design District Site Plan Review Required.**

No private development shall be lawful or permitted to proceed without final design district site plan approval. ~~Minor additions may be approved by the Administrator.~~ Design district site plan approval shall be required for all site plans as part of a conditional use permit.

3. **General Requirements.**

- a. All improvements reflected on approved site plans must be constructed at the time of development.
- b. All associated rehabilitation, façade work, and other construction must be conducted subsequent to and in compliance with approved elevations, colors, and materials, and comply with all requirements in the Wolf Pen Creek Design District. Such review may take place concurrent with the site plan review, or may take place separately, as provided in Section ~~12~~-3.9, Development Permit.
- c. All terms and conditions of site plan approval must be met at the time of development.

B. **Application Requirements.**

A complete application for site plan approval shall be submitted to the Administrator as set forth in the General Approval Procedures Section ~~in Chapter 12~~, Article 3 of this UDO. The application shall include a landscaping plan illustrative compliance with the requirements of the Landscaping and Tree Protection Section ~~in Chapter 12~~, Article 7 of this UDO. Where applicable, applicants shall submit information, documents, and materials required in the Non-Residential Architectural Standards Section and Traffic Impact Analyses Section ~~in Chapter 12~~, Article 7 of this UDO.

C. **Wolf Pen Creek Design District Site Plan Approval Process.**

Wolf Pen Creek district site plan review applications shall be processed in accordance with the following requirements:

1. **Preapplication Conference.**

Prior to the submission of an application for design district site plan approval, applicants are encouraged to schedule and attend an optional preapplication conference in accordance with and for the purposes as set forth elsewhere in this UDO for preapplication conferences.

~~2. **Review and Report by the Administrator.**~~

~~If the proposed design district site plan is determined to be consistent with all applicable provisions of this UDO, the City's Comprehensive Plan, and the Wolf Pen Creek Master Plan, or if the plan is recommended for denial or conditional approval, the Administrator shall report such consistency, inconsistency, or proposed conditions to the Design Review Board.~~

~~3. **Review by the Design Review Board.**~~

~~The Design Review Board shall review the design district site plan in a public meeting and may approve, approve with conditions or deny the application. Notice shall be provided by publication of the agenda of the meeting.~~

4. **DecisionFinal Action by the Design Review Board Administrator.**

If the proposed site plan is determined to be consistent with all applicable provisions of this UDO, including the applicable district provisions of the Design Districts Section in ~~Chapter 12,~~ Article 5 of this UDO, and the review criteria below, the ~~Design Review Board Administrator~~ shall approve the design district site plan. A determination that all such requirements and provisions have not been satisfied shall result in disapproval of the site plan.

~~D. **Design District Minor Additions Approval Process.**~~

~~Minor additions to a site are accessory buildings and structures, change of solid waste disposal location, painting, and landscaping. All site plan review applications for minor additions shall be processed in accordance with the following requirements:~~

~~1. **Review by the Administrator.**~~

~~The Administrator shall review the design district site plan for minor additions and may approve, approve with conditions, or deny the site plan. The Administrator may also forward the site plan to the Design Review Board for any reason.~~

~~2. **Final Action by the Administrator.**~~

~~If the proposed site plan is determined to be consistent with all applicable provisions of this UDO, the City's Comprehensive Plan, and the Wolf Pen Creek Master Plan, including the applicable district provisions of the Design Districts Section in Article 5 of this UDO, and the review criteria below, the Administrator shall approve the design district site plan. A determination that all such requirements and provisions have not been satisfied shall result in disapproval of the site plan.~~

~~E. **General Site Plan Review Criteria.**~~

~~In order to be approved, a site plan must provide for:~~

~~1. **Safe and convenient traffic control, handling, and vehicle queuing;**~~

~~2. **Assured pedestrian safety which may include the provision of sidewalks along the perimeter of the property meeting the specifications for same as outlined in Article 8, Subdivision Design and Improvements, relative to width and placement;**~~

- ~~3. Efficient and economic public utility and sanitation access;~~
- ~~4. Public road or street access;~~
- ~~5. Satisfactory internal access including public, private, and emergency;~~
- ~~6. Adequate parking and maneuvering areas;~~
- ~~7. Noise and emission control or dispersion that complies with Chapter 7, Health and Sanitation, of the City's Code of Ordinances;~~
- ~~8. Visual screening of trash receptacles or other areas offensive to the public or existing adjacent development;~~
- ~~9. Runoff, drainage, and flood control;~~
- ~~10. Visual screening from the right of way of parking lots;~~
- ~~11. Compliance with standards, guidelines, and policies of the City's adopted Streetscape Plan; and~~
- ~~12. Determination and clear indication of what constitutes the building plot for purposes of this UDO.~~

F.D. Additional Review Criteria for the WPC District.

All development within the Wolf Pen Creek District shall comply with the Site Plan Review Criteria as outlined in Section 3.6.E of this UDO. In addition, the following standards, which affect the appearance of a development, shall govern the evaluation of a design submission in the WPC district:

1. Conformance to the City's Comprehensive Plan;
2. Exterior space utilization;
3. Material selection;
4. Compatibility with existing development in the design district;
5. Vehicular, pedestrian, and bicycle circulation;
6. Building location and orientation; and
7. Specific standards listed in the Design Districts Section in ~~Chapter 12~~, Article 5 of this UDO.

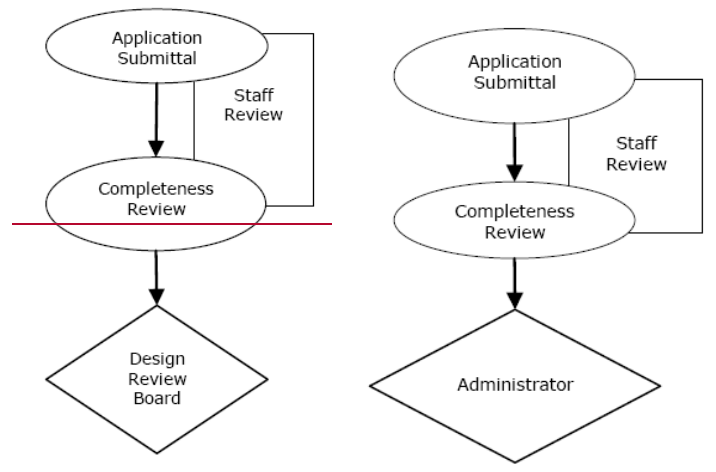
E. Appeal.

Appeals of site plans denied by the Administrator where the denial was based upon or condition imposed to assure compliance with the Additional Review Criteria for the WPC District described above, shall be submitted to the Design Review Board within thirty (30) days of the decision. If no appeal is filed within thirty (30) days, the decision shall be final.

In the event of an appeal, the Design Review Board shall use the same review criteria as the Administrator in reviewing the site plan and taking final action. The Board may impose reasonable site-related conditions to mitigate the impacts of the development; however, they shall not impose architectural changes unless otherwise provided for in this UDO.

Sec. ~~12-3.8.~~ - Wolf Pen Creek Design District Building and Sign Review.

A. **Applicability.**



1. In the Wolf Pen Creek district (WPC), all substantial maintenance (including but not limited to rehabilitation, façade work, and, change or exterior materials or other construction, including the replacement or alteration of signs) shall be subject to the WPC district building and sign review process.
2. All Building and Sign review required in this Design District, including, Minor additions to a site (accessory buildings and structures, change of solid waste disposal location, painting, and landscaping) shall be reviewed by the Administrator.

B. **Application.**

A complete application for building or sign review in a design district shall be submitted to the Administrator as set forth in the General Approval Procedures Section ~~in Chapter 12, Article 3~~ of this UDO.

C. ~~Decision~~Final Action by ~~Design Review Board~~ Administrator.

~~1. Public Meeting.~~

~~The Design Review Board shall conduct design district review in a public meeting. Notice shall be provided by publication of the agenda of the meeting.~~

1. ~~2.~~ **Design Review.**

The ~~Board~~Administrator shall apply the standards for the applicable district as set forth in the Design Districts Section in ~~Chapter 12, Article 5~~ of this UDO. In considering such matters, the ~~Design Review Board~~ mayAdministrator may rely on special area plans or studies adopted by the City Council.

2. ~~3.~~ **Written Decision.**

If approval is granted, the decision shall be communicated in writing to the applicant.

D. **Waivers.**

The Design Review Board shall hear and decide requests for waivers from the standards in the Wolf Pen Creek (WPC) subsection of the Design Districts Section of Article 5 of this UDO as limited to the possible waivers authorized by that subsection.

(Ord. No. [2012-3449](#), Pt. 1(Exh. E), 9-27-2012)

Sec. ~~12~~-5.8. - Design Districts.

A. **Wolf Pen Creek (WPC).**

This district is designed to promote development that is appropriate along Wolf Pen Creek, which, upon creation was a predominantly open and undeveloped area challenged by drainage, erosion, and flooding issues. Development proposals are designed to encourage the public and private use of Wolf Pen Creek and the development corridor as an active and passive recreational area while maintaining an appearance consistent with the Wolf Pen Creek Master Plan.

All development within the Wolf Pen Creek District shall be subject to the following supplemental standards ~~shall apply to this district~~:

1. **Development Criteria.**

- a. This Section is intended to ensure that development occurs in compliance with the Master Plan for the Wolf Pen Creek Corridor. Pertinent to appearance is the design of the site, building and structures, plantings, signs, street hardware, and miscellaneous other objects that are observed by the public.
- b. These criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles, which can result in creative solutions that will develop a satisfactory visual appearance within the City, preserve taxable values, and promote the public health, safety, and welfare.
- c. In order to create and then preserve a distinctive atmosphere and character in the Wolf Pen Creek development corridor, elements listed in Additional Review Criteria of the Wolf Pen Creek Design District Site Plan Review section of this UDO, shall be considered in the review of all projects and proposals for development.

2. **Dedication/Development of Drainage and Pedestrian Accessways.**

Except for minimum reservation areas dedicated or developed in accordance with the Wolf Pen Creek Master Plan, the flood fringe area may be reclaimed upon approval of reclamation plans by the City Engineer.

- a. The Upstream Phase of the development corridor along Wolf Pen Creek means the area between Texas Avenue and Dartmouth Drive. The area to be dedicated or developed consists of the properties described in Ordinance #2640 and the floodway and the minimum reservation line as defined in the Wolf Pen Creek Master Plan for all other properties within the Upstream Phase of the Development Corridor.
- b. The Downstream Phase of the development corridor along Wolf Pen Creek means the area between Dartmouth Drive and the Earl Rudder Freeway. The area to be dedicated or developed consists of property described in Ordinance #2534 and shall be referred to as the minimum reservation area.
- c. Where applicable, the floodway and the minimum reservation line for the Upstream Phase of the development corridor, and/or the minimum reservation area for the Downstream Development Phase, shall be indicated on the site plan.
- d. Upon development of the property within the Wolf Pen Creek development corridor, the minimum reservation area may be:
 - 1) Dedicated in fee simple or as a drainage and access easement, or
 - 2) Improved by the developer to conform with the standards of the development corridor.
- e. Property within the minimum reservation area will:

- 1) Provide drainage capacity necessary to convey the floodwaters of Wolf Pen Creek while accommodating the increased runoff from development of properties along the creek;
 - 2) Provide an area to accommodate pedestrian access from, to, and between developments along the banks of Wolf Pen Creek in order to lessen congestion along adjacent roadways for patrons of businesses along the corridor;
 - 3) Provide an area as necessary to address and prevent erosion of creek banks resulting from development both along the Creek in the development corridor and from floodwaters received from upstream of the development corridor;
 - 4) Provide an area necessary for public improvements to the development corridor including, but not limited to, trails, lighting, irrigation, benches, kiosks, foot bridges with hand rails, trash receptacles, culverts, signage, landscaping, emergency call boxes, public art, and bicycle racks; and
 - 5) Provide access for drainage and facilities maintenance as necessary to support private development within the development corridor.
- f. All development shall be in accordance with the Wolf Pen Creek Corridor Study and Master Plan (1988), the Revised Wolf Pen Creek Master Plan (1998) and the "Conceptual Plan, Trail System" prepared by Robert B. Ruth, dated February 25, 2001.
- g. Permitted private development within the minimum reservation area where dedication is not made may include, but is not limited to:
- 1) Cleaning and removal of brush and bank stabilization;
 - 2) Erosion control;
 - 3) Pedestrian walkways, lighting, and access easements; and
 - 4) Preservation of the natural setting of the creek.
- h. Cross sections as shown in the original Wolf Pen Creek Master Plan shall be used in designing improvements unless otherwise approved by the ~~Administrator Design Review Board~~.
- i. The developer or property owner may submit any improvements to the City for dedication. Upon acceptance, the City will maintain those facilities to the same standards as other public development along the creek.

3. **Fill Materials.**

Fill materials must be placed or stored in accordance with a site plan approved by the Development Engineer.

- a. Fill must not be placed over existing utility lines without permission of the City of College Station.
- b. Fill must not be stored or placed under the driplines of any tree three (3) inches or greater in caliper.
- c. Stored fill materials must be maintained in an aesthetically pleasing manner.
- d. Materials may be hauled in or excavated for lake construction.

4. **Lighting.**

Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design. Light fixtures shall be compatible with fixtures used elsewhere in the district.

5. **Solid Waste.**

- a. Owners shall be encouraged in the joint use of solid waste collection agreements. Collection points may also act as vehicular access points for park maintenance vehicles.
- b. Building service areas and solid waste collection points shall be screened from the creek corridor, trail system, parking and vehicular use areas, and dedicated streets and shall not be within twenty (20) feet of the minimum reservation line. Screening shall consist of living plant materials, fences and/or walls.

6. Relationship of Buildings to Site.

- a. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
- b. The location and placement of buildings on individual sites shall reflect consideration for roadway access, the preservation of major existing natural vegetation adjacent to the creek, visual impact, and the relationship to surrounding developments.
- c. All developments adjacent to the creek shall orient a focal point (i.e. primary entrance, patio, seating area, etc.) to the floodplain of the creek and have pedestrian access to the trail system. Service areas and loading docks should not directly face the creek.

7. Relationship of Buildings and Site to Adjoining Area.

Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.

- a. Attractive landscape transition to adjoining properties shall be provided.
- b. Harmony in texture, lines, and masses is required. Monotony shall be avoided.
- c. Joint vehicular access agreements from dedicated streets are encouraged and may be required by the Administrator~~Design Review Board~~.
- d. Park access easements for vehicular and pedestrian traffic shall be indicated on the site plan. Elevation drawings showing all sides of a building shall be provided.

8. Building Design.

All buildings shall comply with Non-Residential Architectural Standards, except as follows:

~~Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.~~

~~All buildings shall be architecturally finished on all four sides with the same materials, detailing, and features with a higher level of finish on façades facing the creek, Public Way or Public Right of Way.~~

~~Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.~~

- a. Materials shall be selected for harmony of the building with adjoining buildings.
- b. Any façade visible from the creek must provide a minimum of ten (10) percent of fired brick, natural stone, marble, granite, or any concrete product so long as it has an integrated color and is textured or patterned (not aggregate material) to simulate brick, stone, marble or granite.
- ~~a. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall use the same materials, or those that are architecturally harmonious, for all building walls and other exterior building components wholly or partly visible from public ways.~~
- ~~b. Materials shall be of durable quality.~~
- ~~c. In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.~~

~~d. Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.~~

~~e.c. Colors shall be harmonious and shall use only compatible accents. Building colors shall be neutral and harmonious with the existing man-made or natural environment, and only compatible accent colors shall be used. All colors shall be approved by the Administrator.~~

~~f.d.~~ Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways.

~~g.e.~~ Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.

9. **Miscellaneous Structures and Street Hardware.**

- a. Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.
- b. Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings, and signs.

10. **Landscaping.**

Landscape elements included in these criteria consist of all forms of plantings and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures. In addition to the requirements of the Landscaping and Tree Protection section of this UDO, all landscaping shall meet the following:

- a. Where natural or existing topographic patterns contribute to beauty and utility of a development adjacent to the creek, they ~~shall~~should be preserved and incorporated into the design of the development~~developed~~. Modification to topography will be permitted where it contributes to good appearance.
- b. Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking, and, if seating is provided, for sitting.
- c. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axes, and provide shade.
- d. Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.
- e. Plant material shall be selected for interest in its structure, texture, and color, and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design, and of good appearance shall be used.
- f. In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.
- g. Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.
- h. Where building sites limit planting, the placement of trees in parkways or paved areas is encouraged.
- i. Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be equally effective in winter and summer.

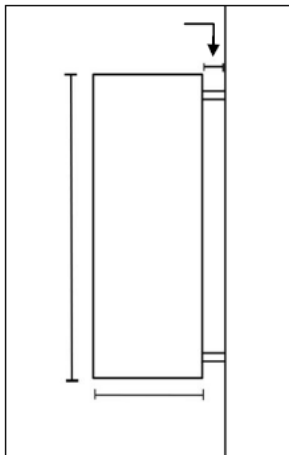
- j. In areas where general planting will not prosper, other materials such as fences, walls, and pavings of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible.

11. Signs.

a. Sign Standards.

- 1) Multi-family projects shall follow the requirements of allowed signage for the zoning district appropriate for the specific use in addition to meeting the standards listed below in this Section.
- 2) Non-residential projects shall follow the requirements of allowed signage for the zoning district appropriate for the specific use in addition to meeting the standards listed below in this Section.
- 3) Mixed-use projects shall follow the requirements of allowed signage for C-1 General Commercial in addition to meeting the standards listed below in this Section.

b. Projection Signs.



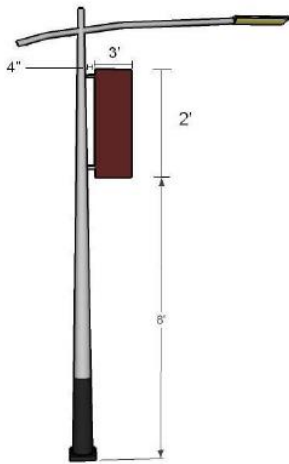
City of College Station, Texas

Projection signs will be allowed in the Wolf Pen Creek District with the following restrictions:

- 1) One (1) projection sign per frontage along a public right-of-way will be allowed except where otherwise stated in this Section.
- 2) The total square footage of all projection signs used will be applied toward the total allowable area for attached signage.
- 3) The division and placement of allowable building signage amongst building tenants shall be the sole responsibility of the owner or property manager, and not the City of College Station.
- 4) Projection signs shall be mounted perpendicular to buildings.
- 5) Internally lit plastic signs will not be permitted.
- 6) Projection signs may utilize fabric or other flexible material provided that they remain in good condition at all times.
- 7) Projection signs shall have a minimum of eight (8) feet of clearance from the walkway grade and four (4) inches of clearance from the building face. Excluding the four-inch

minimum clearance requirement, no part of a projection sign shall project more than three (3) feet from the building face.

- 8) Projection signs shall not extend above the façade of the building to which it is attached.
- 9) Buildings with one (1) story may have a sign that shall not exceed eighteen (18) square feet in size. For each additional building story, an additional eight (8) square feet of signage is allowed, up to a maximum of fifty (50) square feet per sign.
- 10) Signs may be attached to site lighting located on private property with the following restrictions:
 - a. Developments will be allowed one (1) light pole sign for every one hundred fifty (150) feet of building plot frontage in lieu of a permitted freestanding sign.



- b. No part of any sign attached to a light pole will be allowed to overhang or encroach into any portion of the public right-of-way.
- c. Light pole signs shall not exceed six (6) square feet in size and shall have a minimum of eight (8) feet of clearance from the walkway grade.
- d. Light pole signs shall have a minimum clearance of four (4) inches from the edge of the light pole, and excluding the four-inch clearance, shall not project more than three (3) feet from the edge of the light pole.

c. Design Criteria.

In addition to the City's Sign Standards, the Design Review Board Administrator shall evaluate all proposed signage according to the following criteria:

- 1) Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.
- ~~2) Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings.~~
- ~~3) 2) The colors, materials, and lighting of every sign shall be restrained and~~ harmonious with the building and site to which it principally relates.
- ~~4) The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the area of the sign face.~~

~~5) Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.~~

6)3) Identification signs of a prototype design and corporation logos shall conform to the criteria for all other signs.

12. Maintenance.

- a. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.
- b. Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.
- c. Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.
- d. Major maintenance activities that occur after a project is complete shall be reviewed by ~~the Administrator~~Design Review Board. These activities include any replacement of light fixtures or standards, and major fence or landscape work or replacement. The intent is to insure that the development standards of this UDO are maintained throughout the life of a project.

13. Waivers.

The Design Review Board shall hear and decide requests for waivers to the standards of the Wolf Pen Creek Design District section of this UDO as listed below. The DRB shall approve waivers found to meet the intent of the standards of the Wolf Pen Creek Design District section of this UDO and the Wolf Pen Creek Master Plan. Financial hardship may not be considered in the review or determination of a waiver proposal. DRB review and waiver approval shall be limited to the following items:

- a. Relief from specific requirements related to building orientation and access for the improvement of existing buildings if it can be proven by the applicant that existing site characteristics constrain the proposed project from meeting the requirement(s) herein. Relief shall not be considered for building expansions or additions.
- b. Alternatives to the requirements related to building orientation and access when physical characteristics limit the site or provide for unique orientation and access opportunities.



Legislation Details (With Text)

File #: 18-0087 Version: 1 Name: Budget Amendment #1
Type: Presentation Status: Agenda Ready
File created: 1/23/2018 In control: City Council Regular
On agenda: 2/8/2018 Final action:
Title: Public Hearing, presentation, possible action, and discussion on Budget Amendment #1 amending Ordinance No. 3936 which will amend the budget for the 2017-2018 Fiscal Year in the amount of \$3,079,541 and increase the net personnel FTE count by 2.0 and presentation, possible action and discussion on interfund transfer totaling \$54,000.
Sponsors: Mary Ellen Leonard
Indexes:
Code sections:
Attachments: [FY18 BA#1 rev CK REV Ordinance](#)

Date	Ver.	Action By	Action	Result
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Public Hearing, presentation, possible action, and discussion on Budget Amendment #1 amending Ordinance No. 3936 which will amend the budget for the 2017-2018 Fiscal Year in the amount of \$3,079,541 and increase the net personnel FTE count by 2.0 and presentation, possible action and discussion on interfund transfer totaling \$54,000.

Relationship to Strategic Goals:

1. Financially Sustainable City
2. Core Services and Infrastructure

Recommendation(s): Staff recommends the City Council approve Budget Amendment #1, the FTE personnel increase and the interfund transfer.

Summary: The proposed budget amendment is to increase the FY18 budget appropriations by \$3,079,541. The charter of the City of College Station provides for the City Council to amend the annual budget in the event there are revenues available to cover increased expenditures and after holding a public hearing on such budget amendment. Attached is a summary with a description of the items included on the proposed budget amendment. This amendment also increases the net personnel FTE count by 2.0. Also included is an interfund transfer. Transfers between Funds require Council approval.

Budget & Financial Summary: The City has resources or can reasonably expect resources to cover the appropriations in this budget amendment. The attached summary has the complete description of the items included on the proposed budget amendment, a description of the increase to the personnel FTE count and a description of the interfund transfer. If approved, the net revised budget appropriations will be \$368,779,575.

Reviewed and Approved by Legal: Yes

Legal Review: Yes

Attachments:

1. FY18 Budget Amendment #1 Detail Listing
2. Ordinance

18-0087 - FY18 BA#1 rev CK REV

The proposed budget amendment is to increase the FY18 budget for the items listed below by \$3,079,541. This amendment also increases the net Full-Time-Equivalent (FTE) personnel count by 2.0 positions. Also included is an interfund budget transfer.

1. Encumbrance Roll - \$2,595,965 (Budget Amendment)

A number of expenditures were not completed in FY17 due to timing issues. These goods and services were budgeted and encumbered in FY17, but were not or will not be received until FY18. The encumbrance roll increases the FY18 budget appropriation in each applicable fund for the eligible items. Included in the encumbrance roll is budget for Equipment Replacement totaling \$1,735,592. These items were ordered in FY17 but not received by the end of the fiscal year. Of the remaining encumbrance roll items, many were FY17 one-time SLA items that were not completed in FY17 and the funds for the items are available in the applicable fund balances.

2. Increase Park Land Dedication Budgets for Zones 6, 11 and D - \$172,000 (Budget Amendment)

Budget for the Park Land Dedication Funds is determined based on available fund balances at the time the budget is developed. Additional Park Land Dedication contributions have been received in several Funds since the budgets was approved. This item will appropriate additional budget in Park Land Zones 6, 11 and D where the contributions were received to allow the funds to be utilized for various park improvement projects.

3. Greens Prairie/Arrington Signal Participation Agreement - \$152,800 (Budget Amendment)

On November 9, 2017, Council approved a Participation Agreement with OGC Greens Prairie Investors, LLC to share costs of constructing intersection improvements at Greens Prairie Road and Arrington Road. At that same meeting, Council approved the construction contract for the improvements. Budget in the amount of \$790,000 was included in the Streets Capital Improvement Projects Fund for the project. The budget, however, did not account for the expenditures outlined in this participation agreement and, therefore, will be increased as part of this budget amendment. The expenditures will be offset by the \$152,800 payment from OGC Greens Prairie Investors, LLC as outlined in the Participation Agreement.

4. Memorial Cemetery Endowment Fund - \$37,500 (Budget Amendment)

This item includes a \$33,000 increase in the FY18 Memorial Cemetery Endowment Fund budget for wayfinding signage at Memorial Cemetery. Budget for this signage was approved during the FY17 budget process, however quotes came in over the amount initially requested. This item is for the appropriation of the budget in FY18. Also included in this budget amendment item is \$4,500 for re-platting fees for a section of the Aggie Field of Honor. A newly fenced section of the cemetery must be re-platted before plots can be offered for sale. The Memorial Cemetery Endowment Fund has sufficient fund balance to accommodate both requests.

5. Municipal Court X-Ray Machine Replacement - \$25,000 (Budget Amendment)

A Court Technology Fee is authorized by the Texas State Legislature and is collected from defendants convicted of a misdemeanor offense who pay citations at College Station Municipal Court. Court Technology Fee revenues can be used to fund technology projects at the Municipal Court Facility. This item is to appropriate Court Technology Fee Funds for the replacement of the X-Ray machine at the Municipal Courts building. The x-ray machine broke down unexpectedly and needs to be replaced as it is an essential component security. The Court Technology Fee Fund has sufficient fund balance to accommodate this request.

6. Police Department – CJD and JAG Grants - \$42,276 (Budget Amendment)

The Criminal Justice Division of the Office of the Governor has authorized the City of College Station to receive grant funds in the amount of \$24,732 to be used to purchase rifle-resistant body armor. There will be no matching fund requirement; however, the grant does not provide for maintenance, repair, or future replacement of the body armor so these additional costs will be incurred by the City in future budgets. In addition, the City of College Station will be receiving Justice Assistance Grant (JAG) funds totaling \$17,544. The funds are awarded for the purpose of supporting local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, information technology, research and evaluation activities that will improve or enhance law enforcement programs. This item will appropriate budget for the expenditures in the Police Department's budget.

7. HOT Funded Multimedia Coordinator position – \$54,000 and 1.0 FTE Increase (Budget Amendment and Interfund Transfer)

This item is for the addition of one Full-Time Equivalent (FTE) Multimedia Coordinator position in the Public Communications (PC) Department. This position will be responsible for strategically creating marketing materials that help increase tourism to College Station. In addition, PC staff will introduce College Station to other markets through the development of brochures, promotional videos, and marketing and advertising materials. As the primary focus will be to create high-quality collaterals needed to bring tourism to College Station, it is recommended that this position be funded with Hotel Tax Funds. The amount included on this budget amendment item is for an estimated nine months of salary and benefits. The estimated on-going annual cost for the position is \$74,000. This position will be budgeted in the General Fund and Hotel Tax funds will be transferred to the General Fund to cover the expenditures related to eligible activities. The funds for the position are available in the Hotel Tax Fund.

8. HR Training and Development Coordinator Position – 1.0 FTE Increase

This item is for the addition of one Full-Time Equivalent (FTE) Training and Development Coordinator position in the General Fund for the Human Resources (HR) Department. This position will be responsible for professional-level work focused on developing, coordinating and participating in specialized and general training, and employee development related activities, to include, but not limited to developing, facilitating, and managing employee development activities and overseeing organizational wide performance improvement programs. It is anticipated that this position will be filled in the early part of calendar year 2018. The estimated on-going annual cost for the position is \$82,000. The funding for FY18 will come from a combination of contingency and the existing budget in the HR Department; as such, no additional budget will be needed for the position in FY18. This item is for the addition of the 1.0 FTE to the budget.

ORDINANCE NO. _____

AN ORDINANCE (BUDGET AMENDMENT #1) AMENDING ORDINANCE NO. 2017-3936 WHICH WILL AMEND THE BUDGET FOR THE 2017-2018 FISCAL YEAR AND AUTHORIZING AMENDED EXPENDITURES AS THEREIN PROVIDED.

WHEREAS, on September 25, 2017, the City Council of the City of College Station, Texas, adopted Ordinance No. 2017-3936 approving its Budget for the 2017-2018 Fiscal Year; and

WHEREAS, this amendment was prepared and presented to the City Council and a public hearing held thereon as prescribed by law and the College Station City Charter, after notice of said hearing having been first duly given; now, therefore,

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

PART 1: That Ordinance No. 2017-3936 is hereby amended by amending the 2017-2018 Budget adopted thereto by a net amount of \$3,079,541 as further detailed in Exhibit A attached hereto and incorporated herein for all purposes.

PART 2: That this Budget Amendment #1 shall be attached to and made a part of the 2017-2018 Budget.

PART 3: That except as amended hereby, Ordinance No, 2017-3936 shall remain in effect in accordance with its terms.

PART 4: That this Ordinance shall become effective immediately after passage and approval.

PASSED and APPROVED this 8th day of February, 2018.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

ORDINANCE NO. _____

AN ORDINANCE (BUDGET AMENDMENT #1) AMENDING ORDINANCE NO. 2017-3936 WHICH WILL AMEND THE BUDGET FOR THE 2017-2018 FISCAL YEAR AND AUTHORIZING AMENDED EXPENDITURES AS THEREIN PROVIDED.

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

PART 1: That Ordinance No. 2017-3936 is hereby amended by amending the 2017-2018 Budget adopted thereto by a net amount of \$3,079,541 as further detailed in Exhibit A attached hereto and incorporated herein for all purposes.

PART 2: That this Budget Amendment #1 shall be attached to and made a part of the 2017-2018 Budget.

PART 3: That except as amended hereby, Ordinance No, 2017-3936 shall remain in effect in accordance with its terms.

PART 4: That this Ordinance shall become effective immediately after passage and approval.

PASSED and APPROVED this 8th day of February, 2018.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney



Legislation Details (With Text)

File #: 18-0105 Version: 1 Name: Citizen Appointments
Type: Appointment Status: Agenda Ready
File created: 1/29/2018 In control: City Council Regular
On agenda: 2/8/2018 Final action:
Title: Presentation, possible action, and discussion regarding appointments to the following boards and commissions:

- Construction Board of Adjustments and Appeal
- Design Review Board
- Historic Preservation Committee
- Joint Relief Funding Review Committee
- Zoning Board of Adjustment

Sponsors: Tanya Smith
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding appointments to the following boards and commissions:

- Construction Board of Adjustments and Appeal
- Design Review Board
- Historic Preservation Committee
- Joint Relief Funding Review Committee
- Zoning Board of Adjustment

Relationship to Strategic Goals:

- Good Governance

Recommendation(s): None

Summary: This is the annual appointment to our boards, committees, and commissions. A packet containing applications, appointment charts, and tally sheets will be provided under separate cover.

Budget & Financial Summary: None

Attachments: None

