

# NEIGHBORHOODS AND LIVABILITY COUNCIL COMMITTEE MEETING MINUTES

TUESDAY, MARCH 29, 2016

2:30 P.M.

MEDIA BRIEFING ROOM, CITY HALL

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <b>Members Present:</b> | Councilmember Roberto Treviño, <i>Chair, District 1</i><br>Councilmember Alan Warrick, <i>District 2</i><br>Councilmember Ray Lopez, <i>District 6</i><br>Councilmember Cris Medina, <i>District 7</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Members Absent:</b>  | Councilmember Rey Saldaña, <i>District 4</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Staff Present:</b>   | Erik Walsh, <i>Deputy City Manager</i> ; Peter Zanon, <i>Deputy City Manager</i> ; Joe Niño, <i>Deputy City Attorney</i> ; Sam Adams, <i>Assistant City Attorney</i> ; Stephen Whitworth, <i>Assistant City Attorney</i> ; Audrey Zamora-Johnson, <i>Assistant City Attorney</i> ; Mike Frisbie, <i>Director, Transportation and Capital Improvements</i> ; Janet Martin, <i>Interim Director, Department of Parks and Recreation</i> ; Shanon Miller, <i>Director, Office of Historic Preservation</i> ; Homer Garcia, <i>Interim Assistant Director, Parks and Recreation</i> ; Debbie Sittre, <i>Assistant Director, Transportation and Capital Improvements</i> ; Denice F. Treviño, <i>Office of the City Clerk</i> |
| <b>Also Present:</b>    | Lynn Bobbitt, <i>Executive Director, Brackenridge Park Conservancy</i> ; Jim Cullum, <i>Vice Chairman, River Road Neighborhood</i> ; Jay London, <i>Partner, Workshop</i> ; Hector Morales, <i>Director, Government Relations, San Antonio Apartment Association</i> ; Andres Peña, <i>Director, Government Affairs, Kaufman Killen Law Firm</i> ; Barbara Witte Hall, <i>Director, San Antonio Conservation Society</i>                                                                                                                                                                                                                                                                                                 |

## Call to Order

Chairman Treviño called the meeting to order.

### 1. Approval of Minutes of the February 15, 2016 Neighborhoods and Livability Committee Meeting

Councilmember Warrick moved to approve the Minutes of the February 15, 2016 Neighborhoods and Livability Committee Meeting. Councilmember Lopez seconded the motion. Motion carried unanimously by those present.

## **Citizens to be Heard**

Chairman Treviño called upon Mr. Jim Cullum to speak.

Mr. Jim Cullum stated that the River Road Neighborhood supported the Draft Brackenridge Park Master Plan.

### **2. Briefing and Update on the Draft Brackenridge Park Master Plan. [Maria Villagomez, Assistant City Manager; Janet Martin, Interim Director, Parks and Recreation]**

Homer Garcia stated that in April 2015, the City Council approved the development of a Master Plan for Brackenridge Park (Master Plan) through a professional services agreement with Rialto Studios, Inc. He noted that the project team included Rialto Studios, Inc. along with Alamo Architects, Ford Powell & Carson, and Workshop. He stated that the Brackenridge Park Conservancy had also assisted the project team in the Master Plan Process and had been actively engaged in Stakeholder Outreach and Meetings. He noted that individual Stakeholder Meetings were held in June 2015; and in July 2015, the project team and the Brackenridge Park Conservancy held a Public Workshop. He stated that individual Stakeholder meetings were conducted through November 2015. He noted that through feedback from the Public Workshop and Stakeholder Meetings; the Draft Master Plan was developed and presented to the Parks and Recreation Department in March 2016. He reported that the following Master Plan Issues were identified:

- Park was perceived as a collection of parts
- Diminished natural habitat
- Lack of parking and poor vehicle/pedestrian connectivity
- Limited free public space
- Bank erosion along the river and water quality
- Costly park maintenance activities

He stated that the following Master Plan Goals were identified:

- Clarification of park perimeter
- Enlarge park
- Strengthen pedestrian park flow
- Balance use portfolio
- Park community support

He reported that the Master Plan included the following recommendations:

- Eliminate traffic from park's north end
- Establish a formal Park and Zoo Entrance
- Revitalize Lambert Beach Area

- Eliminate St. Mary's/Tuleta Traffic
- Support development of a parking garage
- Create a "Grand Lawn"
- Preserve and repurpose historic structures
- Improve Catalpa Pershing Channel
- Revive Sunken Garden Theatre
- Stabilize the banks of the San Antonio River
- Close Avenue A

Mr. Garcia stated that the project team would hold a Public Meeting on April 26, 2016 at 5:00 PM at the Sunken Garden Theatre Center to present outcomes and recommendations of the Draft Master Plan to the public and Stakeholder Groups, prior to finalizing the document this summer.

Chairman Treviño requested that accessibility in the park be treated more as an Equal Rights Issue. He stressed the importance of partnering with the River Road Neighborhood.

Councilmember Medina noted the similarities between Brackenridge Park and Hermann Park in Houston. He asked of the Witte Museum's involvement in the Master Plan and asked how that partnership could be fostered. Mr. Garcia replied that the Witte Museum was a major Stakeholder in the Master Plan and had provided feedback to the Project Team. Councilmember Medina asked of plans for the Sunken Garden Theatre in conjunction with the Master Plan. Jim Gray stated that the Sunken Garden Theatre had not been utilized or underutilized due to the infrastructure and the desire of surrounding neighborhoods to not want big events held there. He noted that it would be necessary to identify an entity to commit to the renovation and programming of the Sunken Garden Theatre. He noted that there were 1,800 parking spaces adjacent to the Sunken Garden Theatre, of which 200 were within Brackenridge Park. Councilmember Medina asked if Business Partners had been engaged with the City in the maintenance and operation of the Sunken Garden Theatre. Mr. Garcia replied that an opportunity existed for such a partnership.

Councilmember Warrick asked of feedback received by representatives of Mahncke Park. Ms. Bobbitt stated that representatives for Mahncke Park have attended Stakeholder Meetings.

Councilmember Lopez asked of facilitating additional parking for the Zoo. Mr. Garcia stated that the existing Surface Parking Lot (600 spaces) closest to the Zoo would be replaced by a "Grand Lawn". He noted that the proposed Parking Garage would have the same number of spaces displaced by elimination of the Surface Parking Lot. He stated that discussions with the San Antonio Independent School District (SAISD) and the Zoo regarding the construction of said Parking Garage were ongoing. He noted that the Zoo was hoping to retain some of the Surface Parking but that was not recommended by the Master Plan Project Team. He stated that construction of additional parking spaces on private land at optimum locations on the park's perimeter could be considered. He noted that this would require collaboration with the Property Owners of said private land. Councilmember Lopez asked of a Contingency Plan in case the Parking Garage was not built. Mr. Garcia replied that the Master Plan identified collaboration

with SAISD in the form of a Memo of Understanding (MOU) and SAISD would ensure that parking for Brackenridge Park Tenants was provided.

No action was required for Item 2.

**3. Briefing and Update on the Absentee Property Owner Registration Program.** [Erik Walsh, Deputy City Manager; Michael Shannon, Assistant Director, Development Service]

Michael Shannon stated that on September 19, 2013, City Council passed the Absentee Property Owner Registration Ordinance. He noted that said Ordinance went into effect on January 1, 2014. He stated that staff partnered with Stakeholders to improve compliance to City Code. He noted that one concern repeatedly presented by Neighborhood Associations throughout the City was that Resident Dwellings owned by Absentee Property Owners tended to have more instances of City Code Violations and a higher propensity for not addressing said City Code Violations. He stated that Absentee Property Owners were defined as those which resided outside of Bexar County. He noted that staff partnered with Stakeholders such as the San Antonio Board of Realtors (SABOR), the Real Estate Council (REC), the San Antonio Apartment Association (SAAA), and the Neighborhood Code Enforcement Task Force (NCETF) to develop the Ordinance which required Absentee Property Owners of one- and two-family dwellings which had received two or more Code Violations within a 12-month period to register with the City.

Mr. Shannon stated that Absentee Property Owners (APOs) were required to: 1) Provide their current contact information and; 2) Designate a Local Manager for the property who must provide his/her contact information. He noted that the Local Manager for the property must reside within Bexar County. He noted that Local Managers shall act as agents for the Absentee Property Owner for purposes of accepting Legal Service but the Absentee Property Owner would remain personally liable in Criminal Prosecutions for City Code Violations. He stated that the Ordinance would be reviewed as required by the Ordinance, by City Council by September 15, 2016. He noted that the Ordinance required applicable Absentee Property Owners to: 1) Register for a minimum of two years; 2) Pay a \$50.00 fee; 3) Provide a Local Property Manager who lived within Bexar County; 4) Remain violation free for two years with no further registration required; and 5) If violations continued, the Absentee Property Owner must register/pay fees for another year. He reported that over 1,000 properties were identified; of which 35% were registered. He reviewed the properties identified for registration by May 2015. He noted that an overall reduction of 62% was noted by May 2015. He stated that staff educated Absentee Property Owners on some of the key issues. He noted the challenges of the Absentee Property Owner Program (Program):

- Data from the Bexar County Appraisal District (BCAD) may have outdated property owner information.
- Enforcement of City Code Violations as Class C Misdemeanors was difficult.
- There were no best practices.

Mr. Shannon stated that another meeting of Stakeholders would be held to gather feedback and the Ordinance.

Chairman Treviño asked if formal requests were made to BCAD for data or if staff extracted the data themselves. Mr. Shannon replied that some formal requests to BCAD were made and some data was procured by staff. Chairman Treviño asked if staff reached out to Title Companies for data. Mr. Shannon replied that they did. Chairman Treviño asked what staff was doing to relay information on the Ordinance. Mr. Shannon replied that information on the Ordinance was on the Development Services Department Website, on Social Media, given to Property Managers, and was presented at Neighborhood Association Meetings.

Councilmember Warrick asked if the Ordinance applied to Vacant Buildings. Mr. Shannon replied that it did. He noted that six properties which were in this Program were also in the Vacant Building Registration Pilot Program (VBRPP). Councilmember Warrick asked if there were more City Code Violations for vacant buildings than in those which were occupied. Mr. Shannon replied that staff would provide that information to him. Councilmember Warrick asked how staff would bridge the gap between the number of Absentee Property Owners who have registered and those which were required to register. Mr. Shannon replied that staff was working to locate as many of them as possible with the resources currently available. He stated that staff was partnering with the City Attorney's Office to investigate what legal action may be taken, if any, including placement of a Lien on the property. Councilmember Warrick asked if calls for Police and Animal Care Services (ACS) Issues were also made for properties of Absentee Property Owners with City Code Violations. Mr. Shannon replied that they were.

Councilmember Medina asked if staff partnered with City Public Service (CPS) and the San Antonio Water System (SAWS) to locate Absentee Property Owners. Mr. Shannon replied that they had. Councilmember Medina asked of best practices of similar programs in other cities. Mr. Shannon stated that staff was in contact with their counterparts in other jurisdictions and implemented their best practices when identified. He noted that if a change in City Code was required; it would be brought to the City Manager's Office. Councilmember Medina asked of the minimum standards for a vacant building. Mr. Shannon identified the minimum standards for a vacant building. Councilmember Medina suggested that the minimum standards be raised. Mrs. Miller stated that under the VBRPP; there was a higher standard of care required such as not allowing plywood to be placed over windows and doors. She noted that this applied to buildings in Historic Districts, the Central Business District (CBD), Historic Landmarks, and in a one half mile radius of active Military Bases. She stated that the VBRPP would be presented to City Council at B Session on April 3, 2016.

Erik Walsh stated than an update on the Absentee Property Owner Registration Program would be presented to the City Council in June 2016.

No action was required for Item 3.

**4. Briefing and Possible Action on the Proposed Revisions to Chapter 37 of the Municipal Code.** [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Debbie Racca-Sittre stated that on January 11, 2007, City Council adopted Chapter 37 of the Municipal Code which focused on the acquisition, use, and disposition of City Real Estate. She noted that Chapter 37 allowed the city to create a comprehensive approach to policy, processes, and compliance with State Provisions. She stated that Chapter 37 had been amended twice since its enactment, the last of which was in 2009. She noted that City Council action was required for:

- Acquisition or disposition of city-owned real estate
- Licenses and Leases of City Property
- Fiber Optic Licenses and Wireless Communication Equipment
- Closure, vacation, and abandonment of public streets, alleys, and sidewalks

Mrs. Racca-Sittre stated that City Council action was not required for:

- Permits for encroachment onto public streets, alleys, and drainage easements
- Notice of Non-Acceptance
- Joint Use Agreements that did not convey rights
- Rights of Entry

She stated that the following departments coordinated with the Transportation and Capital Improvements Department (TCI) on the revisions:

- City Attorney's Office
- Center City Development Office (CCDO)
- Finance
- Office of Management and Budget (OMB)
- Information Technology Services Department (ITSD)
- Office of Historic Preservation (OHP)
- Parks and Recreation Department (PRD)
- Solid Waste Management Department (SWMD)
- San Antonio Fire Department (SAFD)
- San Antonio Police Department (SAPD)

Mrs. Racca-Sittre noted that TCI also coordinated with the Development Task Force on the revisions. She provided the following summary of the proposed revisions:

#### **Clarification of Wording**

- Chapter 37 could not be utilized to meet requirements of the Unified Development Code or as a short-cut for any other City Code Requirement.
- Clarification of the terms
- Streamline processes for permits and Joint Use Agreements (JUAs)

#### **Miscellaneous**

- Remove outdated language referencing Capital Improvements Management Services (CIMS) Department
- Remove step-by-step procedures in favor of more “policy”-type language

#### **Process Improvements**

##### **Streamline Processes:**

- Reduce administrative time
- Develop a cost of service
- Benchmark with other cities

#### **Fees**

- Relocate Fee Table to its own section
- Fee revisions with the Annual Budget Process
- Remove exemption from fees for government

Mrs. Racca-Sittre noted that fee amounts were not being revised at this time. She stated that TCI would review the cost of processing, benchmark with other cities, and coordinate with Stakeholders to determine applicable fees which would be included as part of the FY 2017 Budget Process and reviewed on an annual basis if needed. She stated that staff presented the proposed revisions to the Development Task Force on March 11, 2016 and they were supportive of the proposed revisions.

Councilmember Warrick asked how the City ensured that Paper Streets and Paper Alleys were maintained. Mrs. Racca-Sittre replied that TCI partnered with the Development Services Department (DSD) to maintain Paper Streets and Paper Alleys and that staff worked with the Council Districts to address such issues. Councilmember Warrick asked if there was a list of Paper Streets and Paper Alleys. Mrs. Racca-Sittre replied that there was not.

Chairman Treviño requested that staff define a method for determining property values.

Councilmember Warrick moved to recommend and forward the proposed revisions to Chapter 37 of the Municipal Code to the full City Council for consideration. Councilmember Medina seconded the motion. Motion carried unanimously by those present.

## Adjourn

There being no further discussion, the meeting was adjourned at 4:13 p.m.



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***Roberto Treviño, Chair***

***Respectfully Submitted,***



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***Denice F. Treviño***  
***Office of the City Clerk***