



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-5914

**Type:** City Code Amendments

**In control:** City Council A Session

**On agenda:** 12/3/2015

**Title:** An Ordinance prohibiting the possession and consumption of alcohol from ten City parks located within Council District 5, authorizing the possession and consumption of alcohol at Northern Hills Golf Course and Northeast Golf Center, and amending Section 22-1 of the City Code to reflect those changes. [María D. Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Sec. 22-1. Restrictions on sale and use of alcoholic beverages in parks, 2. Draft Ordinance, 3. Ordinance 2015-12-03-1021

Date	Ver.	Action By	Action	Result
12/3/2015	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Parks and Recreation

**DEPARTMENT HEAD:** Xavier D. Urrutia

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Amendment to Chapter 22 of the City Code - Alcohol in City Parks

**SUMMARY:**

This ordinance authorizes the amendment to Chapter 22 Article 1, Section 22-1 of the City Code to remove ten City parks located within Council District 5 from the list of alcohol exemptions and to add the Northern Hills Golf Course and Northeast Golf Center to the exempted list.

**BACKGROUND INFORMATION:**

Section 22-1 of the City Code establishes restrictions on the sale and use of alcoholic beverages in public parks. In 2002, City Council approved an Ordinance which established a restriction on alcohol in all City parks,

except for those specifically exempted and listed in the Ordinance. As a result, the alcohol prohibition makes it unlawful for any person to sell, possess, consume, or distribute alcoholic beverages in any City park except for a list of exempted park locations. The majority of parks exempted from the alcohol restriction, fall within one of three categories: 1) park designed or traditionally utilized for large group functions; 2) park serves as a destination for tourists or convention groups; and 3) park is under lease or license that allows alcohol to be served. Under the current Ordinance, alcohol is permitted at 53 parks and facilities, listed on Attachment 1, out of a total of 245 locations. Through City Council action, parks may be added or deleted from the list of exempted parks as necessary. The Director of the Parks and Recreation Department may authorize a special permit to allow the possession and consumption of alcohol within restricted parks for special events.

On May 26, 2015, Councilwoman Shirley Gonzales asked staff to consider prohibiting alcohol in the following parks located in Council District 5: Amistad, Father Albert Benavides, Calderon Boys and Girls Club, Cassiano, Elmendorf Lake, Kelly Area, Morrill, Roosevelt and Juan Vidaurri Parks. Staff also recommends removing Escobar Park located in District 5 from the list of exemptions as it is located adjacent to the listed parks.

Additionally, the City recently acquired Northern Hills Golf Course which is currently operated by Municipal Golf Association - San Antonio (MGA-SA). North East Golf Center is currently operated by and leased to Northeast Golf Center, LLC. It is recommended to further amend City Code in order to permit alcohol sales, possession, consumption and distribution at these facilities as is consistent with other municipal golf facilities.

The Governance Committee was briefed on the recommended amendments on August 19, 2015, and forwarded this item to the Parks and Recreation Board and to the Neighborhoods and Livability Committee for consideration. The recommended ten parks located in Council District 5, to be removed from the exemption list, do not fall within any of the three previously listed categories; and it is also recommended that the two golf courses be added as they are leased facilities and not operated by the City. The item was briefed to the Parks and Recreation Board at its August 24, 2015, meeting and subsequently presented to the Neighborhoods and Livability Committee on November 16, 2015, who endorsed the item to move forward to the full City Council for consideration.

#### **ISSUE:**

This ordinance will amend Chapter 22, Article 1, Section 22-1 of the City Code to remove ten City parks located within Council District 5 from the alcohol exemption list and add the Northern Hills Golf Course and North East Golf Center to the exempted list.

#### **ALTERNATIVES:**

City Council could elect to remove only a portion of the ten Council District 5 parks from the alcohol exemption list in Chapter 22, Article 1, Section 22-1 of the City Code as a pilot to assess the impact to park usage. Council could also choose to not allow alcohol at Northern Hills Golf Course and North East Golf Center at the risk of adversely impacting concessions and overall golf operations of the tenants. This course of action would be inconsistent with operating policy and practices at other municipal golf facilities.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with this request.

**RECOMMENDATION:**

Staff recommends approval of removing alcohol exemptions at ten City parks located within Council District 5 and adding Northern Hills Golf Course and North East Golf Center to the alcohol exemption list.