

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

A BUDGET WORK SESSION OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WAS HELD IN THE MUNICIPAL PLAZA BUILDING, TUESDAY, SEPTEMBER 8, 2009.

The San Antonio City Council convened in a Budget Work Session at 2:00 pm Tuesday, **September 8, 2009**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp and Mayor Castro.

1. STAFF PRESENTATION ON THE FY 2010 PROPOSED BUDGET, FOCUSING ON, BUT NOT LIMITED TO, THE FOLLOWING:

A. CODE ENFORCEMENT AND GRAFFITI MANAGEMENT

Ms. Sculley noted that the FY 2010 Budget was scheduled for adoption on September 17, 2009.

David Garza, Neighborhood Services Director presented the FY 2010 Proposed Budget, noting that General Fund reductions totaled \$450,000. He spoke of FY 2009 Code Enforcement results and stated that 196,000 service requests were initiated and staff had cleaned and secured 6,185 dangerous vacant structures. He noted that the Dangerous Assessment Response Team (DART) was coordinated by the City Attorney's Office targeting properties with a two-year history of habitual code violations and/or criminal activity. In FY 2009; 50 cases were investigated and 42 cases were abated by the City. It was stated that the Rapid Response Team was an interdepartmental team that fast-tracked priority cases that warranted immediate corrective action and collaborated with outside agencies for compliance and abatement.

Mr. Garza stated that the top code violators throughout the city had been identified and issues were being addressed through a comprehensive inspection and monitoring program. He noted that of the 20 City-Wide Top Code Violators, there were four cases pending resolution. He spoke of the Citizens Academy, Extreme Sweeps Program, and Homebuyer's Club that were available to San Antonio Residents. He noted that a partnership had been established with the Animal Care Services Department whereby Code Compliance Officers identified issues with stray animals and educated the public regarding spay and neuter programs.

Mr. Garza provided graffiti abatement results, noting that total graffiti abated for FY 2009 was estimated at 3,141,581 square feet. He spoke of the collaborative surveillance program with the San Antonio Police Department (SAPD) that was implemented in January, 2009. He reported that since its inception, 21 individuals involved in 14 separate incidents had been arrested for graffiti violations. He reported that FY 2009 Graffiti Wipeout Volunteer Days would take place on September 12th, 19th, and 26th. He noted that the goal for graffiti initiative volunteers was 750 and staff had recruited 941 individuals. He outlined the Community Volunteer Program in which participants were provided Volunteer Kits to assist with graffiti abatement within their neighborhoods. He reported that a total of 1,850 hours through June had been contributed by volunteers.

Mr. Garza outlined current provisions of the Graffiti Ordinance, noting that it declared graffiti as a public nuisance and established a violation for certain property owners who failed to abate graffiti after receiving notice. He stated that over the summer, staff had coordinated a series of meetings to engage the community to participate in a Community Graffiti Strategic Plan process focused on Education; Enforcement; and Eradication. He noted that House Bill 2086 did not allow the City to require that an owner abate graffiti unless the City had offered to clean the graffiti free of charge and the owner had refused in writing. Additionally, it does not allow the City to require graffiti removal from transportation infrastructure. He stated that the new state legislation impacted San Antonio's existing ordinance in that there were new notice provisions (15 days instead of 10 days) and the notice must state that the owner may request graffiti removal by the City through written permission and waiver of liability. He mentioned that several Large City Mayors were already organizing the repeal of HB 2086 in the next Legislative Session.

Mr. Garza highlighted new initiatives for FY 2010 including the implementation of a Multi-Tenant Registration and Inspection Program that would provide for the proactive inspection of multi-tenant rental properties. He stated that the inspections would be comprehensive and serve as corrective and preventive measures. He added that staff was facilitating a Scrap/Used Tire Ordinance and was working to address illegal dumping issues.

Councilmember Cisneros asked of the amount of taxpayer dollars spent on Graffiti Abatement. Mr. Garza reported that the General Fund provides approximately \$1 million but did not take into account the efforts of the volunteer community that would total approximately \$3 million on an annual basis. Councilmember Cisneros asked of the Scrap/Used Tire Ordinance. Mr. Garza stated that a community meeting would be held in three weeks while a stakeholder meeting that included representatives from the Texas Commission on Environmental Quality had previously been held. Councilmember Cisneros asked of best practices of other cities. Mr. Garza stated that staff was researching same and would implement the practices that were most successful. Councilmember Cisneros asked of the vacant buildings registration program. Mr. Garza stated that vacant structures were being identified in order to move forward with revitalization efforts. Councilmember Cisneros asked of the impact of budget restraints. Mr. Garza mentioned that they would continue to utilize volunteers and partner with entities such as Home Depot. Councilmember Cisneros expressed support for investing in surveillance cameras to capture graffiti violations.

Councilmember Cortez spoke of the many graffiti issues in the community and a plan to address same. Mr. Garza stated that in addition to surveillance cameras and continued graffiti abatement; they would address graffiti issues through the assistance of volunteers. Councilmember Cortez asked of the violations for graffiti offenses. Mr. Garza stated that most violations were processed in the District Court system but could be classified as a federal offense if a federal building, church or school was tagged. He noted that of 192 arrests, 38 were felonies and 154 were misdemeanors. Councilmember Cortez expressed concern that no additional penalties were approved through the legislature regarding graffiti. Mr. Garza stated that he had testified in Austin but the bills were not passed. Carlos Contreras, IGR Director stated that HB 2086 provided state jail penalties for various types of offenses. Councilmember Cortez referred to a specific graffiti issue on Military Hwy and IH 35. Mr. Garza stated that they would follow up

with the property owner. Councilmember Cortez thanked staff for addressing 16 of the Top 20 Code Violators.

Councilmember Taylor asked of the incorporation of green initiatives and the effectiveness of the Neighborhood Sweeps Programs. Mr. Garza stated that he would provide information regarding the utilization of Housing Programs by City Council District. He noted that staff had submitted a proposal to the Federal Home Loan Bank of Dallas and had received \$1 million. He added that they would target and prioritize projects to fund, rather than operating on a first come first serve basis. Ms. Sculley stated that staff could schedule an additional budget work session to discuss broader housing issues. Councilmember Ramos asked of illegal dumping and associated penalties. Liz Garcia, Assistant Director stated that State Law addressed code violations and most fines were assessed at the maximum level. Ms. Sculley added that the penalties were assessed by a judge and determined at his or her discretion. Ms. Garcia also noted that the illegal dumping penalties were based on tonnage and could include jail time. Councilmember Ramos asked staff to review a sustainable fund to invest in additional surveillance cameras and bring recommendations to the Quality of Life Council Committee.

Councilmember Lopez asked of the 15 Graffiti Abatement Officers and how the number compared to other non-city agencies. Mr. Garza stated that other entities worked closely with the City but did not have a department or the same amount of resources. Councilmember Lopez requested that the City secure a commitment from other agencies including utility companies to assist the City with graffiti abatement. He stated that graffiti was a community problem and all should share the burden. He spoke of an Interlocal Agreement where the City would abate graffiti and collect a fee for the service. Mr. Garza stated that the Graffiti Strategic Plan could make those recommendations. Councilmember Lopez asked if the Multi-Tenant Registration and Inspection Program applied to Commercial Multi-Tenants. Mr. Garza stated that at this time, they were only inspecting multi-tenant rental units.

Councilmember Clamp noted that graffiti was a community problem and that a strategy should be implemented to address same in the next legislative session. He asked of a plan in revising the City's Graffiti Ordinance. Mr. Garza stated that staff would be bringing recommendations to the Council in coordination with the Graffiti Strategic Plan. Councilmember Clamp expressed support for the surveillance cameras and asked that SAFFE Officers continue to be involved in graffiti efforts. A San Antonio Police Department Representative stated that 6 SAFFE Officers and 6 Detectives were dedicated to graffiti initiatives and abatement. It was reported that Police met with the District Attorney's Office and the community to address graffiti issues. Councilmember Clamp asked staff to develop a process so that taxing entities forgive taxes for upside down properties so that properties can be cleaned up and re-developed.

Councilmember Medina recommended a proactive day of the week for Code Officers to walk a targeted area to address code and graffiti issues. Mr. Garza stated that staff was proactive and referred to a program where neighborhood leaders utilized blue cards to identify code issues. Mayor Castro stated that the Multi-Tenant Registration and Inspection Program be made a priority. He asked of the reinvestment plan for the Center City. Mr. Garza stated that they coordinated reinvestment plans with Planning and Community Development and worked with entities that provide similar programs. Mayor Castro asked of planning for transit oriented development. Mr. Garza confirmed that staff would continue planning efforts to complement

said initiative. Mayor Castro stated that he would support joining the effort of other Large City Mayors to repeal HB 2086.

The Mayor and Council thanked Mr. Garza for his presentation.

B. PLANNING AND DEVELOPMENT SERVICES

Rod Sanchez provided an overview of the Planning and Development Services Department. He noted that core values included improving the cycle time for permitting and plan review, a well as enhancing customer service. He stated that contributing factors for change included the establishment of the Development Services Improvement Advisory Committee and the Planning and Development Services Fund.

Mr. Sanchez explained that the Enterprise Fund had been created so that development revenues could support development expenses. He noted that the deficit reduction strategy had included significant fee adjustments in FY 2007 and FY 2008 and that they had been supported by stakeholders to maintain service delivery levels. He added that in FY 2008, 48 positions were frozen and in FY 2009, 69 positions were eliminated for efficiency.

Mr. Sanchez provided a budget summary and noted that the proposed budget for FY 2010 was being decreased by 1.8%. He reported that the Fund would have a negative ending balance of \$558,323 for FY 2009 due to the significant decrease in new residential and commercial building permits. He stated that for FY 2010, 14 vacant positions would be frozen with no impact to service delivery levels. He outlined revenue adjustments that would include new fees for services currently performed for free.

Mr. Sanchez spoke of Community Development and the establishment of the Community Development Advisory Committee (CDAC). He highlighted the new zoning districts that had been established including Form Based Zoning and Arts and Entertainment Zoning. He spoke of the new neighborhood plans that had been adopted to include the River North Master Plan and the Eastern Triangle Community Plan. He stated that one-time funding of \$150,000 was available to promote the importance of the Census 2010 to ensure high participation. He reported that the Complete Count Committee had been established in December, 2008 to develop action plans and recruit community partners.

Mr. Sanchez stated that the City had contracted with the Lakota Group to develop a Strategic Historic Preservation Plan that had been adopted on August 20, 2009. He noted that Plan goals included preserving and protecting historic districts, buildings and structures. He spoke of FY 2010 Planning Initiatives that included a Camp Bullis Land Use Comprehensive Update and the Woodlawn Lake Neighborhood Conservation District. He mentioned that in FY 2010, Development Services would work on adopting the 2009 International Codes Council codes and extending the Military Light Overlay District.

Councilmember Cortez recognized Mr. Sanchez and Ms. Sculley for the improvements to the Planning and Development Services Department. He asked of the consolidation of the Planning Department and the Development Services Departments and the possible need to re-establish separate departments to address important planning-related initiatives. Mr. Sanchez expressed support for maintaining the Department and spoke of accomplishments within the Planning

Division, noting that San Antonio was one of the largest cities to adopt a Form Based Zoning Code. Ms. Sculley stated that the consolidation was still under evaluation but had been working well. She added that they were looking to consolidate other departments in the future. Councilmember Cortez asked if any funds collected were added to the General Fund. Ms. Sculley stated that the Department paid general administration fees to the General Fund for services on a cost per service basis.

Councilmember Rodriguez asked of the Comprehensive Sector Plans and Growth Strategy. Mr. Sanchez stated that 43% of the City did not have a Land Use Plan and that the Comprehensive Sector Plans would provide a broad plan to include items such as transportation. Councilmember Rodriguez spoke of the Green Building Codes that had been passed in January and asked that staff continue to be innovative in working toward making San Antonio a greener city. Mayor Castro asked of the negative balance in the Planning and Development Services Fund. Ms. Sculley stated that they made cuts to address the budget shortfall and monitored the fund on a monthly basis. Mayor Castro recognized the strides that had been made within the department. He asked staff to address planning-related issues on the East Side of San Antonio to include additional investment in the area. He spoke of Historic Preservation cases and the need to better prepare the Council on making good decisions regarding these types of cases. Councilmember Cisneros asked of the Community Development Summit. Mr. Sanchez stated that it would be held at the Convention Center on September 16 and 17, 2009. Councilmember Ramos expressed support for the Comprehensive Sector Plans and asked to be included in the process.

The Mayor and Council thanked Mr. Sanchez for his presentation.

C. SOLID WASTE MANAGEMENT SERVICES

David McCary provided an overview of the Solid Waste Management Services Department and noted that they operated as a Fee-Based Fund through revenue generated from service fees charged to users. He noted that they provided garbage, recycling and brush collection services to 345,000 households. He mentioned that they also provided safe disposal of household hazardous waste and supported the Office of Environmental Policy. He spoke of the Automation Conversion Program noting that it would be completed in Spring, 2010 with alley collection. He reported that there had been no injuries from the automated collection and had tripled the amount of recycling tonnage since its inception. He noted that the City of San Antonio had the largest Compressed Natural Gas (CNG) fleet in the State of Texas.

Mr. McCary spoke of FY 2009 Accomplishments, noting that they had recycled 630 tons of aluminum and saved an energy equivalent to approximately 1,000,000 gallons of gasoline. He reported that residential brush collection services included brush/bulky collection twice a year and online notification of brush schedules. He noted that they would collect and process 500 tons of household hazardous waste in FY 2009 that was a 40% increase from FY 2008. He mentioned that a permanent disposal site was located on Culebra Road and that four mobile events had been made available for citizens.

Mr. McCary outlined the 10-Year Strategic Plan and explained that the City was transitioning toward resource recovery. He reported that the goal of resource recovery was to minimize non-renewable resource use in the product cycle. He stated that resource recovery would require

extensive outreach and enhanced partnerships. He spoke of the concept of Zero Waste in which there would be a 90% Resource Recovery Rate and all discarded materials would be resources for others to use. He mentioned that the 10-Year Strategic Plan would require the following core strategies: 1) Expand Waste Diversion Programs; 2) Increase Education and Outreach; 3) Provide Customer Incentives; and 4) Revise the Solid Waste Code.

Mr. McCary stated that the FY 2010 Proposed Budget was being reduced by six percent from FY 2009. He reported that they were in the final phase of Automated Collection and would be compete in March, 2010. He mentioned that those alleys needing service improvements were identified and that smaller trucks would provide alley collection. He spoke of FY 2010 Mandates, noting that state law would become effective September 9, 2009 that created mulch processing and transfer requirements to reduce fire hazards.

Councilmember Cortez recognized Mr. McCary for participating in waste collection services alongside staff. He asked of services provided to Senior Citizens. Mr. McCary stated that they offered smaller waste and recycling bins and could provide door service if a doctor's note was provided. Councilmember Rodriguez commended staff for their work on alleys and spoke of the Recycling Pilot Program at Woodlawn Lake. He stated that although there had been an increase in recycling, there should be additional outreach provided to the community on items to recycle. Councilmember Ramos thanked staff for their work on the Automated Conversion Program and asked staff to look into providing a Household Hazardous Waste Program in another more centralized area.

Councilmember Clamp thanked staff for continuing to address alley service issues. He asked of the Solid Waste Management Services fund balance and fee increases in FY 2011 and FY 2012. Ms. Sculley stated that they would continue to monitor the fund but there would likely be increases in the future. Mayor Castro asked that staff work on a Green Events Ordinance and implement a Green Fiesta in 2010.

The Mayor and Council thanked Mr. McCary for his presentation.

ADJOURNMENT

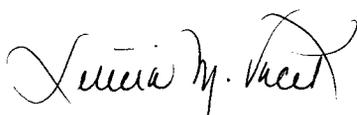
There being no further discussion, Mayor Castro adjourned the meeting at 5:20 pm.

A P P R O V E D



JULIÁN CASTRO
MAYOR

Attest:



LETICIA M. VACEK
City Clerk