

A RESOLUTION **2008-09-11-0040R**

SUPPORTING THE PASSAGE OF LEGISLATION DURING THE 81ST STATE LEGISLATIVE SESSION PROTECTING MILITARY INSTALLATIONS WHO HAVE UNDERTAKEN A JOINT LAND USE STUDY BY BROADENING AUTHORITY FOR LAND USE CONTROLS AND COMPREHENSIVE, MULTI-JURISDICTIONAL PLANNING SOLUTIONS.

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WHEREAS, the City of San Antonio is home to prestigious and honored military installations including Fort Sam Houston, its training facility at Camp Bullis, Lackland Air Force Base, and Randolph Air Force Base, each of whose mission is vital to national security and the fight against terrorism; and

WHEREAS, recent encroachment from local land development has potentially degraded the missions of each installation and requires urgent action to preserve the integrity of the missions of the installations; and

WHEREAS, San Antonio is one of eleven (11) Texas communities with military installations facing similar issues and would benefit from the broadening of authority given to municipalities in comprehensive planning and land use controls; and

WHEREAS, military installations are significant economic generators to the communities in which they are located and to the overall economy of the State; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. City Council supports legislation protecting military installations who have undertaken a Joint Land Use Study by broadening authority for land use controls and comprehensive, multi-jurisdictional planning solutions for the upcoming 81st State Legislative Session.

SECTION 2. City staff is directed to take all necessary steps to obtain the support of the Texas Municipal League (TML) and the inclusion of this matter on TML's legislative agenda.

SECTION 3. This Resolution shall be effective on and after the tenth (10th) day after passage.

PASSED AND APPROVED this 11th day of SEPTEMBER, 2008.


M A Y O R
PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney

ATTACHMENT(S):

File Description	File Name
Checkpoints Coversheet	2008 TML RESOLUTION COVER SHEET-Check points.doc
CIMS Coversheet	2008 TML RESOLUTION COVER SHEET-CIMS.doc
Graffiti Coversheet	2008 TML RESOLUTION COVER SHEET-graffiti.doc
Salvia Coversheet	2008 TML RESOLUTION COVER SHEET-Salvia.doc
Military Affairs Coversheet	2008 TML RESOLUTIONS COVER SHEET- Military Affairs.doc
Voting Results	
Resolution/Supplemental Documents	200809110039R.pdf
Resolution/Supplemental Documents	200809110040R.pdf
Resolution/Supplemental Documents	200809110041R.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Andrew Smith Director Intergovernmental Relations

APPROVED FOR COUNCIL CONSIDERATION:

A.J. Rodriguez Deputy City Manager



Agenda Voting Results - 25B

Name:	25B, 25C, 25D						
Date:	09/11/2008						
Time:	04:20:39 PM						
Vote Type:	Motion to Approve						
Description:	A Resolution in support of the passage of legislation during the 81st State Legislative Session increasing the penalties for first-time graffiti offenders.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x			x	
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				x
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # 25
Council Meeting Date: 9/11/2008
RFCAs Tracking No: R-3792

DEPARTMENT: Intergovernmental Relations **DEPARTMENT HEAD:** Andrew Smith

COUNCIL DISTRICT(S) IMPACTED:
City Wide

SUBJECT:
Texas Municipal League Resolutions 2008

SUMMARY:
Adoption of state legislative/regulatory issues to be submitted to the Texas Municipal League's (TML) Resolutions Committee for inclusion in the TML 2009 State Legislative Plan.

BACKGROUND INFORMATION:
On Tuesday, October 28, 2008, the TML Resolutions Committee will meet in San Antonio to consider resolutions to be included in their Legislative Plan for the 2009 Regular State Legislative Session.

The TML Constitution states that resolutions for consideration at the Annual Conference must be submitted to the TML headquarters 45 calendar days prior to the first day of the Annual Conference. For 2008, this provision means that resolutions from any member city, TML region or TML affiliate must arrive at the TML headquarters no later than September 15, 2008.

The TML Board of Directors has adopted several procedures governing the resolutions process. Please review the following items carefully and thoroughly.

1. Any city or other entity that submits a resolution must complete a resolution Cover sheet. The cover sheet to be used is attached. Please feel free to make as many copies of this cover sheet as you desire.
2. The cover sheet must be attached to the resolution throughout each step of the Resolution process, including a TML regional meeting at which the resolution is considered.
3. No resolution can be considered by the TML Committee unless it has prior approval of: (a) the governing body of a TML member city; (b) the governing body or membership of a TML affiliate or (c) the membership of a TML region at a regional meeting.
4. The city or other entity that submits a resolution is encouraged to send a representative to the Resolutions Committee to explain the resolution. The Resolutions Committee

will meet at 2:00 pm on Tuesday, October 28, 2008 at the Henry B. Gonzalez Convention Center in San Antonio.

If the procedures described above are not followed for any given resolution, that resolution is likely to be referred to some other TML committee for further study. In that case, the resolution would not be adopted during the 2008 conference.

ISSUE:

Several city departments have identified five (5) resolutions for inclusion in the TML's Legislative Plan for 2009. The resolutions identified are as follows:

- 1. Metro Health** - Salvia; the City seeks TML's support to make the sale of Salvia to minors a Class C misdemeanor.
- 2. Housing and Neighborhood Services** - Graffiti; the City seeks TML's support to increase the penalties for first time offenders of graffiti.
- 3. CIMS** - Currently, the governing body of a municipality may not increase the original price of a contract by greater than 25%. The City seeks TML's support for legislation that would increase that percentage threshold to 40%.
- 4. SAPD** - Sobriety checkpoints; the City seeks TML's support of legislation aimed at legalizing mobile sobriety checkpoints on Texas highways or streets.
- 5. Office of Military Affairs** - The City seeks TML's support for legislation aimed at protecting military installations, who have undertaken a Joint Land Use Study (JLUS), during the 81st session of the Texas Legislature by broadening authorities for land use control and comprehensive, multi-jurisdictional planning solutions in communities with these installations.

A copy of each of these TML coversheets is attached to this memo.

ALTERNATIVES:

The City could decide not to submit any resolutions to the TML Resolutions Committee and not have these resolutions included in the TML 2009 State Legislative Plan.

FISCAL IMPACT:

There is no fiscal impact with the adoption of this ordinance.

RECOMMENDATION:

Staff recommend approval of the resolutions.