

**State of Texas
County of Bexar
City of San Antonio**



**FINAL
Meeting Minutes
City Council B Session**

City Hall Complex
105 Main Plaza
San Antonio, Texas 78205

Wednesday, June 13, 2018

2:00 PM

Municipal Plaza Building

The City Council of San Antonio convened in the “B” Room of the Municipal Plaza Building. City Clerk Leticia Vacek took the Roll Call noting the following Councilmembers present:

PRESENT: 11 - Mayor Nirenberg, Trevino, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

1. Briefing on proposed amendments to the Ethics Code and Municipal Campaign Finance Code. [Kevin Barthold, City Auditor]

Dr. Adriana Garcia provided an overview of the work of the Ethics Review Board (ERB) and noted that the City Code was reviewed for revisions biannually. She stated that the goal of the ERB was to ensure transparency in local government practices, improve clarity, and ensure consistency in practices to support accountability and public trust. She noted that the ERB met over 24 times and convened three panels to address specific topics.

- Define a client as any business, financial, or professional relationship to which a duty of care, confidence, trust, or privilege applies
- Add entertainment to the existing gift limitations
- Add self-reporting of potential violations after their occurrence
- Provide the ERB with options on past actions of city employees

- Remove the option to self-report to the City Attorney's Office to honor the attorney/client confidentiality privilege
- The City Clerk shall notify respondent(s) of a complaint filed
- Require all complaints to be forwarded to the Chair and Vice-Chair of the ERB, Compliance Auditor, and City Attorney
- Request for waiver can only be made by City Council after a recommendation from the ERB
- Require disclosure of campaign contributions for parties seeking resolution of support or no objection for multi-family housing tax credits; approval of revenue bonds through Housing Trust; and economic development incentives by or through City-created entities
- Require disclosure of campaign contributions from lobbyists, attorneys, or consultants retained related to zoning change requests
- Add a Campaign Finance Report period in April and October of each non-election year and in October of election years
- Remove the three-day reporting requirement
- Add subcontractors to the list of persons and entities prohibited from making contributions during the high profile solicitation process
- Add any first degree member of household for contribution prohibitions

Dr. Garcia stated that if approved; housekeeping and internal process recommendations would take effect July 1, 2018 and all others would take effect January 1, 2019. She requested that the recommendations be forwarded to A Session for consideration and approval.

Mayor Nirenberg asked of the date for A Session consideration. Mrs. Sculley replied that it was scheduled for June 21, 2018.

Councilmembers Sandoval and Saldaña expressed support for the recommendations.

Councilmember Courage asked if further recommendations would be made regarding Campaign Finance. Kevin Barthold replied that the Mayor's Campaign Finance Task Force would present to the Governance Committee the following week.

Councilmember Perry expressed concern that the Campaign Finance Task Force would not make a B Session presentation prior to consideration at A Session and asked that all issues be presented simultaneously. He noted his opposition to increasing the number of Campaign Finance Reports.

Councilmember Viagran asked of the application of campaign contribution prohibitions for first degree members of household. Mr. Barthold replied that it was for prime and subcontractors on high profile contracts. Councilmember Viagran expressed concern that

the recommendations could limit affordable housing opportunities in the future and concurred with Councilmember Perry regarding simultaneous presentation.

Councilmember Treviño asked if contribution disclosure was required for incumbents and candidates. Dr. Garcia required that it was.

Councilmember Brockhouse expressed disagreement with increasing the number of annual Campaign Finance Reports and asked for additional time to consider changes regarding campaign contributions.

Councilmember Gonzales expressed disagreement with increasing the number of annual Campaign Finance Reports and imposing contribution prohibitions on subcontractors. Mr. Barthold stated that prohibitions already applied to subcontractors and the language was proposed for clarity.

Mayor Nirenberg asked if the ERB had examined the definition of High Profile Contracts. Dr. Garcia replied that they did not. Mayor Nirenberg asked staff to work with Councilmembers individually to address their concerns. He thanked all for the presentation.

2. Briefing on options related to military installation mission protection for property within a five mile radius of military bases. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Planning]

Bridgett White stated that the Planning Department coordinated with the Fire Department, City Attorney's Office, Management and Budget, Development Services, Government and Public Affairs, City Manager's Office, and Office of Military and Veterans Affairs as well as Joint Base San Antonio to develop the presentation. She noted that annexation was authorized by the Texas Local Government Code and allowed a city to extend its city limits, municipal services, regulations, voting privileges, and taxing authority to new territories. She stated that the city's Extraterritorial Jurisdiction (ETJ) was the unincorporated land within five miles of its boundaries and not in another city's municipal boundaries or ETJ. She noted that reasons for annexation included application of zoning and development standards, efficiency for service delivery, and protection and expansion of the tax base. She stated that the three types of annexation were voluntary, full purpose, and limited purpose.

Ms. White provided an overview of the history of the Annexation 360 Program and noted a 2016 recommendation from the SA Tomorrow Comprehensive Plan working groups to annex smaller, more strategic areas. She stated that two out of five target areas had been annexed to date. She noted that a Legislative Change in 2017 required cities to hold elections in areas proposed for annexation; allowance of annexation within five miles of the

boundary of a military base in which an active training program is conducted; and allowance for voters to choose between annexation or providing the municipality with the authority to adopt and enforce an ordinance regulating the land use in the area as recommended by the most recent joint land use study (JLUS). She stated that areas around Camp Bullis and the Lackland Air Force Base (AFB) Annex were potentially available for annexation and the City Council could decide whether to call an Annexation Election.

Ms. White provided annexation options for Camp Bullis and Lackland AFB of varying sizes and locations. She stated that financial models were developed by examining revenues and expenses over a 20-year period. She noted that if an election was called and the vote was yes; staff recommended limited purpose annexation so that residents would pay no taxes and receive no services for three years. She stated that if an election was called and the vote was no; the City would need to adopt Ordinances regulating land use in the areas in the manner recommended by the most recent JLUS. She noted that Land Use Planning for Camp Bullis would require collaboration with Bexar County. She stated that Bexar County was completing a Court Order approval for the Military Lighting Overlay District approved by City Council. She noted that the City could adopt an Ordinance to create a zone with sound standards equivalent to the existing Military Sound Attenuation Overlay (MSAO) and height standards equivalent to the existing Airport Hazard Overlay District (AHOD). She stated that if City Council opted to call an election, staff recommended focusing on the area west of Lackland AFB given the amount of vacant land and greater ability to impose land use controls.

Mayor Nirenberg asked if the Office of Military and Veterans Affairs had reviewed the recommendations. Major General Juan Ayala replied that they had and agreed with staff recommendations. Mayor Nirenberg asked if vacant property in the proposed annexation areas was developable. Ms. White replied that it was. Mayor Nirenberg asked if there was an option to advance protections without expanding the city's jurisdiction without a no vote. Jeff Coyle replied that there was not.

Councilmember Saldaña expressed support for calling an Annexation Election for the area west of Lackland AFB south of Highway 90. Councilmember Viagran expressed support for calling an Annexation Election.

Councilmember Courage asked if the models presented incorporated growth projections. Peter Zanoni replied that they did. Councilmember Courage asked of the cost of developing land use regulations in the event of a no vote. Ms. White replied that costs would be minimal. Councilmember Courage expressed support for calling an election for the largest areas proposed.

Councilmember Perry asked of the military's annual economic and employment impact on

San Antonio. Gen. Ayala replied that the impact from JBSA was \$17 billion to the city and \$49 billion to Texas. Meg Reyes added that there were approximately 500,000 people either employed directly by or associated with the military. Councilmember Perry expressed support for calling an Annexation Election for both areas.

Councilmember Brockhouse asked of the cost of a municipal election. City Clerk Vacek replied that an election for both proposed areas would total \$500,000. Councilmember Brockhouse expressed concern that annexation was an unnecessary tool to protect the military missions in San Antonio and asked that partnerships be utilized to accomplish military-related goals.

Mayor Nirenberg asked of the Department of Defense's recommendation in terms of population growth, protection for military bases, and the JLUS. Gen. Ayala replied that the JLUS is developed in partnership with multiple stakeholders and stated that the military cannot advocate for annexation but they were concerned with encroachment and land protection. Mrs. Sculley stated that staff would pursue their recommendation for the area around Lackland AFB and continue studying Camp Bullis before making a recommendation for action in August. Mayor Nirenberg asked that staff continue studying both proposed areas.

EXECUTIVE SESSION

Mayor Nirenberg recessed the meeting into Executive Session at 4:07 pm to discuss the following:

- A. Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B. The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C. Legal issues related to public improvements to Foster Road pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Legal issues related to paid sick leave initiative pursuant to Texas Government Code Section 551.071 (consultation with attorney).

RECONVENED

Mayor Pro Tem Treviño reconvened the meeting at 6:01 pm and announced that no action was taken in Executive Session.

PUBLIC HEARING

City Clerk Vacek read the caption for Item 3:

3. Public Hearing for the FY 2019 Action Plan and Budget totaling \$21,134,235 for the four federal grant programs funded by the U.S. Department of Housing and Urban Development (HUD) which include the Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), HEARTH Emergency Solutions Grant (HESG), and Housing Opportunities for Persons with AIDS (HOPWA) Program. [Peter Zanoni, Deputy City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Mayor Pro Tem Treviño opened the public hearing and called upon the citizens registered to speak.

Mark Perez expressed concern with the quality of low income housing in San Antonio and transparency in the use of grant funds.

Natalie Griffith thanked the City Council and staff for their work on affordable housing and spoke in support of Habitat for Humanity's recommendations for grant allocations.

City Clerk Vacek stated that she received 31 written testimonies in support of increasing the amount of funds being allocated for Community Housing Development Organization single family construction.

There being no other citizens registered to speak, Mayor Pro Tem Treviño declared the public hearing closed.

CITIZENS TO BE HEARD

Mayor Pro Tem Treviño called upon the citizens registered to speak.

Mark Perez expressed concern with specific use permits and waivers.

Lamar Henry spoke in opposition to changes at Alamo Plaza.

Paul Gescheidle expressed concern with the level of public engagement in the development of The Alamo Master Plan and asked that Alamo Plaza remain unchanged.

Keri Hillyer asked that the Cenotaph remain in place to honor History and Veterans.

Lupe Rivera asked that the Cenotaph remain in place to honor History and Veterans.

Krystal Ross spoke of the history of the Alamo and asked that the Cenotaph remain in place.

Brandon Burkhart asked that the Cenotaph remain in place to honor History and Veterans.

Nazirite Ruben Flores Perez spoke of prophecies and preserving History.

Ramon Garza asked that Alamo Plaza remain unchanged.

Michael Garza asked that Texans be in charge of changes to Alamo Plaza.

Lane Woods asked that the Cenotaph remain in place to honor History and Veterans.

Rhett Smith asked that Citizens to be Heard be broadcast publicly and spoke of the importance of the First Amendment. He expressed concern that changing Alamo Plaza would not honor History.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Treviño adjourned the meeting at 7:02 pm.

APPROVED

RON NIRENBERG
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/CMC/MMC
CITY CLERK