

Interlocal Agreement – Fire Station, Lift Station, and Fiber Optic Cable

Agenda Item:

Consider approval of an Interlocal Agreement between the City of College Station (“**City**”), and College Station Independent School District (“**CSISD**”) for the conveyance, sale, and exchange of land to the City, in consideration for the City’s agreement to provide CSISD with access to and use of a lift station located at the intersection of Royder Road and Greens Prairie Trail, and the City’s agreement to bear one-half of the actual cost of the installation of the CSISD fiber optic cable network from the connection point to existing City fiber network to the entrance of CSISD property, and costs to maintain said fiber network. The land to be sold: a two-acre tract of land located on the Eidson Tract, adjacent to Royder Road, to facilitate the construction of a fire station.

Motion and Resolution

On motion made and seconded, it is hereby resolved that:

- A. WHEREAS, CSISD owns approximately 53.51 acres of real property adjacent to FM 2154, Wellborn, Brazos County, Texas, (“**Eidson Tract**”), said tract is identified on **Exhibit “1,”** attached hereto and incorporated for all purposes herein; and
- B. WHEREAS, CSISD also owns approximately 46.028 acres of real property at the intersection of Royder Road and Greens Prairie Trail, in College Station, Brazos County, Texas, (“**Nelson Tract**”); said tract is identified on **Exhibit “1,”** attached hereto and incorporated for all purposes herein; and
- C. WHEREAS, the City is the owner and operator of a lift station, constructed to pump sewage to the College Station sewage treatment facility, located at the intersection of Royder Road and Greens Prairie Trail, (“**Lift Station**”); and
- D. WHEREAS, access to a sewage system is essential to the operation of a public school; and
- E. WHEREAS, the City has requested that CSISD convey to the City a two acre tract of land on the Eidson Tract, adjacent to Royder Road, generally at the location indicated by an “X” on **Exhibit “1,”** attached hereto and incorporated for all purposes herein (“**Fire Station Tract**”), on which the City may construct a fire station; and
- F. WHEREAS, in consideration for the conveyance of the Fire Station Tract, the City has offered to provide CSISD use of the Lift Station for four (4) schools or school facilities built on the Nelson and Eidson tracts; and
- G. WHEREAS, the City has created a fiber optic network within the City in support of its data, telephone and traffic telecommunications operations; and
- H. WHEREAS, on or about September 4, 2004, the City and CSISD entered an interlocal agreement for the connection of CSISD fiber optic cable to City fiber optic cable, to allow the parties access to each other’s data, as well as to expand the individual networks of the City and CSISD; and
- I. WHEREAS, CSISD is in immediate need of access to fiber optic cable network for use at its planned school facilities on the Nelson Tract (“**CSISD fiber optic cable network**”); and
- J. WHEREAS, the City will need access and connection to the CSISD fiber optic cable network when it begins to construct the Fire Station; and

- K. WHEREAS, the City has agreed to pay to CSISD one-half of the actual cost of installation of the CSISD fiber optic cable network from the connection point to existing City fiber network to the entrance to CSISD property on (The "Nelson Tract") as shown in Exhibit 1, when the City requests the deed to the Fire Station site; and
- L. WHEREAS, CSISD has determined that the fair market value of the Fire Station Tract is comparable to the value received by CSISD in the form of access to the Lift Station, at no cost to CSISD, and the City's contribution to the operation and installation of the CSISD fiber network; and
- M. WHEREAS, the terms of the conveyance are more particularly described in an Interlocal Agreement between CSISD and the City, attached hereto as **Exhibit "2,"** and incorporated for all purposes herein.

On Motion, dully made and seconded it is hereby resolved that:

1. The Board of Trustees of College Station Independent School District ("**Board**") approves the Interlocal Agreement between the City and the District for the conveyance, sale and exchange of the Fire Station Tract to the City in consideration for the provision of access to the Lift Station to CSISD, and the City's agreement to bear costs related to the construction and installation of the fiber optic cable network; and
2. The Board authorizes the Board President, the Superintendent or their appointed designees, to execute and deliver the Interlocal Agreement to the City evidencing the Board's resolution set forth above.
3. The Board further approves and authorizes the Board President to execute and deliver an any other documents necessary to accomplish the conveyance of the Fire Station Tract to the City in consideration for the provision of access to the Lift Station to CSISD, and the City's agreement to bear costs related to the construction and installation, and operation of the fiber optic cable network; and
4. The Board further resolves that the conveyance, sale and exchange of the Fire Station Tract as approved by this resolution is in conformity with the provisions of Chapter 791 of the Texas Government Code and with the provisions of Section 272.001 of the Texas Local Government Code.

Name: _____
Title: _____
Date: _____