

**CITY COUNCIL GOVERNANCE COMMITTEE MEETING
Minutes**

April 2, 2008

2:00 p.m.

Media Briefing Room

Council Present:	Mayor Phil Hardberger, <i>Chair</i> Councilmember Mary Alice Cisneros, <i>District 1</i> Councilmember Delicia Herrera, <i>District 6</i> Councilmember Justin Rodriguez, <i>District 7</i> Councilmember John Clamp, <i>District 10</i>
Staff Present:	Sheryl Sculley, <i>City Manager</i> ; Pat DiGiovanni, <i>Deputy City Manager</i> ; Erik Walsh, <i>Assistant City Manager</i> ; T.C. Broadnax, <i>Assistant City Manager</i> ; Sharon De La Garza, <i>Assistant City Manager</i> ; Michael Bernard, <i>City Attorney</i> ; Leticia Vacek, <i>City Clerk</i> ; Rod Sanchez, <i>Development Services Director</i> ; Robert Peche, <i>Economic Development Director</i> ; Ben Gorzell, <i>Finance Director</i> ; William McManus, <i>Police Chief</i> ; Martha Sepeda, <i>1st Assistant City Attorney</i> ; Ed Davis, <i>Economic Development Assistant Director</i> ; Charles Pruski, <i>Assistant Health Director</i> ; Trey Jacobson, <i>Assistant to the Mayor</i> ; Jed Maebius, <i>Mayor's Office</i> ; Brandon Smith, <i>Office of the City Clerk</i>
Others Present:	Councilmember Jennifer Ramos, <i>District 3</i> ; Councilmember Diane Cibrian, <i>District 8</i>

CALL TO ORDER

Mayor Phil Hardberger called the meeting to order.

II. Items Requiring Individual Briefing(s)

A. Proposed amendment to the Unified Development Code regarding zoning for golf courses

Presented by Rod Sanchez, Director, Development Services

Rod Sanchez presented staff recommendation to the Committee to allow Golf Courses only within the RP District and that all existing golf courses be considered nonconforming uses (grandfathered). He noted that new golf courses would require the appropriate zoning before being established and that existing golf courses could potentially be addressed through a City Council-initiated rezoning effort. He also recommended additional input from the Planning Commission and the Infrastructure and Growth Committee before forwarding to the City Council for consideration.

Councilmember Clamp moved to proceed with staff's recommendation. Councilmember Cisneros seconded the motion. Motion carried unanimously.

III. Council Consideration Requests

- A. Consideration of a request by Mayor Phil Hardberger requesting an ordinance authorizing allocation of CPS Energy Community Infrastructure Economic Development (CIED) Funds in the amount of \$1.0 million for the relocation of burial of 3,000 linear feet of overhead CPS distribution lines along the eastern boundary of Voelcker Park along NW Military Drive**

Presented by Robert Peche, Director, Economic Development

Staff Recommendation: The overhead to underground utility conversion project qualifies under the CPSE CIED Fund Policy and CPSE has agreed to waive the joint trenching fee for all utilities. There are sufficient funds in the CIED fund to pay the CPSE cost estimated at \$1.0 million for this overhead conversion project. Staff recommends approval of this item.

Robert Peche presented staff's recommendation to reprioritize and reallocate \$1 million in CIED funding from the National Bio and Agro-Defense Facility Project to the Voelcker Overhead Conversion Project. He noted that CIED funds could not be used to cover the costs for relocating other utility lines included on those poles (Time Warner and AT&T) estimated at \$600,000 and stated that staff would continue working with the Mayor's Office to secure funding for those costs.

Councilmember Rodriguez moved to forward said item as recommended by staff. Councilmember Herrera seconded the motion. Motion carried unanimously.

- B. Consideration of a request by Councilmember Jennifer V. Ramos requesting to direct Finance to assess the feasibility of discontinuing the collection of the leased vehicle tax for senior citizens or those citizens eligible for the tax freeze in San Antonio as per Texas Tax Code 11.252, added in the 77th Legislature in SB 248**

Presented by Ben Gorzell, Director, Finance Department

Staff Recommendation: Continued taxation of personal use leased vehicles as this exemption would negatively impact revenues by nearly \$1.0 million for both the General and Debt Service Funds in the future

Ben Gorzell informed the Committee that the Tax Code would not allow the exemption for senior citizens only. He stated that the options were to remove the taxation of all personal use lease vehicles or to tax all personal lease vehicles. He explained that removal of all personal use lease vehicles would yield a negative impact of approximately \$1 million on the City's General and Debt Service Funds. He stated that staff recommendation was to continue the taxation of personal use vehicles.

Councilmember Herrera moved to approve said item as recommended by staff. Councilmember Cisneros seconded the motion. Motion carried unanimously.

- C. Consideration of a request by Councilmember Justin Rodriguez requesting to direct the Health and Police Departments to study the emerging public issue of Salvia Divinorum, a powder-like substance that produces a narcotic effect. Such study should include the feasibility in limiting the availability to the maximum limit local law allows as well as regulating the distribution and treating as an illegal substance.**

Presented by Dr. Fernando Guerra, Director, San Antonio Metropolitan Health Department

Staff Recommendation: Make local law enforcement more aware of this drug, monitor the community for changes in its use and support legislature in efforts to restrict or prohibit its sale in Texas.

Charles Pruski reported that Salvinorum Divinorum can be chewed or smoked and produces effects that include: perception or bright lights, vivid colors or shapes, unintended body movements, and hallucinations. He noted that the DEA consider Salvinorum Divinorum to be a drug of concern and that is has no approved medical use in the U.S.

Councilmember Rodriguez directed staff to include educating school district police and explore opportunities to restrict sales to minors.

Councilmember Rodriguez moved to approve said item as recommended by staff in addition to exploring options to restrict sales to minors. Councilmember Cisneros seconded the motion. Motion carried unanimously.

- D. Consideration of a request by Councilmember Jennifer V. Ramos requesting to change the name of a portion of East Ashley Road to "Acequia" and change the remaining portion of East Ashley Road to "Mission Rd" for purposes of public safety and general directional clarity.**

Presented by Rod Sanchez, Director, Development Services Department

Staff Recommendation: Approval of the proposed street name change, funded through District 3 One-Time Funds.

Mr. Sanchez stated that the proposed name change addressed a public safety concern and that staff recommended approval. Councilmember Ramos stated that the name change was appropriate and supported by the neighborhood.

Councilmember Rodriguez moved to forward said item to the full Council for consideration. Councilmember Clamp seconded the motion. Motion carried unanimously.

- E. Consideration of a request by Councilmember Jennifer V. Ramos requesting Development Services Staff consider a fee waiver for costs associated with the supplemental street light investigations service (a cost of \$125.00) for neighborhoods in existence for more than 30 years, or identifies a reasonable benchmark for older neighborhoods that fall below the poverty level.**

Presented by Rod Sanchez, Director, Development Services Department

Staff Recommendation: Recommend consideration of alternatives in the FY 2009 budget.

Mr. Sanchez asked that said item be delayed for consideration in the FY 2009 budget process. Councilmember Ramos expressed concerns with safety in low income neighborhoods and asked for the Committee's support in moving said item forward.

Sheryl Sculley stated that staff would explore the possibility for the issue to be addressed by Public Works during the budget process.

Councilmember Clamp moved to approve said item as recommended by staff. Councilmember Cisneros seconded the motion. Motion carried unanimously.

- F. Consideration of a request by Councilmember Philip A. Cortez requesting to direct staff to inform City Council, during the process of zoning, whether the proposed zoning is consistent with the terms of the Starbright Agreement. Notification would take place at that time of all staff recommendations before City Council.**

Presented by Rod Sanchez, Director, Development Services Department

Staff Response: Development Services has established a policy to ensure that staff reports to City Council indicate if the subject site is within three miles of Toyota. The Summary portion of the Zoning Report will include the statement "This zoning code case is within three miles of the Toyota Manufacturing Plant."

Mr. Sanchez reported that Development Services has established a policy to ensure that staff reports to City Council to indicate if the subject site is within three miles of Toyota.

Councilmember Clamp moved to approve said item as recommended by staff. Councilmember Cisneros seconded the motion. Motion carried unanimously.

- G. Consideration of a request by Councilmember Diane Cibrian requesting to direct staff to notify City Council, during the process of zoning, whether the property, proposed for rezoning is adjacent to a military installation and ensure the Office of Military Affairs and the Planning Department to notify immediately if land contiguous to a military establishment be prepared for a zoning change. Notification will also take place at the time of all staff recommendation before City Council.**

Presented by Rod Sanchez, Director, Development Services Department

Staff Recommendation: Development Services has instituted a standard process for review of all rezoning considerations. The instituted policy requires staff to notify City Council, the City's Military Affairs as well as Planning and Community Development Departments immediately upon receipt of application for a rezoning case within 200 feet of a military installation.

Mr. Sanchez stated that Development Services had amended its policies to address Councilmember Cibrian's concerns regarding said request.

Councilmember Cisneros moved to approve said item as recommended by staff. Councilmember Clamp seconded the motion. Motion carried unanimously.

At this time, the Committee addressed item I.

I. Approval of minutes from the meeting of March 5, 2008

Councilmember Cisneros moved to approve the minutes of March 5, 2008 as submitted. Councilmember Herrera seconded the motion. The motion carried unanimously.

IV. Executive Session

No items were addressed.

V. Subcommittee Updates

No items were addressed.

VI. Consideration of items for future meetings

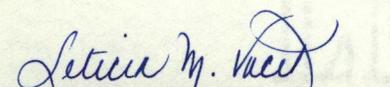
No items were addressed.

VII. Adjourn

There being no further discussion, the meeting was adjourned at 3:00 pm.

ATTEST:


Phil Hardberger
Mayor


Leticia M. Vacek
City Clerk