



Meeting Agenda Council Workshop

Thursday, April 10, 2014

4:30 PM

City Hall Council Chambers

1. Call meeting to order.

2. Executive Session will be held in the Administrative Conference Room.

Consultation with Attorney {Gov't Code Section 551.071}; possible action. The City Council may seek advice from its attorney regarding a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

Litigation

- a. College Station v. Star Insurance Co., Civil Action No. 4:11 CV 02023
- b. Patricia Kahlden, individ. and as rep. of the Estate of Lillie May Williams Bayless v. Laura Sue Streigler, City of College Station and James Steven Elkins, No. 11 003172 CV 272, in the 272nd District Court of Brazos County, Tx.
- c. Cause No. 13 002978 CV 361, Deluxe Burger Bar of College Station, Inc. D/B/A Café Eccell v. Asset Plus Realty Corporation, City of College Station, Texas and the Research Valley Partnership, Inc., In the 361st Judicial District Court, Brazos County, Texas

Legal Advice

- a. Legal advice related to the College Station power supply contract

Competitive Matters {Gov't Code Section 551.086}; possible action: The City Council may deliberate, vote, or take final action on a competitive matter as that term is defined in Gov't Code Section 552.133 in closed session. The following is a general representation of the subject matter to be considered:

- a. College Station Power Supply Contract

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Economic incentives for a proposed development located generally near the intersection of University Drive and College Avenue.
- b. Economic incentives for a proposed development located generally near the intersection of Gateway Boulevard and Lakeway Drive in the Business Center at College Station.
- c. Economic incentives for a proposed development located at or near University Drive and Tarrow/East Tarrow Streets in College Station.

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

6:00 P.M.

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

5. **14-341** Presentation, possible action, and discussion, and a joint meeting of the Planning and Zoning Commission and the City Council regarding the 2014 Planning & Zoning Commission Plan of Work.

Attachments: [P&Z Plan of Work.pdf](#)

6. **14-342** Presentation, possible action, and discussion regarding recommended changes to the rental registration program and related code enforcement efforts.

Attachments: [Recommended Changes.docx](#)
[Summary of Focus Group Comments.docx](#)

7. Council Calendar

- April 14 Citizens University Graduation in Council Chambers, 7:00 p.m.
April 15 Interim President Dr. Mark Hussey - TAMU State of Affairs Discussion, 9:30 a.m.
April 15 Transportation & Mobility Committee Meeting at Room 203 Conference Room A - Municipal Court, 3:30 p.m.
April 16 BVSWMA Board Meeting at CS Municipal Court Building - 300 Krenek Tap Road, 11:00 p.m.
April 16 RVP Board Meeting at RVP, 3:00 p.m.
April 17 P & Z Workshop/Regular Meeting in Council Chambers, 6:00 p.m. (Liaison, John Nichols)
April 18 CITY OFFICES CLOSED - GOOD FRIDAY
April 21 Brazos County Muster at MSC Bethancourt Ballroom, 6:00 p.m.
April 23 Audit Committee Meeting in City Hall Administrative Conference Room, 3:30 p.m.
April 24 Executive Session/Workshop/Regular Meeting at 4:00, 6:00 & 7:00 p.m.

8. Presentation, possible action, and discussion on future agenda items and review of standing list of Council generated agenda items: A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
9. Discussion, review and possible action regarding the following meetings: Animal Shelter Board, Arts Council of Brazos Valley, Arts Council Sub committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio Corridor Board of Adjustments, Blinn College Brazos Valley Advisory Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMA, BVWACS, Compensation and Benefits Committee, Convention & Visitors Bureau, Design Review Board, Economic Development Committee, Gigabit Broadband Initiative, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Partnership, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Twin City Endowment, Youth Advisory Council, Zoning Board of Adjustments, (Notice of Agendas posted on City Hall bulletin board).

10. Adjourn

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

APPROVED



City Manager

Notice is hereby given that an Executive Session and Workshop Meeting of the City Council of the City of College Station, Texas will be held on the 10th day of April at 4:30PM at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda.

Posted this 4th day of April, 2014 at 5:00 p.m.



City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov. The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on April 4, 2014 at 5:00p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting. This public notice was removed from the official posting board at the College Station City Hall on the following date and time: _____ by _____

Dated this ___ day _____, 2014 By _____

Subscribed and sworn to before me on this the _____ day of _____, 2014.

Notary Public – Brazos County, Texas

My commission expires: _____

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764 3517 or (TDD) 1 800 735 2989. Agendas may be viewed on www.cstx.gov. Council meetings are broadcast live on Cable Access Channel 19.



Legislation Details (With Text)

File #: 14-341 **Version:** 1 **Name:** 2014 Planning & Zoning Commission Plan of Work
Type: Presentation **Status:** Agenda Ready
File created: 3/23/2014 **In control:** Council Workshop
On agenda: 4/10/2014 **Final action:**
Title: Presentation, possible action, and discussion, and a joint meeting of the Planning and Zoning Commission and the City Council regarding the 2014 Planning & Zoning Commission Plan of Work.
Sponsors:
Indexes:
Code sections:
Attachments: [P&Z Plan of Work.pdf](#)

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion, and a joint meeting of the Planning and Zoning Commission and the City Council regarding the 2014 Planning & Zoning Commission Plan of Work.

Relationship to Strategic Goals: (Select all that apply)

- Good Governance
- Core Services and Infrastructure
- Neighborhood Integrity
- Diverse Growing Economy
- Improving Mobility

Recommendation(s): Staff recommends endorsement of the items contained within the 2014 P&Z Plan of Work.

Summary: The Planning and Zoning Commission’s adopted Rules and Procedures state that the Planning and Zoning Commission may adopt a Plan of Work. The Plan of Work should consider future tasks for a prescribed period and be updated and revised annually.

Upon presentation of a draft Plan of Work by the Commission in a joint meeting with the City Council and the Planning and Zoning Commission, the Commission may adopt the Plan by majority vote of the members present.

The Planning and Zoning Commission met in February for a mini-retreat scheduled in part to begin developing its 2014 Plan of Work. The Planning and Zoning Commission is seeking input from the Council on the Plan of Work and concurrence with the same.

Budget & Financial Summary: N/A

Attachments: 1. Draft 2014 P&Z Plan of Work

DRAFT 2014 Planning & Zoning Commission Plan of Work

Comprehensive Plan Implementation

Implementation of Adopted Plans	
Summary: Implementation of adopted master plans and neighborhood, district, and corridor plans, namely: Central College Station, Eastgate, Southside Area, Wellborn Community, and South Knoll Area neighborhood plans, and Bicycle, Pedestrian & Greenways, Parks and Recreation, Water, Waste Water, Medical District, and Economic Development master plans.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: On-going

Five-Year Comprehensive Plan Report	
Summary: As called for in the Comprehensive Plan, complete a five-year evaluation and appraisal report to assess existing Plan and its success in achieving the community's goals.	Project Dates:
Staff Assigned: J. Prochazka	Anticipated Completion: May 2014

Five-Year Comprehensive Plan Report Implementation	
Summary: Begin implementation of items and tasks identified in the Five-Year Comprehensive Plan Report.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

Multi-Family & Mixed Use Zoning Districts	
Summary: Create and adopt new zoning districts for Urban and Urban Mixed Use designations to implement these future land use and character designations identified in the Comprehensive Plan.	Project Dates:
Staff Assigned: J. Prochazka, T. Rogers	Anticipated Completion:

Walton Drive Commercial Overlay	
Summary: Create and adopt a zoning overlay to address parking and other non-conformities for the commercial area at Walton Drive and Texas Avenue as identified in the Eastgate Neighborhood Plan.	Project Dates:
Staff Assigned: J. Schubert	Anticipated Completion:

Wellborn Zoning Districts	
Summary: Create and adopt new or modified zoning districts as identified in the Wellborn Community Plan.	Project Dates:

Staff Assigned: P&DS Staff	Anticipated Completion:
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Research and Education

College Station Population	
Summary: Overview of College Station's current population estimate and report on implications of exceeding the 100,000 mark.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

Easterwood Airport Master Plan	
Summary: Report on Easterwood Airport Master Plan and consideration of potential implications of any future plans for expansion.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

Planning & Development Services Organizational Review Implementation	
Summary: Continue implementation of the review by completing identified policy discussions, ordinance revisions, and process and service improvements.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

Recently-Adopted Zoning Districts	
Summary: Overview of the recently adopted zoning districts.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

Review of Adopted Plans	
Summary: This item includes after action review of Northgate, BioCorridor, and Medical Districts, update on Water/Wastewater Master Plan, and update on implementation of adopted neighborhood and small area plans.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

Sign Regulations	
Summary: Evaluate sign regulations related to electronic message boards.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:

Transportation Planning	
Summary: Update regarding Metropolitan Planning Organization (MPO) transportation planning initiatives.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion:



Legislation Details (With Text)

File #:	14-342	Version:	1	Name:	Recommended Changes to the Rental Registration Program
Type:	Presentation	Status:		Status:	Agenda Ready
File created:	3/23/2014	In control:		In control:	Council Workshop
On agenda:	4/10/2014	Final action:		Final action:	
Title:	Presentation, possible action, and discussion regarding recommended changes to the rental registration program and related code enforcement efforts.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Recommended Changes.pdf Summary of Focus Group Comments.pdf				

Date	Ver.	Action By	Action	Result
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Presentation, possible action, and discussion regarding recommended changes to the rental registration program and related code enforcement efforts.

Relationship to Strategic Goals: (Select all that apply)

- Good Governance
- Neighborhood Integrity

Recommendation(s): Staff recommends Council provide direction to staff regarding proposed changes to the rental registration program and related code enforcement efforts.

Summary: This workshop presentation will outline a series of recommendations regarding proposed changes to the rental registration program and related code enforcement efforts. At the City Council's retreat in January, Council discussed this issue and directed staff to hold a series of focus group meetings to get feedback from various stakeholders. Specifically, staff was directed to meet with a group of neighborhood representatives, rental property owners, and rental property managers. These focus group meetings were held during the month of February.

Staff considered direction received at past City Council meetings, information from the recent rental registration survey, and feedback from the focus group meetings when developing the attached list of recommended changes.

Budget & Financial Summary: N/A

Attachments:

1. List of recommended changes
2. Summary of comments from focus group meetings

Rental Registration Program / Neighborhood Integrity / More than four Unrelated

April 2014

Background

Rental Registration Ordinance

- December 2008 - The City Council adopted an ordinance requiring the registration of all single-family and duplex rental properties.
- October 2013 - Council provided feedback to staff regarding possible changes to the rental registration ordinance.
- December 2013 - Council directed staff to conduct a survey regarding the rental registration program
- January 2014 - Staff presented the results of the rental registration survey to the City Council and received direction from the Council regarding possible changes to the rental registration ordinance. Council directed staff to hold a series of “focus group” meetings to solicit feedback regarding possible changes to the rental registration ordinance.
- February 2014 - Staff held a series of focus group meetings (one with neighborhood representatives, one with rental property managers, and one with rental property owners)

Implemented Changes

1. Added the following note to the rental registration form and the rental registration webpage, *“NOTE: The City of College Station does not allow more than four (4) unrelated persons in a single-family dwelling. (City of College Station Code of Ordinances, Chapter 12: UDO; Article 11: Definitions – Family).”*
2. Started notifying property management companies of violations in addition to the rental property owner.

Recommended Changes

Based on direction from City Council, the results from the recent rental registration survey, and feedback from the focus group meetings, staff recommends that the City Council consider the following changes to the rental registration program and related code enforcement efforts:

Amend the existing Rental Registration Ordinance to...

1. Include an administrative process / civil enforcement component to the rental registration ordinance. This change would provide Code Enforcement staff with the option of assessing a fine for violations of the rental registration ordinance. However, the owner / property manager would still be afforded due process. The proposed process could work as follows:
 - Notice of violation and citation sent to the owner (regular and certified mail)
 - Right to administrative hearing
 - Right to appeal (could be hearing before the municipal judge)
 - Fine established by City Council as part of the adopting ordinance
 - Could also establish higher fines for repeat offenders
2. Change the rental registration ordinance to require a notarized affidavit from the property owner/manager as part of the registration process. The affidavit would acknowledge that the

unit is currently not being rented (and will not be rented) to more than four unrelated individuals. The affidavit could also state that the property owner / manager has made each tenant aware of the “no more than four unrelated” provision. As an option, the city could require a signed affidavit from each tenant acknowledge that the unit is not occupied (and will not be occupied) by more than four unrelated individuals.

3. Change the existing language in the rental registration ordinance from “Names and contact information of all persons listed on the current lease shall be retained by the local contact person and shall be presented to the Administrator upon request” to, “All current leases and contact information for all tenants shall be presented to the Administrator upon request.”

Recommended Actions not requiring an ordinance amendment...

1. Increase the number of Code Enforcement personnel as part of the FY 2015 budget. The Code Enforcement Division’s budget was reduced following the economic downturn in 2008 and 2009. Since that time, Code Enforcement has largely been operating in a reactionary mode. Increasing the number of Code Enforcement officers would enable the City to be proactive.
2. Process “more than four unrelated” violations as a UDO (zoning) violation
 - A zoning violation would be punishable by a fine of up to \$2,000, subject to the discretion of the Municipal Judge
3. Enhanced education / communication – Work to strengthen and improve existing partnerships with TAMU (Aggie Up, Noise Abatement, Walk and Talks, Off-Campus Housing Fair, Living Among Aggies, etc.). City staff could also provide “be a good neighbor” information to brokers, rental property managers, and rental property owners. Additionally, “be a good neighbor” information could be mailed to each address registered as rental property on an annual basis.

Summary of Comments from Focus Group Meetings

Meeting with Neighborhood Representatives

Meeting Date: 21 February 2014

Five representatives attended the meeting

Comments:

- Require names of tenants with rental registration
- Do not “weaken” ordinance – keep \$15 registration / renewal fee
- Include administrative fine / penalty
- They asked about the “party patrol”. They thought this was a great program and wanted to see it continue. (I followed-up with Chief Capps on this one. He said the party patrol is typically activated during the fall due to football season)
- Suggested the city require a copy of the lease as part of the registration process
- Develop two sets of “rules” – one for owner-occupied homes and another for rental property
- Define responsibilities for brokers and property managers
- Move to a rental permit or license system
- Be proactive with code enforcement (increase code enforcement budget / personnel)
- The HOAs and NAs cannot do it all - the City needs to be sensitive to this.

Meeting with Rental Property Managers

Meeting Date: 25 February 2014

Three representatives attended the meeting

Comments:

- Questioned the value of the Rental Registration program and noted that it has not benefited property management companies. Asked for evidence that program is effective.
- Stated they also have an interest in neighborhood integrity. It preserves property value and that is good for everyone.
- Requested that the City send violation notices to property managers when owners are notified (this process actually started a few weeks ago)
- Asked about apartments – why aren’t they required to be registered?
- Expressed frustration with rental registration renewal process because a personal identification number is needed for each property (Note: this issue will be resolved with the new permitting software)
- Suggested using media spots (WTAW, Clear Channel, etc.) to educate public about the rental registration program, code enforcement’s role, and no more than four unrelated rule

Meeting with Rental Property Owners

Meeting Date: 28 February 2014

Five representatives attended the meeting

Comments:

- Need to increase code enforcement (budget / personnel)
- Questioned the effectiveness of Rental Registration program
- No need to require names of tenants as part of the registration process. This is not helpful because of the constant tenant turnover (it would be hard for the City to keep this information up to date).
- Have property owner / property management company sign affidavit as part of the registration process stating that they are aware of definition of family (no more than four unrelated). Could also require property owner / property management company to sign affidavit acknowledging that they made the tenants aware of definition of family or provide signed document from each tenant.
- Require landlords / property management companies to provide "no more than four unrelated" information to tenants (confirm as part of the registration process)
- Provide a definition of "resident"
- Consider a fine or administrative penalty for violations
- Increase fines (higher fines for more violations)
- More education with specific outreach to the students. Maximize existing opportunities through TAMU (off-campus housing fair, etc.). Mail "be a good neighbor" information to each address registered as rental property.
- Allow property owners 30 days to correct violation (in cases of more than four unrelated)
- Property owners were okay with \$15 registration fee (even for renewals)