



College Station, TX

Meeting Agenda City Council Workshop

*Phone 888 475 4499 and Webinar ID: 976 1243 8266

Internet: <https://zoom.us/j/97612438266>

March 11, 2021

3:30 PM

1101 Texas Ave, College Station,
TX 77840

***The City uses a third-party vendor to help host the meeting and if the call-in number is not functioning access will be through the internet link only.**

1. **Call to Order.**
2. **Executive Session is closed to the public and will be held in the Council Chambers. The open meeting will resume no earlier than 4:30 pm.**

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. Kathryn A. Stever-Harper as Executrix for the Estate of John Wesley Harper v. City of College Station and Judy Meeks; No. 15,977-PC in the County Court No. 1, Brazos County, Texas
- b. McCrory Investments II, LLC d/b/a Southwest Stor Mor v. City of College Station; Cause No. 17-000914-CV-361; in the 361st District Court Brazos County, Texas
- c. City of College Station v. Gerry Saum, Individually, and as Independent Executrix of the Estate of Susan M. Wood, Deceased; Cause No. 17-002742-CV-361; In the 361st District Court, Brazos County, Texas

Legal Advice

- a. Legal advice regarding electric utility and Winter Storm Uri.

Real Estate {Gov't Code Section 551.072};

Possible action. The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. An approximately 19 acre tract of land along the north frontage road of Texas State Highway 6 south at its intersection with Corporate Parkway.

Personnel {Gov't Code Section 551.074};

Possible action. The City Council may deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer. After executive session discussion, any final action or vote taken will be in public. The following public officer(s) may be discussed:

- a. City Manager
- b. Council Self-Evaluation

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. Power Supply

3. Reconvene from Executive Session and take action, if any.

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

5. Workshop Agenda

Speaker Protocol: An individual who wishes to address the City Council regarding any item on the agenda other than those items posted for Executive Session shall register with the City Secretary two (2) hours prior to the meeting being called to order. Individuals must register to speak or provide written comments at <https://forms.cstx.gov/Forms/CSCouncil> or provide a name and phone number by calling 9797643500. Upon being called to speak an individual must state their name and city of residence, including the state of residence if the city is located out of state. Speakers are encouraged to identify their College Station neighborhood or geographic location. Each speaker's remarks are limited to three (3) minutes. Any speaker addressing the Council through the use of a translator may speak for six (6) minutes. At the (3) minute mark the City Secretary will announce that the speaker must conclude their remarks.

5.1. Presentation, discussion, and possible action on the public input gathered on the proposed Restricted Occupancy Overlay ordinance.

Sponsors: Alyssa Halle-Schramm

Attachments: None

6. Council Calendar - Council may discuss upcoming events.

7. Discussion, review, and possible action regarding the following meetings:

Animal Shelter Board, Arts Council of Brazos Valley, Architectural Advisory Committee, Audit Committee, Bicycle, Pedestrian, and Greenways Advisory Board, Bio-Corridor Board of Adjustments, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Economic Development Corporation, Bryan/College Station Chamber of Commerce, Budget and Finance Committee, BVSWMMA, BVWACS, Census Committee Group, Compensation and Benefits Committee, Experience Bryan-College Station, Design Review Board, Economic Development Committee, Gulf Coast Strategic Highway Coalition, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Landmark Commission, Library Board, Metropolitan Planning Organization, Operation Restart, Parks and Recreation Board, Planning and Zoning Commission, Research Valley Technology Council, Regional Transportation Committee for Council of Governments, Sister Cities Association, Spring Creek Local Government Corporation, Transportation and Mobility Committee, TAMU Student Senate, Texas Municipal League, Walk with the Mayor, YMCA, Zoning Board of Adjustments. (Notice of Agendas posted on City Hall bulletin board.)

8. Adjourn.

The City council may adjourn into Executive Session to consider any item listed on the agenda if a matter is raised that is appropriate for Executive Session discussion.

I certify that the above Notice of Meeting was posted on the website and at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on March 5, 2021 at 5:00 p.m.



City Secretary

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

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

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

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

"Conforme a la Seccion 30.07 del codigo penal (traspasar portando armas de mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo

411, Código de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre.”

March 11, 2021
Item No. 5.1.
Restricted Occupancy Overlay Ordinance

Sponsor: Alyssa Halle-Schramm, Planner

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action on the public input gathered on the proposed Restricted Occupancy Overlay ordinance.

Relationship to Strategic Goals:

- Neighborhood Integrity
- Good Governance

Recommendation(s): Staff recommends that the Council provide direction as appropriate.

Summary: City Council requested that City staff draft a Restricted Occupancy Overlay (ROO) ordinance and associated handbook that would allow single-family property owners the option to request an overlay zoning restricting occupancy to no more than two unrelated persons in their subdivision. The Council asked for a process that mirrored the City's Neighborhood Conservation Overlay ordinance and handbook, as well as used the City of Bryan's Residential-Neighborhood Conservation zoning district as a base.

Staff conducted research, drafted an ordinance and handbook, and presented these during workshop sessions of the Planning & Zoning Commission on June 18, 2020, and City Council on June 25, 2020. The Council requested additional public input on a few key items so that everyone impacted and particularly neighborhoods, the real estate and development community, and university students could provide meaningful input. Staff began that process in August 2020 and quickly identified there were substantial concerns regarding the City's definition of "related" and how it affected the determination of a "family."

In response to citizen concern and Council direction, staff paused the ROO public input process and overhauled the definitions to address their restrictive nature and modernize them in accordance with legal precedent. The updated definitions, which substantially revised "family" and removed "related," were adopted by the City Council on December 10, 2020. With the new "family" definition in place, staff launched the ROO public input process. Staff hosted three public input meetings that were specifically tailored to the aforementioned groups, including February 8 for the real estate and development community, February 22 for university students, and February 23, 2021, for neighborhood organizations. Staff also hosted an online poll from February 9 through 26.

Staff will present a summary of input from those meetings and the poll for the Council's consideration and direction regarding how to proceed with the draft ROO ordinance and handbook.

Budget & Financial Summary: N/A

Reviewed & Approved by Legal: No

Attachments:

None