

City of Bryan

Storm Water Management Program
Year Seven Annual Report



CITY OF BRYAN
The Good Life, Texas Style.™

Prepared in accordance with TPDES General Permit TXR040000

November 10, 2014

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BTU Plug In – October 2013

Know our City Codes and Keep Bryan Beautiful

Phase II (Small) MS4 Annual Report Form

TPDES General Permit Number TXR040000

A. General Information

1. Permit Number TXR040336 Annual Report Year: 7
- Name of MS4 / Permittee: City of Bryan
- Contact Name: Mark Jurica Telephone Number: (979) 209-5932
- Mailing Address: P.O. Box 1000, Bryan, Texas 77805
- E-mail Address: mjurica@bryantx.gov
2. Is the named permittee relying on another entity/ies to satisfy some of its permit obligations? Yes ☐ No ☒
- If "Yes," provide the name(s) of other entity/ies and an explanation of their responsibilities (add more spaces or pages if needed):
- Name and Explanation: _____
- Name and Explanation: _____
- Name and Explanation: _____
- Name and Explanation: _____

Name and Explanation: _____

Name and Explanation: _____

3. Is the named permittee sharing a SWMP with other entities?

_____ Yes _____ X _____ No

a. If the answer to Number 3 is "Yes," list all associated permit numbers and permittee names (add additional spaces or pages if needed):

Permit Number: _____ Permittee: _____

Permit Number: _____ Permittee: _____

Permit Number: _____ Permittee: _____

Permit Number: _____ Permittee: _____

b. If the answer to Number 3 is "Yes," is this a system-wide annual report including information for all permittees?

_____ Yes _____ No

Explanation, if any _____

4. Has a copy of this annual report been submitted to the TCEQ Regional Office?

_____ X _____ Yes _____ No

B. SWMP Modifications and Additional Information.

Include a brief explanation if you check "Yes" to any of the following statements.

1. a. Changes have been made or are proposed to the SWMP since the NOI or the last annual report, including changes in response to TCEQ's review. X Yes No

SWMP has been modified and expanded to address new requirements and direction outlined in the TXR040000 General Permit. New NOI supporting revision of the SWMP was submitted to TCEQ in April 2014.

- b. If the answer to Number 1.a. is "Yes," has the TCEQ already approved the original SWMP? X Yes No

On July 23, 2014, the City received approval from TCEQ to publish Notice of Application for Small Municipal Separate Storm Sewer System (MS4) for public comment on the proposed SWMP.

- c. If the answer to Number 1.a. is "Yes," indicate whether an NOC (or letter) has been submitted to document the changes to the approved SWMP as required by the general permit. (Note that if an NOC is required, it must be submitted to the address shown on the NOC. Do not attach the original NOC form to this report.) Yes No

2. The MS4 has annexed lands since obtaining permit coverage. If "Yes," please explain. X Yes No

Ordinance No. 1817 – Approved July 28, 2009 – Annexed 179.59 Acres; Ordinance No. 1756 – Approved March 25, 2008 – Annexed 121.8 Acres; Ordinance No. 1942 – Approved December 6, 2011 – Annexed 350 Acres; Ordinance No. 1954 – Approved April 10, 2012 – Annexed 166.2 Acres. No changes to SWMP or BMPs will be made as a result of the annexations listed above. Copies of both ordinances and associated maps are attached with this report.

3. A receiving water body is newly listed as impaired or a TMDL has been established. If yes, please explain.

X Yes No

A TMDL for the Carters Creek Watershed (Carters Creek, Burton Creek, and Country Club Branch) is completed. The TMDL addresses *E. coli* loading. The I-Plan was approved by TCEQ on August 22, 2012. The TMDL is in its second year of implementation.

The following stream segments located within the City's MS4 are considered impaired in accordance with the Texas Water Inventory 303(d) List: 1209A, 1209B, 1242B, 1242C, and 1242D.

Impaired stream segments are addressed within the SWMP.

4. The MS4 has conducted analytical monitoring of storm water quality.

_____ Yes X No

Explain below or attach a summary to submit along with any monitoring data used to evaluate the success of the SWMP at reducing pollutants to the maximum extent practicable. Be sure to include a discussion of results.

The City of Bryan's SWMP does not require analytical monitoring of water quality. However, staff has performed creek monitoring for *E. coli* to (1) coincide with creation of the TMDL, and (2) identification and trending for SSO events and dry weather field screens. *E. coli* sampling of wastewater effluent is performed in accordance with each wastewater treatment plant's (WWTP) discharge permit. The City's Industrial Pretreatment Program establishes local limits for various pollutants discharged to the WWTPs. These limits are based on the maximum allowable headworks loading (MAHL) of pollutants to prevent pollutant bypass or plant overload. The WWTP's influent and effluent are screened annually for 126 priority pollutants: quarterly screening is performed for 26 metals and nutrients. Treated wastewater is released to receiving streams (Burton Creek, Still Creek, and Thompsons Creek); approximately 500,000 gallons/ per day of treated wastewater is supplied to the Traditions Golf Course for Type II Reclaim (Authorization # R10426-004).

- Burton Creek WWTP Pretreatment Program Reassessment of the Technically Based Local Limits – accepted by TCEQ without change on July 28, 2014.

- Still Creek WWTP Pretreatment Program Reassessment of the Technically Based Local Limits – relocation of the existing limits was performed and submitted to TCEQ on August 4, 2014 for review and acceptance. The reallocated limits will lower the maximum allowable industrial load for all regulated pollutants and contributors.
- Thompsons Creek WWTP Pretreatment Program Reassessment of the Technically Based Local Limits – sample plan submitted to TCEQ on October 16, 2013.

Volunteer sampling of the MS4 is performed as part of TDML for Burton Creek and Country Club Branch. Sampling efforts provide basic stream water quality information for each sample location (*E. coli*, *dissolved oxygen*, *pH*, *temperature*, *etc.*)

Analytical testing for stormwater quality is performed at the Burton Creek WWTP (TXR05Q529), Still Creek WWTP (TXR05Q530), and Thompsons Creek WWTP (TXR05BQ31). These sites are regulated under the TPDES Multi Sector General Permit. Pollutant data from these sites only yields site-specific data and does not reflect conditions within the MS4 as a whole.

Narrative Provisions

1. Provide information on the status of complying with permit conditions:

	Yes	No	Explain
Permittee is currently in compliance with the SWMP as submitted to and approved by the TCEQ.	X		
Permittee is currently in compliance with recordkeeping and reporting requirements.	X		
Permittee meets the eligibility requirements of the permit (e.g., TMDL requirements, Edwards Aquifer limitations, compliance history, etc.)	X		

2. Provide a general assessment of the appropriateness of the selected BMPs:

Has the permittee determined that any of the selected BMPs are not appropriate for reducing the discharge of pollutants in storm water? ___ Yes X No

Provide explanation: The City has reviewed the BMPs listed in the SWMP and has determined that they are all still appropriate to this date. On July 7, 2014, the City revised its SWMP to better guide expansion, development, and management of the MS4. Changes to the existing SWMP were made to improve program administration and reflect changes made to the new General Permit (TXR040000). On July 23, 2014, TCEQ directed the City to publish Notice of Application for Small Municipal Separate Storm Sewer Systems (MS4) concerning submission of the City's SWMP and NOI for permit coverage.

Describe progress towards reducing the discharge of pollutants to the maximum extent practicable (MEP). Summarize any information used (such as monitoring data) to evaluate reductions in the discharge of pollutants. Use a narrative description or table as appropriate:

MCM	BMP	Parameter	Quantity	Units	Does BMP Demonstrate a Direct Reduction in Pollutants? (Yes / No / Explain)

Or, provide explanation below: None to date.

- Provide a general evaluation of the program's progress, including any obstacles or challenges encountered in implementing BMPs, meeting the program's schedule, etc.:

Limited funding and resources serve as the primary obstacles for implementation and expansion of BMPs and the SWMP. Employee turnover within the City serves as a second challenge. Corporate knowledge of the SWMP is lost as a result of employee turnover.

- Provide the number of construction activities (other than those where the permittee was the operator) that occurred within the regulated area as indicated by notices of intent or site notices:

10 documented – limited staff resources and continued education of the local contractors, developers and homebuilders continue to make this a challenging measure to track – we believe many more have filed NOI than we have actual copies for. Will continue to educate and review internal practices to increase accuracy of tracking this requirement.

- Does the permittee utilize the optional seventh MCM related to construction? _____ Yes ☒ No

If "Yes," then provide the following information for this permit year:

- a. The number of municipal construction activities authorized under this general permit: _____
- b. The total number of acres disturbed for municipal construction projects: _____

Though the seventh MCM is optional, implementation must be requested on the NOI or on a NOC and approved by the TCEQ.

6. Requirements for Specific Minimum Controls Measures (MCMs):

- a. For MCM 1 - Public Education and Outreach, provide documentation of activities conducted and materials used to fulfill the requirements of this MCM.

A detailed explanation of outreach and performed activities for this MCM are provided in Section D: Storm Water Management Plan Status.

- b. Also for MCM 1, provide documentation of the amount of resources used to address each group (e.g., visitors, businesses, etc.).

The City expended \$5,899.00 in promotional giveaways for the reporting period. Brochures on water conservation, inflow and infiltration, wastewater treatment, fats, oil and grease, litter control and solid waste services, and prescription drug disposal are available and dispersed to the general public. A new flyer covering property management violations was created this year. A minimum order of 1,000 of each flyer is printed annually. All outreach is printed in dual language (English/Spanish).

A detailed explanation of outreach and performed activities for this MCM are provided in Section D: Storm Water Management Plan Status.

- c. For MCM 3 – Illicit Discharge Detection and Elimination (IDDE), indicate whether you have developed a list of allowable non-storm water discharges, other than those already listed in the general permit. If you have developed a list and have made any changes to the local controls, conditions and/or programs being established for discharges, include this information below. If you do not have any changes for this permit year, indicate that this item is not applicable.

Not applicable.

7. Describe any proposed changes to the SWMP in the coming reporting year.

Staff will continue to review elements of the SWMP and weight the water quality return for adopted BMPs. Political will, financial limitations, labor force, and water quality impact will be considered for each BMPs. Satisfying requirements of the new General Permit (TXR040000) serve as a driving force for change and modification of the SWMP.

On July 7, 2014, the City revised its SWMP to better guide expansion, development, and management of the MS4. Changes to the existing SWMP were made to improve program administration and reflect changes made to the new General Permit (TXR040000). On July 23, 2014, TCEQ directed the City to publish Notice of Application for Small Municipal Separate Storm Sewer Systems (MS4) concerning submission of the City's SWMP and NOI for permit coverage. As part of this effort Staff has (1) enhanced its program organization, (2) revised and added management elements, (3) incorporated provisions for discharges to impaired water bodies, and (4) strengthen City-wide program participation to reduce water quality issues within Bryan's MS4. Additionally, staff drafted facility-specific BMPs, high risk facility SOPs, contractor requirements, and other elements to address anticipated milestones mandated by the new General Permit.

8. Describe any activities planned for the next permit year, not already described.

(1) City crews will systematically investigate drainage basins and continue dry weather inspections to determine illicit discharges to the storm sewer system. (2) Print and distribute educational materials concerning water quality and BMPs to diverse groups (homeowner associations, business community, etc.). (3) Perform city-wide education regarding the SWMP for municipal employees. (4) Expand GIS database for storm sewer base map. (5) Review Legal Authority. (6) Evaluate efforts for construction site inspection and construction site SWP3 review. (7) Implement requirements outlined in new SWMP.

C. Storm Water Management Program Status

Provide the status of every BMP and measurable goal listed in the SWMP, as described in the instructions. Each MCM, but not necessarily each BMP, must include the measurable goals described in the SWMP. For a shared SWMP, include the name of the responsible MS4 operator(s) in the "BMP" column. *(Though an MS4 is not required to implement BMPs until the initial SWMP is approved by the TCEQ, the MS4's initial annual report should include a description of what has been done to date, even if the SWMP has not yet been approved. The MS4 will receive credit for all BMPs implemented prior to and during the first permit year if they are described in the initial annual report.)*

Table 1 - BMP Status

MCM(s)	BMP	Milestones of Permit Year	New or Revised	Start Date	Status/Completion Date
1: Public Education	Distribute Outreach Materials to Targeted Groups (i.e. Residents, Industry, and Businesses)	City staff met with several civic groups and neighborhood organizations to discuss stormwater quality and water quality BMPs. A dedicated link for stormwater management was added to the City's website. A dual language brochure addressing general code violations and property management violations was created. Educational coloring book on (1) code enforcement violations and (2) public works and its provided services is under construction. Brochures highlighting BMPs and standards for construction site operation and property development were completed. Historically, stormwater related information was compiled in different locations within the website. Consolidation of information to a single link improves outreach efforts to web traffic. The City's educational library is accessible through the City's website and is available in hard copy handouts.		Year 1	Completed Permit Year 1 – this MCM is a continuous effort that will be performed for the remainder of the permit term.
1: Public Education	Coordinate Annual Education Events	Partnered with City of College Station to co-host the Brazos Valley Earth Day (4/2014) and Household Hazardous Waste Event (10/2013 and 4/2014). Partnered with Keep Brazos Beautiful (KBB) to host the annual KBB Trash Off (4/2014). Continued partnership with the City of		Year 1	Completed Permit Year 1 – this MCM is a continuous effort that will be performed for the remainder of the permit term.

	in the Stormwater Program	City's website was reworked to increase user navigation and use.			
2: Public Involvement & Participation	Establish Stormwater Hotline	The Public Works Call Center received calls from the general public and distributes work requests to the responsible department. The Call Center's phone number and email are solicited to the general public for all concerns. An on-line service request application dubbed "Help Bryan" is available to web traffic. Code Enforcement/Environmental Compliance were merged into a single discipline. This actions creates a consolidated focus and increase the density of officers within the City. Work orders issued for stormwater and water related issues: ▪ Sewer Overflows – 52 ▪ Illegal Dumping -- 102 ▪ Nuisance - 174 ▪ Prohibited Discharge - 111	Year 1	Completed Permit Year 1 – this MCM is a continuous effort that will be performed for the remainder of the permit term.	
2: Public Involvement & Participation	Perform City Clean Up Event	The City of Bryan is an executive member of KBB and supports its mission and efforts through agency participation and financial funding. On April 18, 2014, Keep Brazos Beautiful (KBB) held its annual Trash Off Event. City staff, equipment, and operational funding are committed to KBB's mission and programs. The Solid Waste Department employs 3 Solid Waste Assessment Workers. These employees are charged with collection of litter and loose debris from the public right-of-way. This level of service is very untypical for most municipalities. This service is provided aside from weekly garbage and	Year 1	Completed Permit Year 1 – this MCM is a continuous effort that will be performed for the remainder of the permit term.	

2: Public Involvement & Participation	Implement Storm Drain Stenciling Program	heavy trash collection services. This MCM is defined by: (1) Volunteer Stenciling and (2) New Development/Reconstruction. <u>Volunteer</u> All pre 2003 inlets have been stenciled. <u>New Development/Reconstruction</u> The City's design standards require storm sewer inlet and manhole lids installed after 2003 to display a general "dump no waste" message. The following number of inlets within the City' system is provided below: Pre 2003 Inlets: 1,213 Post 2003 Inlet: 3,890		Year 1	Completed Permit Year 5 - this MCM is a continuous effort that will be performed for the remainder of the permit term.
3: Illicit Discharge & Detection Elimination	Develop Storm Sewer Map	Water Services, Engineering Services, Streets and Drainage, and the Information Technology Departments are continually working to update and amend the storm sewer base map.		Year 2	Completed Permit Year 1 – the City maintains a base map of its storm sewer in GIS. The base map was originally created in the late 1990s. As built plans are added to the base map as project data becomes available. Further attention is needed to validate data points and increase user-friendliness. Expansion of layers within the base map to better capture SWMP activity is a focus point that will carry into the next General Permit.
3: Illicit Discharge & Detection Elimination	Develop Stormwater Ordinance to Support SWMP	City of Bryan Ordinance No. 1887 governing stormwater management was approved on November 5, 2010. City of Bryan Ordinance No. 1923 governing industrial pretreatment standards was approved on July 18, 2011. City of Bryan Ordinance No. 1920 governing sewer use was approved on June 14, 2011. City of Bryan Ordinance No. 1950 governing demolition and closure standards for		Year 1	Completed Permit Years 3, 4 & 5

3: Illicit Discharge & Detection Elimination	Storm Sewer System Inspection for Dry Weather Flows	with Service Line Warranties of America (4/2014) to provide a private sewer line warranty program to assist homeowners with repair and maintenance of private sewer lines. Participation rates are provided below: ▪ 1,416 Households Enrolled (2011) ▪ 630 Households Enrolled (2012) ▪ 397 Households Enrolled (2013) ▪ 205 Households Enrolled (2014) ▪ 110 Claims Filed and Claims Paid The City of Bryan's Sewer Line Assessment Program (SLAP) was established with revision of the Sewer Use Ordinance (7/2011). Field data (smoke testing, dye testing, CCTV) is used to identify system defects. Measure performance within the SWAP (August 2013 – August 2014) includes: ▪ 267 private defects identified ▪ 89 public defects identified ▪ 16 defects needing further investigation/determination identified The City of Bryan is enrolled in TCEQ's Sanitary Sewer Overflow Initiative (SSOI) and has enacted a CMOM (Capacity, Maintenance, Operation, and Management) Plan for its sanitary sewer system (7/2009). 230 culvert and storm sewer-related work orders were completed.		Year 1	Measure Initiated Permit Year 1 - the SWMP identifies an inspection frequency as "annually" for inspection of the City's storm sewer outfalls for dry weather flows, abnormalities, and water quality concerns. Actions performed under this measure for the current General Permit term center on inlet and manhole cleaning/repair opposed to the SWMP's intent for this measure. Limited attention was paid to outfall inspections and conditions as addressed by the SWMP.
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					Performed work for inlet and manholes are documented to an electronic work order system. As-built drawings and details for new construction of the storm sewer is added to the base map as information comes available. The storm sewer map does not identify sector-specific outfall information (i.e. industrial corridors, residential, etc.). Additionally, record of dry weather inspections and activities associated with management of MS4 outfalls is not available. Element performance and completion as outlined in the SWMP is not fully implemented.
4: Construction Site Runoff Control	Establish Legal Authority	City of Bryan Ordinance No. 1887 governing stormwater management was approved on November 5, 2010.	Year 1		Completed Permit Year 3 – this MCM is a continuous effort that will be performed for the remainder of the permit term. Review of Ordinance No. 1887 for change and review, if needed, is accounted in the proposed SWMP submitted to TCEQ in July 2014.
4: Construction Site Runoff Control	Construction Site Runoff Control Inspection Procedure	All general site civil construction sites (subdivisions, large commercial sites) were inspected by Engineering Inspectors. Inspectors point out issues that they observe to the contractors for corrective action.	Year 1		Completed Permit Year 1 - construction site inspections are included as part of the City's overall inspection procedure for new construction. Completion of a formal inspection log (i.e. paper trail) is a continual work in progress. Completed stormwater inspections for new construction are complaint-driven and are "reactionary" to input received from the general public, city departments, or pass through observations made by inspection personnel. The City does not issue discharge permits or other permits to developers, contractors, etc. regarding stormwater. Staff reviews stormwater pollution prevention plans (SWP3) and other information supplied by developers, contractors, etc. performing new construction. Feedback from the City is provided for SWP3s not providing adequate protection and control

			3 times per week. Routine cleaning of public parks and park facilities is provided through contract.			
			Right-of-way (ROW) mowing and maintenance is performed by a combination of contract maintenance and City staff. Litter and debris are removed prior to mowing. Herbicide is applied on a limited basis.			
6: Pollution Prevention and Good Housekeeping	Storm Drain Inlet/Catch Basin and Line Cleaning		272 creek-related work orders for storm sewer inlet cleaning were completed.		Year 3	Measure Initiated Permit Year 1 - inlet and line cleaning is work order driven and is performed as a result of system failures and citizen complaints. The SWMP specifies that length of pipe and the number of outfalls cleaned and inspected be recorded. These variables are steering tools used for management and operation of the MS4. Work orders for inlet and line cleaning are able to capture the number of events. Field crews determine what results and findings are transposed to the work order. A standard activity or inspection form for this activity does not exist. Adoption of a standard form ensures uniformity data collection and reporting. A formal cleaning and inspection schedule for storm sewer pipe and inlets is not established. Cleaning and inspection activities are predominately performed in reaction to citizen complaints, service interruptions, and corporate knowledge of known trouble spots. Creation of a service schedule for system cleaning and inspection is underway. Likewise, staff is working to adopt a standard activity or inspection form and establishment of a central database for compiled data. These actions will be carried forward to the new permit term.
6: Pollution Prevention and	Corporate yard and other Municipal	Employees of the Fleet Services Department are trained on pollution prevention and			Year 1	Completed Permit Year 1 – this MCM is a continuous effort that will be performed for the

Good Housekeeping	Operation Areas	proper disposal and storage of waste. Performed services (repair, parts storage, fluids storage, and waste containment/disposal) are performed under cover. Used oils and fluids from vehicle maintenance are recycled if service is available. The City has established agreements for collection and removal of used oil, oil filters, and used cooking grease. The City operates two designated vehicle wash bays for equipment wash down. A grit trap is used for pretreatment of wash water. Both bays are connected to the sanitary sewer.			remainder of the permit term.
6: Pollution Prevention and Good Housekeeping	Municipal swimming Pools, Fountains, Lakes, and other Water Bodies	The City operates 3 swimming pools and 3 splash pads.	Year 1		Completed Permit Year 1 – this MCM is a continuous effort that will be performed for the remainder of the permit term.
6: Pollution Prevention and Good Housekeeping	Spill Response and Pollution Prevention	The City of Bryan's Fire Department is trained in spill prevention and response. Additionally, HAZWOPER training is provided to members of the City's Hazardous Materials Response Team and inspectors involved with illegal dump sites and clean up. These departments includes: Water Services, Environmental Services, and Transportation. The City operates three fuel sites (Waco Street, Fountain Street, and Coulter Airfield). Fountain Street possesses above ground fuel tanks. A Spill Prevention Control and Countermeasure (SPCC) Plan was drafted for Fountain Street (11/2010). The SPCC Plan establishes corrective actions and references required procedures for spill prevention and response.	Year 1		Completed Permit Year 1 – this MCM is a continuous effort that will be performed for the remainder of the permit term.
6: Pollution	Public Employee	City staff is required to attend monthly safety	Year 1		Completed Permit Year 1 – this MCM is a

Prevention and Good Housekeeping	Education (Stormwater BMPs)	meetings to receive information on various topics relating to employee safety. Hazard Communication was covered on 1/2014. Chemical handling, emergency response, site approach, waste storage and disposal, and material data safety sheets (MSDS) were covered topics. The City maintains 3 Industrial Stormwater Permits (Burton Creek WWTP, Still Creek WWTP, and Coulter Airfield). Annual training in general aspects of each permit is provided to site staff. Activity-specific SOPs and BMPs were drafted and will be shared with department leaders and personnel responsible for activities covered by the SOPs and BMPs. Additionally, these documents will be used to satisfy expected training requirements anticipated in the new General Permit. The following SOPs and BMPs were drafted: ▪ Fleet and Vehicle Operations ▪ Fertilizers, Herbicides, Pesticides ▪ Golf Course and Swimming Pools ▪ Parking Lot Maintenance ▪ Street and Road Repair ▪ Waste Management ▪ Street Construction and Utility Installation ▪ Outdoor Materials Storage ▪ Storm Drain System Maintenance Employees of the Fleet Services Department are trained on pollution prevention and proper disposal and storage of waste. Maintenance service (repair, parts, fluids, and waste) are under cover. 100% of motor oils and fluids (recyclable) resulting from equipment maintenance are captured and removed by a service provider.			continuous effort that will be performed for the remainder of the permit term.
6: Pollution Prevention and Good Housekeeping	Municipal Parks Clean Up		Year 1		Completed Permit Year 1 – this MCM is a continuous effort that will be performed for the remainder of the permit term.

[illegible]

Table 2 - MCM Status			
MCM(s)	Measureable Goal(s)	Success	Proposed Changes (Submit NOC as needed)
1	Increase education efforts within schools, community groups, and city-wide.	<u>Met goal.</u> Various brochures and pamphlets have been created in English and Spanish. Educational opportunities are plentiful. Partnerships are established between the Cities of Bryan and College Station, Brazos County, and Texas A&M University. See above pages 9-11 for accomplishments and MCM performance.	None
2	Storm drain stenciling program	<u>Met goal.</u> Post 2003 inlets are marked with a general "Dump No Waste" message as a standard design detail. See above pages 11-13 for accomplishments and MCM performance.	None
3	Enforcement of illicit discharges and connections	<u>Met goal.</u> City of Bryan Ordinance No. 1887 governing stormwater management was approved on November 5, 2010. City of Bryan Ordinance No. 1923 governing industrial pretreatment standards was approved on July 18, 2011. City of Bryan Ordinance No. 1920 governing sewer use was approved on June 14, 2011. City of Bryan Ordinance No. 1950 governing demolition and closure standards for abandoned sewer lines was approved on March 27, 2012. City of Bryan Ordinance No. 1991 governing	None

		water usage was approved on April 30, 2013. Work order requests for SSOs and sewer/facility inspections are tracked. SSO events are cataloged and mapped in GIS. Proactive smoke testing of sanitary sewer is performed and mapped. Sanitary sewer systems as built drawings, pipe sizes, manhole lids, etc. are mapped in GIS. City of Bryan's SSOI Report is provided with this report. See above pages 13-16 for accomplishments and MCM performance. Work in progress. 246 inspections were completed this report period.	The SWMP identifies an inspection frequency as "annually" for inspection of the City's storm sewer outfalls for dry weather flows, abnormalities, and water quality concerns. Actions performed under this measure for the current permit period center on inlet and manhole cleaning or repair opposed to intent of this measure. Limited attention was paid to outfall inspections and conditions as addressed by the SWMP. Performed work for inlet and manholes are documented to an electronic work order system. As-built drawings and details for new construction of the storm sewer is added to the base map as information comes available. The storm sewer map does not identify sector-specific outfall information (i.e. industrial corridors, residential, etc.). Additionally, record of dry weather inspections and activities associated with management of MS4 outfalls is not available. Element performance and completion as outlined in the SWMP is not fully implemented. Action is underway to remedy shortfalls in this MCM to ensure SWMP requirements are carried out through the remaining term of the current permit period and into the next.
3	Storm Sewer System Inspection for Dry Weather Flows		

4	Construction Inspection Procedures	<u>Goal met.</u> Contractors employed by the City are informed at pre-construction meetings of the requirements as the contract documents are reviewed. Contractors for development-related sites are educated when pre-construction meetings happen for those projects as well as discussions with the City's Engineering Inspectors and Engineers. New Design Guidelines have been added to the B/C/S Unified Design Manual in the stormwater quality section with specific guidance given to the order of the BMP implementations. See above pages 16-18 for accomplishments and MCM performance.	None
5	Develop guidelines and standards for structural and nonstructural best management practices	<u>Goal met.</u> The City's Site Development Review Committee (SDRC) process is practiced for plans review and approval of development projects. A total of 57 site plans were reviewed by SRDC this review period. When applicable, stormwater pollution prevention plans are received and reviewed as part of the SDRC All CIP projects are required contractually to comply with local, state and federal construction stormwater regulations for city-owned and operated construction sites. City development projects (buildings or facilities) go through the SDRC process for plan review. New Design Guidelines have been added to the B/C/S Unified Design Manual in the stormwater quality section with specific	None

		guidance given to the order of the BMP implementations. See above pages 18-19 for accomplishments and MCM performance.	
6	Pollution Prevention	<u>Goal met.</u> Staff participates in annual clean up events in conjunction with Keep Brazos Beautiful. Monthly safety meetings are performed by the Risk Management Department. General topics focusing on chemical use/application and general BMPs are discussed. State-registered chemical (herbicide and pesticide) applicator licenses are maintained lead staff in the Transportation and Parks & Recreation Departments. SPCC Plan was established for the Fountain Street Fuel Island. See above pages 19-23 for accomplishments and MCM performance.	Inlet and line cleaning is work order driven and is performed as a result of system failures and citizen complaints. The SWMP specifies that length of pipe and the number of outfalls cleaned and inspected be recorded. These variables are steering tools used for management and operation of the MS4. Work orders for inlet and line cleaning are able to capture the number of events. Field crews determine what results and findings are transposed to the work order. A standard activity or inspection form for this activity does not exist. Adoption of a standard form ensures uniformity data collection and reporting. A formal cleaning and inspection schedule for storm sewer pipe and inlets is not established. Cleaning and inspection activities are predominately performed in reaction to citizen complaints, service interruptions, and corporate knowledge of known trouble spots. Creation of a service schedule for system cleaning and inspection is underway. Likewise, staff is working to adopt a standard activity or inspection form and establishment of a central database for compiled data. These actions will be carried forward to the new permit term.

D. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name (printed): Kean Register

Signature: 

Title: City Manager

Date: 9/25/14

Name (printed): Jayson Barfknecht, PhD., P.E.

Signature: 

Title: Public Works Director

Date: 09/25/14

Name (printed): Paul Kasper, P.E., CFM

Signature: 

Title: City Engineer

Date: 09/24/14

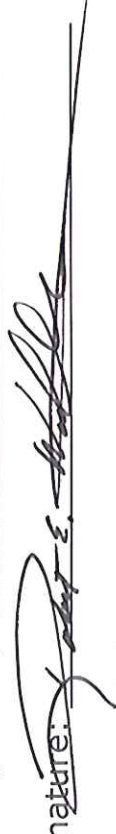
Name (printed): Mark Jurica

Signature: 

Title: Treatment & Compliance Manager

Date: 9/27/14

Name (printed): Robert Willis

Signature: 

Title: Transportation & Drainage Supervisor

Date: 09/27/2014

Add pages as needed.

Ordinance No. 1756

ORDINANCE NO. 1156

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, ANNEXING TERRITORY GENERALLY DESCRIBED AS BEING 121.3 ACRES OF VACANT LAND, MORE OR LESS, OUT OF THE STEPHEN F. AUSTIN LEAUGE NO. 9, ABSTRACT NO. 62 AND THE HEZEKIAH JONES SURVEY, ABSTRACT NO. 145 IN BRAZOS COUNTY, TEXAS, AND BEING ADJACENT AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF BRYAN NEAR THE INTERSECTION OF FM 2813 (HARVEY MITCHELL PARKWAY) AND FM 1687 (SANDY POINT ROAD), FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; DESCRIBING THE TERRITORY ANNEXED AND PROVIDING A SERVICE PLAN THEREFOR; OBLIGATING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City of Bryan, Texas; and

WHEREAS, two public hearings have been held, the first on February 12, 2008 and the second on February 26, 2008, as required by law, in the Council Chambers of Bryan's Municipal Office Building located at 300 South Texas Avenue, where all interested persons were provided an opportunity to be heard on the proposed annexation of property and territory hereinafter described; and

WHEREAS, all notices of such public hearings have been issued as required by law and all hearings held within the time required by law; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the area hereinafter described, which plan is attached hereto, and the City of Bryan is able to provide such services; and

WHEREAS, the hereinafter described property and territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City of Bryan, Texas, and lies adjacent to and adjoins the present boundaries of said City of Bryan;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

2.

That the property described in Exhibit "A" which is attached hereto and incorporated herein for all purposes, said territory lying adjacent to and adjoining the present boundaries of the City of Bryan, Texas, be and is hereby added and annexed to the City of Bryan, and said territory hereinafter described shall hereafter be included within the corporate limits of the City of Bryan, and the present boundary lines

of said City are altered and amended so as to include said area within the corporate limits of the City of Bryan.

3.

That the service plan attached hereto as Exhibit "B" is hereby approved and is incorporated into this ordinance as if it were recited herein.

4.

That the annexed territory described above is a part of the City of Bryan for all purposes, and the property situated therein shall bear its pro rata part of taxes levied by the City of Bryan, and shall be entitled to the same rights and privileges, bound by the same duties and responsibilities as other property within the corporate limits.

5.

That the inhabitants residing and owners of property within the confines of the annexed territory shall be entitled to all the rights and privileges of all the other citizens and property owners of Bryan and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City of Bryan.

6.

That the official map and boundaries of the City of Bryan, Texas, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned territory as part of the City of Bryan, Texas.

7.

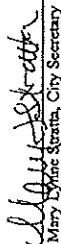
That if any portion, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

8.

That this ordinance shall take effect immediately upon its second and final reading and passage.

PRESENTED AND GIVEN first reading the 25th day of March, 2008 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, passed and approved on the 8th day of April, 2008 by a vote of 1 yeas and 0 nays at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:


Mary Lynn Smith, City Secretary

APPROVED AS TO FORM:


Jack K. Hampton, City Attorney

CITY OF BRYAN:

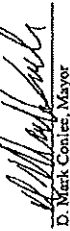

D. Mark Conley, Mayor

Exhibit "A":

METES AND BOUNDS DESCRIPTION OF TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON APRIL 8, 2008

FIELD NOTES
121.8 ACRES

Being all that certain tract or parcel of land lying and being situated in the STEPHEN F. AUSTIN LEAGUE No. 9, Abstract No. 62, the HEZEKIAH JONES SURVEY, Abstract No. 145 and the JAMES McMILLAN SURVEY, Abstract No. 176 in Brazos County, Texas and being a portion of the 177.64 acre tract described in the deed from Jennifer Ann Gantler and Kathleen Gantler Jackson to BCS Development Company recorded in Volume 8246, Page 46 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

COMMENCING: at a capped 1/2-inch iron rod marking the intersection of the southeast right-of-way line of F.M. 1687 (Sandy Point Road, 80' right-of-way) and the southwest right-of-way of F.M. 2818 (Harvey Mitchell Parkway, right-of-way width varies);

THENCE: S 87° 07' 37" W for a distance of 121.70 feet and S 43° 29' 21" W for a distance of 214.87 feet along the said southeast right-of-way of F.M. 1687 to the POINT OF BEGINNING;

THENCE: through the interior of the said 177.64 acre tract for the following eighteen (18) calls:

- 1) S 48° 25' 03" E for a distance of 311.95 feet for corner,
- 2) S 56° 30' 53" E for a distance of 365.13 feet for corner,
- 3) S 52° 42' 12" E for a distance of 379.69 feet for corner,
- 4) S 48° 24' 42" E for a distance of 930.84 feet for corner,
- 5) S 26° 48' 53" E for a distance of 107.60 feet for corner,
- 6) S 48° 17' 03" E for a distance of 414.42 feet for corner,
- 7) S 70° 05' 25" E for a distance of 108.27 feet for corner,
- 8) S 48° 22' 58" E for a distance of 820.36 feet for corner,
- 9) S 40° 18' 56" E for a distance of 705.00 feet for corner,
- 10) S 47° 37' 26" E for a distance of 391.49 feet for corner,
- 11) S 42° 10' 18" E for a distance of 342.27 feet for corner,
- 12) S 36° 15' 41" E for a distance of 346.05 feet for corner,
- 13) S 32° 02' 13" E for a distance of 235.43 feet for corner,
- 14) S 19° 21' 26" E for a distance of 264.14 feet for corner,
- 15) S 33° 55' 54" W for a distance of 67.02 feet for corner,
- 16) S 87° 32' 54" W for a distance of 592.06 feet for corner,
- 17) S 43° 57' 30" W for a distance of 443.86 feet for corner and
- 18) S 17° 17' 10" W for a distance of 614.88 feet for corner in the lower southwest line of the said 177.64 acre tract, said corner also being in the Willard H. Zumwalt 150 acre tract described in Volume 1215, Page 586 (O.R.B.C.);

THENCE: N 43° 42' 37" W along the common line of the said 177.64 acre tract and the 150 acre tract for a distance of 892.42 feet to the common most westerly corner of the said 177.64 acre tract and the 595.777 acre R.O. Lawrence, III et ux tract described in Volume 1215, Page 741 (O.R.B.C.);

THENCE: along the common lines of the said 177.64 acre and the 595.777 acre tracts for the following twelve (12) calls:

- 1) N 58° 17' 14" E for a distance of 848.27 feet for corner,
- 2) N 48° 46' 12" E for a distance of 193.65 feet for corner,
- 3) N 37° 25' 54" E for a distance of 55.59 feet for corner,
- 4) N 23° 14' 00" E for a distance of 134.63 feet for corner,
- 5) N 40° 16' 51" E for a distance of 340.34 feet for corner,
- 6) N 50° 43' 06" W for a distance of 958.58 feet for corner,
- 7) S 43° 06' 41" W for a distance of 810.54 feet for corner,
- 8) N 46° 46' 34" W for a distance of 90.96 feet for corner,
- 9) N 23° 49' 51" W for a distance of 38.73 feet for corner,
- 10) N 46° 46' 33" W for a distance of 1389.50 feet for corner,
- 11) N 48° 05' 56" W for a distance of 1916.70 feet for corner and
- 12) N 46° 20' 42" W for a distance of 441.99 feet to a found 3/8-inch iron rod marking the common most northerly corner of the said 177.64 acre and 595.777 acre tracts, said corner also being in the beforementioned southeast right-of-way line of F.M. 1687;

THENCE, along the said line of F.M. 1687 for the following three (3) calls:

- 1) N 46° 50' 25" E for a distance of 361.11 feet for corner,
- 2) N 46° 43' 38" E for a distance of 245.23 feet for corner and
- 3) N 43° 29' 21" E for a distance of 371.45 feet to the POINT OF BEGINNING and containing 121.8 acres of land, more or less.

Exhibit "B":

MUNICIPAL SERVICE PLAN FOR TERRITORY ANNEXED TO THE CITY OF BRYAN, TEXAS ON APRIL 8, 2008

A. SERVICES PROVIDED UPON THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION

The City of Bryan, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE

The City of Bryan, Texas and its Fire Department will provide fire protection and ambulance service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. Furthermore, the City of Bryan Fire Department will respond to all dispatched calls (including emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of Bryan.

3. SOLID WASTE COLLECTION

The City of Bryan, Texas and its Environmental Services Department will provide solid waste collection and disposal service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

4. WATER DISTRIBUTION SERVICE

Areas outside the existing City which already receive water service from the City of Bryan will continue to receive such service.

Existing City of Bryan water mains will be available for point-of-use extension based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. Residents and businesses in the newly annexed area will be subject to the same service policies and procedures as apply to other areas of the City of Bryan. As applied to all properties within the City, residents will be responsible for costs to install water service to their property. All such water service facilities under the City of Bryan's direct jurisdiction, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected in accordance with established policies and procedures.

5. WASTEWATER SERVICE

Any and all wastewater service facilities in the newly annexed area owned or maintained by the City of Bryan, Texas at the time of annexation shall continue to be maintained by the City of

Bryan. Any and all wastewater service facilities which may be acquired subsequent to annexation of the subject territory shall be maintained by the City of Bryan, to the extent of its ownership. Areas which are currently served by an independent service provider will continue to receive such service unless arrangements are made between the City of Bryan and the entity and approved by the State of Texas, as required by the Texas Water Code.

Existing City of Bryan sewer mains at their present locations shall be available for point-of-use connections, based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. The City of Bryan will assess the adequacy of existing septic systems for accommodating raw sewage in less developed areas and will determine the need to provide centralized wastewater collection and treatment service to particular areas, along with lift stations or any other necessary capital improvements, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. As applied to all properties within the City, residents and/or developers will be responsible for costs to install sewer service to their property.

All sewer service facilities under the City of Bryan's direct jurisdiction, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

It is currently the City of Bryan's policy to oversize wastewater collection system trunk lines in developing areas and to require developers or property owners desiring service to pay for wastewater line extensions to individual developments and properties. These standard service policies and procedures will also apply in the newly annexed territory in accordance with policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

6. STORM WATER MANAGEMENT

City of Bryan regulations concerning storm water management will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

7. BUILDING SERVICES

The Development Services Department's responsibility for regulating building construction will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Bryan.

8. PLANNING AND DEVELOPMENT

The Development Services Department's responsibility for regulating development and land use through the administration of the City of Bryan Zoning Ordinance, Land and Site Development Ordinance and all other development-related ordinances will extend to the newly annexed territory. The newly annexed area will also continue to be regulated under the requirements of the City of Bryan Subdivision Ordinance.

9. ELECTRICITY SERVICE

Bryan Texas Utilities (BTU), a municipal electric utility, will provide electricity service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

10. ROADS, STREETS, ALLEYS AND TRAFFIC ENGINEERING

Any and all roads, streets or alleyways in the newly annexed territory which have been dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas of the City of Bryan, Texas with similar land use, population density and topography. Construction of new roads and streets is the responsibility of the developer or property owner desiring them and must be designed and built in accordance with applicable City of Bryan codes and standards.

Municipal maintenance of properly dedicated roads, streets and alleyways (which may be installed by developers of land within this newly annexed territory) will be consistent with such maintenance provided by the City of Bryan to other roads, streets and alleyways in areas exhibiting land use, population densities and topography similar to that of the newly annexed area.

The City of Bryan Transportation Department will install traffic signs, street markings and other traffic control devices in the newly annexed area as the need is established by appropriate study, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

The City of Bryan Transportation Department will install street lights and street name signs in the newly annexed area, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

11. PARKS AND RECREATION

The newly annexed territory does not include any known existing public parks, playgrounds or swimming pools which would come under the City of Bryan's jurisdiction as a result of annexation. Residents of the newly annexed territory may use any and all existing City of Bryan parks, playgrounds and recreational facilities and participate in any and all programs, events, activities and services of the City of Bryan Parks and Recreation Department. Expansion of recreational facilities and programs to the newly annexed territory would be governed by applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

12. MAINTAINING OTHER PUBLICLY-OWNED FACILITIES OR BUILDINGS

The City of Bryan, Texas is not aware of the existence of any publicly-owned facility or building now located in the newly annexed territory. In the event any such publicly-owned facility or building does exist and are public facilities or buildings, the City of Bryan shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of Bryan, Texas.

13. LIBRARY SERVICES

Library use and privileges will be available to residents of the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

B.

CONSTRUCTION OF CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2 1/2 YEARS FOLLOWING THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2 1/2 years following the effective date of annexing the subject territory, for the purpose of providing police and fire protection, emergency medical services and solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide comparable levels of protection and service to what is presently being provided to other areas already incorporated in the City of Bryan, Texas, having the same or similar land use, population density and topography as that of the newly annexed territory.

2. WATER AND WASTEWATER FACILITIES

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2 1/2 years following the effective date of annexing the subject territory, for the purpose of providing water and wastewater service.

During the next 2 1/2 years, the City Council of the City of Bryan, Texas believes that adequate municipal water and sewer mains exist for point-of-use connections and serviceable extensions, to provide water and/or sewer service within the newly annexed territory, pursuant to applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

As applied to all properties within the City, residents and/or developers will be responsible for costs to install water and/or sewer service to their property.

3. ROADS AND STREETS

Developers of land within the newly annexed territory will be required to provide internal streets (and to improve peripheral or boundary streets) in accordance with applicable ordinances of the City of Bryan, and such street improvements shall comply with specifications required by the City of Bryan, for properly dedicated streets.

4. PARKS, PLAYGROUNDS AND SWIMMING POOLS, AS WELL AS OTHER PUBLIC FACILITIES OR BUILDINGS

To the extent that it becomes necessary because of development demands, population growth and bona fide needs, the City Council of the City of Bryan, Texas will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of citizens in the

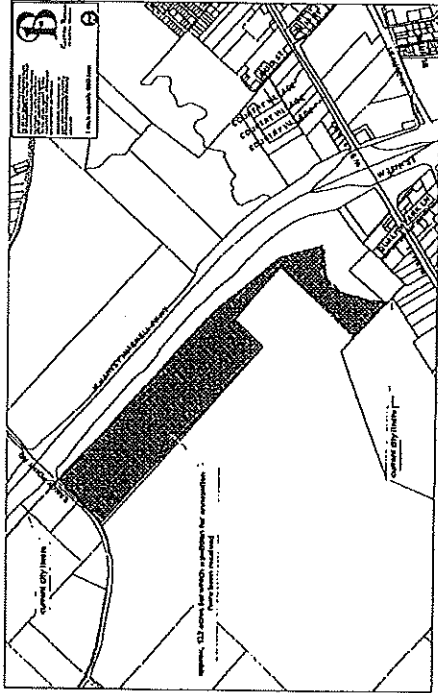
newly annexed territory, based upon standard considerations of land use, population density and topography.

C.

SPECIFIC FINDINGS

The City Council of the City of Bryan, Texas finds and determines that this Municipal Service Plan will not provide any fewer services nor will it provide a lower level of service, in the newly annexed territory, than were in existence at the time immediately preceding this territory's annexation to the City of Bryan, Texas.

Location Map



Ordinance No. 1817

ORDINANCE NO. 1817

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, ANNEXING TERRITORY GENERALLY DESCRIBED AS BEING 179.59 ACRES OF VACANT LAND OUT OF JOHN AUSTIN LEAGUE, ABSTRACT NO. 2, LOCATED APPROXIMATELY 777 FEET NORTHWEST OF F.M. 1179 BETWEEN F.M. 158 (BOONVILLE ROAD) AND RIVERSTONE DRIVE IN BRAZOS COUNTY, TEXAS, AND BEING ADJACENT AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF BRYAN; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; DESCRIBING THE TERRITORY ANNEXED AND PROVIDING A SERVICE PLAN THEREFOR; OBLIGATING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City of Bryan, Texas; and

WHEREAS, two public hearings have been held, the first on June 9, 2009 and the second on June 23, 2009, as required by law, in the Council Chambers of Bryan's Municipal Office Building located at 300 South Texas Avenue, where all interested persons were provided an opportunity to be heard on the requested annexation of property and territory hereinafter described; and

WHEREAS, all notices of such public hearings have been issued as required by law and all hearings held within the time required by law; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the area hereinafter described, which plan is attached hereto, and the City of Bryan is able to provide such services; and

WHEREAS, the hereinafter described property and territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City of Bryan, Texas, and lies adjacent to and adjoins the present boundaries of said City of Bryan;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That all of the above premises are found to be true and correct and are incorporated unto the body of this ordinance as if copied in their entirety.

2.

That the property described in Exhibit "A" and depicted in Exhibit "A-1" which are attached hereto and incorporated herein for all purposes, said territory lying adjacent to and adjoining the present boundaries of the City of Bryan, Texas, be and is hereby added and annexed to the City of Bryan, and said territory hereinafter described shall hereafter be included within the corporate limits of the City of

Bryan, and the present boundary lines of said City are altered and amended so as to include said area within the corporate limits of the City of Bryan.

3.

That the service plan attached hereto as Exhibit "B" is hereby approved and is incorporated into this ordinance as if it were recited herein.

4.

That the annexed territory described above is a part of the City of Bryan for all purposes, and the property situated therein shall bear its pro rata part of taxes levied by the City of Bryan, and shall be entitled to the same rights and privileges, bound by the same duties and responsibilities as other property within the corporate limits.

5.

That the inhabitants residing and owners of property within the confines of the annexed territory shall be entitled to all the rights and privileges of all the other citizens and property owners of Bryan and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City of Bryan.

6.

That the official map and boundaries of the City of Bryan, Texas, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned territory as part of the City of Bryan, Texas.

7.

That if any portion, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

8.

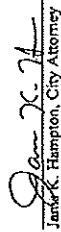
That this ordinance shall take effect immediately upon its second and final reading and passage.

PRESENTED AND GIVEN first reading the 14th day of July, 2009 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 28th day of July, 2009 by a vote of 11 yeas and 0 nays at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:


Mary Lynne Smith, City Secretary

APPROVED AS TO FORM:


Janet K. Hampton, City Attorney

CITY OF BRYAN:

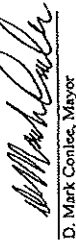

D. Mark Conlee, Mayor

Exhibit "A":

**METES AND BOUNDS DESCRIPTION OF TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON JULY 23, 2009**

Being all that certain tract or parcel of land lying and being situated in the JOHN AUSTIN LEAGUE, Abstract No. 2 in Brazos County, Texas and being part of the called 176.241 acre tract described in the deed from George F. Carter and wife, Alberta R. Carter to Anne Richter Carter, Robert Brennan Carter and George Francis Carter, Jr. recorded in Volume 3253, Page 207 of the Official Records of Brazos County, Texas (O.R.B.C.), and a part of the called 41.031 acre tract described in the deed from Norrie Powers to J. Stephen Arden recorded in Volume 8900, Page 69 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 5/8-inch iron rod marking the north corner of the called 176.241 acre tract, the west corner of a called 89.096 acre 1179 Joint Venture I, L.P. tract recorded in Volume 6334, Page 235 (O.R.B.C.) and further described in the boundary line agreement recorded in Volume 7849, Page 6 (O.R.B.C.) said iron rod also being in the southwest line of a called 46.8 acre John Raborn tract recorded in Volume 173, Page 3 of the Brazos County Deed Records (B.C.D.R.);

THENCE: S 45° 01' 30" E along the said agreed common boundary line for a distance of 4081.10 feet for corner, from whence a found 5/8-inch iron rod marking the east corner of the called 176.241 acre tract bears S 45° 01' 30" E at a distance of 777.76 feet for reference;

THENCE: S 45° 32' 52" W through the called 176.241 acre Carter tract and the called 41.031 acre Arden tract for a distance of 2020.62 feet for corner in the southwest line of the called 41.031 acre tract, said corner also being in the northeast line of Lot 6, OAK FOREST ESTATES, FIRST INSTALLMENT as recorded in Volume 208, Page 105 of the Brazos County Deed Records (B.C.D.R.);

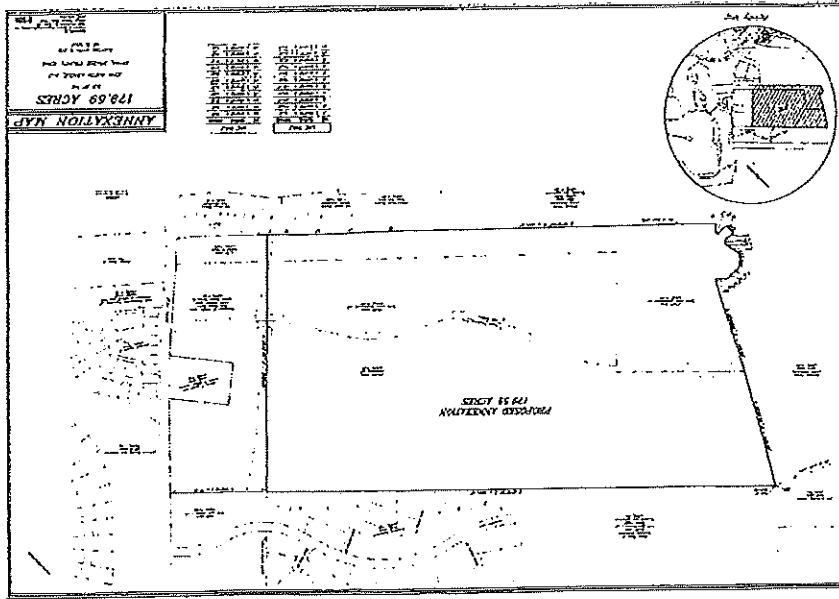
THENCE: along the southwest line of the called 41.031 acre tract, the northeast line of said OAK FOREST ESTATES, FIRST INSTALLMENT, the northeast line of OAK FOREST ESTATES, SECOND INSTALLMENT (308/223 (B.C.D.R.)), the northeast line of a called 34.9 acre Michael Davis, Trustee trust (2814/297 (O.R.B.C.)) and the northeast line of a boundary line agreement with the Carabba Family Limited Partnership 333.4 acre tract as recorded in Volume 2072, Page 155 (O.R.B.C.) for the following six (6) calls:

- 1) N 45° 42' 30" W for a distance of 32.50 feet to a found 1/2-inch iron rod for corner;
- 2) N 44° 41' 47" W for a distance of 245.38 feet to a found 1/2-inch iron rod for corner;
- 3) N 45° 42' 16" W for a distance of 259.97 feet to a found 1/2-inch iron rod for corner;
- 4) N 47° 52' 10" W for a distance of 238.54 feet to a found 1/2-inch iron rod for corner;
- 5) N 45° 39' 50" W for a distance of 407.16 feet to a found 1/2-inch iron rod for corner;
- 6) N 45° 37' 55" W for a distance of 2414.09 feet for corner in the centerline of Pin Oak Creek;

THENCE: along the centerline of said Pin Oak Creek and said boundary line agreement for the following sixteen (16) calls:

- 1) N 44° 01' 52" E for a distance of 78.98 feet for corner,
- 2) N 36° 19' 29" W for a distance of 23.94 feet for corner,
- 3) S 86° 44' 11" W for a distance of 74.24 feet for corner,
- 4) N 51° 49' 40" W for a distance of 27.22 feet for corner,
- 5) N 02° 02' 41" E for a distance of 66.00 feet for corner,
- 6) S 85° 10' 29" E for a distance of 97.52 feet for corner,

**DEPICTION OF TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON JULY 23, 2009**



- 7) N 25° 48' 13" E for a distance of 28.85 feet for corner.
- 8) N 06° 03' 38" W for a distance of 30.67 feet for corner,
- 9) N 13° 01' 41" W for a distance of 87.42 feet for corner,
- 10) N 25° 29' 42" E for a distance of 43.87 feet for corner,
- 11) N 53° 49' 10" E for a distance of 86.33 feet for corner,
- 12) S 85° 41' 13" E for a distance of 66.42 feet for corner,
- 13) N 87° 36' 20" E for a distance of 52.59 feet for corner,
- 14) S 46° 15' 23" E for a distance of 47.79 feet corner,
- 15) S 37° 38' 14" E for a distance of 37.25 feet corner and
- 16) S 63° 05' 22" E for a distance of 15.27 feet for corner;

THENCE: N 27° 40' 23" E along the southeast line of the called 333.4 acre Carribou tract for a distance of 770.06 feet to a 5/8-inch iron rod marking the northwest corner of the called 176.241 acre tract;

THENCE: N 29° 54' 54" E along the common line of the called 176.241 acre Carter tract and 333.4 acre Carrabba tract for a distance of 920.65 feet to a found 5/8-inch iron rod marking the northeast corner of the said Carrabba tract and the southeast corner of the aforementioned Raborn tract;

THENCE: N 43° 41' 07" E for a distance of 5.00 feet to the POINT OF BEGINNING and containing 179.59 acres of land, more or less.

Exhibit "B"
MUNICIPAL SERVICE PLAN FOR TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON JULY 28, 2009

A. SERVICES PROVIDED UPON THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION

The City of Bryan, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE

The City of Bryan, Texas and its Fire Department will provide fire protection and ambulance service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. Furthermore, the City of Bryan Fire Department will respond to all dispatched calls (including emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of Bryan.

3. SOLID WASTE COLLECTION

The City of Bryan, Texas and its Environmental Services Department will provide solid waste collection and disposal service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

4. WATER DISTRIBUTION SERVICE

Areas outside the existing City which already receive water service from the City of Bryan will continue to receive such service. Areas to be annexed which are currently served by the Wicksom Creek Special Utility District will continue to receive such service unless arrangements are made between the City and the Wicksom Creek Special Utility District that is approved by the State of Texas, as required by the Texas Water Code.

Existing City of Bryan water mains will be available for point-of-use extension based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. Residents and businesses in the newly annexed area will be subject to the same service policies and procedures as apply to other areas of the City of Bryan. As applied to all properties within the City, residents will be responsible for costs to install water service to their property. All such water service facilities under the City of Bryan's direct jurisdiction, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected in accordance with established policies and procedures.

5. WASTEWATER SERVICE

Any and all wastewater service facilities in the newly annexed area owned or maintained by the City of Bryan, Texas at the time of annexation shall continue to be maintained by the City of Bryan. Any and all wastewater service facilities which may be acquired subsequent to annexation of the subject territory shall be maintained by the City of Bryan, to the extent of its ownership. Areas which are currently served by an independent service provider will continue to receive such service unless arrangements are made between the City of Bryan and the entity and approved by the State of Texas, as required by the Texas Water Code.

Existing City of Bryan sewer mains at their present locations shall be available for point-of-use connections based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. The City of Bryan will assess the adequacy of existing septic systems for accommodating raw sewage in less developed areas and will determine the need to provide centralized wastewater collection and treatment service to particular areas, along with lift stations or any other necessary capital improvements, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. As applied to all properties within the City, residents and/or developers will be responsible for costs to install sewer service to their property.

All sewer service facilities under the City of Bryan's direct jurisdiction, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

It is currently the City of Bryan's policy to oversize wastewater collection system trunk lines in developing areas and to require developers or property owners desiring service to pay for wastewater line extensions to individual developments and properties. These standard service policies and procedures will also apply in the newly annexed territory in accordance with policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

6. STORM WATER MANAGEMENT

City of Bryan regulations concerning storm water management will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

7. BUILDING SERVICES

The Development Services Department's responsibility for regulating building construction will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Bryan.

8. PLANNING AND DEVELOPMENT

The Development Services Department's responsibility for regulating development and land use through the administration of the City of Bryan Zoning Ordinance, Land and Site Development

12. MAINTAINING OTHER PUBLICLY-OWNED FACILITIES OR BUILDINGS

The City of Bryan, Texas is not aware of the existence of any publicly-owned facility or building now located in the newly annexed territory. In the event any such publicly-owned facility or building does exist and are public facilities or buildings, the City of Bryan shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of Bryan, Texas.

13. LIBRARY SERVICES

Library use and privileges will be available to residents of the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

B. CONSTRUCTION OF CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2 1/2 YEARS FOLLOWING THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2 1/2 years following the effective date of annexing the subject territory, for the purpose of providing police and fire protection, emergency medical services and solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide comparable levels of protection and service to what is presently being provided to other areas already incorporated in the City of Bryan, Texas, having the same or similar land use, population density and topography as that of the newly annexed territory.

2. WATER AND WASTEWATER FACILITIES

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2 1/2 years following the effective date of annexing the subject territory, for the purpose of providing water and wastewater service.

During the next 2 1/2 years, the City Council of the City of Bryan, Texas believes that adequate municipal water and sewer mains exist for point-of-use connections and serviceable extensions, to provide water and/or sewer service within the newly annexed territory, pursuant to applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

As applied to all properties within the City, residents and/or developers will be responsible for costs to install water and/or sewer service to their property.

3. ROADS AND STREETS

Developers of land within the newly annexed territory will be required to provide internal streets (and to improve peripheral or boundary streets) in accordance with applicable ordinances of the City of Bryan, and such street improvements shall comply with specifications required by the City of Bryan, for property dedicated streets.

Ordinance and all other development-related ordinances will extend to the newly annexed territory. The newly annexed area will also continue to be regulated under the requirements of the City of Bryan Subdivision Ordinance.

9. ELECTRICITY SERVICE

Bryan Texas Utilities (BTU), a municipal electric utility, will provide electricity service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

10. ROADS, STREETS, ALLEYS AND TRAFFIC ENGINEERING

Any and all roads, streets or alleyways in the newly annexed territory which have been dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas of the City of Bryan, Texas with similar land use, population density and topography. Construction of new roads and streets is the responsibility of the developer or property owner desiring them and must be designed and built in accordance with applicable City of Bryan codes and standards.

Municipal maintenance of properly dedicated roads, streets and alleyways (which may be installed by developers of land within this newly annexed territory) will be consistent with such maintenance provided by the City of Bryan to other roads, streets and alleyways in areas exhibiting land use, population densities and topography similar to that of the newly annexed area.

The City of Bryan Public Works Department will install traffic signs, street markings and other traffic control devices in the newly annexed area as the need is established by appropriate study, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

The City of Bryan Public Works Department will install street name signs in the newly annexed area. Under current City of Bryan ordinances, developers are responsible for the cost of street name signs for new public and private streets.

Bryan Texas Utilities (BTU), a municipal electric utility, will install streetlights in accordance with the utility standards of BTU, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. Under current City of Bryan ordinances, developers are responsible for the cost of streetlights in new subdivisions.

11. PARKS AND RECREATION

The newly annexed territory does not include any known existing public parks, playgrounds or swimming pools which would come under the City of Bryan's jurisdiction as a result of annexation. Residents of the newly annexed territory may use any and all existing City of Bryan parks, playgrounds and recreational facilities and participate in any and all programs, events, activities and services of the City of Bryan Parks and Recreation Department. Expansion of recreational facilities and programs to the newly annexed territory would be governed by applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

4. PARKS, PLAYGROUNDS AND SWIMMING POOLS, AS WELL AS OTHER PUBLIC FACILITIES OR BUILDINGS

To the extent that it becomes necessary because of development demands, population growth and bona fide needs, the City Council of the City of Bryan, Texas will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of citizens in the newly annexed territory, based upon standard considerations of land use, population density and topography.

C. SPECIFIC FINDINGS

The City Council of the City of Bryan, Texas finds and determines that this Municipal Service Plan will not provide any fewer services nor will it provide a lower level of service, in the newly annexed territory, than were in existence at the time immediately preceding this territory's annexation to the City of Bryan, Texas.

Ordinance No. 1942

ORDINANCE NO. 1942

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, ANNEXING TERRITORY GENERALLY DESCRIBED AS BEING 350 ACRES OF LAND OUT OF STEPHEN F. AUSTIN LEAGUE NO. 9, A-62 AND THE THOMAS JOHN F. MCKINNEY LEAGUE, A-33 LOCATED AT THE WESTERN TERMINUS OF SHILOH AVENUE, APPROXIMATELY 2,800 FEET SOUTHWEST OF ITS INTERSECTION WITH F.M. 2818 (N. HARVEY MITCHELL PARKWAY), IN BRAZOS COUNTY, TEXAS AND BEING ADJACENT AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF BRYAN, TEXAS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; DESCRIBING THE TERRITORY ANNEXED AND PROVIDING A SERVICE PLAN THEREFOR; OBLIGATING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City of Bryan, Texas; and

WHEREAS, the owners of 350 acres of land out of Stephen F. Austin League No. 9, A-62 and the Thomas John F. McKinney League, A-33 located at the western terminus of Shiloh Avenue, approximately 2,800 feet southwest of its intersection with F.M. 2818 (N. Harvey Mitchell Parkway), in Brazos County, Texas petitioned the City of Bryan, Texas on October 6, 2011 to include said territory as part of the City; and

WHEREAS, two public hearings have been held, the first on November 10, 2011 and the second on November 15, 2011, as required by law, in the Council Chambers of Bryan's Municipal Office Building located at 300 South Texas Avenue, Bryan, Texas where all interested persons were provided an opportunity to be heard on the requested annexation of property and territory hereinafter described; and

WHEREAS, all notices of such public hearings have been issued as required by law and all hearings held within the time required by law; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the area hereinafter described, which plan is attached hereto, and the City of Bryan is able to provide such services; and

WHEREAS, the hereinafter described property and territory is not within the boundaries of any other municipality, lies within the extrajurisdiction of the City of Bryan, Texas, and lies adjacent to and adjoins the present boundaries of said City of Bryan;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

2.

That the property described in Exhibit "A" and depicted in Exhibit "A-1" which are attached hereto and incorporated herein for all purposes, said territory lying adjacent to and adjoining the present boundaries of the City of Bryan, Texas, be and is hereby added and annexed to the City of Bryan, and said territory hereinafter described shall hereafter be included within the corporate limits of the City of Bryan, and the present boundary lines of said City are altered and amended so as to include said area within the corporate limits of the City of Bryan.

3.

That the service plan attached hereto as Exhibit "B" is hereby approved and is incorporated into this ordinance as if it were recited herein.

4.

That the annexed territory described above is a part of the City of Bryan for all purposes, and the property situated therein shall bear its pro rata part of taxes levied by the City of Bryan, and shall be entitled to the same rights and privileges, bound by the same duties and responsibilities as other property within the corporate limits.

5.

That the inhabitants residing and owners of property within the confines of the annexed territory shall be entitled to all the rights and privileges of all the other citizens and property owners of Bryan and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City of Bryan.

6.

That the official map and boundaries of the City of Bryan, Texas, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned territory as part of the City of Bryan, Texas.

7.

That Chapter 130 of the City of Bryan Code of Ordinances shall be and is hereby amended so as to permanently zone the aforementioned territory Planned Development - Industrial District (PD-1).

8.

That if any portion, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

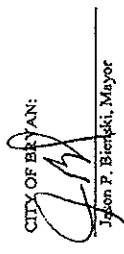
That this ordinance shall take effect immediately upon its second and final reading and passage.

PRESENTED AND GIVEN first reading the 6th day of December, 2011 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 13th day of December, 2011 by a vote of 7 yeas and 0 nays at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:


Mary Lynne Strain, City Secretary

CITY OF BRYAN:


Jason P. Bierski, Mayor

APPROVED AS TO FORM:

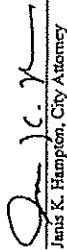

Janis K. Hampton, City Attorney

Exhibit "A":

METES AND BOUNDS DESCRIPTION OF TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON DECEMBER 13, 2011

A 350 acre lot, tract or parcel of land lying and being situated in the Stephen F. Austin League No. 9A-62 (Austin League), and the Thomas F. McKinney League, A-33 (McKinney League), all in Brazos County, Texas, being part of the 1,354.13 acre tract called Tract I in that one certain Memorandum of Oil and Gas Lease executed by Jess D. Conlee and wife Betty Jo Conlee, Donald N. Conlee and wife Kathryn Conlee, Douglas M. Conlee and wife Betsyanna Conlee, and WCS Oil and Gas Corporation dated December 8, 1990 and recorded in Volume 1232, Page 40 of the Official Records of said County and said 1,354.13 acre tract being particularly described in that one certain Deed of Trust from Jess Conlee and wife Florence Conlee to Henry B. Clay Trustee, dated July 14, 1965, and recorded in Volume 118, Page 177 of the Deed of Trust Records of said County, and said 350 acre tract being more particularly described as follows:

COMMENCING at the beginning corner of said 1,354.13 acre tract in said McKinney League;

THENCE across said 1,354.13 acre tract S 65° 05' 10" E, 6,876.47 feet to the east corner of said tract, in said Austin League;

THENCE along the northeast line of said 1,354.13 acre tract N 44° 25' W, 2,600 feet to corner in Cottonwood Branch in said Austin League, and the PLACE OF BEGINNING;

THENCE retracing said northeast line, S 44° 25' E, 2,600 feet to corner at said east corner of said 1,354.13 acre tract;

THENCE along a southeast line of said 1,354.13 acre tract as follows:

S 44° 19' W, 1,654.22 feet, and

S 34° 11' W, 2,064.85 feet to corner at a southern corner of said tract, on or near the northeast line of the Isaac L. Jaques Survey, A-143 (Jaques Survey), in said County;

THENCE along a southwest line of said 1,354.13 acre tract N° 45 10' W, 3,041.09 feet to corner at a re-entrant corner of said tract at or near a common corner of said Austin League and said Jaques Survey, on the southeast line of said McKinney League;

THENCE prolonging said last-named course, within said McKinney League, N 45° 10' W, 3,050.00 feet to corner in said Cottonwood Branch;

THENCE up said Cottonwood Branch with its meanders to the PLACE OF BEGINNING and containing 350 acres of land more or less.

The basis of bearings for this description is State Highway No. 21 at said west of the beginning corner of said 1,354.13 acre tract bearing S 37° 44' W.

Exhibit "A-1":

DEPICTION OF TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON DECEMBER 13, 2011

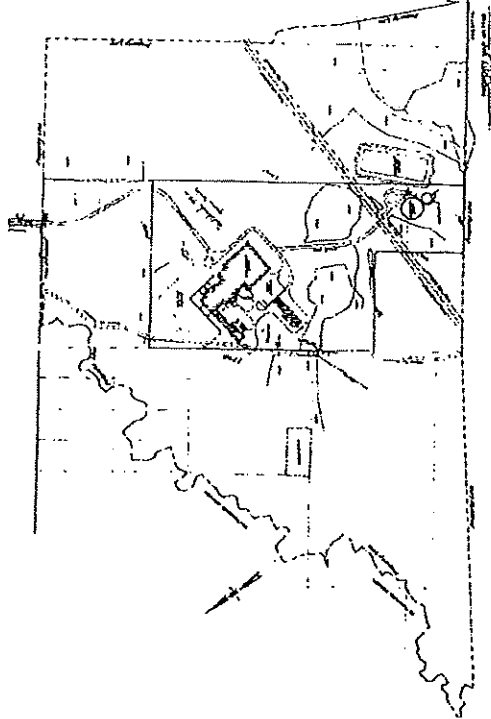


Exhibit "B":

MUNICIPAL SERVICE PLAN FOR TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON DECEMBER 13, 2011

A. SERVICES PROVIDED UPON THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION

The City of Bryan, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE

The City of Bryan, Texas and its Fire Department will provide fire protection and ambulance service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area. Furthermore, the City of Bryan Fire Department will respond to all dispatched calls (including emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of Bryan.

3. SOLID WASTE COLLECTION

The City of Bryan, Texas and its Environmental Services Department will provide solid waste collection and disposal service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

4. WATER DISTRIBUTION SERVICE

Areas outside the existing City which already receive water service from the City of Bryan will continue to receive such service. Areas to be annexed which are currently served by the Brushy Water Supply Corporation will continue to receive such service unless arrangements are made between the City and the Brushy Water Supply Corporation that is approved by the State of Texas, as required by the Texas Water Code.

Existing City of Bryan water mains will be available for point-of-use extension based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. Residents and businesses in the newly annexed area will be subject to the same service policies and procedures as apply to other areas of the City of Bryan. As applied to all properties within the City, residents will be responsible for costs to install water service to their property. All such water service facilities under the City of Bryan's direct jurisdiction, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected in accordance with established policies and procedures.

5. WASTEWATER SERVICE

Any and all wastewater service facilities in the newly annexed area owned or maintained by the City of Bryan, Texas at the time of annexation shall continue to be maintained by the City of Bryan. Any and all wastewater service facilities which may be required subsequent to annexation of the subject territory shall be maintained by the City of Bryan, to the extent of its ownership. Areas which are currently served by an independent service provider will continue to receive such service unless arrangements are made between the City of Bryan and the entity and approved by the State of Texas, as required by the Texas Water Code.

Existing City of Bryan sewer mains at their present locations shall be available for point-of-use connections, based on applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. The City of Bryan will assess the adequacy of existing septic systems for accommodating raw sewage in less developed areas and will determine the need to provide centralized wastewater collection and treatment service to particular areas, along with lift stations or any other necessary capital improvements, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. As applied to all properties within the City, residents and/or developers will be responsible for costs to install sewer service to their property.

All sewer service facilities under the City of Bryan's direct jurisdiction, including new facilities which may be installed by developers of land within this newly annexed territory, will be operated, maintained, monitored and inspected pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

It is currently the City of Bryan's policy to oversize wastewater collection system trunk lines in developing areas and to require developers or property owners desiring service to pay for wastewater line extensions to individual developments and properties. These standard service policies and procedures will also apply in the newly annexed territory in accordance with policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

6. STORM WATER MANAGEMENT

City of Bryan regulations concerning storm water management will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

7. BUILDING SERVICES

The Development Services Department's responsibility for regulating building construction will extend to the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Bryan.

8. PLANNING AND DEVELOPMENT

The Development Services Department's responsibility for regulating development and land use through the administration of the City of Bryan Zoning Ordinance, Land and Site Development Ordinance and all other development-related ordinances will extend to the newly annexed territory. The newly annexed area will also continue to be regulated under the requirements of the City of Bryan Subdivision Ordinance.

9. ELECTRICITY SERVICE

Bryan Texas Utilities (BTU), a municipal electric utility, will provide electricity service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of Bryan, Texas which exhibit land use and population densities similar to that of the newly annexed area.

10. ROADS, STREETS, ALLEYS AND TRAFFIC ENGINEERING

Any and all roads, streets or alleyways in the newly annexed territory which have been dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas of the City of Bryan, Texas with similar land use, population density and topography. Construction of new roads and streets is the responsibility of the developer or property owner desiring them and must be designed and built in accordance with applicable City of Bryan codes and standards.

Municipal maintenance of property dedicated roads, streets and alleyways (which may be installed by developers of land within this newly annexed territory) will be consistent with such maintenance provided by the City of Bryan to other roads, streets and alleyways in areas exhibiting land use, population densities and topography similar to that of the newly annexed area.

The City of Bryan Public Works Department will install traffic signs, street markings and other traffic control devices in the newly annexed area as the need is established by appropriate study, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

The City of Bryan Public Works Department will install street name signs in the newly annexed area. Under current City of Bryan ordinances, developers are responsible for the cost of street name signs for new public and private streets.

Bryan Texas Utilities (BTU), a municipal electric utility, will install streetlights in accordance with the utility standards of BTU, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended. Under current City of Bryan ordinances, developers are responsible for the cost of streetlights in new subdivisions.

11. PARKS AND RECREATION

The newly annexed territory does not include any known existing public parks, playgrounds or swimming pools which would come under the City of Bryan's jurisdiction as a result of annexation. Residents of the newly annexed territory may use any and all existing City of Bryan parks, playgrounds and recreational facilities and participate in any and all programs, events, activities and services of the City of Bryan Parks and Recreation Department. Expansion of

recreational facilities and programs to the newly annexed territory would be governed by applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

12. MAINTAINING OTHER PUBLICLY-OWNED FACILITIES OR BUILDINGS

The City of Bryan, Texas is not aware of the existence of any publicly-owned facility or building now located in the newly annexed territory. In the event any such publicly-owned facility or building does exist and are public facilities or buildings, the City of Bryan shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of Bryan, Texas.

13. LIBRARY SERVICES

Library use and privileges will be available to residents of the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

B. CONSTRUCTION OF CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2 1/2 YEARS FOLLOWING THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2 1/2 years following the effective date of annexing the subject territory, for the purpose of providing police and fire protection, emergency medical services and solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide comparable levels of protection and services to what is presently being provided to other areas already incorporated in the City of Bryan, Texas, having the same or similar land use, population density and topography as that of the newly annexed territory.

2. WATER AND WASTEWATER FACILITIES

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2 1/2 years following the effective date of annexing the subject territory, for the purpose of providing water and wastewater service.

During the next 2 1/2 years, the City Council of the City of Bryan, Texas believes that adequate municipal water and sewer mains exist for point-of-use connections and serviceable extensions, to provide water and/or sewer service within the newly annexed territory, pursuant to applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

As applied to all properties within the City, residents and/or developers will be responsible for costs to install water and/or sewer service to their property.

3. ROADS AND STREETS

Developers of land within the newly annexed territory will be required to provide internal streets (and to improve peripheral or boundary streets) in accordance with applicable ordinances of the City of Bryan, and such street improvements shall comply with specifications required by the City of Bryan, for properly dedicated streets.

4. PARKS, PLAYGROUNDS AND SWIMMING POOLS, AS WELL AS OTHER PUBLIC FACILITIES OR BUILDINGS

To the extent that it becomes necessary because of development demands, population growth and bona fide needs, the City Council of the City of Bryan, Texas will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of citizens in the newly annexed territory, based upon standard considerations of land use, population density and topography.

C. SPECIFIC FINDINGS

The City Council of the City of Bryan, Texas finds and determines that this Municipal Service Plan will not provide any fewer services nor will it provide a lower level of service, in the newly annexed territory, than were in existence at the time immediately preceding this territory's annexation to the City of Bryan, Texas.

		INDEPENDENTLY SANDERSON FARMS INC. MAISON COUNTY, MINNESOTA		OTIS W. CLARK President, Sanderson Farms Inc. One Sanderson Farm, Sanderson, Minn. 56162	
Reg. No. _____ Transfered No. _____ State No. _____ Production No. _____				Seal No. 1	

corner of said Austin League and said Jaques Survey, on the southeast line of said McKinney League;

THENCE prolonging said last-named course, within said McKinney League, N 45° 10' W, 3,050.00 feet to corner in said Cottonwood Branch;

THENCE up said Cottonwood Branch with its meanders to the PLACE OF BEGINNING and containing 350 acres of land more or less.

The basis of bearings for this description is State Highway No. 21 at and west of the beginning corner of said 1,354.13 acre tract bearing S 57° 44' W.

We certify that the above described tract of land is contiguous and adjacent to the City of Bryan, Texas and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: 
Title: Director of Development & Engineering

THE STATE OF Mississippi

COUNTY OF Jones

BEFORE ME, the undersigned authority, on this day personally appeared Bob Billingsley, and known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this 4th day of October, 2011.




Notary Public in and for
Jones County, Mississippi

ORDINANCE NO. 154

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, ANNEXING TERRITORY GENERALLY DESCRIBED AS BEING 166.2 ACRES OF LAND OUT OF THE ZENO PHILLIPS LEAGUE, ABSTRACT NO. 45 AND THE T.J. WOOTEN LEAGUE, ABSTRACT NO. 59, LOCATED GENERALLY NORTH OF THE OAK MEADOW AND AUTUMN LAKE SUBDIVISIONS AND ALONG THE WEST SIDE OF CHICK LANE BETWEEN WEST VILLA MARIA AND LEONARD ROADS IN BRAZOS COUNTY, TEXAS, AND BEING ADJACENT AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE CITY OF BRYAN, TEXAS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; DESCRIBING THE TERRITORY ANNEXED AND PROVIDING A SERVICE PLAN THEREFORE; OBLIGATING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City of Bryan, Texas; and

WHEREAS, the owners of 166.2 acres of land out of the Zeno Phillips League, Abstract No. 45 and the T.J. Wooten League, Abstract No. 59 located generally north of the Oak Meadow and Autumn Lake Subdivisions and along the west side of Chick Lane between West Villa Maria and Leonard Roads in Brazos County, Texas, petitioned the City of Bryan, Texas, on January 13, 2012 to include said territory as part of the City; and

WHEREAS, two public hearings have been held, the first on February 28, 2012 and the second on March 6, 2012, as required by law, in the Council Chambers of Bryan's Municipal Office Building located at 300 South Texas Avenue, Bryan, Texas, where all interested persons were provided an opportunity to be heard on the requested annexation of property and territory hereinafter described; and

WHEREAS, all notices of such public hearings have been issued as required by law and all hearings held within the time required by law; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the area hereinafter described, which plan is attached hereto, and the City of Bryan is able to provide such services; and

WHEREAS, the hereinafter described property and territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City of Bryan, Texas, and lies adjacent to and adjoins the present boundaries of said City of Bryan;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

2.

That the property described in Exhibit "A" and depicted in Exhibit "A-1" which are attached hereto and incorporated herein for all purposes, said territory lying adjacent to and adjoining the present boundaries of the City of Bryan, Texas, be and is hereby added and annexed to the City of Bryan, and said territory hereinafter described shall hereafter be included within the corporate limits of the City of Bryan, and the present boundary lines of said City are altered and amended so as to include said area within the corporate limits of the City of Bryan.

3.

That the service plan attached hereto as Exhibit "B" is hereby approved and is incorporated into this ordinance as if it were recited herein.

4.

That the annexed territory described above is a part of the City of Bryan for all purposes, and the property situated therein shall bear its pro rata part of taxes levied by the City of Bryan, and shall be entitled to the same rights and privileges, bound by the same duties and responsibilities as other property within the corporate limits.

5.

That the inhabitants residing and owners of property within the confines of the annexed territory shall be entitled to all the rights and privileges of all the other citizens and property owners of Bryan and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City of Bryan.

6.

That the official map and boundaries of the City of Bryan, Texas, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned territory as part of the City of Bryan, Texas.

7.

That Chapter 130 of the City of Bryan Code of Ordinances shall be and is hereby amended so as to zone the aforementioned territory Agricultural - Open (A-O) District upon annexation.

8.

That if any portion, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

That this ordinance shall take effect immediately upon its second and final reading and passage.

PRESENTED AND GIVEN first reading the 10th day of April, 2012 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 24th day of April, 2012 by a vote of 1 yeas and 0 nays at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:


Mary Lynne Smith, City Secretary

CITY OF BRYAN:


Jason P. Bionski, Mayor

APPROVED AS TO FORM:


Kris K. Hampton, City Attorney

Exhibit "A":

METES AND BOUNDS DESCRIPTION OF TERRITORY
ANNEXED TO THE CITY OF BRYAN, TEXAS ON APRIL 24, 2012

All that certain tract or parcel of land lying and being situated in the ZENO PHILLIPS LEAGUE, ABSTRACT NO. 45 and the T.J. WOOLLEN LEAGUE, ABSTRACT NO. 59, Brazos County, Texas, said tract being all of a called 61 acre tract described as First Tract, all of a called 20 acre tract described as Second Tract, all of a called 60 acre tract described as Third Tract and all of a called 1 acre tract described as Fourth Tract by a Deed to J. H. Nash recorded in Volume 107, Page 168 of the Deed Records of Brazos County, Texas and all of a called 25.68 acre tract as described by a Deed to Wm. Nash recorded in Volume 300, Page 827 of the Deed Records of Brazos County, Texas.

Said Tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/4 inch iron rod found in concrete on the Northeast line of a called 53.6 acre tract as described by a Deed to Bryan-College Station Girl Scout Area Council recorded in Volume 177, Page 501 of the Deed Records of Brazos County, Texas, marking the south corner of said 61 acre tract and the west corner of Oak Meadow Subdivision, Phase 3, according to the plat recorded in Volume 7059, Page 243 of the Official Public Records of Brazos County, Texas;

THENCE: N 47° 41' 11" W along the common line of said 61 acre tract and said 53.6 acre tract for a distance of 1031.80 feet to a 3/8 inch iron rod found marking the east corner of a called 11.02 acre tract as described by a Deed to Joseph Daniel Luther recorded in Volume 1554, Page 1 of the Official Public Records of Brazos County, Texas;

THENCE: N 48° 24' 13" W along the northeast line of said 11.02 acre tract for a distance of 314.42 feet to a 5/8 inch iron rod found marking the north corner of said 11.02 acre tract and the east corner of a called 9.89 acre tract as described by a Deed to Girl Scouts-Bluebonnet Girl Scout Council recorded in Volume 7501, Page 1 of the Official Public Records of Brazos County, Texas;

THENCE: along the northeast line of said 9.89 acre tract for the following calls:

N 23° 23' 34" W for a distance of 205.30 feet to a 5/8 inch iron rod found;

S 88° 15' 28" W for a distance of 89.02 feet to a 5/8 inch iron rod found;

N 50° 52' 18" W for a distance of 23.19 feet to a 5/8 inch iron rod found marking the north corner of said 9.89 acre tract and the east corner of a called 10.00 acre tract as described by a Deed to Janice Lynn Coors and Roman N. Luther recorded in Volume 5238, Page 283 of the Official Public Records of Brazos County, Texas;

THENCE: 48° 59' 32" W along the northeast line of said 10.00 acre tract for a distance of 578.27 feet to a 1/2 inch iron rod found marking the north corner of a called 10.00 acre tract as described by a Deed to Jack Edward Welch, Jr. recorded in Volume 4348, Page 328 of the Official Public Records of Brazos County, Texas;

THENCE: S 42° 01' 04" W along the northwest line of said 10.00 acre Welch tract for a distance of 48.78 feet to a point in the centerline of a creek marking the east corner of a called 10.00 acre tract as described by a Deed to Linda Kay Castoria recorded in Volume 3014, Page 174 of the Official Public Records of Brazos County, Texas;

THENCE: along the centerline of said creek, same being the common line of said 61 acre tract and said 10.00 acre Castoria tract, for the following calls:

N 70° 17' 38" W for a distance of 33.25 feet;
N 15° 24' 34" E for a distance of 60.28 feet;
N 14° 32' 40" E for a distance of 63.28 feet;
N 07° 09' 03" W for a distance of 19.37 feet;
N 27° 59' 08" E for a distance of 26.94 feet;
N 34° 25' 35" W for a distance of 19.56 feet;
N 58° 58' 48" W for a distance of 29.35 feet;
N 09° 23' 49" W for a distance of 37.60 feet;
N 19° 30' 37" E for a distance of 58.38 feet;

N 27° 53' W for a distance of 13.83 feet to the south corner of a called 48.46 acre tract as described by a Deed to John M. Heard recorded in Volume 5957, Page 42 of the Official Public Records of Brazos County, Texas;

THENCE: N 41° 25' 15" E along the common line of said 61 acre tract, said 60 acre tract and said 48.46 acre tract, at 20.87 feet pass an 8 inch oak tree found in an old fence line, at 1838.71 feet; pass a 4 inch fence post found in said old fence line, continue on for a total distance of 2418.71 feet to a 1/2 inch iron rod set marking the east corner of said 48.46 acre tract, said iron rod set being on the southwest line of said 20 acre Nash Tract;

THENCE: N 47° 54' 36" W along the common line of said 20 acre tract and said 48.46 acre tract for a distance of 44.46 feet to a 1/2 inch iron rod set marking the south corner of a called 8.828 acre tract described as Tract No. 7 by a Deed to Craig Champion recorded in Volume 4808, Page 98 of the Official Public Records of Brazos County, Texas, for reference a 1/2 inch iron rod found on the southerly line of Leonard Road marking the common corner of said 48.46 acre tract and said 8.828 acre tract bears: N 47° 54' 36" W for a distance of 1826.77 feet;

THENCE: N 43° 54' 33" E along the common line of said 20 acre tract and said 8.828 acre tract, at 157.37 feet pass a 5/8 inch rod found marking the east corner of said 8.828 acre tract and the south corner of another 8.828 acre tract as described by a Deed to Gary Brannon Spiller recorded in Volume 4038, Page 323 of the Official Public Records of Brazos County, Texas, continue on along the common line of said 20 acre tract and said second 8.828 acre tract for a total distance of 914.10 feet to a 5/8 inch iron rod found marking the east corner of another 8.828 acre tract described as Tract No. 3 by said Deed to Craig Champion (4808/98) and the south corner of a called 2.000 acre tract as described by a Deed to Carlisle Glen Greenwade and wife Gladys Fayne Greenwade recorded in Volume 2551, Page 218 of the Official Public Records of Brazos County, Texas;

THENCE: N 43° 58' 00" E along the common line of said 20 acre tract and said 2.000 acre tract at 472.16 feet pass a 60D nail found in a tree on the southwest line of Chick Lane marking the east corner of said 2.000 acre tract, continue on across Chick Lane for a total distance of 512.58 feet to the line of Chick Lane and the north corner of said 1 acre tract;

THENCE: S 47° 31' 28" E along the northeast line of Chick Lane, same being the northeast line of said 1 acre tract and said 20 acre tract, for a distance of 644.06 feet to the east corner of said 20 acre tract;

THENCE: S 42° 11' 00" W along the southeast line of said 20 acre tract, at 47.68 feet pass a 6 inch fence corner post found on the northwest line of Chick Lane, continue on along the northwest line of Chick Lane for a total distance of 1398.17 feet to a 1/2 inch iron rod set marking the south corner of said 20 acre tract, for reference an 8 inch fence corner post found bears: S 42° 11' 00" W for a distance of 47.63 feet;

THENCE: S 48° 29' 24" E across Chick Lane and along the line of said 25.66 acre tract and the northeast line of a called 47 foot wide strip for road purposes as described in said Wm. Nash

deed (300827), at 135.84 feet pass a point in an existing pipe fence, continue on along the northeast line of Chick Lane for a total distance of 1411.84 feet to a 1/2 inch iron rod found marking the west corner of a called 12.356 acre tract as described by a Deed to Joseph Patrick Lynch and wife, Betty Deason Lynch recorded in Volume 511, Page 294 of the Deed Records of Brazos County, Texas;

THENCE: S 48° 43' 57" E continuing along the northeast line of Chick Lane, same being the common line of said 25.66 acre tract and said 12.356 acre tract, for a distance of 298.54 feet to a 4x4 concrete monument found marking the east corner of said 25.66 acre tract;

THENCE: S 34° 58' 20" W across Chick Lane, at 47.25 feet pass a 1/2 inch iron rod set marking the most southerly corner of said 47 foot wide strip for road, continue on along the common line of said 25.66 acre tract and a called 5.88 acre tract as described by a Deed to Donald Wayne Manly recorded in Volume 1119, Page 858 of the Official Public Records of Brazos County, Texas, for a total distance of 632.65 feet to a 3/8 inch iron rod found marking the common corner of said 5.88 acre tract and a called 5.88 acre tract as described by a Deed to Gerald A. Manly recorded in Volume 2289, Page 83 of the Official Public Records of Brazos County, Texas;

THENCE: S 34° 38' 18" W along the common line of said 25.66 acre tract and said second 5.88 acre tract for a distance of 69.07 feet to a petrified wood rock found marking the south corner of said 25.66 acre tract and the east corner of said 60 acre tract;

THENCE: S 39° 40' 55" W along the common line of said 60 acre tract and said second 5.88 acre tract for a distance of 603.95 feet to a 1 inch iron rod found in concrete marking the corner of the remainder of a called 92.481 acre tract described as Exhibit A by a Deed to W. Barton Hunt, Trustee, recorded in Volume 2493, Page 21 of the Official Public Records of Brazos County, Texas;

THENCE: S 40° 04' 06" W along the common line of said 60 acre tract and said remainder of 92.481 acre tract for a distance of 241.82 feet to a 1/2 inch iron rod found marking the most northerly corner of a called 5.00 acre tract as described by a Deed to William Harris Edwards and wife, Linda Maria Edwards recorded in Volume 2728, Page 280 of the Official Public Records of Brazos County, Texas;

THENCE: S 40° 03' 53" W along the common line of said 60 acre tract and said 5.00 acre tract for a distance of 76.38 feet to a 1/2 inch iron rod found marking the north corner of Oak Meadow Subdivision, Phase 2, according to the Plat recorded in Volume 4756, Page 18 of the Official Public Records of Brazos County, Texas;

THENCE: S 40° 01' 12" W along the common line of said 60 acre tract and said 61 acre tract and Oak Meadow Subdivision, Phase 2 and Phase 3, for a distance of 967.63 feet to the POINT OF BEGINNING containing 166.20 acres of land, more or less.

recreational facilities and programs to the newly annexed territory would be governed by applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

12. MAINTAINING OTHER PUBLICLY-OWNED FACILITIES OR BUILDINGS

The City of Bryan, Texas is not aware of the existence of any publicly-owned facility or building now located in the newly annexed territory. In the event any such publicly-owned facility or building does exist and are public facilities or buildings, the City of Bryan shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of Bryan, Texas.

13. LIBRARY SERVICES

Library use and privileges will be available to residents of the newly annexed territory, pursuant to applicable policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

B. CONSTRUCTION OF CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2 1/2 YEARS FOLLOWING THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2 1/2 years following the effective date of annexing the subject territory, for the purpose of providing police and fire protection, emergency medical services and solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide comparable levels of protection and service to what is presently being provided to other areas already incorporated in the City of Bryan, Texas, having the same or similar land use, population density and topography as that of the newly annexed territory.

2. WATER AND WASTEWATER FACILITIES

The City Council of the City of Bryan, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement within 2 1/2 years following the effective date of annexing the subject territory, for the purpose of providing water and wastewater service.

During the next 2 1/2 years, the City Council of the City of Bryan, Texas believes that adequate municipal water and sewer mains exist for point-of-use connections and serviceable extensions, to provide water and/or sewer service within the newly annexed territory, pursuant to applicable utility extension policies and/or ordinances of the City of Bryan, now existing or as such policies and/or ordinances may be amended.

As applied to all properties within the City, residents and/or developers will be responsible for costs to install water and/or sewer service to their property.

3. ROADS AND STREETS

Developers of land within the newly annexed territory will be required to provide internal streets (and to improve peripheral or boundary streets) in accordance with applicable ordinances of the City of Bryan, and such street improvements shall comply with specifications required by the City of Bryan, for properly dedicated streets.

4. PARKS, PLAYGROUNDS AND SWIMMING POOLS, AS WELL AS OTHER PUBLIC FACILITIES OR BUILDINGS

To the extent that it becomes necessary because of development demands, population growth and bona fide needs, the City Council of the City of Bryan, Texas will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of citizens in the newly annexed territory, based upon standard considerations of land use, population density and topography.

C. SPECIFIC FINDINGS

The City Council of the City of Bryan, Texas finds and determines that this Municipal Service Plan will not provide any fewer services nor will it provide a lower level of service, in the newly annexed territory, than were in existence at the time immediately preceding this territory's annexation to the City of Bryan, Texas.

SSOI Report

October 31, 2013

Mr. Ryan Byer, Coordinator
Order Compliance Team, MC 149A
Enforcement Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087



Subject: 2013 Annual Report for SSOI Agreement Case No. 37476

This letter is to document the progress the City of Bryan has made on provisions 2 through 6 of the Sanitary Sewer Agreement signed on August 11, 2009.

Provision No. 2: The City shall implement and complete the list of projects contained within Attachment A of the Agreement.

Progress: Please find attached in Appendix A, a table that summarizes the progress of the projects to date included in the compliance agreement. Also included in this table is a final estimate of the completed length of each project for comparison to the original estimated length as listed in the Agreement. During the past year, the Thompsons Creek Waste Water Treatment Plant and the Hutchins St sewer replacement project was completed. The original scope of the Hutchins St project called for the replacement of 1075 feet of sewer pipe while the completed project resulted in the replacement of approximately 2070 feet of pipe. An additional project completed this past year is a sewer project along College Main (not listed in the agreement), resulting in the replacement of 3007 feet of pipe.

There are several projects currently under construction: Manhole Rehab Ph 3 and Louisiana, Indiana and Missouri Ave. sewer replacement projects. The Manhole Rehab Ph 3 project includes 110 manholes and is scheduled for completion in January, 2014. The sewer replacement projects will replace a combined total of approximately 2168 feet of sewer pipe when complete. In addition to these projects, there are several sewer replacement projects under construction that are not listed in the compliance agreement: Glen Oaks (approximately 700 feet of pipe); Memorial (approximately 750 feet of pipe); and Bonham (approximately 645 feet of pipe). These three projects have an estimated completion of December, 2013.

Provision No. 3: Establish the causes of SSOs by:

- i. Utilizing GIS mapping to develop a visual reference of SSOs by type and location
- ii. Establish performance indicators and benchmarks

Progress: Please find attached in Appendix B, a map showing a sample of the GIS mapping used to locate SSOs by type and location. The map is for reference and visual identification of causes.

Below is a list of performance measures. These measures have been incorporated into the work order system so they can be viewed in GIS for reference purposes. Tracking these measures over the timeframe of this agreement will allow the effectiveness of the program to be measured and benchmarks established.

1. Number of customer sewer complaints (based on claims made per fiscal year)

2012 – 17

2013 – 8

2. Number of stoppages by:

(a) Cause: roots, grease, debris, pipe failure, rain water infiltration.

(b) Location: private vs. public.

FY12		
	Cause	Number
	Infrastructure Failure	21
	Private Problem	301
	Private Sewer Stop	73
	Rain Water Infiltration	24
	Unstopped Sewer (Debris)	370
	Unstopped Sewer (Grease)	185
	Unstopped Sewer (Private)	49
	Unstopped Sewer (Roots)	24
	Total:	1,047
FY13		
	Cause	Number
	Infrastructure Failure	7
	Private Problem	289
	Private Sewer Stop	28
	Rain Water Infiltration	18
	Unstopped Sewer (Debris)	393
	Unstopped Sewer (Grease)	154
	Unstopped Sewer (Private)	62
	Unstopped Sewer (Roots)	26
	Total:	977

3. Number of dry weather overflows by:

(a) Volume: <100 gallons; 100 to 999 gallons; 1000 to 9999 gallons; >10,000 gallons.

(b) Cause: roots, grease, debris, pipe failure, pump station failure, capacity.

(c) Location – Private versus Public.

See appendix C

4. Number of wet weather overflows by:
 - (a) Volume: <100 gallons; 100 to 999 gallons; 1000 to 9999 gallons; >10,000 gallons.
 - (b) Cause: roots, grease, debris, pipe failure, pump station failure, capacity.
 - (c) Location – Private versus Public.

See appendix C

5. Average response time:

- (a) SSO – 41:16 minutes

The response time is calculated by subtracting the call time from the arrival time. In most cases, the work request is entered into the work order system shortly after the call comes in, so the entry time gives an accurate estimation of the call time. However, there are times when the request is entered at a later time, either due to call volume or for work done after-hours. In the cases where the call time was noted on the hand written order, that time was used. Otherwise, there is no way to track when the call came in to accurately calculate the response time. These records are highlighted in the attached table and were not used in the average response time calculation. The number of records with no reliable call time decreased from around 40% in FY 2012 to 20% in FY13. The crews have been reminded to always write the call time on the paper form that they fill out for each order so that a more accurate response time can be calculated. Staff will continue to improve in this area in hopes that an accurate accounting of the response time can be calculated for all work orders.

See appendix D

6. Number of cave-ins – 8
7. Number of pump station failures by:

- (a) Electrical supply failure.
- (b) Electrical component failure.
- (c) Pump failure.
- (d) Blockage.

Pump Station	Failure Type	Date
Saddlewood	Electrical Component	10/13/2012
Mumford	Electrical Supply	11/3/2012
Boonville Towncenter	Electrical Supply	11/5/2012
East Villa Maria	Electrical Supply	12/16/2012
Boonville Towncenter	Electrical Supply	12/16/2012
Cottonwood	Electrical Supply	1/8/2013
FM 158	Electrical Supply	3/10/2013
W Villa Maria	Electrical Component	4/29/2013
Cottonwood	Pump Failure	5/31/2013
North Point	Electrical Component	8/19/2013
Saddlewood	Pump Failure	8/27/2013

8. Miles of sewer line smoke tested:

Basins Smoke Tested (FY13)	CLEANOUTS Broken/Missing	PRIVATE SIDE Defects	CITY SEWER MAIN Defects	MANHOLES Broken/Damaged	Miles of Pipe
9	63	24	17	4	7
15	18	20	9	2	10
26	70	30	5	14	10.8
Total	151	74	31	20	27.8

Miles per fiscal year: FY11: 33.5
FY12: 27.9

The City of Bryan continues to proactively smoke test the collection system. Staff has averaged smoke testing 10% of the collection system per year looking for problems both on the public and private side. Staff has implemented a program to get all private repairs made with a financial mechanism offered through the City for private citizens to take advantage of to repair costly private defects. With about half of the problems on the private side, addressing the private side issues is paramount to reducing I&I into the collection system and the resulting wet weather overflows.

9. Miles of sewer line cleaned (Goal is 20% of the system or approximately 78.5 miles):

Approximately 85.47 miles, or 21% of the system, were cleaned in FY2013. For this report, the length of line as mapped in GIS was used to determine the total, rather than the estimated footage provided by field crews.

10. Number of manholes repaired – 124 (FY13)

11. Number of Grease Traps:

- (a) Inspections – 195 (FY13)
- (b) Violations – 5 (FY13)

12. Number of employees taking certification exams, as well as those passing exams.

- (a) Track those taking exams as a requirement of job versus those wishing to obtain higher certifications.

Employee Name	Exam	Results
Juan Alvarado	WW I	Pass
Daniel Barnett	WW III	Pass
Lamar Cole	WW I	Pass
Jacob Fowler	WW I	Pass
Coy Robertson	WW D	Pass
Roman Vega	WW II	Fail
Waylon Weston	WW II	Pass

Provision No. 4: The City shall implement its Capacity, Management, and Operation Maintenance (CMOM) Program and review the SSO emergency response plan.

Progress: The CMOM document has been completed. The SSO emergency response plan has been incorporated into the CMOM report. Staff is utilizing this document to guide them in the management of the collection system as well as make operational changes.

Provision No. 5: City shall implement its detailed I/I reduction project approach.

Progress: The City is utilizing the information collected during its I/I analysis to evaluate public and private defects within the system. This information helps focus repair locations to minimize the amount of rainwater entering the collection system. The larger line replacements are being designed, bid, and constructed by contractors. Smaller repairs are being completed by in-house staff. Staff is also smoke testing high priority basins based on the I/I study, as well as mobile home parks to identify public and private defects and missing private cleanout caps. The City continues to do visual inspections of the system during rain events to identify system problems. When other problematic areas are brought to our attention, staff is smoke testing, visually inspecting the pipe, and developing solutions to identify and eliminate the problem.

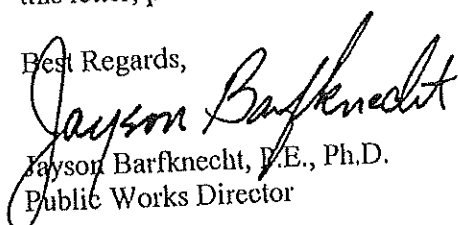
Provision No. 6: The City shall evaluate the effectiveness of its corrective actions on a yearly basis.

Progress: The City continues to evaluate the progress of the program through field observations, work orders, and reports from citizens. Staff reviews work order history to determine if problems are still evident. This past year, over 5,000 feet of pipe was replaced within the collection system. In addition, staff has been aggressively addressing the I&I problems on the private side by continuing to smoke test in problem areas. Through these efforts, 181 defects on the private side were identified and repaired this past year. Staff will continue monitoring areas associated with the projects within this Agreement, as well as areas not included. The effectiveness of the corrective actions will be documented through the duration of this agreement.

The City of Bryan experienced a reduction in overflows from 64 in 2012 to 41 in 2013 (based on calendar year, through October 1, 2013). While the number of I&I related overflows increased this past year from 5 in 2012 to 9 in 2013, the most significant decrease in overflows continues to be in the "pipe debris" category, most of which are attributed to grease. In addition, the number of sewer stops caused by grease in the lines has decreased each year, being reduced from 686 in FY10 to 154 in FY13. The decrease in both overflows and sewer stops due to grease may be attributed to the cleaning program the City implemented for cleaning the collection system. While the first year in 2010 did not meet expectations with respect to the number of miles cleaned, a more focused effort in the subsequent years has exceeded our annual goal. This area of work will continue to be monitored for its effectiveness on the overflows and sewer stops within the system.

This is a summary report of the actions taken by the City of Bryan to comply with the Agreement. If you should have any questions or need additional information related to information contained within this letter, please contact me at (979) 209-5929 or jbarfknecht@bryantx.gov.

Best Regards,


Jayson Barfknecht, P.E., Ph.D.
Public Works Director

XC: Mr. Richard Monreal, Manager, Water Section, TCEQ Waco Regional Office

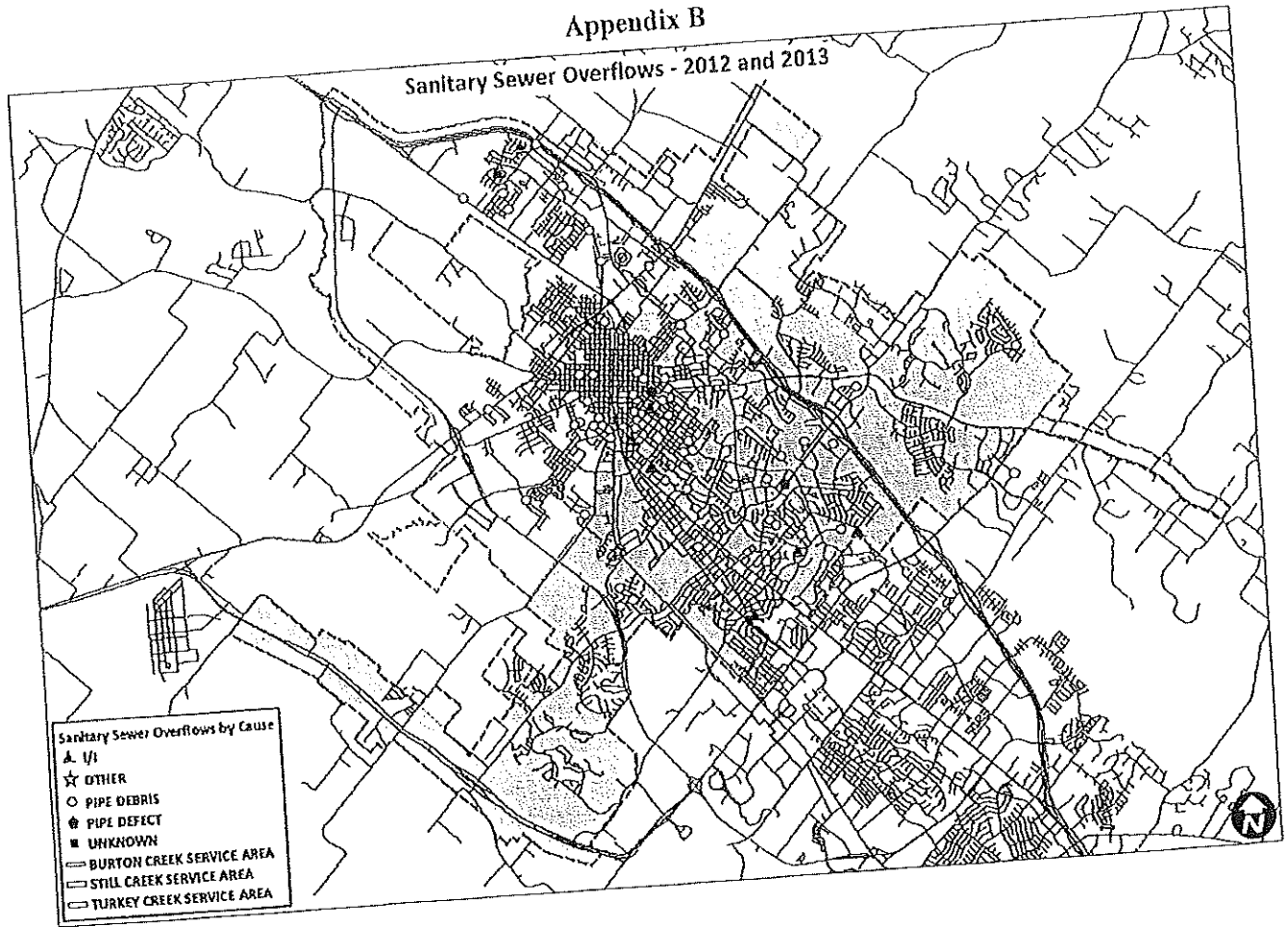
Appendix A

List of Projects

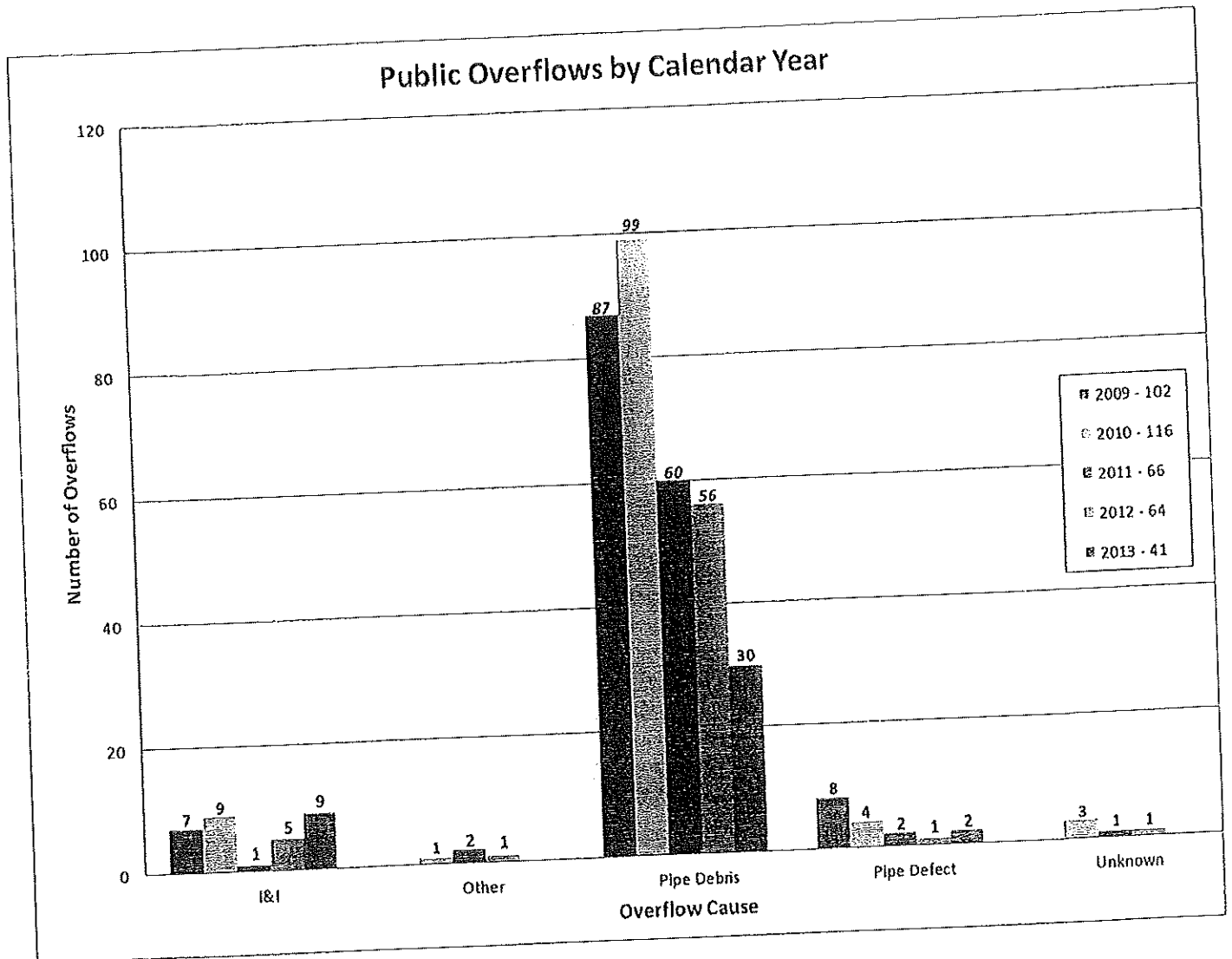
Project No.	Project Name	Basin	Complete by Date	Status	Length (ft)	Completed Length (ft)
S08-28	Tanglewood Park	Burton Creek	1-May-2009	Complete	1400	1440
S08-29	Yellowstone	Still Creek	1-May-2009	Complete	550	540
S08-01	Bonham Park	Still Creek	1-Jul-2009	Complete	675	1030
S08-30	American Legion	Burton Creek	1-Aug-2009	Complete	2100	2240
	Evaluation of Burton Creek	Burton Creek	1-May-2009	Complete		
S08-10	Washington/24th	Burton Creek	1-Jan-2010	Complete	550	750
S08-31	North Brazos	Still Creek	1-Jan-2010	Complete	450	1702
S08-41	Manhole Rehab	Burton Creek	1-May-2010	Complete		
S08-32	McHaney/Old Hearne	Still Creek	1-May-2010	Complete	2175	3120
S08-33	Colson	Burton Creek	1-Aug-2010	Complete	2175	3014
S08-20	Johnson/Cole	Burton Creek	1-May-2011	Complete	1275	1133
S08-42	Manhole Rehab Ph 2	Burton Creek	1-May-2011	Complete		
S08-23	Parker	Still Creek	1-May-2011	Complete	975	2514
S08-21	Henderson Park	Still Creek	1-Oct-2011	Complete	3700	3643
S08-25	Commerce Street	Still Creek	1-Oct-2011	Complete	4475	9736
S08-44	Beck Street	Still Creek	1-Dec-2011	Complete	5700	5789
S08-34	Downtown Ph 3	Still Creek	1-Jan-2012	Complete	700	1756
S08-16	Thompson's Creek WWTP	Turkey Creek	1-May-2012	Complete		
S08-43	Manhole Rehab Ph 3	Burton Creek	1-May-2013	In Progress		
S08-35	Hutchins	Burton Creek	1-May-2013	Complete	1075	2070
S08-08	Louisiana	Still Creek	1-Jan-2014	In Construction	1975	
S08-36	Indiana	Still Creek	1-Jan-2014	In Construction	500	
S08-19	Wells Fargo	Burton Creek	1-Oct-2014	In Design	825	
S08-37	Still Creek Phase 3	Still Creek	1-Oct-2014	In Design	6475	
S08-38	Missouri	Still Creek	1-Aug-2015	In Construction	625	
S08-39	Arizona	Still Creek	1-Aug-2015		650	
S08-40	Minnesota	Still Creek	1-Aug-2015		475	
S08-07	Montana	Still Creek	1-Aug-2015		1000	
S08-06	Oklahoma	Still Creek	1-Aug-2015		1000	
S08-05	Alabama	Still Creek	1-Aug-2015		1000	
S08-04	Georgia	Still Creek	1-Aug-2015		1175	
S08-03	Tennessee	Still Creek	1-Aug-2015		1550	
Totals:					45,225	35,893

Appendix B

Sanitary Sewer Overflows - 2012 and 2013



Appendix C



Wet Weather				
Year	Cause	Location	Volume (gallons)	Number of Occurrences
2012	Grease	Public	< 100	0
	Grease	Public	100 to 999	0
	Grease	Public	1000 to 9999	0
	Grease	Public	>10,000	0
	Roots	Public	< 100	0
	Roots	Public	100 to 999	0
	Roots	Public	1000 to 9999	0
	Roots	Public	>10,000	0
	Pipe Capacity	Public	< 100	1
	Pipe Capacity	Public	100 to 999	2
	Pipe Capacity	Public	1000 to 9999	2
	Pipe Capacity	Public	>10,000	0
	Pump Failure	Public	< 100	0
	Pump Failure	Public	100 to 999	0
	Pump Failure	Public	1000 to 9999	0
	Pump Failure	Public	>10,000	0
	Pipe Debris	Public	< 100	0
	Pipe Debris	Public	100 to 999	0
	Pipe Debris	Public	1000 to 9999	0
	Pipe Debris	Public	>10,000	0
	Total			5
2013	Grease	Public	< 100	0
	Grease	Public	100 to 999	0
	Grease	Public	1000 to 9999	0
	Grease	Public	>10,000	0
	Roots	Public	< 100	0
	Roots	Public	100 to 999	0
	Roots	Public	1000 to 9999	0
	Roots	Public	>10,000	0
	Pipe Capacity	Public	< 100	1
	Pipe Capacity	Public	100 to 999	4
	Pipe Capacity	Public	1000 to 9999	4
	Pipe Capacity	Public	>10,000	0
	Pump Failure	Public	< 100	0
	Pump Failure	Public	100 to 999	0
	Pump Failure	Public	1000 to 9999	0
	Pump Failure	Public	>10,000	0
	Pipe Debris	Public	< 100	0
	Pipe Debris	Public	100 to 999	0
	Pipe Debris	Public	1000 to 9999	0
	Pipe Debris	Public	>10,000	0
	Total			9

Dry Weather				
Year	Cause	Location	Volume (gallons)	Number of Occurrences
2012				
	Grease	Public	< 100	34
	Grease	Public	100 to 999	17
	Grease	Public	1000 to 9999	0
	Grease	Public	>10,000	0
	Roots	Public	< 100	0
	Roots	Public	100 to 999	3
	Roots	Public	1000 to 9999	0
	Roots	Public	>10,000	0
	Pipe Failure	Public	< 100	1
	Pipe Failure	Public	100 to 999	1
	Pipe Failure	Public	1000 to 9999	0
	Pipe Failure	Public	>10,000	0
	Pump Failure	Public	< 100	0
	Pump Failure	Public	100 to 999	0
	Pump Failure	Public	1000 to 9999	0
	Pump Failure	Public	>10,000	0
	Pipe Debris	Public	< 100	1
	Pipe Debris	Public	100 to 999	2
	Pipe Debris	Public	1000 to 9999	0
	Pipe Debris	Public	>10,000	0
Total				59
2013				
	Grease	Public	< 100	15
	Grease	Public	100 to 999	7
	Grease	Public	1000 to 9999	2
	Grease	Public	>10,000	0
	Roots	Public	< 100	1
	Roots	Public	100 to 999	0
	Roots	Public	1000 to 9999	0
	Roots	Public	>10,000	0
	Pipe Failure	Public	< 100	1
	Pipe Failure	Public	100 to 999	0
	Pipe Failure	Public	1000 to 9999	1
	Pipe Failure	Public	>10,000	0
	Pump Failure	Public	< 100	0
	Pump Failure	Public	100 to 999	0
	Pump Failure	Public	1000 to 9999	0
	Pump Failure	Public	>10,000	0
	Pipe Debris	Public	< 100	3
	Pipe Debris	Public	100 to 999	1
	Pipe Debris	Public	1000 to 9999	1
	Pipe Debris	Public	>10,000	0
Total				32

Stormwater Design Guidelines

SECTION VIII

WATER QUALITY

A. Principles

Polluted Runoff

It is well understood that stormwater runoff in urban and suburban environments tends to carry an assortment of sedimentation and pollutants into the streams and waterways that drain a region. The nature of those materials depends on numerous variables. Among them are the type and intensity of land use in the areas drained, the characteristics of rainfall flushing those areas, the urban development parameters used, and the effects of natural or specially deployed features that work to enhance or aggravate the quality of storm runoff.

Design Effects

Based on scientific information derived and promulgated at the State and National levels, it is clear that hard surfaces that quickly drain areas tend to do nothing to enhance the quality of stormwater runoff. Likewise, stormflow across exposed earthen areas tends to carry undesirable sediment loads. Conversely, runoff that first travels through or over turf, wetland, or sedimentation features tends to transport smaller quantities of undesirable materials. For this reason one of the objectives of these Guidelines is to encourage the use of innovative facilities that minimize adverse effect(s) on water quality, provided the primary objective of protecting life and property is not compromised.

Known Problems

Where persistent, known drainage problems exist, the primary focus must necessarily be on promoting public safety and minimizing flooding of property. In such areas improving the quality of storm runoff will be a carefully considered in light of public safety objectives.

B. Imbedded Objective

Foster Water Quality

One of the objectives of these Guidelines is to foster improvement of the quality of stormwater runoff in the Bryan - College Station region. Part of the intent is to cause water draining from newly developing areas to carry smaller amounts of pollutant loads than would occur under former guidelines.

Design Encouraged

Water quality objectives are clearly delineated in policy statements in Section II, and in the sedimentation control guidance outlined in Section VII. They are also imbedded in Section VI in two areas of hydraulic design. Special designs aimed at improving stormwater quality are encouraged for detention facilities and at points where traditional facilities outfall to streams and waterways. In some instances such designs may be less expensive to construct than traditional stormwater features.

Early Towns

Special water quality designs must be coordinated with the City Engineer or his/her designee as early as possible in design processes, preferably during the stormwater planning conference described in Section III. Emphasis is placed on use of qualified specialists for

SECTION VIII

WATER QUALITY

deriving designs intended to reduce pollutant loads. This is important because long term maintenance needs and cost may not be exacerbated by such designs.

SWQP Required

As stipulated in Section VII of these Guidelines, non-permanent erosion and sedimentation control measures are required during construction projects. The latest requirements of the TCEQ must be satisfied.

C. Regulatory Context

The quality of storm runoff into streams and waterways is regulated by law in several ways both at the National and State levels.

1. National Regulations

a. Section 10 Rivers and Harbors Act

Navigable Waters
Section 10 of the Rivers and Harbors Act of 1899 places jurisdiction over certain waters squarely in the hands of the Federal Government. The US Army Corps of Engineers (USACE) operates a regulatory program under the authority of this and subsequent law. This deals with the "navigable waters of the United States". "Navigable waters" are those that are subject to the ebb and flow of the tide shoreward to the mean high water mark and/or are presently used, or have been used in the past or may be susceptible to use, to transport interstate or foreign commerce. The Brazos River and its tributaries (with some limitations) are included in this definition.

Basic Provisions

The Corps of Engineers regulates all work and structures in, or affecting, the course, condition, or capacity of navigable waters of the United States. Example activities and structures include dredging, filling, excavation, bulkheads, revetments, riprap, and pilings. This has obvious application to roadway crossings, on line or adjacent detention facilities, and most types of earthwork along the banks of applicable watercourses.

b. Section 404 Clean Water Act

Waters of The US
Administered jointly by the USACE and the Environmental Protection Agency (EPA), Section 404 has the objective of restoring and maintaining the chemical, physical, and biological integrity of the "waters of the United States". This deals with the surface water tributary system. It includes the smallest of streams, any lake, pond, or other water body on those streams, and adjacent wetlands. Under this Act the US Army Corps of Engineers has certain regulatory powers.

Basic Provisions

The Corps of Engineers' Wetland Delineation Manual provides guidelines for determining whether wetland areas are regulated by

Section 404. Placement of dredged or excavated materials into waters of the US is regulated. This includes the addition of material associated with mechanized land clearing, ditching, channelization, side-casting, temporary stockpiling, and other ground-disturbing activities, especially if materials have the effect of replacing water or wetland environments, or changing the bottom elevation of waters of the US.

c. Section 401 Clean Water Act

Point Sources

Dating from 1977, Section 401 established permitting requirements for allowing discharges of effluent into navigable waters of the US. The focus was on permitting for construction of plants or facilities that would discharge potentially polluted water, primarily from point sources, as from food processing, industrial processes, or waste treatment. Later legislation began applying water quality regulation to stormwater runoff.

d. Section 402 Clean Water Act

Stormwater Quality

In 1987 the US Congress amended Section 402 of the Clean Water Act regarding administration of the National Pollutant Discharge Elimination System (NPDES). As to the quality of stormwater discharge, a comprehensive two-phased permitting framework was initiated for dealing with "municipal separate storm sewer systems". "Separate" is important because it differentiates between systems that collect and discharge only storm runoff from those that may include effluents from such sources as sewage treatment or industrial processes. Fundamentally, it requires municipalities to initiate comprehensive programs for minimizing pollutant loads discharged into streams and waterways.

Phase I & II

Phase I regulates large and medium "municipal separate storm sewer systems" (MSSSS or MS4). Municipalities having a population in excess of 100,000 are known as "Phase I MS4s". These have been required to implement some system of practices designed to improve the quality of stormwater discharges. Under Phase II rules issued by the EPA in 1999, smaller MS4s must also be in compliance with NPDES requirements. Smaller MS4s are defined as municipalities having less than a population of 100,000 and located in "urbanized areas" as defined by the US Census. These are known as "Phase II MS4s". Both Bryan and College Station are in this category.

2. State Of Texas Regulations

In 1998 administration of the National Pollutant Discharge Elimination System (NPDES) was partially delegated by the Environmental Protection Agency, via a memorandum of understanding, to the State of Texas. However, the EPA retains its enforcement authority.

a. Texas Administrative Code (30 TAC, Chapter 319)

Point Sources

The Texas Commission on Environmental Quality (TCEQ) is the State agency responsible for the quality of "Waters of the State", including stormwater quality. Since 1998 stormwater quality has been regulated pursuant to the Texas Pollutant Discharge Elimination Program administered by TCEQ. Prior to that, individual permits were issued to larger MS4s by the EPA, but since 2002 the TCEQ has issued renewal permits and addressed various issues for those MS4s. The TCEQ has responsibility for administering Phase II permitting. This will include designating small MS4s, developing a template general permit, providing suitable BMPs for use by municipal entities, and administering the permitting process.

Requirements

Under Phase II requirements, small MS4s are required to reduce the discharge of pollutants to the maximum extent practicable. MS4s are to accomplish this by developing and implementing a Stormwater Management Program (SWMP) for their jurisdiction. Each local SWMP is to deploy acceptable BMPs that use the six minimum control measures listed in Paragraph C1-d above. The intent is to provide general permitting to MS4s that deploy an acceptable SWMP, thereby avoiding the need for an individual permit from the TCEQ.

b. Permitting Requirements

Although Phase II requirements for small MS4s have been established by the EPA, the TCEQ remains in the rule-making phase.

Pursuant to the Texas Pollutant Discharge Elimination System (TPDES) Permit issued by the Texas Commission on Environmental Quality (TCEQ) to the City of Bryan for the Municipal Separate Storm Sewer System (MS4), the City is implementing these guidelines. The purpose of this guideline is to satisfy the requirements promulgated in the TPDES permit regarding the implementation of a program to reduce the discharge of pollutants into the City of Bryan's MS4.

Construction site activities shall be conducted in a manner as to meet the minimum requirements mandated in the TPDES General Permit No. TXR150000. The General Permit is required by the TCEQ for any construction activities.

Less than 1 acre disturbance 1 to 5 acres disturbance

Greater than 5 acres disturbance

List of Best Management Practices not approved by the City of Bryan are as follows:

- Oil / Grit Separators
- Traditional Sand bags for inlet protection (environmental control socks are preferred)

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

JULY 23, 2014

MR MARK JURICA
CITY OF BRYAN
PO BOX 1000
BRYAN, TX 77805-1000

RE: Applicant Name: CITY OF BRYAN
MS4 Location: BRAZOS County
Permit Number: TXR040336
Customer Reference Number: CN600373310
Regulated Entity Number: RN105594246
Type of Authorization: RENEWAL

Dear MR JURICA:

We have completed the technical review of the above referenced Notice of Intent and Storm Water Management Program (SWMP) and have prepared a Notice of Application.

You are now required to publish notice of your proposed activity. To help you meet the requirements associated with this notice, we have included the following items:

- Notice for Newspaper Publication
- Instructions for Public Notice
- Affidavit of Publication
- Application Availability Verification Form

Please note that it is VERY IMPORTANT that you follow ALL directions in the ENCLOSED INSTRUCTIONS. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or the characteristics of the font (i.e. bolding, capitalization, underlining). If you have any questions, please contact us before you proceed with publication.

The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

- Publish the enclosed notice within **30 calendar days** of the date these instructions are mailed to you.

MR MARK JURICA

JULY 23, 2014

Page 2 of 2

- Place a copy of your complete Notice of Intent, technical application (the Storm Water Management Program, including any subsequent revisions), a copy of the Small Municipal Separate Storm Sewer System (MS4) general permit TXR040000, and a copy of the Fact Sheet and Executive Director's Preliminary Decision supporting general permit TXR040000 in a public place in the county where the MS4 is located. These copies must be accessible to the public for review and copying and remain in place until the commission has taken action on the application. The general permit and the fact sheet can be downloaded from the following web site:
www.tceq.texas.gov/permitting/stormwater/WQ_ms4_small_TXR04.html.
- For each publication, submit proof of publication of the notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **60 calendar days** of receiving these written instructions.
- Return the original enclosed Affidavit of Publication to the Office of the Chief Clerk within **60 calendar days** of receiving these written instructions.
- Return the Application Availability Verification Form to the Office of the Chief Clerk within **60 calendar days** of receiving these written instructions.

If you do not comply with all requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions, including denial of the Notice of Intent.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at 512-239-3300. If you have any questions regarding the content of the notice, please contact the individual in the permitting area assigned to your application.

Sincerely,



Bridget C. Bohac
Chief Clerk

Enclosures (4)

Texas Commission on Environmental Quality



NOTICE OF APPLICATION FOR SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) General Permit Authorization No. TXR040336

APPLICATION. City of Bryan, P.O. Box 1000, Bryan, Texas 77803, has applied to the Texas Commission on Environmental Quality (TCEQ) under the Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXR040000 for a renewal of authorization number TXR040336 to discharge from the City of Bryan municipal separate storm sewer system (MS4). The notice of intent (NOI) and stormwater management program were received by the TCEQ on May 9, 2014.

The MS4 is located within the City of Bryan limits that is within the Bryan urbanized area in Brazos County, Texas 77803. The MS4 will discharge to the drainage area of the Brazos River.

A copy of the NOI, stormwater management program, general permit, and general permit fact sheet is available for viewing and copying at the Clara B. Mounce Public Library, 201 E. 26th Street, Bryan, Texas 77803.

The Executive Director of the TCEQ has made a preliminary decision to approve authorization of this MS4 under TPDES General Permit No. TXR040000.

PUBLIC COMMENT. Written public comments may be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of this notice. In addition, the public may request a public meeting. If significant interest exists, the Executive Director will direct the applicant to publish a notice of the public meeting and hold the public meeting. The applicant must publish notice of a public meeting at least 30 days prior to the meeting in a newspaper of general circulation in the county where the MS4 is located. If the MS4 is located in more than one county, the applicant must publish notice in a newspaper of general circulation in the county containing the largest residential population. The Executive Director will consider all relevant information pertaining to whether the applicant meets the requirements of the general permit and will issue a written determination as to any final action on the NOI for authorization under the general permit.

INFORMATION. Written public comments should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html. For additional information, about the application for authorization under TPDES General Permit No. TXR040000 or the procedure for public participation in the general permit process, individual members of the general public may contact the TCEQ Public Education Program at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov

Issued: July 23, 2014

TPDES WQ0010426001 Technically Based Local Limits

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 28, 2014

CERTIFIED MAIL

Mr. Mark Jurica, Treatment Compliance Manager
City of Bryan
P.O. Box 1000
Bryan, Texas 77805

Re: Pretreatment Program Reassessment of the Technically Based Local Limits
TPDES Permit No. WQ0010426001 (EPA ID. No. TX0022616)
CN600373310; RN101613388

Dear Mr. Jurica:

On February 21, 2014, the TCEQ received the technically based local limits (TBLLs) reassessment and certification, and additional information on April 11 and May 1, 2014, submitted by the City of Bryan, hereinafter referred to as the Control Authority (CA). Considering the information contained in the TBLLs reassessment package, the Executive Director has determined that it is acceptable for the CA to certify their TBLLs until the CA or TCEQ determines the TBLLs are no longer effective or until the expiration date (March 1, 2019) of the CA's Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010426001, whichever occurs first.

The review of the influent analysis in the reassessment form shows the following:

- The average reported influent loading of copper 2.29 lb/day was 64% of the calculated MAHL for copper (3.6 lb/day). The reported influent loading of copper exceeded the calculated MAHL on 1/18/12, 4/19/2012, and 4/17/13, with loadings of 4.92 lb/day, 6.25 lb/day, and 5.23 lb/day, respectively. The CA is strongly encouraged to investigate the cause of the high loading to identify the copper source(s) and reduce the loading. The following are steps that the CA may consider: identify noncomplying industrial users (IUs), increase monitoring of IUs, adopt pollution prevention practices, and search for additional sources of copper that may need be controlled or monitored.
- The reported influent loadings of nickel 4.16 lb/day and 2.14 lb/day occurred on 4/19/12 and 1/18/12 exceeded the calculated MAHL for nickel (1.29 lb/day). The reported influent loadings of mercury 0.017 lb/day and 0.013 lb/day occurred on 4/19/12 and 4/17/13 which exceeded the calculated MAHL for mercury (0.0032 lb/day). The maximum reported influent loading of arsenic 0.26 lb/day occurred on 4/19/12 which was 95% of the calculated MAHL for arsenic (0.27 lb/day). However, the average loading of nickel, mercury, and arsenic received at the headworks of the Burton Creek plant were below the corresponding MAHLs.

Mr. Mark Jurica, Treatment Compliance Manager

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July 28, 2014

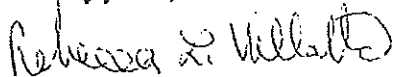
Considering that these were isolated occurrences that did not result in the Burton Creek WWTP exceeding the water quality standards, the CA is not required to recalculate the TBLLs for these pollutants. However, the CA is encouraged to investigate the reason(s) for the high loadings to identify the source(s) and reduce the loadings. The following are steps that the CA may consider: identify noncomplying IUs, increase monitoring of IUs, adopt pollution prevention practices, and search for additional sources of nickel, mercury, and arsenic that may need be controlled or monitored. In accordance to the *Local Limits Development Guidance*, although the MAHL was not exceeded and the water quality standard for the pollutant was met, the CA should search for additional sources of the pollutant that may be controlled, to ensure that the pollutant loading does not increase further.

The CA is encouraged to use "clean sampling" techniques in combination with sensitive analytical methods for mercury in the effluent analysis. The CA should note that the MAL for mercury is lowered (0.005 µg/L for method 245.7 Rev. 2.0 or 0.0005 µg/L for method 1631E), since the Procedures to Implement the Texas Surface Water Quality Standards (2010) came into effect on July 14, 2014.

Please note that the TBLLs should continually demonstrate attainment of the Texas Surface Water Quality Standards [30 Texas Administrative Code Chapter 307]. In addition, the TBLLs need to prevent pass through of pollutants, inhibition of or interference with the treatment facility, worker health and safety problems, and sludge contamination. Please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. So we encourage you to continually take actions to effectively implement and enforce the CA's TBLLs.

If you should have any questions concerning this report, please contact Ms. Yamunalinie Pathmanathan of the Pretreatment Team, (512) 239-0829, or if by correspondence please include MC-148 in the letterhead address following her name.

Sincerely yours,



Rebecca L. Villalba, Team Leader
Stormwater & Pretreatment Team
Water Quality Division
Texas Commission on Environmental Quality

Enclosure

RLV/YP/fc

ccs: (with enclosure)
Mr. Rudy Molina, Environmental Scientist, U.S. EPA Region 6, NPDES Permits Branch,
Permits and Technical Section (6WQ-PP), 1445 Ross Avenue, Dallas, Texas 75202

TPDES WQ0010426002 Technically Based Local Limits

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 28, 2014

CERTIFIED MAIL

Mr. Mark Jurica, Treatment Compliance Manager
City of Bryan
P.O. Box 1000
Bryan, Texas 77805

Re: Pretreatment Program Reassessment of the Technically Based Local Limits
TPDES Permit No. WQ0010426002 (EPA ID. No. TX00225071)
CN600373310; RN101613297

Dear Mr. Jurica:

On February 21, 2014, the TCEQ received the technically based local limits (TBLLs) reassessment and certification from the Still Creek wastewater treatment plant (WWTP), and additional information on April 11, 2014, submitted by the City of Bryan, hereinafter referred to as the Control Authority (CA). Considering the information contained in the TBLLs reassessment package, the Executive Director has determined that it is necessary for the CA to either redevelop the TBLLs, or reallocate the maximum allowable industrial loading (MAIL) and update the TBLL values used to regulate the contributions from significant industrial users (SIUs). Since the TBLLs were developed in 2003, the average industrial wastewater flow has increased by 323% (from 0.043 million gallons per day (MGD) to 0.182 MGD). This represents a significant increase in the flows of regulated wastestreams that warrants a revision of the TBLLs that are currently imposed on SIUs.

Based on the option that the CA elects it shall submit to the TCEQ Stormwater and Pretreatment Team (MC-148), either:

- By March 1, 2015, documentation containing the TBLLs package, draft legal authority which incorporates such revisions, and additional modifications to the pretreatment program, as required by 40 CFR Part 403. The CA shall demonstrate and certify that the revised TBLLs will attain the Texas Surface Water Quality Standards [30 TAC Chapter 307] in water in the state, prevent pass through of pollutants, inhibition of or interference with the treatment facility, worker health and safety problems, and sludge contamination.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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Mr. Mark Jurica, Treatment Compliance Manager

Page 2

July 28, 2014

Additionally, the TBLLs should be developed in accordance with EPA's *Local Limits Development Guidance*, July 2004, and EPA Region 6's Technically Based Local Limits Development Guidance, October 12, 1993.

This documentation shall be signed and certified by the CA [according to 40 CFR §122.41(k)], OR

- By **September 12, 2014**, the calculations to reallocate the MAIL, the updated list of industrial users and their individual average wastewater discharge, the *draft* legal authority which incorporates such revisions, and any necessary modifications to the pretreatment program. The CA shall follow the procedures to reallocate the MAIL in accordance with EPA's *Local Limits Development Guidance*, July 2004, and guidance provided by phone conversations between the CA and the Stormwater and Pretreatment Team. This documentation shall be signed and certified by the CA [according to 40 CFR §122.41(k)].

Specific information related to the reassessment form for the Still Creek WWTP is included in Attachment 1, and the calculations and results of the evaluation are included in Attachment 2.

Please note that the TBLLs should continually demonstrate attainment of the Texas Surface Water Quality Standards [30 Texas Administrative Code Chapter 307]. In addition, the TBLLs need to prevent pass through of pollutants, inhibition of or interference with the treatment facility, worker health and safety problems, and sludge contamination. Please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. So we encourage you to continually take actions to effectively implement and enforce the CA's TBLLs.

If you should have any questions concerning this report, please contact Mr. Santiago Velez-Garcia at (512) 239-0936, or if by correspondence please include MC-148 in the letterhead address following his name.

Sincerely yours,



Rebecca L. Villalba, Team Leader
Stormwater & Pretreatment Team
Water Quality Division
Texas Commission on Environmental Quality

Enclosure

ccs: (with enclosure)

Mr. Rudy Molina, Environmental Scientist, U.S. EPA Region 6, NPDES Permits Branch, Permits and Technical Section (6WQ-PP), 1445 Ross Avenue, Dallas, Texas 75202

Thompsons Creek WWTP Local Limit Reassessment

March 10, 2014

Texas Commission on Environmental Quality
Water Quality Division (MC 148)
P.O. Box 13087
Austin, Texas 78711-3087



Re: City of Bryan TBLL Assessment
Thompsons Creek WWTP

Dear Mr. Velez-Garcia,

The City of Bryan is working to fulfill its obligation to adopt technically based local limits (TBLLs) for its Thompsons Creek WWTP as required in the Contributing Industries and Pretreatment Requirements section of TPDES Permit No. WQ0010426004. CDM Smith has been hired by the City to provide consulting services for this project. May 6, 2014 serves as the permit-specified completion date for the City's efforts concerning TBLLs. The below-listed timeline highlights the City's efforts to meet permit requirements:

- October 16, 2013 – draft sampling plan submitted to TCEQ for review and comment
- November 14, 2013 – TCEQ comments on sample plan issued
- December 5, 2014 – responses to received comments on sample plan returned to TCEQ for review and comment

No further action can be taken by the City until direction on the sampling plan is provided to the City by TCEQ. The City currently utilizes a numerical identifier for its plants: Plant 1 – Burton Creek, Plant 2 – Still Creek, and Plant 3 – Thompsons Creek. The City will utilize the existing local limits for the decommissioned Turkey Creek WWTP which is not listed by name but referred to as "Plant 3" in the Bryan Code of Ordinances to address pollutant discharges to Thompsons Creek until TBLLs for Thompsons Creek are adopted.

A copy of the Bryan Code of Ordinances addressing local limits and CDM Smith's transmittal dated December 5, 2013 are attached for your record and review.

Please contact me directly at (979) 209-5932 or mjurica@bryantx.gov if you have questions or desire further information.

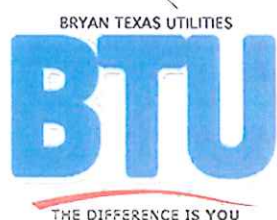
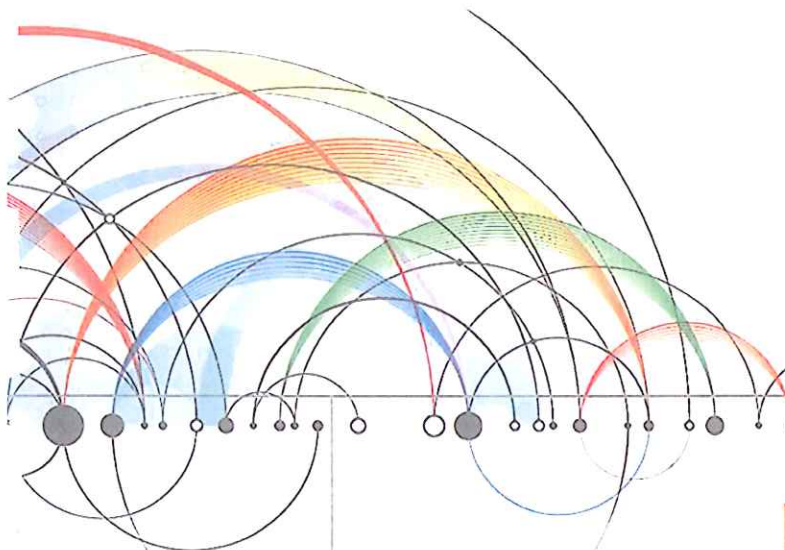
Respectfully,

Mark Jurica
Treatment & Compliance Manager

BTU Plug In – September 2013

PLUG IN

News from Bryan Texas Utilities



LOCAL OWNERSHIP

LOCAL CONTROL...
rates set by local
citizens and not
shareholders.

**LOCAL CUSTOMER
SERVICE...**
all services are
handled locally;
local offices,
payment locations
and call center.

LOCAL INVESTMENT...
portion of electric
revenue reinvested
in City services.

**THE DIFFERENCE
REALLY IS ALL
ABOUT YOU!**

BTU CELEBRATES PUBLIC POWER WEEK

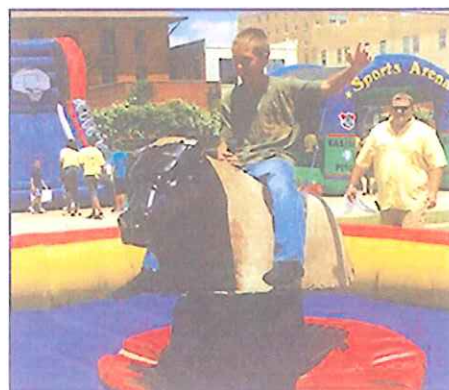
October marks the 27th anniversary of Public Power Week. Public Power Week is a nation-wide celebration of the importance of public power, provided to citizens and communities by not-for-profit utility services.

BTU will celebrate Public Power Week 2013 during the 7th Annual Texas Reds Steak & Grape Festival in Historic Downtown Bryan. As one of the headline sponsors of this event, BTU invites community members to come experience "the good life, Texas style" on Sept. 27 from 5 p.m. until 10:30 p.m. and on Sept. 28th from 10 a.m. to 10:30 p.m.

This year, BTU, along with the Children's Museum of the Brazos Valley, is bringing back the popular Kids Zone to the festival. The Kids Zone will be open on Saturday from 10 a.m. until 7 p.m. Kids of all ages, especially three to twelve, can come enjoy bounce houses, face painting, a trackless train, games, arts and crafts and even animals to enjoy. A BTU bucket truck will also be on hand for viewing.

PUBLIC POWER SYSTEMS = LOW RATES & COMMUNITY VALUE

The mission of municipally owned electric utilities is to provide value to their communities. This value premise makes public power systems fundamentally different from all other electric utilities. Municipal utilities are locally owned and managed, with rates and policies set by city councils or citizen boards. On average, municipal utility rates are among the lowest in the state. In addition, municipal utility revenues stay in the local community, helping to keep taxes lower. A portion of these revenues are dedicated to fund general municipal services like public safety, parks and libraries.



This year, BTU, along with the Children's Museum of the Brazos Valley, is bringing back the popular Kids Zone to the Texas Reds Festival.

To enter the Kids Zone, you'll need to purchase a \$10 wristband. They are available for purchase at the Children's Museum and online prior to the festival as well as at the gate during the festival. The wristband will allow access to both the Kids Zone and entry to the museum.

All proceeds will go to support the Children's Museum.

To purchase a wristband, or to learn more, visit the Children's Museum website at www.cmbv.org.

For more information on this year's Texas Reds Festival, go to www.TexasRedsFestival.com.



SMALL CHANGE WILL BE COMING TO YOUR BILL IN OCTOBER

For BTU bills generated after October 1, there will be a new line item included in your charges. The line will be labeled "Regulatory Charge." The costs that you will see in the Regulatory Charge have always been included in your base electric rate. Beginning in October, your base electric rate will go down by the same amount that shows as the Regulatory Charge, resulting in no change to your total electric cost.

This separation of how BTU collects for regulatory costs is necessary primarily because of large transmission construction projects that were mandated by the Public Utility Commission of Texas. These projects are designed to bring wind energy out of west Texas to the more populated areas of the state. In future months, we expect these mandated transmission costs to begin to increase. BTU will always only

collect what is owed to pay regulatory fees and transmission service providers in the ERCOT region.

**For more information
on the Regulatory Charge,
please go to
www.btutilities.com.**



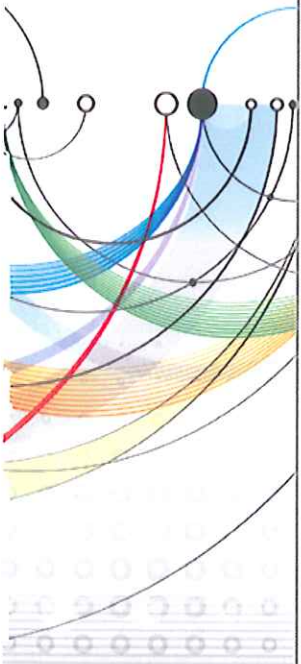
CITY OF BRYAN

PUBLIC WORKS NEWS

URBAN RUNOFF

Urban runoff is the water that flows off our yards, streets, gutters, and driveways into the storm drain and eventually into our creeks and waterways. Urban runoff is a point of focus because of its ability to carry pollutants into the storm sewer system. Some of these pollutants can be harmful to fish, animals, and overall water quality. Below are some steps we can take to reduce the impact of urban runoff on the environment and our water resources:

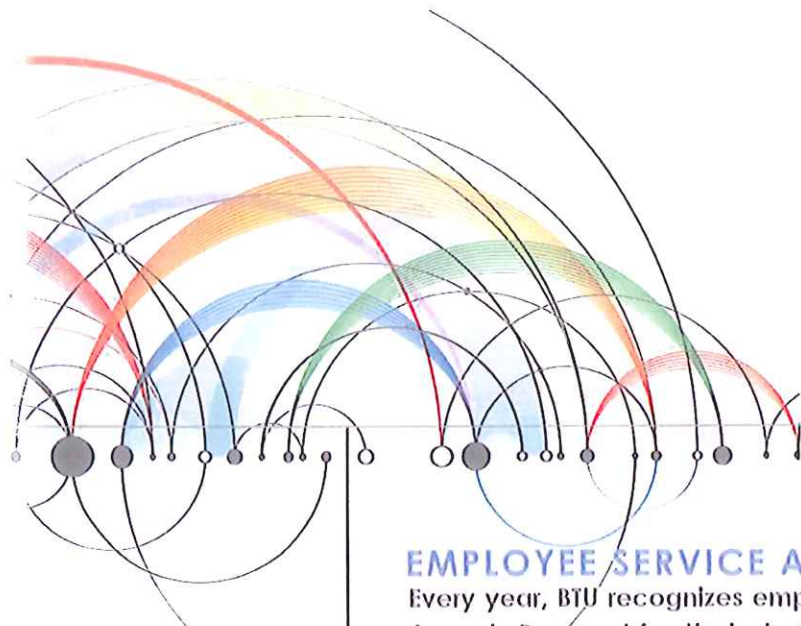


- Sweep up grass clippings and leaves instead of blowing them into the street.
 - When applying chemicals to your yard, always follow the directions on the label and use only the amount recommended.
 - Do not overfill trash containers. Bag your trash and keep your trash container closed.
 - Inspect your home's cleanout plug to ensure it is not damaged and is tightly affixed.
 - Dispose of unneeded household chemicals free-of-charge at the Household Hazardous Waste Collection Event to be held on October 5th, 2013 from 7a.m. - 2p.m.
Contact the City of Bryan Public Works Call Center at 209-5900 for further details.
- 

BTU Plug In – October 2013

PLUG IN

News from Bryan Texas Utilities



HOLIDAY CLOSINGS

BTU's offices will be closed in observance of the Thanksgiving holiday on Thursday, November 28, 2013 and Friday, November 29, 2013. To make a bill payment, visit one of the kiosks at any of the following locations:

- HEB at Texas Avenue & Hwy 21
- HEB at 725 E. Villa Maria
- 205 E. 28th Street (BTU lobby, closed November 28 & 29)
- Texan Market at Harvey Mitchell Pkwy & Villa Maria (open 24 hours)

You can pay at any of these locations with cash, check or credit card. You will need your account number, BTU bill, keycard or reminder letter to make your payment.

EMPLOYEE SERVICE AWARDS

Every year, BTU recognizes employees at the BTU Service Awards Banquet for their dedication to BTU and their commitment to customers. Awards are given to honor each milestone of service reached by employees in their respective departments.

COMMUNICATIONS

5 Years of service
Cray Crouse

DISTRIBUTION

5 years of service
Darryel Kelly
Austin Paul
Mark Bryan
Sean Scamardo
Brandon Welch

10 years of service
Steven Stilson

15 years of service
Chris Callaway

20 years of service
Rodney Jackson
Mark Kuder
John Eiman

25 years of service
Marie Angonia
Randy Snyder

FISCAL

10 years of service
Lien Ha

ENERGY MANAGEMENT & KEY ACCOUNTS

5 years of service
Paul Buckner
Adam Snidow

10 years of service
Michael Connor

ENGINEERING AND SYSTEM PLANNING

15 years of service
Allan Gillies

PRODUCTION

5 years of service
Diane Walker

10 years of service
Neal Birdwell

15 years of service
Robert Wilkins

30 years of service
Tommy Zgabay

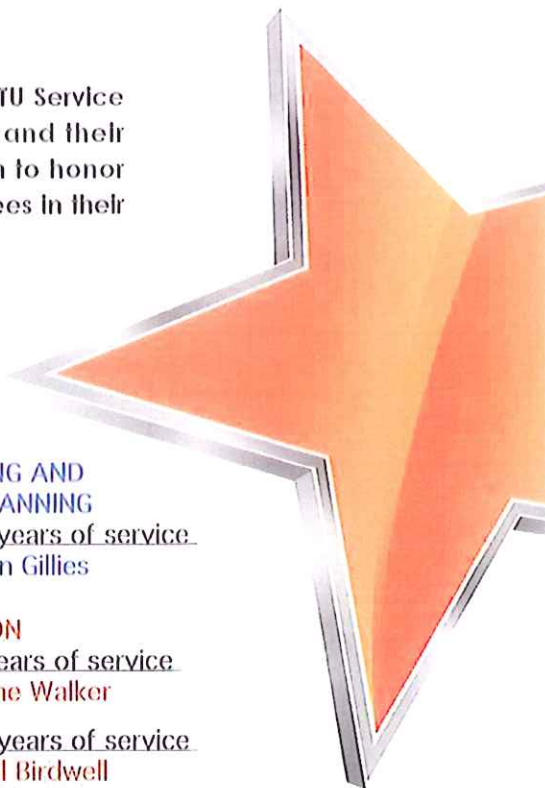
QSE

5 years of service
Christopher Cahal
Kyle Knight

TRANSMISSION

5 years of service
Clinton Seal

30 years of service
Michael McMillan
John Moore



For information on current job openings at BTU or the City of Bryan, go to:
www.bryantxjobs.com

PUBLIC WORKS NEWS

PREVENT THE CLOG

Fats and oils from cooking grease are major sources of stoppages within the sewer system. When poured down the drain these items coat, congeal, and create blockages in sewer piping resulting in sewer backups. A sewer backup occurs when obstructions in sewer piping prevent sewage from reaching the wastewater treatment plant. Ultimately, sewer backups can result in overflows of untreated sewage that damage private property and threaten public health.

Residents can help avoid backups and lower sewer maintenance costs by taking a few simple steps to prevent cooking grease from entering the sewer system.



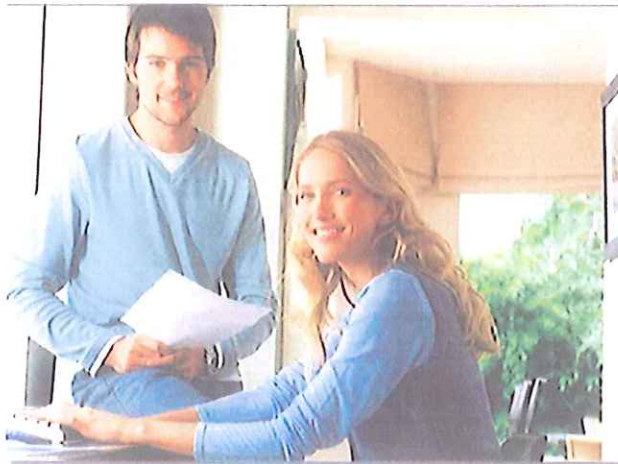
Dry wipe dishes, pots, and pans with a paper towel before washing.

Avoid the use of garbage disposals; instead dispose of table scraps in the garbage.

Pour used cooking oils into a spill-proof container and place into your trash container on your scheduled collection day.

Recycle used cooking oil at the City of Bryan used oil recycling center located at 1111 Waco Street - Monday thru Saturday 8am - 5pm.

YOU MAY NOTICE A CHANGE TO THE LOOK OF YOUR BILL



For more information on the Regulatory Charge, please go to www.btuutilities.com.

Beginning with the BTU bill you receive this month, there will be a new line item included in your charges. The line will be labeled "Regulatory Charge." The costs that you will see in the Regulatory Charge have always been included in your base electric rate. Beginning in October, your base electric rate will go down by the same amount that shows as the Regulatory Charge, resulting in no change to your total electric cost.

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CITY OF BRYAN

Know our City Codes and Keep Bryan Beautiful