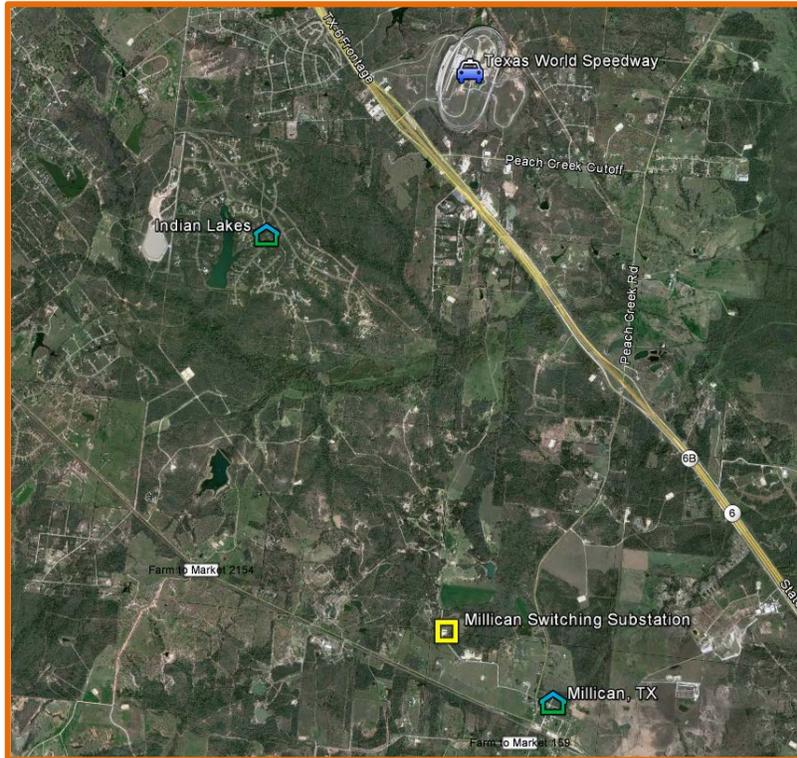


ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: 06/25/13		DATE SUBMITTED: 06/14/13	
DEPARTMENT OF ORIGIN: BTU – Transmission		SUBMITTED BY: Gary Miller	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input checked="" type="checkbox"/> INFRASTRUCTURE
			<input type="checkbox"/> QUALITY OF LIFE
AGENDA ITEM DESCRIPTION: Consideration – Purchase of property for Bryan Texas Utilities Substation.			
<p>Consideration of a resolution authorizing the purchase of a 4.89 acre tract located in south Brazos County to be used as a substation site for Bryan Texas Utilities, and authorizing the BTU general manager to execute a purchase and sale agreement with Brazos County for the purchase of the property in a not-to-exceed amount of \$98,835.00.</p>			
<p>SUMMARY STATEMENT: BTU has identified a 4.89 acre property owned by Brazos County on Kathy Fleming Road and near Millican that is a suitable location for the planned 138/69kV Millican Switching Substation. Additionally, this site will give BTU a laydown storage facility on the south side of Brazos County. As electrical load growth continues between the Millican and Wellborn areas, part of this site will be used for a future distribution substation.</p> <p>BTU engaged Steve Lovett to appraise the property and determine its fair market value. Mr. Lovett’s recommended a sales price of \$98,835 based on the property’s fair market plus expenses which will be incurred by the County to relocate existing facilities.</p> <p>The BTU Board recommends that the City Council authorize staff to purchase the site from Brazos County for \$98,835.</p>			
			



STAFF ANALYSIS AND RECOMMENDATION:

A. PROS: The property described herein provides the best location for a proposed 138kV substation in south Brazos County.

B. CONS: Obtaining this property will expend BTU funds.

Staff recommends approval of the expenditure of funds necessary to acquire the property described in this document. The identified tract is the result of several meetings and negotiations with property owners. The described property offers the best choice for the cost of construction, future maintenance and accessibility.

OPTIONS (In Suggested Order of Staff Preference):

- 1) Approve Resolution authorizing expenditure of funds to Brazos County in the amount not to exceed \$98,835.00 for property acquisition.
- 2) Do not approve Resolution authorizing the expenditure of funds for acquiring the property.

ATTACHMENTS: Resolution

FUNDING SOURCE: BTU funds

APPROVALS: Gary Miller, 6/14/13; Hugh R. Walker, 06/17/2013

APPROVED FOR SUBMITTAL: CITY MANAGER

APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis Hampton. 6/19/13

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, AUTHORIZING THE GENERAL MANAGER OF BRYAN TEXAS UTILITIES TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR A 4.89 ACRE ELECTRICAL SUBSTATION SITE IN SOUTH BRAZOS COUNTY NEAR MILICAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas (“City”) is a home rule municipality which is duly incorporated and chartered under the constitution and laws of Texas; and

WHEREAS, the City owns and operates an electric utility system known as Bryan Texas Utilities, (“BTU”).

WHEREAS, BTU’s long range plan to serve the projected customer needs within its rural system service territory demonstrates the requirement for a new electrical Switching Substation in South Brazos County near Millican; and

WHEREAS, Brazos County, the owner of 4.89 acres of land on Kathy Fleming Road near Millican, has indicated it’s willingness to sell the property at a fair market value of \$98,835.00; and

WHEREAS, the BTU staff have determined that the subject property is a suitable location for the planned 138/69kV Millican Switching Substation, and additionally, this site will provide BTU a laydown storage facility on the south side of Brazos County.

WHEREAS, the BTU staff have further determined that as electrical load growth continues between the Millican and Wellborn areas, part of this site will be suitable for use for a future distribution substation, as well.

WHEREAS, pursuant to Section 2-243(b) of the Bryan City Code of Ordinances, the Bryan Texas Utilities Board has considered the proposed purchase and has recommended to the Bryan City Council that it authorize the BTU General Manager to purchase the site from Brazos County for \$98,835.00.

WHEREAS, it is in the best interests of the City of Bryan that the herein described property be purchased in order commence with the BTU’s plans to construct a new electrical Substation; and

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

1.

That the general manager of BTU be, and is hereby, authorized to enter into an agreement for sale and purchase of a 4.89 acre substation site on Kathy Fleming Road near Millican, said site to be purchased from Brazos County for a not-to-exceed amount of exceed amount of \$98,835.00.

2.

This resolution shall be effective immediately upon its passage and adoption, but shall in no way effect the validity of prior acts or agreements of the City.

3.

This document was passed and approved at a public meeting in compliance with the Texas Open Meetings Act.

APPROVED AND ADOPTED at a regular meeting on this _____ day of _____, 2013.

CITY OF BRYAN

Jason P. Bienski, Mayor

ATTEST

Mary Lynne Stratta, City Secretary

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney