

**CITY COUNCIL GOVERNANCE COMMITTEE MEETING
Minutes**

June 18, 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>
Council Absent:	Councilmember John Clamp, <i>District 10</i>
Staff Present:	Sheryl Sculley, <i>City Manager</i> ; Pat DiGiovanni, <i>Deputy 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> ; Richard Varn, <i>Chief Information Officer</i> ; David Garza, <i>Housing and Neighborhood Services Director</i> ; Robert Peche, <i>Economic Development Director</i> ; Roderick Sanchez, <i>Development Services Director</i> ; Fernando DeLeon, <i>Development Services Assistant Director</i> ; Bill Mattox, <i>Finance Assistant Director</i> ; Steve Morando, <i>Purchasing and Contract Services Assistant Director</i> ; Susan Guinn, <i>Assistant City Attorney</i> ; Larry Zinn, <i>Assistant to the Mayor</i> ; Mike Farber, <i>Development Services</i> ; Chris Looney, <i>Development Services</i> ; Liza Meyer, <i>Environmental Services</i> ; Jeff Pullin, <i>Finance</i> ; Kay Hindes, <i>Planning and Community Development</i> ; Edward Guzman, <i>Office of the City Attorney</i> ; Enid Howard, <i>Office of the City Attorney</i> ; Denise Monday, <i>Office of the City Attorney</i> ; Lisa Lopez, <i>Office of the City Clerk</i> ; Sarah Cazares, <i>City Manager's Office</i> ; Aaryn Hernandez-Smith, <i>City Manager's Office</i> ; Jennifer Porter, <i>District 3</i> ; Leticia Cantu, <i>District 5</i> ; Adam Ash, <i>District 9</i> ; Mario Hune, <i>District 10</i> ; Jed Maebius, <i>Mayor's Office</i> ; Mandy Milam, <i>Office of the City Clerk</i>
Others Present:	Councilmember Jennifer Ramos, <i>District 3</i> ; Jack Judson, <i>Austin Highway Revitalization Project</i> ; Bobby Perez; Chuck Saxer, <i>North-side Neighborhoods for Organized Development (NNOD) President</i>

CALL TO ORDER

Mayor Phil Hardberger called the meeting to order.

I. Approval of minutes from the meeting of May 7, 2008

Councilmember Herrera moved to approve the minutes May 7, 2008 as submitted.

Councilmember Cisneros seconded the motion. The motion carried unanimously by those present.

II. Items requiring individual briefing(s)

- A. Recommendation and possible action regarding two appointments to the San Antonio River Commission (2 slots). Presented by Leticia Vacek.

Councilmember Cisneros moved to postpone said item until the next Governance Meeting. Councilmember Rodriguez seconded the motion. Motion carried unanimously by those present.

- B. Recommendation regarding a formal policy to evaluate the design and placement of memorials. Presented by T.C. Broadnax.

Mr. Broadnax noted that staff began working on said item in 2003 and that they had evaluated eleven cities' policies for ideas and concepts. He stated that San Antonio's current procedure had no structure except that the design be reviewed by the Department Head in the area and by the Historic and Design Review Commission (HDRC). Other concerns were that there was no clear application process or guidelines to evaluate appropriate sites and design. Mr. Broadnax then reviewed the proposed procedure and highlighted changes since the March 7, 2007 meeting.

Councilmember Cisneros asked if the requests would be evaluated case by case, how long the process would take, and the cost. Mr. Broadnax replied that it would be done case by case, the process could be completed in as little as 30-45 days, and that cost would be the applicant's responsibility including maintenance.

Councilmember Herrera asked about the time period for posthumous honors and if the Guideline Principles had been developed. Mr. Broadnax stated that the principles were ready and that exceptions could be made to the one year posthumous requirement.

Councilmember Cisneros moved to forward said item to the full City Council. Councilmember Rodriguez seconded the motion. Motion carried unanimously by those present.

III. Council Consideration Requests

- A. Consideration of a request by Councilmember Sheila D. McNeil, District 2, and Councilmember John Clamp, District 10, authorizing the allocation of CPS Energy Community Infrastructure Economic Development (CIED) funds in the approximate amount of \$1,900,000 for the burial of power lines and infrastructure planned to run over Austin Highway as part of proposed CPS Sub Station at intersection of Austin Highway and Exeter. Presented by Robert Peche.

Although this conversion project qualifies for funding under the CPSE CIED Fund policy, all remaining funds in the CIED Fund have been committed for other projects. Consequently, there are no funds currently available to pay the additional costs without reprogramming funds from other CIED projects.

Mr. Peche noted that the remaining CIED funds were already allocated to other projects and that the item was proposing the burial of about 500 feet of power lines under Austin Highway. He stated that the proposed project was in addition to the CPS Energy Project of replacing the Terrell Hills sub-station, which was already underway.

Councilmember Herrera introduced Mr. Judson, who spoke on Austin Highway's revitalization. He noted that there was \$100-200 million in private investments in the area and 3,000 new jobs. He added that running power lines across the highway would counter his organization's efforts to beautify and revive the area.

Councilmember Rodriguez stated that many areas needed similar projects. Ms. Sculley noted that reviewing these projects was part of the annual budget process. Councilmember Cisneros also noted that these projects were a citywide issue. She stated that the King William Neighborhood often had brownouts from tree branches which fall on power lines during thunderstorms.

Councilmember Herrera moved to place the item on the list of desired projects. Councilmember Cisneros seconded the motion. Motion carried unanimously by those present.

- D. Consideration of a request by Councilmember Lourdes Galvan, District 5, requesting staff to formulate a customized incentive package to assist and facilitate successful incorporation of green building techniques into remodeling, construction and development projects i.e. Energy Star appliances, radiant barrier roofs. Presented by Richard Varn.

Staff recommends that strategy, codes, and incentives be done as a group rather than individually. A comprehensive approach is considered a best practice for addressing green building construction retrofit. City Staff will provide periodic status reports on the development of the City's green building strategy, codes, and incentives to the Governance Committee.

Mr. Varn noted that a presentation on comprehensive plans for sustainability and green building had been made at the B Session. He stated that staff would like to pull together discussion of incentives, strategy, and code that might be adopted by Council so that they can understand what the code would be moving forward as a minimum and what incentives would be necessary to persuade people to move to that minimum. He added that staff would be meeting to brainstorm incentives.

Councilmember Cisneros requested the placement of a Sierra Club member on said committee.

Councilmember Herrera moved to approve staff's recommendation and to add a Sierra Club member to the committee. Councilmember Cisneros seconded the motion. Motion carried unanimously by those present.

- E. Consideration of a request by Councilmember Lourdes Galvan, District 5, requesting staff bring forward an ordinance to change the name of a portion of Smith Street to "Guadalupe Ybarra." Presented by Roderick Sanchez.

Staff recommends approval of the proposed street name change.

Mr. Sanchez stated that Smith Street had several divisions and a creek that ran through it. He added that the proposed section was totally separated by a block.

Councilmember Cisneros noted that Smith Street was close to her district and asked of the cost to rename a street and what funding would be used. Mr. Sanchez stated that cost varied depending on the length of the street and that this project would cost a few hundred dollars.

Councilmember Cisneros moved to approve staff's recommendation to rename a portion of Smith Street to Guadalupe Ybarra. Councilmember Rodriguez seconded the motion. Motion carried unanimously by those present.

- F. Consideration of a request by Councilmember Justin Rodriguez, District 7, requesting staff to determine the costs associated with applying LEED and REGREEN Residential Remodeling standards within the guidelines of the Housing Rehabilitation Program, Owner Occupied Reconstruction Program, the Affordable Showcase of Homes, Tax Increment Finance Program, and Lead Based Paint Abatement Program. Presented by David Garza.

Staff recommends referring this item to the Quality of Life Council Committee for consideration.

Mr. Garza noted that there was a pilot initiative for energy efficient homes two years previously. He stated that he would like to talk to those involved then report to the Quality of Life Council Committee with a recommendation.

Councilmember Rodriguez spoke of the need to be a leader in urban renewal. He noted that because federal funds are utilized, the issue would need to be coordinated with Mr. Andrew Smith, Intergovernmental Relations Director.

Councilmember Rodriguez moved to approve staff's recommendation to forward said item to the Quality of Life Council Committee after coordination with Intergovernmental Relations. Councilmember Cisneros seconded the motion. Motion carried unanimously by those present.

- G. Consideration of a request by Councilmember Louis E. Rowe, District 9, that staff install flagpoles, and subsequently fly, on a daily basis, the American, State, and Municipal flag at all municipally owned buildings/facilities constructed in the future. Presented by Steve Morando.

Staff recommends returning this item to the Governance Committee in August 2008, following additional staff research and evaluation.

Mr. Morando stated that there were approximately 100 City facilities throughout San Antonio. He noted that some fly flags, some do not fly flags, and some fly different flags. He also noted that some buildings were City owned and some were not. Mr. Morando stated that there would be a monetary impact of various costs including installing poles and illumination, but because of the project's magnitude, the department needed time to inventory and approximate that cost.

Mayor Hardberger noted that he would like to see the San Antonio Flag flown at City facilities.

Councilmember Herrera moved to approve staff's recommendation to continue said item to the next Governance Meeting. Councilmember Cisneros seconded the motion. Motion carried unanimously by those present.

- H. Consideration of a request by Councilmember John G. Clamp, District 10, requesting staff to review and amend Article X of the City Ordinance commonly known as the Graffiti Ordinance adopted in 2007. Presented by David Garza.

Staff recommends referring this item to full Council for consideration.

Mr. Garza stated that one year ago, it had been recommended to make graffiti a public nuisance. He noted that the City was able to clean some graffiti and charge for clean up costs, but that the ordinance had exempted property owners. He stated that the department wanted to review the policy and work with the Public Safety Council Committee on the outcomes of the ordinance.

Councilmember Herrera noted that the issue had been very controversial. Mr. Garza noted that revictimizing had been a major concern previously. He added that since the ordinance had been in place for a year, the department could review and confirm or not confirm some of those issues.

Ms. Sculley noted that even with staff doubling, graffiti was a major problem in San Antonio because much of it was on privately owned buildings, which the City could do nothing about. She stated that this would eventually need to be addressed.

Mayor Hardberger added that Council may want to investigate lobbying the State Legislature to upgrade penalties for tagging, including jail time for first offenders.

Councilmember Rodriguez moved to refer said item to the Public Safety Council Committee and return to Governance with a report. Councilmember Cisneros seconded the motion. Motion carried unanimously by those present.

- B. Consideration of a request by Councilmember Jennifer Ramos, District 3, that the Finance Department explore the feasibility of conducting an audit of Time Warner Cable, AT&T, Grande Communications and other cable television providers. Presented by Bill Mattox.

Staff recommends referring this item to the Audit Subcommittee for consideration.

Mr. Mattox stated that Time Warner Cable, AT&T, and Grande Communications all served under a state issued franchise agreement. He noted that prior to January 2006, San Antonio had local agreements with Time Warner and Grande and the change was due to Senate Bill 5. He added that the Bill protected the 5% franchise fee that cities received at the local level and provided for an additional 1% fee to compensate for public education and government channels which became the City's responsibility. Lastly, Mr. Mattox noted that the agreements had language to permit an audit.

Councilmember Ramos noted that she had two concerns, the first being that the City of Austin had performed an audit and discovered \$1 million was due to them and secondly, that the companies had not been audited in twenty-five years.

Councilmember Rodriguez asked how the fees were collected. Mr. Mattox replied that they were collected quarterly. It was noted that SAWS, Telephone, and CPS fees were also collected this way. Councilmember Rodriguez suggested including those organizations in an audit. Councilmember Ramos recommended that those be a separate audit.

Councilmember Herrera moved to approve staff's recommendation to refer said item to the Audit Subcommittee. Councilmember Cisneros seconded the motion. Motion carried unanimously by those present.

- C. Consideration of a request by Councilmember Jennifer Ramos, District 3, requesting that the Development Services Department work with the City Attorney's Office to research and prepare an amendment to the Unified Development Code (UDC) to address the zoning of carwashes to create more mutually exclusive designations for car washing establishments. Presented by Roderick Sanchez.

Staff recommends referring this item to the Infrastructure and Growth Council Committee for consideration.

Mr. Sanchez noted that the UDC had one entry for carwashes which blanketed automatic, manual, and full service. He noted the need to distinguish between each of them and full service carwashes in particular.

Councilmember Ramos noted that said item was not in reference to any specific issue. She stated that the machines were noisy and neighborhoods did not want carwashes in the area, but were often allowed due to zoning.

Councilmember Herrera moved to approve staff's recommendation to refer said item to the Infrastructure and Growth Council Committee to develop standards. Councilmember Rodriguez seconded the motion. Motion carried unanimously by those present.

IV. Executive Session

No items were addressed.

V. Consideration of items for future meetings

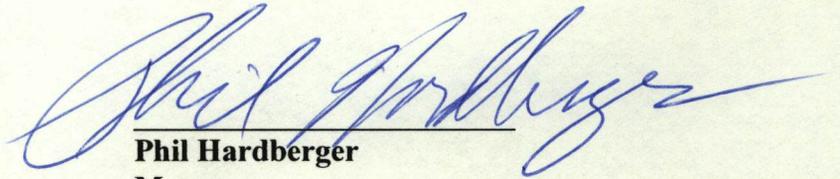
After discussion between the Committee and City Staff, it was decided that August 6, 2008 would be the next Governance Meeting due to Council recess in July.

VI. Adjourn

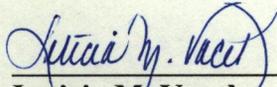
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There being no further discussion, the meeting was adjourned at 2:56 pm.

ATTEST:



Phil Hardberger
Mayor



Leticia M. Vacek
City Clerk

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