

City of San Antonio



Minutes Planning and Community Development Committee

2021 – 2023 Council Members

Dr. Adriana Rocha Garcia, Dist. 4
Mario Bravo, Dist. 1 | Phyllis Viagran, Dist. 3
Teri Castillo, Dist. 5 | John Courage, Dist. 9

Thursday, September 22, 2022

10:00 AM

Council Briefing Room

The Planning and Community Development Council Committee convened a regular meeting in City Hall beginning at 10:04 AM. Deputy City Clerk Aurora Perkins took the Roll Call noting a quorum with the following Committee Members present:

Members Present: Dr. Adriana Rocha Garcia, *Chair*
Mario Bravo, *Member*
Phyllis Viagran, *Member*
Teri Castillo, *Member*
John Courage, *Member*

Members Absent: None

Approval of Minutes

1. Approval of minutes from August 25, 2022 Planning and Community Development Committee Meeting.

Councilmember Courage moved to Approve the minutes from the August 25, 2022 Planning and Community Development Committee meeting. Councilmember Bravo seconded the motion. The motion carried by the following vote:

Aye: Rocha Garcia, Bravo, Courage
Absent: Viagran, Castillo

Councilmembers Viagran and Castillo entered the meeting after the vote on the Approval of minutes from the August 25, 2022 Planning and Community Development Meeting.

Consent Agenda

Briefing and Possible Action on

2. Briefing and possible action on Council Consideration Request submitted by Councilmembers Ana Sandoval (District 7) and Teri Castillo (District 5) regarding the establishment of an Advisory Committee on Flooding and Storm Water Management.
[Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Robert Reyna, Interim Assistant Director of Public Works, provided a briefing and background on the Community Bond Committee on Drainage and Flood Management associated with the 2022 Bond Program. He noted that Councilmembers Sandoval and Castillo submitted a Council Consideration Request (CCR) to establish the Committee in order to advise the City Council and City staff on the City's comprehensive flood and drainage master plans in a transparent process to explore policies and procedures.

Reyna reviewed the composition of the Storm Water Management Advisory Committee (SWMAC) which was comprised of 13 advisory members, three watershed-based working groups for two year terms. He provided an overview of the three watershed sections (Salado/Cibolo Creek, Leon Creek/Medina River, Upper SA River) and other Committee member groups which would provide input as water experts. Reyna provided specifics to the watershed working group composition which included representation from districts impacted outside the watershed districts and noted the number of subcommittee representation. Reyna reviewed the timeline associated with creation of the SWMAC.

DISCUSSION

Chair Rocha Garcia thanked Councilmembers Sandoval and Castillo for submission of the CCR and noted that drainage and water shed issues needed to be addressed and required attention especially in the Westside of the City in an equitable manner.

Councilmember Castillo stated that it was important to address watershed issues in an equitable manner. She noted that the Committee membership was equitable and was pleased with the staff's work on the SWMAC.

Councilmember Viagran stated that she did not support the proposed structure of the SWMAC and expressed concerns regarding lack of Council District 3 representation and lack of equity for all council districts. She asked for additional meetings with staff to address her concerns.

Councilmember Bravo noted his support of the SWMAC concept but asked for further clarification of the Committee membership and representation. He asked for clarification on the definition of representation of an environmental expert. Reyna stated that the expert would be associated with water quality. Councilmember Bravo asked for the expert representative to be water equity associated and asked for additional meetings to discuss.

Councilmember Courage acknowledged that rivers ran southward but that watershed issues impacted all council districts. He noted his support for the Item.

Councilmember Castillo moved to recommend and forward the Item to the full City Council for

consideration. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Rocha Garcia, Bravo, Castillo, Courage

No: Viagran

2. Briefing and possible action on the recommended update to Chapter 6, Buildings, by adopting the proposed 2021 San Antonio Property Maintenance Code (SAPMC) based off the 2021 International Code Council (ICC) International Property Maintenance Code (IPMC). [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Development Services Department Director Michael Shannon provided a briefing on the San Antonio Property Maintenance Code – Chapter 6 and noted that the City code addressed public health, safety and welfare of residents and community for existing residential multi-tenant facilities. He reviewed the 2021 amendment process for Chapters 6 and 10 amendments and stated that there were 83 proposed amendments with 28 amendments moving forward. Shannon provided an overview of the Committee membership, conducted meetings and outreach conducted in the process.

Shannon provided an overview of the proposed amendments and noted who had submitted the amendments. Shannon highlighted proposed amendments to the San Antonio Property Maintenance Code associated with Section 102.4, Section 107.2, added definitions, amended definitions and Section 702.4. He reviewed the next steps in the process and stated that staff recommended that the amendments be brought before the full City Council for consideration.

DISCUSSION

Chair Rocha Garcia thanked staff for their work and asked what amendments had the greatest impact for residents. Shannon stated that the changes proposed would greatly educate residents of the City Code compliance process and process for appeals and demolitions. Chair Rocha Garcia asked if education items and violation documentation would be available in Spanish. Shannon stated that staff was currently working on translation and would continue to update materials/forms.

Chair Rocha Garcia asked for clarification on an order to evacuate and a notice to vacate. Shannon provided an explanation of each and noted that an order was legally issued, and a notice was due to dangerous conditions. Chair Rocha Garcia stated that it was important to have larger community participation in the amendment recommendation process. Shannon confirmed that a large amount of outreach was conducted to gain input and value.

Councilmember Viagran asked for clarification on the number of amendments submitted and expressed concern regarding the timeliness of amendments. She stated that she recommended further discussion at a B Session or that she would pull the Item at A Session for further discussion with the entire City Council. Shannon stated that the process of the Committees and the Boards was to present changes to the City Council but that the City Council could change the process.

Councilmember Castillo stated that many of the amendments brought forward to the

Committee were by the general public who did not have a vote on the Committee. She expressed concern that there was a need for further language translation and stated that she supported proposed amendments to Sections 107.2 Section 108.1 , Section 108.2.1 and associated definitions with additional amendment language. Assistant City Manager Roderick Sanchez provided clarification on the proposed amendments brought forward by staff and would also present the amendments proposed by PCDC Members.

Councilmember Bravo provided additional recommendations on 102.8 and 107.3.

Councilmember Courage stated that he supported the proposed Committee Member recommendations.

Councilmember Viagran stated that she would be abstaining from the proposed Committee Member amendments and asked for additional meetings to discuss proposed changes. Assistant City Manager Sanchez stated that staff would meet with all Councilmembers on recommendations made from the process and from the Committee.

Chair Rocha Garcia reviewed the proposed amendments made by Councilmembers Castillo and Bravo and called for a vote.

Councilmember Castillo moved to recommend and forward the Item to the full City Council for consideration with an amendment to the City Staff presented San Antonio Property Maintenance Code recommendations to the following sections: Section 102.8- Requirements Not Covered by Code, Section 107.2 – Form, Section 108.4 – Prohibited Occupancy, Section 108.2.1 – Authority to Disconnect Service Utilities, Section 108.3 Vacate Notices and Right to Appeal, Section 107.3 – Method of Service, and Section 202 general definitions to the full City Council for approval (See attached for specific language recommendations). Councilmember Bravo seconded the motion. The motion carried by the following vote:

Aye: Rocha Garcia, Bravo, Castillo, Courage

Abstain: Viagran

3. Briefing and possible action on the recommended update to Chapter 10, Building-related Codes, and to Chapter 11, Fire Prevention, by adopting the 2021 editions of the International Code Council (ICC) building-related and fire codes, the 2020 National Electrical Code (NEC), and local amendments. [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Michael Shannon, Development Services Director, provided a briefing on the International Code Council (ICC) 2021 Codes which were updated every three years and Chapter 10, Building-related and Fire Codes Appeals and Advisory Board composition. He provided an overview of topics covered by the Building-related and Fire Code Appeals and Advisory Board and reviewed the associated amendments brought forward by the Board. The amendments were proposed for sections addressing administration, residential energy conservation standards, commercial energy conservation standards, electric vehicle charge station installation standards, International Building Code changes to mass timber construction standards, fire code requirements and existing building standards for electrical, mechanical, plumbing and other associated building/construction areas.

Shannon provided an overview of the outreach process and reviewed the next steps in the process for full City Council consideration.

DISCUSSION

Chair Rocha Garcia thanked Shannon for the presentation and asked for clarification on fire code amendments for distilleries and spirit establishments. Shannon reviewed the amendments and reasoning for the changes.

Councilmember Courage asked for clarification on the difference between the international and national standards for these categories and asked for additional discussion on these varying standards. He stated that safety and energy efficiencies were important to stay at the forefront of discussions and proposed amendments. Councilmember Courage expressed concern on the different standards of electric vehicle charge station variations and asked for clarification on photo voltaic (PV) standards. Shannon stated that he would provide standard data variations to the Committee and provided clarification on PV standard amendments.

Councilmember Courage asked for additional discussion on energy monitorization for larger residential and commercial structures and how it impacted the SA Climate Ready: Climate Action and Adaptation Plan (CAAP). Shannon clarified that the City would not monitor energy efficiency but that builders would be required to have systems in place to report energy efficiencies and sustainability.

Councilmember Bravo noted that homes were being built for tomorrow and not just for today's use and should take into consideration what the future market would demand. He stated that it was important to meet peak energy demands and new energy standards. Councilmember Bravo commented that insulation standards were also important to address and asked for data on changes to insulation requirements along with EV charge station standards.

Councilmember Viagran asked for clarification on the impact to building activity if the ICC standards did not move forward. Shannon stated the building activity would not be impacted and inspectors would follow the code standards in place at the time of inspection.

Councilmember Courage moved to recommend and forward the Item to the full City Council with the exception of the 2021 ICC standards which are to be brought back to the Committee for further consultation. Councilmember Castillo seconded the motion. The motion carried by the following vote:

Aye: Rocha Garcia, Bravo, Viagran, Castillo, Courage

- 4. A briefing and possible action to proactively inspect multi-family residential properties, or apartment complexes, for compliance with minimum health and safety housing standards.** [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Michael Shannon, Development Services Director, provided an overview of the current Proactive Apartment Inspection Program process and challenges associated with the process and

program. Shannon reviewed the background for review of the process and options presented to the PCDC. He noted that two additional code enforcement officer positions had been approved in the FY2023 process which would greatly assist in the compliance process. Shannon presented additional options that included the development of a “Bad-Actor” Landlord Registration Program and a City-wide apartment registration program.

Shannon stated that a task force had been developed to address multi-tenant issues and that staff recommended that stakeholders be included in the composition of the entity which included representation from the San Antonio Apartment Association (SAAA) and the San Antonio Board of Realtors (SABOR). Shannon reviewed data on inspections conducted by council districts and a list of the most common violations. Shannon stated that staff recommended the development of the “Bad-Actor” Landlord Registration Program along with a task force to address concerns.

DISCUSSION

Chair Rocha Garcia stated that she supported the “Bad-Actor” Landlord Registration Program and the need for a group to provide guidance and input to staff. She recommended that a representative from Metro Health be included in the task force. Chair Rocha Garcia requested that an updated timeline be provided for the development of the task force which Shannon stated staff would work on and provide. Chair Rocha Garcia stressed that the time to address housing issues was yesterday and it was key to address the amendments right away and requested an update of task force development by December 2022. Assistant City Manager Sanchez stated that staff would come back to PCDC by December 2022 with a recommendation and status of the Task Force.

Councilmember Courage asked for clarification on the inspections conducted by staff. Shannon clarified the data and that staff conducted over 200,000 inspections each year. Councilmember Courage asked for balanced representation of the task force with stakeholder groups and residents and asked that meeting times be considered for most reasonable accommodations and participation.

Councilmember Courage requested status reports of the Program at the 12 and 18 month timeframe in order to determine program effectiveness. Shannon stated that the request could be worked into the Ordinance.

Councilmember Viagran stated that it was important to train all code enforcement issues associated with multi-resident facilities. She stated that she supported staff recommendations but that the Bad Actor Landlord Registration Program was crucial and should be created sooner. Councilmember Viagran asked if there was a possibility to identify funding for compliance and addressing of issues. She noted that hotels that operated as apartments also needed further attention. City Attorney Jameene Williams stated that the City did already have processes in place to prosecute and process code violations within the Municipal Court system. Councilmember Viagran stated that she supported the Item and establishment of the task force.

Councilmember Castillo stated that she supported tenant and stakeholder representation on the task force composition. She stated that she had concerns with housing commissioners being on the task force due to time constraints.

Councilmember Bravo stated that he supported staff recommendations.

Councilmember Viagran moved to recommend and forward the Stakeholder Group recommendations with a staff report to be provided to the Planning and Community Development Committee by December 2022. Councilmember Castillo seconded the motion. The motion carried by the following vote:

Aye: Rocha Garcia, Bravo, Viagran, Castillo, Courage

Adjournment

There being no further discussion, the meeting was adjourned at 1:07 PM.

Approved

Adriana Rocha Garcia, Chair

Debbie Racca-Sittre, City Clerk