

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



**DRAFT**

**Meeting Minutes**

**City Council B Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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Wednesday, March 1, 2017

2:00 PM

Municipal Plaza Building

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

**PRESENT:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier, and Gallagher

Item 2 was addressed first.

2. A Briefing on the City's Capital Improvements Program to include the Alamodome renovations, the Convention Center expansion project, and a status of the 2012 Bond Program including the City of San Antonio's Five Year Diversity Action Plan. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Mike Frisbie stated that the Alamodome Renovations would be completed in the 2017 calendar year and provided a timeline. He reported that the total cost of the project was \$53.8 Million and presented photos. He noted that the West End of the Convention Center was completed in February 2017 and that all of the goals associated with the Small Business Component had been exceeded. He reviewed the timeline for completion of the Convention Center Expansion at a cost of \$325 Million and presented photos of the project.

He spoke of the three murals which had been in place since 1968 and noted that the Convention Center now had 340 parking spaces in three different parking lots. He reviewed the timeline for completion of the Civic Park at a cost of \$22.2 Million in which substantial completion would occur by December 2019. He highlighted the major areas of the Civic Park: The Great Lawn, The Zocalo, The Promenade, and The Source.

Mr. Frisbie provided an update on the voter-approved 2012-2017 Bond Program. He stated that the Bond Program cost was \$596 Million and 96% of the projects were either completed or under construction. He spoke of the Diversity Action Plan which was adopted by the City Council in January 2013 in order to increase the participation of Small, Women and Minority-Owned Businesses on Architectural/Engineering and Construction Contracts. He noted that an emphasis was placed on African American-Owned Businesses as they had no participation in Construction Contracts. He outlined the Goals of the 5-Year Diversity Action Plan to increase availability and participation. He reported that as of February 28, 2017; a total of 330 African American Business Enterprise (AABE) Firms had been certified which represented a 134% increase since implementation.

Mr. Frisbie stated that of approximately \$1 Billion of construction in the last four years; \$465 million was awarded to Small Businesses. He reviewed the 2012 Bond Design Contract Participation for Small Businesses in all categories. He stated that since October 2012; the total AABE Payments were \$18 Million. He noted that City Council provided funding to hire experts in the fields of cost estimating, bidding, and whatever services companies needed to compete through the Management and Technical Assistance Program (MTAP). He stated that MTAP provided Business Development and Management, as well as Project Management. He noted that the program was implemented in September 2014 and two Consulting Firms were hired to administer training and education. He mentioned that Phase 2 would be implemented in April 2017. He stated that MTAP had been very effective noting that 30 Firms had participated. Of the 30 Firms; 2 became Prime Contractors and 11 became Subcontractors. He noted that these firms were paid within 10 days of completing the work and could be paid weekly.

Mayor Taylor thanked staff for the presentation and requested that the Diversity Action Plan be updated in order to develop new goals based on experience gained. She asked of the challenges of the Plan. Mr. Frisbie stated that the Plan was not known to everyone in the city and that the city needed to continue its work on specific training for Small Businesses and Small Contractors. Mayor Taylor asked if staff had reached out to smaller Chambers of Commerce. Mr. Frisbie replied that they had. Rene Dominguez stated that the outreach to all Chambers was one of the charges of Core Stakeholder Groups.

Jacque Arch spoke of his positive experience with the MTAP noting that participation in the

program had resulted in his firm increasing and diversifying their resources. He stated that the number of staff had risen from four employees to 15 employees.

Councilmember Viagran asked of the recourse for Construction Companies that do not perform well or on time. Mr. Frisbie stated that there were liquidated damages for Contractors who take too long on a project that were submitted with their pay application and deducted from their pay. He noted that if a company did not perform; they would not be utilized again.

Councilmember Krier asked of the remaining work on the CONRAC. Mr. Frisbie stated that the CONRAC would be turned over to the Rental Companies in July 2017 for their finish outs. He noted that this would occur before December 2017 when the CONRAC was scheduled to open. Councilmember Krier asked if the project was on budget. Mr. Frisbie replied that the project was on budget and on schedule. Councilmember Krier spoke against the 1% Public Art Component of projects and noted that said monies should be utilized to acquire art from Local Artists.

Councilmember Medina asked of the progress of the Seeling Channel. Mr. Frisbie stated that the excavation that has occurred thus far has helped the flooding issue. He noted that every time the channel fills with water; it creates issues for the Contractor. He stated that the Contractor was working to complete the project but had received complaints for starting work too early on Saturday Mornings. He noted that the need for expediency must be balanced with the needs of the neighborhood. Councilmember Medina asked how outreach was conducted to Companies that could perform work. Mr. Frisbie replied that Vendors in the Central Vendor Registry (CVR) received information regarding upcoming work. Additionally, Vendors were notified by means of a separate Transportation and Capital Improvements (TCI) Department E-mail and during events which were held.

Councilmember Warrick asked of the number of potential contractors which could perform work for the city. Mr. Frisbie replied that there were thousands of companies in the CVR and over 30 companies had gone through the MTAP. Mr. Dominguez stated that a hard number, an aspirational goal had been established in a disparity study. Councilmember Warrick asked when staff would know if the goals had been met. Mr. Dominguez replied that it would be reported on an annual basis. Councilmember Warrick requested an additional report before the Mid-Year Budget Adjustment. Mr. Dominguez replied that they would provide the report. Councilmember Warrick asked of job fairs held. Mr. Frisbie stated that job fairs were held quarterly to bring General Contractors and Subcontractors together. Councilmember Warrick asked of expanding the CVR. Mr. Dominguez stated that the city publicized with Trade Organizations and Chambers of Commerce to expand the CVR.

Councilmember Treviño asked of the process of approving an invoice. Mr. Frisbie stated that an approved invoice was an agreement on how much work was done and once executed; would be paid within 10 days. Councilmember Treviño asked of the Art at the CONRAC. Mr. Frisbie stated that staff did not want it to look like a parking garage and worked with the Design Team and others regarding its connection to Aviation.

Councilmember Gonzales requested that a correction be made to the cost of the Elmendorf Lake Project from \$3.7 Million to \$7.5 Million and spoke in support of public art made functional.

Councilmember Gallagher stated that Local Artists should be utilized for Art Projects and expressed support for having Functional Art.

Councilmember Lopez suggested that Metropolitan Planning Organization (MPO) Representatives continue to monitor all projects and not to remove projects without the process in reverse. Councilmember Saldaña praised community members for their contribution to the Diversity Action Plan. Mayor Taylor thanked everyone for the presentation.

1. A Briefing and update on the Absentee Property Owner Registration Program. [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Interim Director, Development Services]

Mike Shannon stated that on September 19, 2013, the City Council passed the Absentee Property Owner Registration Ordinance which became effective on January 1, 2014. He stated that the following were required to register in the Registration Program: 1) Owner lives outside of Bexar County or has a P.O. Box on file with the Bexar County Appraisal District (BCAD); 2) Owner has two or more Code Violations within the past 12 months; and 3) Applies to one or two-family dwellings. He reviewed the following Registration Ordinance requirements: 1) Register for a minimum of two years-pay a \$50 Annual Fee and provide a Local Property Manager who lives within Bexar County; 2) Remain violation-free for two years and if so; no further registration required; and 3) If violations continue, Property Owner will be notified that they must register/pay fees for another year. He stated that 80 Registered Property Owners had remained violation-free for two years.

Mr. Shannon reported that \$30,000 in Annual Fees had been collected thus far and these revenues were utilized for Code Enforcement Efforts. He stated that of 1,186 properties identified for registration; 476 (40%) had registered. He noted that of the number of

properties identified for registration; 56% were from other Texas Counties; 21% were from California; and 23% were from other States. He mentioned that as a result of the Registration, a 52% reduction in the number of violations and a 64% reduction in those registered were realized. He noted that the major challenge of the Registration was that staff had to search for Property Owners that were not registered. He stated that they utilized data from the Bexar County Appraisal District, Utility Records to identify the Account Holder, and Title Searches to locate Absentee Property Owners.

Mr. Shannon stated that they reviewed other Cities with similar programs but no Best Practices were identified. He highlighted three options for improvement of the program in which Option 1 would expand the Program to All One- and Two-Family Rentals. He noted that this would require additional resources to manage data and documentation associated with properties, conduct additional inspections, verify the owner's date of birth to file cases for non-registration, and prosecute cases in Municipal Court. He reviewed the additional costs totaling \$780,296 in Year 1 and \$636,996 in Year 2 with potential revenue of \$662,900 Annually. He outlined Option 2 which would add Multi-Family Property Owners with 3 or more units. He noted that there were 149,000 units associated with this option in San Antonio according to the US Census Bureau's American Community Survey. He stated that they recommended engaging with stakeholders such as the Greater San Antonio Builders Association, Building Owners and Managers Association, Inc., and San Antonio Apartment Association if this Option was selected. He noted that associated costs for this Option were \$826,697 in Year 1 and \$603,448 in Year 2 with estimated revenue of \$630,000 Annually. Lastly, he indicated that Option 3 would add Mobile Home Parks. He reviewed the additional costs of \$134,309 in Year 1 and \$103,059 in Year 2 and revenues of \$138,880 for fees of \$20 per lot or \$103,000 for fees of \$1,000 per property.

Mayor Taylor stated that the Registration was not intended to be a revenue generator but to actually yield results. She noted that staff should focus on registering all offenders before expanding the Registration and asked if the properties identified were clustered in one part of the city. Mr. Shannon replied that the properties identified were located all over the city but a majority of them were located in Council Districts 1, 2, 3, and 4. He stated that he would send out a spreadsheet detailing same.

Councilmember Gallagher stated that he would like the Registration to focus in the way in which it is now and suggested that neighborhood leaders be engaged in the process of locating property owners.

Councilmember Treviño stated that he would like to see the Registration expanded to include Mobile Home Parks and Multi-Family Dwellings.

Councilmember Nirenberg advocated for expansion of the Registration to include Mobile Home Parks and Multi-Family Dwellings and asked of the number of Multi-Family Units with violations. Mr. Shannon stated that 5% or 10% of Multi-Family Units were in violation. Councilmember Nirenberg requested an update on the Vacant Property Ordinance.

Councilmember Viagran spoke in support of including Multi-Family Dwellings in the Registration and noted that unintended consequences may require the assistance of the Department of Human Services (DHS). She stated that more Code Officers would be needed if the Registration were expanded and suggested that Bed and Breakfasts be included in the research. She asked if the San Antonio Housing Authority had specific criteria which must be met. Mr. Shannon replied that they did.

Councilmember Warrick asked of the correlation of police calls and those in violation. Mr. Shannon stated that there was not a significant correlation between violations and Police, Fire, Emergency Medical Service, and Animal Care Services Calls.

Councilmember Gonzales spoke of the number of violations at the same address. Mr. Shannon stated that there were many violations on the same property in many cases. Councilmember Saldaña requested a list of violations and their addresses for his district.

Mayor Taylor thanked staff for the presentation.

### **EXECUTIVE SESSION**

There was no Executive Session.

- A. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).
- B. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
- C. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).

**RECONVENED**

Mayor Taylor reconvened the meeting at 6:02 pm.

**CITIZENS TO BE HEARD**

Mayor Taylor called upon the citizens registered to speak.

Ezra Johnson stated that the 2017 Bond would succeed as the voters would trust the integrity of the project selection process. He expressed concern with the selection process for the River Barge Contract and stated that the bidding process should be re-opened.

Mark Perez spoke of public safety concerns and stated that he had lost twin daughters due to the chemicals he was exposed to at his previous job. He mentioned various businesses operating without the proper permits including the Age Refinery Building.

Nazirite Ruben Flores Perez referenced a letter he received from the Better Business Bureau. He spoke of an article entitled, "Seven Planets are seen as best bets to hold life."

Rhett Smith stated that he was concerned about the City of San Antonio due to the high Homicide Rate and noted that he had attended a vigil for Marquise Jones. He invited everyone to attend a panel discussion this evening at 7:00 pm at the University of the Incarnate Word, "Muslim and Christian Women discuss Wisdom for Peace Building."

**ADJOURNMENT**

There being no further discussion, Mayor Taylor adjourned the meeting at 6:15 pm.

APPROVED

IVY R. TAYLOR  
MAYOR

ATTEST:

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