



CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST

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2015 MAR 13 PM 4:28

TO: Mayor & City Council

FROM: City Councilman Rey Saldaña

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Edward Benavides, Chief of Staff; Christopher Callanen, Assistant to the City Council; Martha G. Sepeda, Acting City Attorney; John Peterek, Senior Management Analyst

SUBJECT: Resolution of Support to preserve and protect local control

DATE: March 12, 2015

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the City Council:

I request a resolution affirming this City Council's belief that local control must not be forfeited with specific regard to the terms laid out in the 84th Texas State Legislature's Senate Bill 343 and House Bill 1556.

Brief Background

Two bills on this state legislature's agenda, SB 343 and HB 1556, include the following language: "unless expressly authorized by state statute, a local government shall not implement an ordinance, rule, or regulation that conflicts with or is more stringent than a state statute or rule regardless of when the state statute or rule take effect" (SB 343 Sec. 1.006b) and "a county, municipality or other political subdivision may not adopt or enforce a local law that creates a protected classification or prohibits discrimination on a basis not contained in the laws of this state" (HB 1556 Sec. 250.007b). While the state government of Texas envisions an environment where burdensome and unpopular regulations would be done away with, the significant and unallowable casualty of such action would be the power of responsible municipal governments to create and enforce pragmatic local ordinances. As a city, San Antonio has benefitted tremendously from the passage and implementation of such rules, including (though not restricted to) the following:

Addressing the registration and oversight of credit access businesses that provide payday loans and/or auto title loans to consumers.

Prohibiting the use of a handheld mobile communication device to engage in a call, or send, read or write a text message, or engage in any other use of the device while operating a moving motor vehicle.

Recognizing the adverse secondary effects upon the public's health, safety and welfare resulting from the activities of human display establishments; and prohibiting nudity or semi-nudity or a state of nudity or semi-nudity in a public place.

Utilizing the ETJ to enable the City to extend development and health regulations to adjacent land where development can affect the quality of life in and around the city.

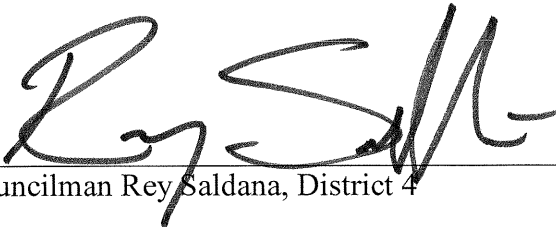
Prohibiting smoking in restaurants, bars in restaurants and stand-alone bars as well as other outdoor areas to meet the national standards to be considered a smoke-free city.

Adopting a consolidated non-discrimination policy with expanded protections.

Providing protection and maintenance for existing trees and the planting of additional trees to increase the overall tree canopy within the city and the city's ETJ.

San Antonians know San Antonio best. In a state as large and diverse as Texas, a "one size fits all" policy simply will not work. Therefore, I urge this Council to reiterate its steadfast commitment to the people of our city by promising to uphold and enforce the ordinances set forth by this and previous City Councils.

Submitted for Council consideration
by:



Councilman Rey Saldana, District 4

Supporting Councilmembers' Signatures (4 only)

District No.

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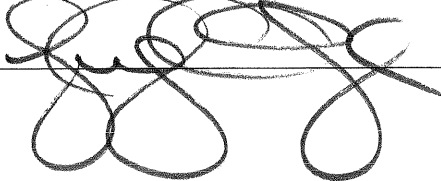
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