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Clear Channel likes skies bright, citizens in the dark

BY ELAINE WOLFF

Clear Channel Outdoor is nothing if not punctual. Here it is just about a year since our City Council approved the 12-month digital-billboard pilot program, which allowed them to flip the switch on a dozen hi-def signs across the city, and they're back at City Hall, pushing a variety of agendas. Last week, Clear Channel was well-represented at the Infrastructure and Growth Committee meeting, where CMs Cibrian, Cortez, Ramos, and Galvan reviewed two proposals that could have a significant impact on where and how future digital billboards are erected if Council extends the pilot program.

The first item — a proposed “dark-sky” ordinance that would limit the type and manner of lighting within a five-mile radius of Camp Bullis, where the Army trains combat medics in various nighttime arts — raises the question whether any local industry swings a bigger stick than the Mays family oligopoly. The proposed ordinance originally gave digital billboards a virtual pass, and it came to light during a Zoning meeting earlier in the week that the Army hadn't even known about the proposal until a particularly tenacious anti-billboard advocate called them in late October. (Note: My husband is the District 1 Zoning commissioner.) The Infrastructure Committee members took turns pledging their fealty to the military, but didn't send Clear Channel packing, either. The City is meeting with the Army, “lighting experts,” and citizens' groups (after they put Cibrian on the spot) to resolve their differences between now and December 11, when the proposal goes to Council.

The digital-billboard issue, which I've covered extensively since August, mostly doesn't overlap with Zoning. In fact, as far as the public goes, it doesn't overlap with anything but the Electrical Supervisory Board — and curiosity, a proposal to gut the ESB's authority was also on the agenda at last week's Infrastructure and Growth meeting.

San Antonio's digital-billboard pilot program was drafted loosely enough that Clear Channel was able to place several of them in Scenic and Scenic-Urban Corridors — where they normally would be prohibited — by “proving” (and I use that term loosely) that the cost of putting a digital face on an existing sign is a certain percentage less than erecting a new sign. The only forum left for citizens to challenge the locations of those signs — and to make sure Clear Channel is meeting the ordinance's take-down provisions by removing enough qualifying old billboards for each new digital — is the ESB. It's also worth noting that last year the ESB pushed for the limited digital-billboard pilot program and opposed grandfathering in billboards on Scenic and Scenic-Urban corridors.

Then, this spring, the ESB kicked back four of Clear Channel's digital-billboard apps because they didn't think they met the application criteria. The City quickly overruled the ESB's decision. In a July 17 memo to City Manager Sheryl Sculley, Assistant City Manager TC Broadnax explained that “staff is now moving forward to issue the remaining four (4) digital sign permits as they meet the intent of the ordinance in light of applying the standards which are better elaborated within the Local Government Code provisions.” Whatever the hell that means.

Less than a month later, District 9 Councilmember Louis Rowe put together a Council Consideration Request to revise the role of the Electrical Supervisory Board. That proposal would make the board strictly an advisory and appeals board, which the Director of Development Services could ask for advice when s/he feels like it and ignore the rest of the time. Citizens who wish to challenge a City staff decision at the ESB would have to pay \$155 for the opportunity.

It's likely that more than one agenda has conspired to bring an end to the ESB as we know it, and the board may very well be in need of a tune-up or even a full-on enema. But with the exception of CM Galvan, who voted against sending the proposal to the full Council, the Infrastructure Committee declined to look into allegations by current ESB members that City staff have been uncooperative and consistently failed to

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provide them with minutes to their meetings in a timely fashion. A September 25 letter to Council from ESB Chair Paul Davila included an alarming allegation: Development staff rewrote a finished Electrical Board version of Chapter 10, he said, and submitted it to Council as if it were endorsed by the ESB.

When asked why and how the overhaul of ESB was proposed, Planning and Development Services Director Rod Sanchez told the committee that a key catalyst was "public outcry." But the stack of documents the *Current* received in response to an open-records request for complaints to the City or Council regarding the ESB doesn't back up this claim. They included two petitions asking that the number of laypersons on the ESB remain the same, and letters from the San Antonio Association of Building Engineers and the Electrical Sign Association asking the City not to change the ESB's role.

It's not surprising that the Infrastructure Committee would let these worrisome charges pass unremarked and uninvestigated. Mayoral candidate Diane Cibrian serves as chair, and was a member last year when the committee recommended the digital-sign ordinance to the council. She as much as anyone must be fully aware that **Clear Channel's generosity to the City remains unabated: most recently it was demonstrated with a \$25,000 gift to the Mayor's successful On Your Terms campaign to extend term limits.** •

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