

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

AUTHORIZING THE EXECUTION OF AGREEMENTS WITH RIVER CITY PRODUCE CO. INC. AND NINO'S FRESH CUT FRUIT AND VEG., LLC AS PART OF THE CITY OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S SA FORWARD PLAN TO IMPROVE FOOD SECURITY AND ACCESS TO NUTRITIOUS FOODS, FOR THE DEPARTMENT'S HEALTHY NEIGHBORHOODS PROGRAM IN THE AMOUNTS OF \$25,000.00 AND \$15,000.00, RESPECTIVELY, FOR A CUMULATIVE AMOUNT UP TO \$40,000.00 FOR TERMS BEGINNING DECEMBER 1, 2024 THROUGH SEPTEMBER 30, 2025, WITH OPTIONS TO RENEW FOR FOUR, ONE-YEAR TERMS FOR A TOTAL CUMULATIVE AMOUNT UP TO \$200,000.00, INCLUSIVE OF RENEWALS.

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WHEREAS, in April 2019, the City of San Antonio's Metropolitan Health District (Metro Health) launched the Healthy Corner Stores initiative through their Healthy Neighborhoods program as a pilot project to address low food access areas with eight member stores in City Council District 3 based on a proposal from the Food Policy Council of San Antonio; and

WHEREAS, the Healthy Corner Stores initiative has since grown to 45 member stores, located in Districts 1 through 7, as of September 2024; and

WHEREAS, the Healthy Corner Stores initiative has provided more than 300,000 pounds of produce and over 50 types of fruit and vegetables to the community; and

WHEREAS, the Healthy Corner Stores initiative seek to increase community access to healthy foods by making fresh and affordable produce available at corner stores across San Antonio; and

WHEREAS, Metro Health also provides member stores with technical assistance, a commercial refrigerator, reduces the cost of produce from wholesale distributors by engaging in a two-year cost share model, and culturally tailored marketing materials to build awareness of the program to potential customers and engages in several outreach and educational activities; and

WHEREAS, through these strategies, a sustainable sales model for providing affordable produce has emerged in long-standing low food access areas; and

WHEREAS, the City issued a Request for Proposals for "Healthy Corner Stores Program Produce Vendor(s)" on April 12, 2024, with a submission deadline of June 14, 2024; and

WHEREAS, River City Produce Co. Inc., Nino's Fresh Cut Fruit and Veg., LLC, and Sarah Olivarez dba Dawn's Harvest were all recommended for award by the evaluation committee but during contract negotiations, Sarah Olivarez dba Dawn's Harvest withdrew their response, thus

only River City Produce Co. Inc. and Nino's Fresh Cut Fruit and Veg., LLC are being recommended for award; and

WHEREAS, the initial term of the contract will begin December 1, 2024, and will be through September 30, 2025, with four (4), one-year renewal options; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee, or the Director of the San Antonio Metropolitan Health District or designee is authorized to execute agreements with River City Produce Co. Inc. and Nino's Fresh Cut Fruit and Veg., LLC as part of the City of San Antonio Metropolitan Health District's SA Forward Plan to improve food security and access to nutritious foods, for the department's Healthy Neighborhoods Program in the amounts of \$25,000.00 and \$15,000.00, respectively, for a cumulative amount up to \$40,000.00 for terms beginning December 1, 2024, through September 30, 2025, with options to renew for four, one-year terms for a total cumulative amount up to \$200,000.00, inclusive of renewals. The agreements in substantially final form are attached hereto and incorporated herein for all purposes as **Attachment I and II**.

SECTION 2. The City Manager or designee, or the Director of the San Antonio Metropolitan Health District or designee, is further authorized to execute amendments in the following circumstances: (A) an increase in contract funding in an amount not exceeding (a) twenty-five percent (25%) of the total amount of this contract or (b) \$25,000, whichever is lesser amount; provided, however, that the cumulative total of all amendments increasing funding and executed without City Council approval pursuant to this subsection during the term of this contract shall not exceed the foregoing amount; (B) no cost extensions up to two years; and (C) modifications to the Scope of Work due to the adjustment described in subsection (A) of this Section or for any other reason, so long as the terms of the amendment are reasonably within the parameters set forth in the original Scope of Work.

SECTION 3. Funding in the amount of \$40,000.00 for this ordinance is available in Fund 11001000, Cost Center 3618010019 and General Ledger 5202020 as part of the Fiscal Year 2025 Adopted Budget approved by City Council.

SECTION 4. Additional funding is contingent upon City Council approval of the Fiscal Year 2026 and subsequent budgets that fall within the contract terms of this ordinance.

SECTION 5. Payment in the amount of \$40,000.00 is authorized to River City Produce Co. Inc. and Nino's Fresh Cut Fruit and Veg., LLC and should be encumbered with a purchase order.

SECTION 6. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 7. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ day of November 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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