



College Station, TX

Meeting Agenda City Council Workshop 1101 Texas Ave, College Station, TX 77840

January 23, 2020

4:00 PM

City Hall Council Chambers

1. **Call to Order, Pledge of Allegiance, Invocation, Consider Absence Request.**
2. **Executive Session is closed to the public and will be held in the Administrative Conference Room.**

The open meeting will resume no earlier than 5:00 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
- d. Carrie McIver v. City of College Station; Cause No. 18-003271-CV-85; In the 85th District Court, Brazos County, Texas

Legal Advice

- a. Legal advice concerning a recent Title VII claim

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. Self Evaluation
- b. Zoning Board of Adjustments
- c. City Manager

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 Workshop Agenda other than those items posted for Executive Session shall register with the City Secretary prior to the meeting being called to order. Registration forms are available in the Office of the City Secretary. Upon stepping to the podium the speaker 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. An individual speaking on a Consent Agenda item on the Workshop agenda may not speak on that item at the Regular Meeting on the same day. Each speaker's remarks are limited to three (3) minutes. An individual speaking on multiple Consent Agenda items must speak on all items when the speaker is called to the podium. An individual speaking on multiple Consent Agenda items will have three (3) minutes to speak on the first item and one (1) additional minute to speak per each additional item regardless of the number of items they wish to address. Any speaker addressing the Council through the use of a translator may speak for six (6) minutes and in the case of Consent Agenda items an additional two (2) minutes per item. An individual may speak for ten (10) minutes on behalf of a group of five (5) or more. The five (5) or more individuals must sign the registration form and must be present when the speaker is introduced. Those signing may not speak individually. A speaker who wishes to include computer-based information while addressing the Council must provide the electronic file to the City Secretary by noon on the day of the Council meeting. During each speaker's remarks a timer light will change from green to yellow when there is thirty seconds remaining. The speaker must conclude their remarks when the timer light changes from yellow to red.

5.1. Presentation, discussion, and possible action regarding the municipal regulation of short-term rental housing in consideration of hotel occupancy tax collection.

Sponsors: Brian Piscacek

Attachments: None

5.2. Presentation, discussion, and possible action regarding an overview of regulatory options related to tree preservation and buffering in residential areas.

Sponsors: Jennifer Prochazka

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, BVSWMA, BVWACS, Compensation and Benefits Committee, Comprehensive Plan Evaluation 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, 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 the agenda if a matter is raised that is appropriate for Executive Session discussion.

I certify that the above Notice of Meeting was posted at College Station Hall, 1101 Texas Avenue, College Station, Texas, on January 17, 2020 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.”

January 23, 2020

Item No. 5.1.

Review of short-term rental policies and hotel occupancy tax collection

Sponsor: Brian Piscacek, Assistant to the City Manager

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding the municipal regulation of short-term rental housing in consideration of hotel occupancy tax collection.

Relationship to Strategic Goals:

- Good Governance
- Financial Sustainability
- Neighborhood Integrity
- Diverse & Growing Economy

Recommendation(s): Staff recommends Council receive the presentation and provide direction as desired.

Summary: This item is complementary to a presentation on short-term rental (STR) housing (e.g. Airbnb, VRBO, etc.) provided to Council during the Workshop Meeting on August 8, 2019. Staff delivered an overview of the home sharing rental model, detailed the primary providers in the online marketplace, and addressed general impacts on cities, including tax collection, regulation, and enforcement. At that meeting, Council directed staff to: 1) research municipal regulation of STR's and 2) gather stakeholder feedback.

Municipal Regulation of STR's

Staff reviewed the short-term rental ordinances of 5 cities in Texas: Galveston, Lubbock, New Braunfels, San Marcos, and Waco. Each ordinance is unique and ranged in terms of regulation and enforcement, characterized by the ways in which STR's are defined, permitted, and administered. Staff also visited over the phone with employees of each city involved with the management of the STR program.

Several cities have engaged with rental compliance consultants to manage the permitting and hotel occupancy tax collection of STR housing. City staff examined these software solutions as well to determine applicability, effectiveness, and associated costs.

Currently, none of the cities have entered into an agreement with the online platforms to collect and remit hotel occupancy tax on behalf of hosts. However, many jurisdictions across the county, and a handful in Texas, have done so.

Stakeholder Feedback

Staff held a Short-Term Rental Community Discussion on Monday, November 18, 2019, at the CSU Meeting & Training Facility. A total of 67 real estate professionals, STR hosts, commercial lodging operators, College Station residents, and others attended the meeting, which consisted of a presentation on current conditions, small group discussions, and a questionnaire. Respondents to

the questionnaire were generally supportive of regulating STRs, in particular through the requirement of a local contact for each unit and educational materials provided to tenants regarding health and safety.

Budget & Financial Summary: N/A

Reviewed & Approved by Legal: No

Attachments:

None

January 23, 2020

Item No. 5.2.

Presentation, discussion, and possible action regarding an overview of regulatory options related to tree preservation and buffering in residential areas.

Sponsor: Jennifer Prochazka, Director of Planning and Development

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action regarding an overview of regulatory options related to tree preservation and buffering in residential areas.

Relationship to Strategic Goals:

Neighborhood Integrity

Recommendation(s): Staff recommends that Council receive the presentation and provide direction as desired.

Summary: City Council has requested information related to potential regulatory options for newly constructed single-family homes to protect existing trees and to provide a vegetative buffer adjacent to other existing single-family homes in established neighborhoods.

Budget & Financial Summary: N/A

Reviewed & Approved by Legal: No

Attachments:

None