

# GOVERNANCE COUNCIL COMMITTEE MEETING MINUTES

FEBRUARY 8, 2017 at 1:00 PM  
CITY HALL, MEDIA BRIEFING ROOM

Committee Present:	Mayor Ivy R. Taylor, <i>Chair</i> Councilmember Rebecca Viagran, <i>District 3</i> Councilmember Ron Nirenberg, <i>District 8</i> Councilmember Joe Krier, <i>District 9</i> Councilmember Mike Gallagher, <i>District 10</i>
Staff Present:	Sheryl Sculley, <i>City Manager</i> ; Andy Segovia, <i>City Attorney</i> ; Leticia Vacek, <i>City Clerk</i> ; Rod Sanchez, <i>Assistant City Manager</i> ; Norbert Hart, <i>Deputy City Attorney</i> ; Camila Kunau, <i>Assistant City Attorney</i> ; Joseph DeCenzo, <i>Assistant City Attorney</i> ; Lina Rodriguez, <i>Executive Assistant to the City Clerk</i> ; John Peterek, <i>Assistant to the City Manager</i> ; Bridgett White, <i>Director of Planning</i> ; Michael Shannon, <i>Interim Director of Development Services</i> ; Shannon Miller, <i>Director of Historic Preservation</i> ; Jed Maebius, <i>District 1 Staff</i> ; Don Vasser, <i>District 3 Staff</i>
Others Present:	Councilmember Roberto Treviño, <i>District 1</i> ; Councilmember Alan Warrick II, <i>District 2</i> ; Councilmember Ray Lopez, <i>District 6</i> ; Josh Baugh, <i>San Antonio Express News</i> ; Mitsuko Ramos, <i>Government Relations Group</i>

## CALL TO ORDER

Mayor Taylor called the meeting to order.

### **1. Approval of Minutes for City Council Governance Committee Meeting of January 18, 2017.**

Councilmember Krier moved to approve the Minutes of the City Council Governance Committee Meeting of January 18, 2017. Councilmember Viagran seconded the motion. The motion carried unanimously.

### **2. Report on items to be considered at future City Council meetings and items considered by City Council Committees between January 13, 2017 and February 3, 2017.**

Councilmember Viagran inquired about receiving updates from the Inter-Governmental Relations Committee regarding the State Legislative Session and Federal Agenda. Discussion ensued between all Committee Members and City Manager Sculley concerning full City Council reports and how often they are needed. It was the consensus that the full City Council would be updated on a monthly basis on the status of the Legislative Session.

Councilmember Nirenberg stated his insistence for Councilmembers to be able to introduce a resolution for purposes of legislative action. Mayor Taylor stated that further discussion among the Committee Members was needed on said matter at a later date.

**3. Two Council Consideration Requests from Councilmember Roberto Treviño, District 1, regarding the review and update of the City's Unified Development Code's Neighborhood Conservation District Section including recommended amendments to the Alta Vista Neighborhood Conservation District and the Beacon Hill Area Neighborhood Conservation District. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Department of Planning]**

Bridgett White explained that the items related to a review and update to provisions in the City's Unified Development Code (UDC). She clarified that Neighborhood Conservation Districts are zoning districts that are meant to preserve and protect residential or commercial districts that contribute to the overall character and identity of the City.

Ms. White stated that development patterns in the Beacon Hill Area Neighborhood Conservation District were no longer consistent with the ordinance. She also stated that the Development Services Department was working with the neighborhood associations within that area to better understand their needs. Ultimately, amendments to the UDC regarding residential and non-residential standards were recommended.

Ms. White noted that amendments relating to the Alta Vista Neighborhood Conservation District should strengthen the standards in the UDC, making it more in line with their intended purpose. She stated that passage of said amendments would accommodate development patterns currently not adequately addressed.

Furthermore, the Planning Department and Development Services Department recommended updates to the entire Unified Development Code in light of the City Council's adoption of the SA Tomorrow Plan in order to improve consistency. City Staff recommended this item move forward to the Zoning Commission and Neighborhoods & Livability Council Committee; and then to the full City Council.

Councilmember Nirenberg moved to send this item through the process, first to the Zoning Commission, then to the Neighborhoods & Livability Council Committee, and finally to the full City Council. Councilmember Gallagher seconded the motion. The motion carried unanimously.

**4. A Council Consideration Request from Councilmember Ray Lopez, District 6, regarding an amendment to Chapter 6 of the City Code to establish a five year waiting period after a street has been renamed. [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Interim Director, Development Services]**

Michael Shannon reported that currently in Chapter 6 of the City Code there is no waiting period after a street has been renamed. He outlined the problems associated with said issue, such as the work involved with changing all signs and the financial cost to all local businesses on the street in order to change their addresses. He added that staff recommended revisions to the City Code by sending said item to the Planning Commission and then to the full City Council.

Councilmember Lopez remarked that his Council Consideration Request was submitted in order to safeguard fully executed street name changes that had gone through due process. He added that he did not wish to hinder the process for citizens to request street name changes, but rather to make the process less punitive and more consistent with other city practices.

Councilmember Nirenberg stated that the idea behind this CCR seemed logical. However, he asked if the City already had any ordinances that addressed the idea of a moratorium on the public process after a change has been made.

Mr. Shannon answered that there were not any ordinances addressing this issue but that there is a one-year waiting period for zoning cases that the City Council denies and also a six month waiting period after the Zoning Commission makes a recommendation on a particular zoning case.

Councilmember Nirenberg expressed that placement of a moratorium on this process would be unnecessary if all the appropriate steps had been taken from the beginning. He stated his reluctance to support said item was based on his view that it would put another impediment in front of citizens looking to participate in a legitimate process. He suggested changing the petition requirements in the ordinance for a street name change rather than adding a moratorium.

Councilmember Gallagher posed a hypothetical scenario to the Committee in which a street name was changed to the name of a person that was later arrested or no longer exhibited exemplary behavior. He asked if the Committee would have to abide by a moratorium.

Councilmember Krier remarked that anything the City Council implements can be reversed or amended through the same process with the support of a majority of the Council.

Councilmember Viagran sought clarification on the subject of the CCR; whether it included buildings and parks or if it was strictly street name changes. Mr. Shannon clarified that this recommendation was based solely on the subject of street name changes.

Councilmember Viagran moved to forward said item to the Planning Commission and then to the full City Council. Councilmember Gallagher seconded the motion.

The motion prevailed by the following vote:

**AYE** – Councilmembers Viagran, Krier, Gallagher, and Mayor Taylor

**NAY** – Councilmember Nirenberg

**5. A Council Consideration Request from Councilmember Roberto Treviño, District 1, regarding additional penalties for illegal demolition of historic properties and properties located within Neighborhood Conservation Districts. [Roderick Sanchez, Assistant City Manager; Shannon Miller, Director, Office of Historic Preservation; Michael Shannon, Interim Director, Development Services]**

Shannon Miller explained that the goal of having additional penalties for illegal demolition of historic properties and properties within Neighborhood Conservation Districts is to discourage overnight, partial, or illegal demolitions. She stated that currently, every permit for demolition goes through the Office of Historic Preservation. She explained that during the process of reviewing demolition permits, if the property is historic, it is brought before the Historic Design Review Commission. If the property is not historic, they determine if the property could become historic. If it will not become historic, then the demolition permit is granted.

Mrs. Miller outlined the existing penalties including possible reconstruction of the building, criminal penalties such as fines of up to \$1,000.00; suspension of demolition licenses and restricted building permits at the site of the illegal demolition.

Mrs. Miller stated that staff recommends the Committee adopt all penalties that the State implements, as well as closing loopholes for properties that are in the process of becoming historic; and implementing a dismantling

requirement for older properties in order to preserve those building materials for reuse elsewhere. She recommended said item be sent to the Neighborhoods & Livability Council Committee.

Councilmember Treviño noted that he would like to add an educational component to this item by informing citizens on the resources available to them should they find historic properties being illegally demolished.

Councilmember Viagran voiced her support for this item and moved to have said item be sent to the Neighborhoods & Livability Council Committee for further review. Councilmember Gallagher seconded the motion. The motion carried unanimously.

**6. A Council Consideration Request from Councilmember Alan Warrick II, District 2, regarding the development of a Neighborhood Protection Policy to the City's building and development code. [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Interim Director, Development Services]**

Michael Shannon explained that the Council Consideration Request would add penalties for "chronic bad actors". Currently the building code states that if they comply with code, a Certificate of Occupancy is issued without taking any previous penalties into account. City Staff recommended the addition of said language to Chapter 10 of the Building Code which would allow Building Officials to delay issuance of a Certificate of Occupancy for a predetermined period of time for individuals who have had their Certificate of Occupancy revoked twice. He also recommended that said item be sent to the Building-Related & Fire Codes Appeals and Advisory Board.

Councilmember Warrick added that he has had personal experience in District 2 with several "bad actors" and acknowledged a Neighborhood Association President from Government Hills that was present at the meeting who has dealt with said business. He noted that said business brought many problems such as dust, debris, and rodent infestation among other things.

Councilmember Viagran inquired about increasing fines for "bad actors" and Mr. Shannon agreed that they have increased fines in previous years. He added that a further increase could be made part of the discussion.

Councilmember Viagran moved to forward said item to the Building-Related & Fire Codes Appeals and Advisory Board. Councilmember Gallagher seconded the motion. The motion carried unanimously.

Councilmember Nirenberg sought clarification that said item would cover all businesses and apply to all people. City Attorney Segovia assured Councilmember Nirenberg that a preliminary look at the language would be done to make sure of that before the item is brought to the full City Council.

## **ADJOURNMENT**

There being no further discussion, Mayor Taylor adjourned the meeting at 1:38 pm.

### **ATTEST:**

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*Ivy R. Taylor, Mayor*

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*Leticia M. Vacek, TRMC/CMC/MMC  
City Clerk*

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