

**INTERGOVERNMENTAL RELATIONS
COUNCIL COMMITTEE
SPECIAL MEETING MINUTES**

TUESDAY, MARCH 26, 2013

10:00 AM

MUNICIPAL PLAZA BUILDING – B ROOM

Members Present: Councilmember Ray Lopez, *Chair, District 6*
Councilmember Diego Bernal, *District 1*
Councilmember Cris Medina, *District 7*
Councilmember Elisa Chan, *District 9*
Councilmember Carlton Soules, *District 10*

Members Absent: None.

Staff Present: Carlos Contreras, *Assistant City Manager*; Sally Basurto, *Intergovernmental Relations*; Christine Wright, *Intergovernmental Relations*; Stephanie R. Johns, *Intergovernmental Relations*; Terry Kannawin, *Interim Director of Development Services*; Mike Shannon, *Assistant Director of Development Services*; Lisa Biediger, *Assistant City Attorney*; Martha Lambaria, *Office of the City Clerk*

Also Present: Peter Bella, *AACOG*

Call to order

Chairman Lopez called the meeting to order at 10:08 am.

I. Approval of Minutes of the January 09, 2013 Intergovernmental Relations Council Committee Meeting

Councilmember Chan moved to approve the Minutes of the January 09, 2013 Intergovernmental Relations Council Committee Meeting. Councilmember Bernal seconded the motion. Motion carried unanimously by those present.

II. Briefing and Possible Action Items:

- i. Update on 93rd State Legislative Program & Bills of Interest [Jeff Coyle, Intergovernmental Relations Director]

Councilmember Soules entered the meeting at this time.

Jeff Coyle, Intergovernmental Relations (IGR) Director provided an update, stating two city initiatives scheduled for hearings:

1. Streamline Re-platting Process (HB 1553)
2. Floodplain Enforcement (HB 1554)

He spoke of two Tree Bills:

1. Property owner may cut down any tree that they deem to be a fire risk.
2. Statewide limits regarding tree removal.

He indicated House Debate regarding Water, Education and the House Budget.

Chairman Lopez recognized and thanked leaders for their work and commitment to issues.

Councilmember Bernal asked of the position of Representatives with regard to the Tree Ordinance. Mr. Coyle stated that the city had a strong delegation on said issue. He noted speaking with members of the delegation and others to educate them on the ordinance. He indicated creating a distinction between what the ordinance does and does not do.

Carlos Contreras, Assistant City Manager, spoke of the last Legislative Session that targeted San Antonio.

Chairman Lopez stated the importance of continuing to implement ordinances and ensure review on a regular basis. He noted that a key component was the ability for San Antonio to take responsibility on taking care of its community. He asked how often said ordinance was reviewed. Mr. Coyle replied that the first tree ordinance was approved in 1997 and revisions have occurred in 2003, 2006 and 2010. He indicated that tree mitigation fees had increased from \$100 to \$200. Chairman Lopez asked of the time schedule for the next revision of said ordinance. Mr. Contreras replied that there were no formal time schedules for revisions but that there was a process in place. He added that going through a three-year drought might cause Council to revisit said ordinance.

Councilmember Cris Medina entered the meeting at this time.

ii. AACOG Air Quality Legislative Priorities [Jeff Coyle, Intergovernmental Relations Director

Peter Bella, Alamo Area Council of Governments (AACOG) presented highlights of AACOG Nonattainment to include:

- Near-Nonattainment “Rider” Grant Funding & Areas Receiving Funding, 1996-2013
- AACOG Legislative Position: Air Quality Funding
- The Alamo Area Council of Governments
- Air Quality Planning Supported by Rider
- “Near-Nonattainment Rider” Air Quality Grant Funding
- Cost of clean air compliance failure -
“Toyota eliminated any area that violated federal health standards for ozone, which includes Fort Worth-Dallas, Houston and El Paso.”
- What is the AIR Committee Doing?

Chairman Lopez thanked Mr. Bella for the presentation and asked of other policies that manage Ozone within the 12 County Areas. Mr. Bella indicated that the Ozone Advance Program anticipated that power plants would go off-line in 2018. He reported that they were working with: 1) Cement industries for voluntary reductions; 2) City Public Service (CPS) Energy; 3) Cars & Trucks Sector; 4) South Texas Economic & Energy Roundtable (STEER) Group; VIA and other agencies. He noted that there had been a number of Ozone Alert Day (air quality health alert days) Notices sent to the public.

Councilmember Chan thanked Mr. Bella for the presentation and asked for clarification of his request. Mr. Bella replied that the request was for the City of San Antonio to support restoration of funding to the Rider Program. Discussion ensued on the funding formula and funding amount.

Councilmember C. Medina moved to endorse funding restoration to the Rider Program. Councilmember Bernal seconded the motion. Motioned carried unanimously by those present.

iii. Homebuyer Protection Act Legislation [Jeff Coyle, Intergovernmental Relations Director]

Mr. Coyle provided a briefing on the Homeowner Lemon Law or Homeowner Protection Act and presented the following four Bills:

1) HB 1887 (Rep. Farias)

Relating to consumer protection for and remedies available to a Veteran who buys a home that does not comply with certain warranties; providing an administrative penalty.

Councilmember Chan asked who would determine whether a problem was resolved or not. Terry Kannawin, Development Services Interim Assistant Director referred to HB 1887 and stated that there would be a process for a hearing. Councilmember Chan expressed concern and asked for more clarification and specifications in the language used.

In response to Councilmember Soules, Mr. Coyle replied that with all bills in the Legislature; a fiscal note would be attached.

Councilmember Bernal asked of the process and resources. Mr. Coyle replied that said was a Legislative effort and was in the hands of the Legislative Office. Mr. Contreras stated that the fiscal impact would be included.

Councilmember Chan asked of the process of monitoring bills. Mr. Contreras stated that when HB 1887 was amended; staff had been alerted. Councilmember Chan asked of the process for updates. Mr. Coyle stated that they would use their discretion in providing updates to the City Council. Councilmember Chan expressed concern and indicated that she would not want to experience unintended consequences.

Mr. Coyle continued with the following bills:

2) HB 3736 (Rep. Burnam)

Relating to the sale of newly constructed homes and requiring the Texas Real Estate Commission to adopt contract forms to be used in the sale of a newly constructed home.

3) HB 2526 (Rep. Eddie Rodriguez)

Relating to the provision of construction documents to certain purchasers of newly constructed homes.

In response to Councilmember Chan, Mr. Coyle stated that the construction documents indicated would be any documents used in the construction of the homes including written specifications or blue prints.

Mr. Coyle continued.

4) HB 2527 (Rep Eddie Rodriguez)

Relating to disclosure of the nature and remediation of construction defects in residences that certain contractors repurchase because of the defects and subsequently re-sell.

Mr. Coyle noted that the Bexar County Commissioners voted to support all four bills and that the Greater San Antonio Builders Association was opposed to the four bills.

Mr. Contreras stated that typically, the City does not get involved with the professional relationship between the seller and buyer of a home. He noted that the City enforces the Code Requirements that City Council has adopted. He added that there were situations when City Council had taken a position on Consumer Protection Related Issues. Furthermore, he indicated that he would follow up with answers to the questions asked today, provide to committee, and present them at the A Session on April 4, 2013. He stated that the other option would be to hold a Special IGR Meeting and bring back responses at that time.

Councilmember Soules expressed concern with moving forward with support for said bills. He stated that there was a lot of complexity and unintended consequences. He noted that he was not ready to move forward with said bills or for said bills to be presented to the Full Council.

Councilmember Soules asked of the difference between City and County Building Codes. Mike Shannon, Assistant Director of Development Services reported the distinction between Municipalities and Counties. He stated that the City of San Antonio had adopted the 2012 International Residential Code and Builder Registration Requirements which require protection for homeowners in which the County did not have.

Chairman Lopez recommended to table said item until next week.

III Consideration of items for future meetings:

Next Meeting scheduled Wednesday, April 3rd

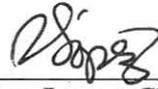
a) 113th Federal Legislative Program

Sally Basurto provided the following timeline for the 113th Federal Legislative Program:

- April 3, 2013 – Present 113th Federal Legislative Program for Review by IGR Council Committee
- April 10, 2013 - B Session Presentation
- April 18, 2013 - Proposed full Council Review & Authorization for the Program

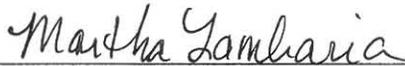
IV Adjournment

There being no further discussion, the meeting was adjourned at 11:19 am.



Ray Lopez, Chairman

Respectfully Submitted,



Martha Lambaria

Office of the City Clerk