

**COMMUNITY HEALTH AND EQUITY
COUNCIL COMMITTEE MEETING
JANUARY 25, 2018
3:00 P.M.
MUNICIPAL PLAZA BUILDING**

Members Present: Councilmember Ana Sandoval, Chair, *District 7*
Councilmember William Cruz Shaw, *District 2*
Councilmember Greg Brockhouse, *District 6*
Councilmember Manny Pelaez, *District 8*

Members Absent: Councilmember Rey Saldaña, *District 4*

Staff Present: Rod Sanchez, *Assistant City Manager*; Maria Villagómez, *Assistant City Manager*; Andy Segovia, *City Attorney*; Ed Guzman, *Assistant City Attorney*; Chris Hebner, *Assistant City Attorney*; Eric Freidland, *Assistant City Attorney*; Joseph Harney, *Assistant City Attorney*; Melody Woosley, *Director, Department of Human Services*; David McCary, *Director, Solid Waste Management Department*; Rene Dominguez, *Director, Economic Development Department*; Jeff Coyle, *Director, Department of Government and Public Affairs*; Michael Shannon, *Director, Development Services Department*; Nefi Garza, *Assistant Director, Transportation and Capital Improvements Department*; Melissa Ramirez, *Assistant Director, Development Services Department*; Margaret Villegas, *Assistant Director, Finance*; Denice F. Treviño, *Office of the City Clerk*

Others Present: Maggie Hernandez, *Environmental Project Manager, HEB*

Call to order

Chairperson Sandoval called the meeting to order.

1. Approval of the Minutes for the December 12, 2017 Community Health and Equity Committee Meeting.

Councilmember Shaw moved to approve the minutes of the December 12, 2017 Community Health and Equity Council Committee Meeting. Councilmember Brockhouse seconded the motion. The motion carried unanimously by those present.

Citizens to be Heard

Chairperson Sandoval elected to have citizens speak following the applicable agenda items.

Briefing and Possible Action on:

2. A Briefing on the Proposed Commercial Recycling Assistance Program Branded ReWorksSA, as Part of the Goals of the City's Recycling and Resource Recovery Plan. [David W. McCary, Director, Solid Waste Management]

David McCary stated that in 2010 and 2013, the City Council adopted the Recycling and Resource Recovery Plan which included the following goals:

- 60% recycling rate for single-family residents
- Convenient recycling for multi-family residents
- Increased recycling opportunities for Businesses

He noted that in order to achieve the third goal, the Solid Waste Management Department (SWMD) conducted several stakeholder meetings with the business community. He stated that this resulted in program recommendations which were presented to City Council during the Fiscal Year (FY) 2016 Budget. He noted that since that time, SWMD: 1) Expanded relationships with the business community; 2) Built the commercial Recycling Team (branded ReWorksSA); and 3) Worked with stakeholders and other City of San Antonio (CoSA) departments to design and conduct limited tests of recycling incentive and assistance programs based on the recommendations.

Mr. McCary presented a video describing the ReWorks SA Initiative and reviewed the components of ReWorksSA which included:

- Consultations
- No-cost containers
- Certification
- ReWorksSA.org

Chairperson Sandoval called upon the citizen registered to speak.

Dr. Terry Burns urged the city to ban plastic bags.

No action was required for Item 2.

3. Briefing and Action on Proposed Amendments to Sec. 35-339.04 Military Lighting Overlay Districts (MLOD) of the Unified Development Code. [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Michael Shannon stated that in December 2008, the Military Lighting Overlay District (MLOD) was established by ordinance. He noted that the Camp Bullis (MLOD-1) applied to:

- Five-mile area around installation
- Residential and commercial users
- Outdoor signs and street lights

He stated that the existing MLOD required:

- Downward light fixtures for outdoor
- Regulates light intensity
- Restricts outdoor lighting after 11:00 PM with some exceptions

Mr. Shannon noted that variances and special exceptions would be considered by the Board of Adjustment (BOA). He stated that there were four Dark Sky Policy Evaluation Working Group meetings and five Task Force meetings held from February 2017 through November 2017. He noted that the Task Force amended the existing MLOD Ordinance to reflect five miles of the perimeter of both Lackland Air Force Base and Camp Bullis. He stated that this Ordinance would create two Military Lighting Regions (MLRs) around these bases. He noted that the MLR 1 would be placed within three miles of the installation (most restricted lighting) while the MLR 2 would be placed within three and five miles of the installation (less restricted lighting). He stated that these regions would be regulated by backlight, uplight, and glare (BUG) Ratings, Lumens, and Correlated Color Temperature. He noted that the Ordinance would set light intensity requirements in industry terms such as maximum Lumen levels, and vertical illuminance and that lighting plans would be required for permitting. He noted that definitions would be added to achieve clarity and maximum allowable light levels and would vary according to zone and use. He stated that the proposed changes, if approved by City Council, would require rezoning cases to implement the updated Ordinance around Camp Bullis and a Zoning case to establish the standards around Lackland Air Force Base. He noted that Chapter 35 would be updated to incorporate MLOD changes. He stated that staff would coordinate with Bexar County, the Military, and the Alamo Area Council of Governments (AACOG) to adopt finalized amendments with other municipalities around Camp Bullis, Lackland, and Randolph Air Force Bases. He noted that staff recommends that the Committee move this item forward to City Council on February 8, 2018 for consideration of the:

- Proposed MLOD Chapter 35 Unified Development Code (UDC) Amendments
- Resolution to begin rezoning in the noted areas

Councilmember Pelaez noted that the Ordinance would protect jobs.

Chairperson Sandoval asked of the steps to inform property owners of the proposed changes. Mr. Shannon replied that staff met with neighborhoods within the affected areas within a five-mile radius to review the proposed changes.

Councilmember Pelaez moved to recommend and forward this item to the full City Council for consideration on February 8, 2018. Councilmember Shaw seconded the motion. The motion carried unanimously by those present.

Item 6 was addressed at this time.

6. Briefing and Possible Action on Consolidated Funding Process for FY 2019 and FY 2020. [Maria Villagómez, Assistant City Manager; Melody Woosley, Director, Department of Human Services]

Melody Woosley stated that the city invested in human and workforce development services through the Biennial Consolidated Funding Process (Process) which involved the Departments of Human Services and Economic Development. She reviewed the Process and noted that this maximized the two department's ability to make the greatest impact in improving the quality of life for residents. She stated that City Council provided policy direction for funding priorities. She reviewed the long-term outcomes to be achieved which were

associated with the Process. She noted that the city currently funds 65 agencies through the Process. She stated that the Fiscal Year (FY) 2018 Budget totaled \$21.7 million. She reviewed the sources for the Budget and presented the Budget by competitive and designated funding and by the funding category. She presented the following FY 2019 and FY 2020 SA2020 cause areas:

- Community safety
- Family well being
- Health and fitness
- Education
- Economic competitiveness

Ms. Woosley noted that this item would be brought before the full City Council at B Session on February 28, 2018. She stated that the calendar included two public meetings in February 2018 with non-profit agencies prior to the release of a Request for Proposals (RFP) as well as input sessions after the City Budget was proposed. She noted that the RFP would be released in March or April 2018 and close by April 30, 2018. She stated that city staff would make recommendations for delegate agency contracts to City Council in August 2018 as part of the city's FY 2019 proposed Budget. She noted that final funding recommendations would be authorized with the approval of the FY 2019 Budget in September 2018. She stated that during the evaluation process, due diligence would be reviewed by the Finance Department and the City Auditor's Office, and the evaluation panels would score/rank proposals based on the application and interviews. She noted that staff would make recommendations based on:

- Proposal score/rank
- Alignment with identified community results
- Availability of funding

Ms. Woosley stated that contract monitoring would be accomplished through:

- Risk assessment
- Program, fiscal, contract compliance monitoring
- Reporting and corrective action
- Ongoing technical assistance

Lastly, she reviewed the FY 2018 investments.

Councilmember Brockhouse excused himself from the meeting at this time.

No action was required for Item 6.

Item 4 was addressed at this time.

4. Briefing and Action on an Ordinance Amending Chapter 16 of the City Code of San Antonio, Texas, and Chapter 35, Unified Development Code of San Antonio, Texas, by Adding Regulations and Procedures, and Establishing Fees for Short Term Rentals. [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Michael Shannon stated that online services have led to a rapid increase of home sharing. He noted that former Councilmember Gallagher submitted a Council Consideration Request (CCR) on February 1, 2017 with a goal to review current ordinances and city code procedures for short-term rentals which focused on the following five areas: 1) Research if short-term rentals impact property values and neighborhood safety statistics; 2) Review how cities have updated municipal codes or ordinances to allow this industry to operate; 3) Review options for registering Short-Term Rentals (STRs) and permitting options; 4) Research if STRs should be required to remit hotel occupancy taxes (HOT); and 5) Determine policies and procedures to enhance public safety in the STR Industry. He stated that there were currently no State or local regulations for STRs. He noted that in March and April 2017; 16 general and task force meetings were held whose goal was to balance representation and create transparency. He noted that several studies from universities indicated that STRs did not negatively impact existing property values but could increase property values. He stated that there were no studies identified which were specific to either San Antonio or the Texas Region and reviewed the codes and ordinances of other cities for the industry. He noted that the HOT was required by State Law and City Ordinance for all stays less than 30 days. He stated that stakeholders contributed to the creation of the ordinance that would address the elements of the CCR. He noted that the proposed ordinance allowed for balanced regulation of STRs which would minimize potential negative impacts to the quality of life of neighborhoods and support the demand for the STR Industry. He stated that the proposed ordinance would amend Article III-*Supplemental Use Regulations*, Article IV-*Procedures*, Article V-*Parking* within the Unified Development Code (UDC), and Chapter 16-*Licensing*. He reviewed the permitting and application process, and fees proposed, and noted that the final proposed ordinance applied to two types of STRs:

- Type 1 – Hosted sharing
 - Owner or lessee occupied
 - Allowed by right in residential and commercial
- Type 2 – Un-hosted sharing
 - Owner or lessee do not occupy property and primary residence
 - Allowed with special exception in residential
 - Allowed by right in commercial

Mr. Shannon stated that on January 8, 2018, the Board of Adjustment recommended approval of the proposed amendments with the addition of a condition to be met for approval of a Type 2 STR special exception relating to character of the district. He noted that on January 10, 2018, the Planning Commission recommended approval of the proposed amendments, including the proposed changes recommended by the Board of Adjustment. He stated that the Planning Commission recommended that the City Council further review prohibiting Type 2 STRs in designated historic districts. He noted that the Zoning Commission would provide a recommendation on the proposed amendments on February 6, 2018, prior to consideration by the full City Council for approval. He reviewed alternates to the proposed ordinance to include no regulations of STRs or regulation by zoning. He discussed other top issues including density, parking, legal non-conforming use, and enforcement, and reviewed the application fees.

Chairperson Sandoval called upon the citizens registered to speak.

John Kowat spoke of the lack of public engagement.

Comie Kowat stated that zoning codes need to be enforced.

Charlotte Kerr Jorgenson spoke of the democratic process of the task force.

Patrick Conroy spoke of preventing gentrification.

Edwina Scinta spoke of the need to have an owner on site.

Tony Garcia stated that the Monte Vista Neighborhood Association approved of the ordinance with some minor changes.

Sean Burchell noted the increase in his property values due to his STR.

Iliana Chavira asked that the ordinance be kept simple and fees affordable.

Virgil Yanta expressed concern for the definition of owner-occupied.

Margaret Leeds asked that Type 1 STRs be limited but allowed in neighborhoods.

Michael Guarino asked that Type 2 STRs not be allowed in neighborhoods.

Roselyn Cogburn spoke in support of Type-1 STRs and against Type 2 STRs.

Rose Kamusky stated that air bed and breakfast's have stopped serving food.

Nathan Ross spoke in support of Type 2 STRs.

Esther Ponce spoke in support of Type 2 STRs.

Kevin Christianson spoke in favor of maintaining the character of historic neighborhoods.

Chris Mongech spoke in support of amnesty for HOT.

Caleb Macias stated that STRs supported local businesses.

Teresa Candia Del Pui spoke in support of Type 2 STRs.

Angela Castro spoke in support of STRs and individuals which rely on income from same.

Councilmember Pelaez asked who besides Councilmember Gallagher, signed the CCR. Mr. Shannon replied that Councilmembers Warrick, Treviño, Medina, and Saldaña signed the CCR. Councilmember Pelaez spoke of property rights.

Councilmember Shaw stated this was a very complicated item and would have to be discussed further.

Chairperson Sandoval asked if this item had been brought before the Housing Commission. Mr. Shannon replied that it had not.

Councilmember Shaw asked if any lawsuits had been filed in Texas regarding an Air Bed and Breakfast (B&B) Ordinance. Ed Guzman replied that said ordinance had been challenged in Austin, Texas.

Councilmember Pelaez noted that Realtors would be impacted by the proposed ordinance.

Mr. Shannon noted that a public meeting on this item would be held on January 31, 2018 at 5:30 p.m. at 1901 S. Alamo.

No action was required for Item 4.

5. A Briefing in the Federal Emergency Management Agency (FEMA) Map Update Process and Timeline. [Roderick J. Sanchez, Assistant City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Nefi Garza stated that the Federal Emergency Management Agency (FEMA) created the National Flood Insurance Program. He noted that the program required communities to adopt minimum standards and guidance. He stated that at the local level the City of San Antonio (CoSA) partnered with Bexar County and the San Antonio River Authority (SARA) which comprised the Bexar Regional Watershed Management Program. Mr. Garza noted that SARA would lead the planning and mapping effort for floodplain maps. He stated that floodplain maps, as approved by FEMA, served to accurately identify if properties fell within various levels of flood risk. He noted that the suburban cities, Bexar County and CoSA would implement construction and provide maintenance. He stated that identifying risk was accomplished by observance of low water crossings and floodplain maps. He noted that a flood risk assessment determined if a property would be required to purchase flood insurance and how much the flood insurance would cost. He reviewed the FEMA map update process and stated that projects identified in a Master Plan would be utilized as part of a Bond Program. He noted that the Risk Map was utilized to update the floodplain map and that the last update of the floodplain map occurred in 2008. He noted that since that time, increased development had caused major changes in overall city watershed drainage which needs to be captured and reflected on the maps. He stated that the update of the maps would consist of three large sections: 1) Hydrology; 2) Hydraulics; and 3) Mapping. He noted that this would take into consideration the impact of existing topography, soils, impervious cover, rainfall, and infrastructure. He stated that staff would work with the Office of Sustainability to identify climatology which may affect the mapping. He reviewed flood study development and the process timeline and stated that the mapping would reduce flood insurance costs.

Councilmember Pelaez asked if individuals were notified when they should get flood insurance. Mr. Garza replied that outreach was accomplished by a program called "Remember the River" which shared this information.

Chairperson Sandoval asked of the number of structures located in the flood plain which were insured. Mr. Garza stated that one-third of the structures in the flood plain had flood insurance and two-thirds did not. Chairperson Sandoval asked of the cost associated with map updates. Mr. Garza stated that the cost was \$4-\$5 million and was paid by SARA.

No action was required for Item 5.

Adjourn

There being no further discussion, the meeting was adjourned at 5:30 p.m.

Ana Sandoval, Chair

Respectfully Submitted

Denice F. Trevino, Office of the City Clerk