

**Infrastructure & Growth Council Committee  
Meeting Minutes**

**Wednesday, November 19, 2008**

**12:00 p.m.**

**Municipal Plaza B Room**

**Members Present:** Councilmember Diane Cibrian, *District 8*  
Councilmember Jennifer Ramos, *District 3*  
Councilmember Philip Cortez, *District 4*  
Councilmember Lourdes Galvan, *District 5*

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**Members Absent:** *None*

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**Staff Present:** Pat DiGiovanni, *Deputy City Manager*; Frances Gonzalez, *Assistant City Manager*; Roderick Sanchez, *Development Services Director*; Martha Sepeda, *1<sup>st</sup> Assistant City Attorney*; Leticia Saenz, *Deputy City Clerk*; Fernando DeLeon, *Planning & Development Services Assistant Director*; Paul Wendland, *Assistant City Attorney*; Brandon Smith, *Office of the City Clerk*

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**Others Present:** Frank Burney, *Martin & Praght*; Diane Huskins, *PEPP*; Tim Anderson, *Clear Channel*; Teri Bilby, *SAAA*; Tomi Sue Beecham, *SA BOMA*; June Kachtik, *Scenic San Antonio*; Les Moynahan, *NECA*; Robert Corbo, *Corbo Electric*; Albert Cisneros, *Cisneros Training Group*; Charles Mikolajczyk, *SAABE*; Michael Copp, *SAABE*; Michael Halvorsen, *SAABE*; Raul Gonzalez, *Turnzylighting & Electronic*; Judy Victorin, *Scenic San Antonio*; Chuck Saxer, *NNOD*; Blake Custer, *Clear Channel*; Tim Anderson, *Clear Channel*; Patrick Christensen, *Brolent & Ortiz*; Charles Gonzalez, *KSAT*; Bill Bourne, Linda Vickers, *Scenic San Antonio*; Jonathan Smith, *AIASA*; Daniel Farias, *KTSA*; Ted Trakas, *VJHOA*; Scott DeSha, *IEC*; July Howard, *IEC*; Rod Oliver, *MEP Engineering*; Jerry Doyle, *JD Martin*; Bill Hill, *Hill Electric*; Albert Wright, *REDC Partners*; Rebecca Sims, *SABOMA*

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**1. Call to Order**

Chairperson Cibrian called the meeting to order.

**2. Citizens To Be Heard**

Citizens were heard during corresponding items.

### **3. Approval of Minutes for the October 15, 2008 Infrastructure & Growth Council Committee Meeting**

Councilmember Ramos moved to approve the Minutes of the October 15, 2008 Infrastructure & Growth Council Committee Meeting. Councilmember Galvan seconded the motion. Motion carried unanimously.

At this time, the Committee addressed Item 6.

### **6. Briefing and possible action regarding Unified Development Code amendment creating a new zoning overlay district (Dark Sky Ordinance)**

Presented by Roderick Sanchez, Director, Planning & Development Services

Rod Sanchez presented information concerning a two step approach for the creation of a new zoning overlay district. He reported that an enabling ordinance would call for downward lighting and establish standards to regulate the zoning district, and would be followed by a zoning case. He noted that the proposed ordinance was scheduled for Council consideration on December 11, 2008 and could be amended pending the results of the Camp Bullis Joint Land Use Agreement Study.

Chairperson Cibrian stated that the proposed ordinance was to provide protective measures for Camp Bullis. She noted the importance of keeping officials from Fort Sam Houston and Camp Bullis fully informed and in support of all ordinances regarding said issue.

Pat DiGiovanni affirmed that Military Officials have been invited to participate on the review team for the Joint Land Use Agreement Initiatives.

#### Citizens to be Heard

Ted Trakas, Vance Jackson Home Owners Association, provided an overview of the Zoning Commission Meeting. He stated that the proposed ordinance was not acceptable to him.

Frank Burney, Clear Channel Outdoor, stated that Clear Channel was committed to work with the City Council, Staff, and Military for acceptable regulations toward the preservation and expansion of Camp Bullis.

Michael Nash, Clear Channel, yielded his time to Blake Custer.

Blake Custer, Clear Channel, stated that Clear Channel was unaware of the process regarding the Dark Sky Ordinance and that they would like to be included in the process. He presented a horizontal cut-off panel used to restrict light pollution from digital billboards and noted that Clear Channel was available to discuss said issue at any time.

Tim Anderson, Clear Channel, stated that Clear Channel would like to discuss said issue with all interested parties. He noted that only two digital billboards would be constructed on Interstate 10 in the Camp Bullis Area.

Bill Bourne stated that there were no restrictions on billboard requirements and that a digital billboard face could be placed on an existing billboard.

Rod Sanchez stated that Mr. Bourne's statement was incorrect. He clarified that digital billboards are not permitted outside of the pilot area and that the proposed ordinance would increase digital billboard lighting standards if digital billboards were permitted by City Council in the future.

Jonathan Smith, American Institute of Architects (AIA), stated that the City Council had passed a Green Building Resolution in 2007 stipulating that all new city buildings follow the LEED (Leadership in Energy and Environmental Design) Silver Environmental Building Standard. He noted that the proposed Dark Sky Ordinance was 3 to 10 times brighter than LEED Standards. He recommended that staff review said standards and offered to arrange a meeting with the AIA or the Green Building Council to discuss LEED standards.

June Kachtik, Scenic San Antonio President, spoke in support of the Dark Sky Ordinance and stated that digital billboards should not be permitted.

Lorraine Zaiomis, San Antonio Conservation Society, reported that Zoning Commission action regarding the Military Lighting Overlay District was to defer to include public input. She recommended that the Dark Sky Ordinance be postponed until the Zoning Commission's recommendations were followed. She noted that the San Antonio Conservation Society concurred with the Army in suggesting that the proposed ordinance follow LEED Standards. Spoke against digital billboards.

Chuck Saxer, Northside Neighborhood for Organized Development, spoke in support of the proposed ordinance.

Mr. Bourne apologized for his previous statement and noted that the report he read regarding Chapter 35 did not reference digital billboards.

Chairperson Cibrian invited Phil Ridinger, US Army Representative, to address the Committee. Mr. Ridinger encouraged the Committee to move the proposed ordinance forward to the full Council for consideration.

Rod Sanchez detailed three amendments to the proposed ordinance that address Military concerns:

- ⬇ 90-day Temporary Lighting Permit amended to 30 days
- ⬇ LEED standards encouraged as an alternative to builders
- ⬇ Prohibit Digital Billboards – staff would like to confer with the Military and Stakeholders regarding said issue

Councilmember Cortez stated that the mission of the Military was most important and should not be compromised. He noted that he would support forwarding the proposed item with that in mind.

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

**4. Briefing and possible action regarding Proposed Chapter 10, Electrical Code**

Presented by Roderick J. Sanchez, Director, Planning & Development Services Department

Rod Sanchez provided the following comprehensive updates that would amend the provisions of Chapter 10:

- ✚ Establish the International Building Code as the standard for Chapter 10
- ✚ Defines the duties and responsibilities of the Code Official, Director of Planning & Development Services
- ✚ Defines the duties and responsibilities of the Electrical Board as an appeals board

Mr. Sanchez noted the following administrative provisions addressed: Chief Electrical Inspector placed back in Chapter 10 requiring a Masters Electrical License and Certification; Clarification that the Director is the Authority Having Jurisdiction (AJH); addition of the Technical Code an eight-hour training requirement before a Maintenance Technician License was issued.

Charles Mikolajczyk, San Antonio Association of Building Engineers, spoke in support of the proposed revisions and encouraged the Committee to forward said item for consideration.

Albert Cisneros, Bexar County Electrical, spoke in opposition to the proposed revisions. He cited poor notification efforts and a violation of civil rights.

Tom Sandoval, Bexar County Electrical Association, spoke in opposition to the proposed revisions. He expressed concern with the qualification requirements of a Master Technician and the duties and responsibilities of the Electrical Board.

Ted Trakas, Vance Jackson Home Owners Association, spoke in support of a citizen approval board process.

Frank Burney, Clear Channel Outdoor, spoke in support of the proposed ordinance.

Linda Vickers, Scenic San Antonio, spoke in opposition to the elimination of the Electrical Supervisory Board. She noted that the proposed action would give staff too much responsibility and authority.

Blake Custer, Clear Channel, spoke in support of the proposed ordinance.

Diane Huskins, Professional Engineers in Private Practice, spoke in support of the proposed ordinance. She stated that the Electrical Board should act as an appellate board.

Bill Bourne, spoke in opposition to the proposed revisions.

June Kachtik, Scenic San Antonio, stated that the role of the Electrical Supervisory Board was to address electrical safety. She recommended including the Planning Commission in the review process.

Les Moynahan, National Electrical Contractors Association, spoke in support of the proposed ordinance.

Henry Farias, Electrical Board Member, stated that working with staff was a challenge. He cited issues with staff not following through with Board direction.

Alvaro Rodriguez, Small Business Advisory Committee, suggested separating the adoption of Chapter 10 Amendments from the Electrical Code. He added that Chapter 10 adoption could be discussed further for future consideration.

Tomi Beecham, BOMA, spoke in support of the proposed revisions. She noted that in order to move San Antonio forward, the Electrical Supervisory Board should be re-evaluated.

Terri Bilby, San Antonio Apartment Association, spoke in support of the proposed revisions and asked that the Committee move forward with said item.

Francisco Mateo, Electrical Board, spoke in opposition to the proposed revisions. He expressed concern with Electrical Board Staff regarding meeting minutes, and issues regarding the Role of the Director of Planning and Development Services.

Adam Davila, Electrical Supervisory Board Chairman, noted his supports for Chapter 10 revisions with provisions. He addressed the requirements for a Master Technician License and noted his support for continuing education.

In response to Councilmember Cortez, Mr. Sanchez stated that he had received a request from Councilmember Rowe to review the Chapter 10 administrative provisions. He noted that had reviewed the provisions, met with various entities and formed said revisions presented.

Councilmember Cortez moved to forward said item to the full Council for consideration. Councilmember Ramos seconded the motion. Councilmember Galvan abstained. Motion carried.

Councilmember Galvan requested to meet with Mr. Sanchez regarding said item.

At this time, the Committee addressed Item 7.

**7. Briefing and possible action regarding: 1) a proposed amendment to the Unified Development Code (UDC), Chapter 38 of the Municipal Code, to create Arts and Entertainment Zoning Districts "AE-1", "AE-2", "AE-3" and "AE-4" and, 2) a proposed large the East Commerce Street Arts and Entertainment District**

Presented by Roderick J. Sanchez, Director, Planning & Development Services Department

Mr. Sanchez stated that the proposed item was an enabling ordinance and zoning case that would be presented together for consideration. He detailed the proposed amendment to the Unified Development Code that would support mixed-use activities within identified zones to become Special Districts.

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

**5. Recommendation and possible action appointments to the Planning Commission (2 slots) and Board of Adjustment – Alternate Member (2 slots)**

Presented by Leticia M. Vacek, City Clerk

Leticia Vacek reported that there were two slots available on the Board of Adjustment and noted that there was a statement from Peter Vallone who was seeking reappointment.

Matthew Cowart stated he was interested in becoming involved in the community and that his resume qualified him to serve. He noted that he wanted to encourage steady growth and keep the City beautiful.

Daniel Monreal stated that he would like the opportunity to serve the community.

Ms. Vacek reported that there were two slots available on the Planning Commission and noted that there were three written statements and four applicants present for interview.

Robert Henley noted his extensive community service that included prior service on the Planning Commission and the Technical Advisory Board. He stated that he had been asked by members of the Planning Commission to apply for nomination.

Kara Hill stated that she had applied to serve on the Planning Commission due to her passion for community service and experience in local economic development. She noted that she was familiar with the role of government regulation in city planning and implementation from a practical standpoint.

Marcello Martinez stated that he had worked on the Houston Street Redevelopment Project, the Floresville and Hondo Master Plans, and served as Chair of the YMCA. He noted that he would like to continue his service to the community.

Chairperson Cibrian recessed the meeting into Executive Session at 2:05 p.m. She reconvened the meeting at 2:20 p.m. and stated that no action had been taken in Executive Session.

Councilmember Cortez moved to recommend Linda Billa Burke to the full Council for nomination to the Planning Commission. Councilmember Ramos seconded the motion. Motion carried unanimously.

Councilmember Cortez moved to recommend Peter Vallone and Narisco Cano to the full Council for nomination to the Board of Adjustment. Councilmember Ramos seconded the motion. Motion carried unanimously.

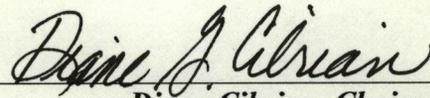
**6. Briefing on 2007-2012 Bond Update**

Presented by Mike Frisbie, Director, Capital Improvement Management Services

Said item was not addressed.

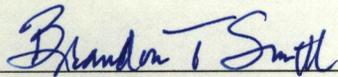
**7. Adjournment**

There being no further discussion, the meeting was adjourned at 2:25 p.m.



*Diane Cibrian, Chairperson*

*Respectfully Submitted,*



*Brandon T. Smith  
Office of the City Clerk*