

## Special Quality of Life Council Committee

### Meeting Minutes

Thursday, March 30, 2006

7:30 a.m.

### City Hall Media Briefing Room

**Members Present:** Councilmember Art Hall, Chair, District 8  
Councilmember Richard Perez, District 4  
Councilmember Elena Guajardo, District 7  
Councilmember Chip Haass, District 10

---

**Staff Present:** Pat Di Giovanni, *Deputy City Manager*; Frances Gonzalez, *Assistant City Manager*; Michael Bernard, *City Attorney*; Malcolm Matthews, *Parks & Recreation Director*; Ron Smudy, *Parks & Recreation Assistant Director*; Stephen Whitworth, *Assistant City Attorney*; Sebastian Guajardo, *Contract Services*; Steven Baum, *Park Police Chief*; Captain Raymond Castro, *Park Police*; Krystal Strong, *City Manager's Office*; Brandon Smith, *Office of the City Clerk*

---

**Also Present:** Councilmember Patti Radle, *District 5*; Paul Fletcher, *DVA*; Greg Gallaspie, *PDRA*; Bill Lyons, *PDRA*; Amy Eubanks, *PDRA*

---

### Call to Order

Chairman Hall called the Special meeting to order.

#### 1. Riverwalk vending information and ordinance revision – Presented by Malcolm Matthews, Parks and Recreation Department Director

Malcolm Matthews presented the history on the Riverwalk Vending Ordinances and Actions. He cited the March 2002 Unified Development Code-Riverwalk Improvement Overlay District with a March 2004 Amendment to the UDC as the current regulating ordinance. He also presented an overview of the 2004 – 2006 Riverwalk Vending Citations and Convictions.

Councilmember Guajardo asked for clarification on the citation language. Chief Steve Baum responded that the citation states that vending is prohibited on or in view of the Riverwalk.

Councilmember Perez asked for the status on the mediation between the City and vendors. It was stated that mediation was tentatively scheduled for Friday, April 7, 2006.

In response to Councilmember Haass, Mr. Matthews stated that the current Unified Development Code language is not defensible in court or in application. He suggested clarifying and strengthening the current policy.

Paul Fletcher, representing the Downtown Vendors Association, referenced a packet that detailed the proposed revisions to the current Riverwalk Vendor Policy. He cited the Paseo Del Rio Association (PDRA) to be a private, non-governmental entity that was biased against vendors.

He proposed to remove the PDRA from regulating the Riverwalk Vendor ordinance. He also proposed that the "Public/Private Property" language be removed and that the Pilot Program be expanded. Additionally, Mr. Fletcher requested that the City adopt a Licensing/Permit Program administered by the City. He cited that enforcement complaints against the Park Police have escalated. He also noted that the Park Police Chief and Captain are ex-officio members of the PDRA.

Amy Eubanks informed the committee that Mr. Fletcher was representing the Vendors in the court case. She noted that the PDRA has not implemented the permitting process. She added that citations are not written for vending on private or leased property but for vending within the public right-of-way.

Greg Gallaspie, Executive Director of the PDRA, stated that vendors on the Riverwalk are a nuisance and urged the City to enforce the current policy. He also presented letters in support of the current policy. Bill Lyons also addressed the committee in support of the current policy.

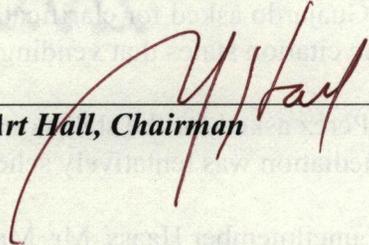
Councilmember Haass stated that he did not feel that vendors affect the ambiance of the Riverwalk. He directed staff to present recommendations on a specific number of permits to be issued, the categorization of permits, and a strong enforcement policy.

Chairman Hall concurred with Councilmember Haass and suggested uniforms for licensed vendors for identification purposes. He stated that the Riverwalk Vending Policy should be regulated by the City, not the PDRA.

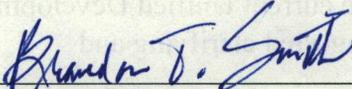
- 2. Discuss legal issues related to Downtown Vendors' Association and Robert Martinez dba Blas Caricatures v. City of San Antonio, Chief Seven Baum, Officer Alma Ryan, Officer David Byrd, Officer Jesse De Leon and Officer Roland Lopez, Cause No. 2004-CI-08245, pursuant to Texas Government Code Section 551.071 (consultation with attorney).**

Said items was not addressed

**There being no further discussion, the meeting was adjourned at 8:45 a.m.**

  
\_\_\_\_\_  
*Art Hall, Chairman*

*Respectfully Submitted,*

  
\_\_\_\_\_  
**Brandon T. Smith**  
**Administrative Assistant II**  
**Office of the City Clerk**