

# City of San Antonio



## Minutes Transportation and Infrastructure Committee

### 2023 – 2025 Council Members

John Courage, Dist. 9, Chair

Dr. Sukh Kaur, Dist. 1 | Jalen McKee-Rodriguez, Dist. 2

Melissa Cabello Havrda, Dist. 6 | Marina Alderete Gavito, Dist. 7

Monday, September 30, 2024

2:00 PM

City Hall

The Transportation and Infrastructure Committee convened a regular meeting in the City Hall Council Briefing Room beginning at 2:04 PM. Deputy City Clerk Aurora Perkins took the Roll Call noting a quorum with the following Committee Members present:

**Members Present:** John Courage, *Chair*  
Dr. Sukh Kaur, *Member*  
Jalen McKee-Rodriguez, *Member*

**Members Absent:** Melissa Cabello Havrda, *Member*  
Marina Alderete Gavito, *Member*

### Approval of Minutes

#### 1. Approval of minutes from the August 19, 2024 Transportation and Infrastructure Committee meeting.

Councilmember Kaur moved to Approve the minutes of the August 19, 2024 Transportation and Infrastructure Committee meeting. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

**Aye:** Courage, Kaur, McKee-Rodriguez

**Absent:** Cabello Havrda, Alderete Gavito

### Public Comment

None.

## **Briefing and Possible Action on**

- 2. Briefing and possible action on VIA's Advanced Transportation District (ATD) resolution to repeal the sales tax exemption for telecommunication services.** [John Peterek, Interim Assistant City Manager; Catherine Hernandez, Director, Transportation]

Thomas Marks, Chief External & Governmental Relations Officer with VIA Metropolitan Transit (VIA), introduced the Item and spoke to the methods of funding for the Metropolitan Transportation Authority (MTA). He noted that MTAs were primarily funded by an up to 1% sales tax allotment and that VIA was funded by voter-approved funding of a ½ cent (.5%) sales tax.

Marks provided examples of Sales and Services categories that were subject to sales tax in the City of San Antonio. He noted that telecom companies were exempt from taxation and contributions to the MTA fund. He also provided an overview of how the 8.25% sales and use tax revenues were distributed to include allocations to the City of San Antonio, City of San Antonio Ready to Work Program, City of San Antonio Pre-K 4 SA Initiative, San Antonio Advanced Transportation District, San Antonio Metropolitan Transit Authority and the State of Texas Sales Tax.

Marks spoke to the jurisdictions that received telecom services and noted that a governing body including cities could vote to impose sales tax on telecom services. He reiterated that telecom services were exempted from MTA sales taxes and spoke to local jurisdictions that had passed Ordinances associated with including telecoms in taxing categories.

Rod Sanchez, Senior Vice President of Planning with VIA, spoke to how the requested funding would be used which would include more frequent stops to current routes. He reviewed survey data which spoke to the need for more frequent stop requests from customers.

Sanchez reviewed VIA's proposed Better Bus Plan which provided more frequent services of bus routes and/or adding additional routes within Bexar County. He noted that the Plan would add more jobs to the VIA workforce and provide advanced access to transit with minimal impact to existing stops.

Sanchez stated that VIA staff would present the proposed Plan to their Board in April 2025 and he asked the City Council for approval to proceed with telecom category taxing consideration.

## **DISCUSSION**

Chair Courage asked for clarification on which type of phones would be impacted. Marks stated that the tax would impact cell phone services.

Chair Courage asked if the proposed Plan would be challenged by the lack of bus drivers. Sanchez confirmed that there were currently enough drivers to meet the demand sought and that a five-year Plan addressed staffing needs and training. Chair Courage spoke to the challenges of previously provided funding to VIA and the lack of service improvements. Sanchez stated that he was confident in the improved services sought from the telecom category tax revenue.

Councilmember Kaur asked how much the average cell phone bill would be impacted. Marks confirmed

that it would be nine cents per bill on an average \$100 cellular bill. Councilmember Kaur asked for data on the average cellular phone bill and the impact of fees. Interim Assistant City Manager John Peterek clarified that the average costs were derived from J.D. Power data analytics.

Councilmember McKee-Rodriguez asked for clarification on how the average bill was derived. Marks noted that a consultant was hired to gather data from telecom companies.

Councilmember McKee-Rodriguez asked how many routes had less than a 10-15 minute wait time. Sanchez stated that 10-15 routes had that wait time and he would provide data on the routes.

Councilmember McKee-Rodriguez asked if the decreased wait time anticipated more ridership. Sanchez confirmed perceived increased ridership. Councilmember McKee-Rodriguez requested data on projections and associated routes.

Councilmember McKee-Rodriguez asked if the funding would allow for more bus shelters. Sanchez stated that the funding could be used for shelters but that further analysis would be needed.

Councilmember McKee-Rodriguez expressed concern regarding funding allocations and associated improvements that were to be addressed with the funding. He stated that he supported the funding but still had questions that he felt needed to be addressed at the committee level. Sanchez stated that VIA would work with the Councilman's District and other council districts that had questions in order to provide clarifications.

Councilmember Kaur moved to Approve. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

**Aye:** Courage, Kaur  
**Abstain:** McKee-Rodriguez  
**Absent:** Cabello Havrda, Alderete Gavito

**3. Briefing on the Council Consideration Request by Councilmember Jalen McKee-Rodriguez (District 2) on a Union Pacific Maintenance Agreement.** [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

Items 3 and 4 were taken together.

Razi Hosseini provided an overview of the Council Consideration Request (CCR) submitted by Councilmember McKee-Rodriguez which requested an exploration of a partnership with Union Pacific Railroad (UPRR) to address maintenance of properties owned by UPRR to better address illegal dumping, code enforcement, and other miscellaneous issues. He noted that the CCR requested that the City formalize a partnership with UPRR to address maintenance issues related to their properties that had become a public nuisance. He added that the CCR was addressed by the Governance Committee in April 2024 and was assigned to the Public Works Department to address.

Hosseini noted that the City of San Antonio routinely entered into agreements with UPRR on constructions projects within the railroads ROW. He noted that UPRR was responsible for maintenance

within its ROW and that the City was not authorized to enter UPRR property without granted permission.

Hosseini mentioned that the issue was not identified as a priority by residents as identified in the City conducted Community Survey, nor did it align with the Public Works Department's goals since the UPRR was responsible for ROW issues with the railroad system.

Hosseini provided an overview of the legal implications at the Federal/State level which prohibited unauthorized entry into UPRR ROW and would require an agreement between the entities to enter. He noted that the City did not have any Ordinances that allowed for entry into these ROWs to address maintenance issues. Hosseini added that there were no legal prohibitions for entities to enter into agreements to address maintenance or other issues.

Hosseini reviewed the funding impact of the CCR and maintaining the ROW and stated that the UPRR committed to maintaining their ROW and the City had no fiscal impact due to it being solely UPRR's responsibility to maintain.

Hosseini noted that UPRR and City staff had engaged in discussions on the potential drafting of a Memorandum of Understanding (MOU) that could address maintenance issues. He added that the City had provided UPRR with a prioritized list coordinated with all of the City Council offices of select railroad locations with maintenance issues that UPRR had committed to investigate and address.

The item was for briefing purposes only.

**4. Briefing by Union Pacific Railroad (UPRR) on an overview of their operations.** [John Peterek, Interim Assistant City Manager; Catherine Hernandez, Interim Director, Transportation]

Raquel Espinoza, UPRR Senior Director of Public Affairs, stated that UPRR had met with City staff every month regarding the need for discussion of ROW maintenance and that they agreed that UPRR would need to address safe ROW maintenance on a larger scale.

Espinoza provided an overview of the maintenance that would be proposed by UPRR and noted that its staff was working harder to develop a program for the maintenance of the ROW. She stressed that UPRR was determined to be a better neighbor to improve ROW concerns.

Espinoza spoke to the impact of UPRR services to the community and nation in the transport of goods and materials. She provided examples of the scope of materials transported in a timely manner and reviewed the routes of UPRR to include internationally into Mexico gateways. Espinoza noted the efficiency of transportation and hauling of goods on railways which would be more cost-prohibitive if moved by large transport trucking.

Espinoza noted that the UPRR was privately funded and that it was responsible for the maintenance of lines. She spoke to future investments in improvements of lines, locomotives and equipment, facilities, and other technologies. She added that in 2023, UPRR invested \$3.6 billion in its capital plan to address these needs.

Espinoza provided an overview of rail routes and goods moved. She spoke to the impact locally of rail

services in the San Antonio metro area and surrounding rail hubs. Espinoza spoke to blocked crossing challenges within the region and of the priority to identify funding opportunities to decrease blocking stoppages. She noted the partnership with the City to address challenged areas in various parts of the City. She noted that the City of San Antonio was selected for a \$4.8 million grant to improve Rittiman Road and other areas. She spoke to the need for railroad overpasses to address cross-blocking challenges.

Espinoza spoke to community engagement and support projects that addressed rail challenges. She noted that she worked closely with council districts to address concerns. She stressed the need for improved mobility and stated that UPRR was committed to address challenges.

## DISCUSSION

Councilmember McKee-Rodriguez thanked the members of the City Council who signed the CCR and the efforts that UPRR had in communicating with his council district. He expressed concern about current ROW maintenance and the assurance of making sure that concerns were addressed to meet the needs of the community and communications to the community. He stressed the need for continued communications and noted that the UPRR and City could increase collaboration.

Councilmember McKee-Rodriguez stressed the compliance of maintaining ROW just as residents and businesses were requested to maintain their properties and if not they would be fined.

Hosseini spoke to the efforts of staff working with UPRR and the establishment to a Maintenance Agreement with UPRR. Councilmember McKee-Rodriguez requested consideration of the City to conduct work and have UPRR pay the City to complete the work. Hosseini stressed that the City would continue in a phased process and would consider options. Peterek reiterated that the ROW along the rails was the responsibility of UPRR to maintain. Councilmember McKee-Rodriguez asked what the cost would be for ROW maintenance. Espinoza stated that UPRR worked with a contractor to address ROW maintenance and she acknowledged that the maintenance was the responsibility of UPRR.

Councilmember McKee-Rodriguez stated that he hoped that in discussions the ROW maintenance options be identified to include increased fees for service and asked for the development of inspection of maintenance. He spoke to his expectations for maintenance quality and standards and timeliness of addressing ROW maintenance. He stated that he hoped for future discussion to identify resolutions and a possible alert system to inform drivers of crossings and traffic stoppages. Espinoza spoke to the application of systems and work with other entities to develop.

Chair Courage requested a listing of all block-crossing challenging issues and recommended that Public Works conduct an analysis of the UPRR data.

Councilmember Kaur spoke to challenges in the ROW areas within her council district and spoke to working in partnership with UPRR. Chair Courage requested the record of maintenance in the ROW in the last two years by council district.

Item 4 was for briefing purposes only.

## **5. Briefing and possible action on modifications to the Alamo Area Metropolitan Planning**

**Organization (AAMPO) Continuing Phase Agreement.** [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

Razi Hosseini, Director of Public Works, provided an overview of the Alamo Area Metropolitan Planning Organization (AAMPO) and its establishment in 1978. He mentioned that the AAMPO currently had four signatories which were the Texas Department of Transportation (TXDoT), Bexar County, the City of San Antonio, and VIA Metropolitan Transit. He added that the AAMPO Phase Agreement had been revised five times most recently in 2013.

Hosseini reviewed the continuing AAMPO Phase Agreement which outlined the organization's purpose, voting membership, and director's responsibilities. He noted that the agreement contained the same information as the organization's Bylaws and the agreement was no longer needed. He added that all four signatories must approve changes or repealing of the agreement.

Hosseini stated that the AAMPO Resolution must be agreed upon by the four signatories and COSA was requested to consider the repeal of the continuing Phase Agreement. He spoke to the evolution of the AAMPO since its inception and stated that the AAMPO Board composition should be self-determined. Hosseini stated that staff requested consideration to repeal the Continuing Phase Agreement.

**DISCUSSION**

Chair Courage noted that he was currently a member of the AAMPO and the AAMPO sought to expand coverage and that it requested the inclusion of entities in Comal and Guadalupe Counties.

Councilmember McKee-Rodriguez asked if there were any other implications to boundary expansion. AAMPO Director Isidro Martinez stated that the growing region required further transportation considerations and allowed for increased funding opportunities since the membership would be larger and could lobby. He clarified that the AAMPO was requesting the repeal of the current agreement to increase representation from other counties and increase the City representation. Martinez stressed that the services would continue as normal and that Bexar County and VIA had already agreed to repeal the agreement and TXDoT was in the process of approving the repeal.

Councilmember Kaur moved to Approve. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

**Aye:** Courage, Kaur, McKee-Rodriguez  
**Absent:** Cabello Havrda, Alderete Gavito

**ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 3:20 p.m.

**Approved**

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*John Courage, Chair*

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*Debbie Racca-Sittre  
City Clerk*

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