

**State of Texas
County of Bexar
City of San Antonio**



**Meeting Minutes
City Council A Session**

City Hall Complex
San Antonio, Texas 78205

2021 – 2023 Council Members

Mayor Ron Nirenberg

Mario Bravo, Dist. 1 | Jalen McKee-Rodriguez, Dist. 2

Phyllis Viagran, Dist. 3 | Dr. Adriana Rocha Garcia, Dist. 4

Teri Castillo, Dist. 5 | Melissa Cabello Havrda, Dist. 6

Rosie Castro, Dist. 7 | Manny Pelaez, Dist. 8

John Courage, Dist. 9 | Clayton Perry, Dist. 10

Thursday, March 23, 2023

9:00 AM

Municipal Plaza Building

The City Council convened a regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at 9:06 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

PRESENT: 11 – Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Castro, Pelaez, Courage, Perry

ABSENT: None

PROCEDURAL

1. Invocation

The invocation was delivered by Pastor Robert Bennett of Madison Hills Baptist Church, guest of Councilmember Perry, Council District 10.

2. Pledge of Allegiance

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

3. Approval of minutes for the City Council meetings of March 1, 2023 and March 2, 2023.

Councilmember Perry moved to Approve the minutes for the City Council meetings of March 1, 2023 and March 2, 2023. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry
Absent: Pelaez

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg proclaimed April to be National Poetry Month and invited 2020-2023 Poet Laureate Andrea “Vocab” Sanderson to perform a poem in honor of the end of her term and beginning of poetry month.

Councilmember Castro recognized the life and work of Cesar Chavez honored by a City Holiday on March 31, 2023 and announced the 27th annual Cesar Chavez March which would be held on Saturday. Councilmember Castro invited Ernest Martinez, son of the local Cesar Chavez March founder Jaime Martinez to speak regarding the Cesar Chavez Legacy Foundation. Martinez announced that members of the Castro family (Councilmember Rosie Castro and her two sons former United States Secretary of Housing and Urban Development Julian Castro and United States Congressman Joaquin Castro) were the grand marshals. Councilmember Pelaez invited 91 year old Dora Rodriguez Stahl to speak regarding the Cesar Chavez March as she was one of the original marchers in 1966.

Councilmembers Cabello Havrda, Castillo, and Rocha Garcia spoke in support of the work of the Foundation and the March.

Councilmember Rocha Garcia recognized Chris Alderete for her service and contributions as a member of the Port San Antonio Board of Directors and many other volunteer positions for the City of San Antonio. Mayor Nirenberg presented an official congratulations and invited Alderete to speak. Councilmembers Viagran, Perry and Courage thanked Alderete for her service.

Councilmember Castillo highlighted women involved in the local arts scene to honor the end of Contemporary Art Month (CAM) and invited the director of CAM to speak. Mayor Nirenberg proclaimed March to be Contemporary Art Month.

Councilmember Viagran honored the following women making history in the arts: Yadhira Lozano, Executive Director of Luminaria and San Antonio Arts Commissioner; Claudia De Vasco, Executive Artistic Director of the Public Theater of San Antonio; Andrea “Andi” Rodriguez, Vice President of Cultural Placemaking for Centro San Antonio and San Antonio Arts Commissioner; and actress Paulina Chavez.

Councilmember Cabello Havrda recognized the anniversary of the historic student walkout at Edgewood High School in 1968.

Councilmember Perry recognized March 27 as World Theater Day and invited seven local theater representatives to speak: Classic Theater, Magik Theater, Miscast Theater, Overtime Theater, Public Theater, Teatro Audaz, Wonder Theater and Woodlawn Theater.

Mayor Nirenberg recognized the appointment of Library Director Ramiro Salazar to the National Library Museum Services Board by President Joe Biden.

ACTION ITEMS FOR STAFF BRIEFING

4. Briefing and possible action on legislation filed in the 88th State Legislative Session, the status of proposed legislation and its impact on the City of San Antonio. [Jeff Coyle, Assistant City Manager; Sally Basurto, Director, Government Affairs]

City Manager Erik Walsh introduced the Item and Director of Government Affairs Sally Basurto who provide an update on the 88th State Legislative Session. Basurto reported that the bill filing deadline was March 10, 2023 and 8,161 bills were filed with the City tracking over 1,500 of them.

Basurto stated that House Speaker Dade Phelan's leadership priorities included reducing the limit on property appraisal increased from 10% to 5%, funding for broadband development to expand internet availability and funding for water infrastructure. Basurto reported that Lt. Governor Dan Patrick's priorities were increasing homestead exemptions and keeping schools safe and secure through changes in requirements to disciplinary records and creating a regional safety resource.

Basurto noted that Senate Bill (SB) 1110 by Senator Schwertner prohibited the City from transferring revenue from a municipal utility to a city's general fund which the City was opposing as it would eliminate 25% of the City's general fund revenue. Basurto thanked Senator Jose Menendez and Chair Pelaez of the Intergovernmental Relations Committee for their leadership and Chief Financial Officer Ben Gorzell for his testimony.

Basurto listed House Bill (HB) 2127 by Representative Burrows (Preemption bill) that would prevent the City from passing or enforcing any ordinance, order, rule or policy affecting any area, unless explicitly authorized within specific code. A similar bill, SB 149 by Senator Springer, would remove the City's ability to regulate payday lenders, short term rentals, noise ordinances, health codes, and more. SB 491 by Senator Hughes would prohibit the City from limiting building heights and viewsheds. Also of concern was SB 175 by Senator Middleton that would prohibit the City from hiring lobbyists.

Basurto also provided information on anti-transgender bills such as SB 1601 by Senator Hughes which would remove stated funding to municipal libraries that host reading/story time events led by a male dressed as a female or a female dressed as a male as well as SB 12 by Senator Hughes that would prohibit and criminalize performances by male performers exhibiting as female or female performers exhibiting as male.

The following bills were supported by the City's policy priorities related to family violence including: HB 1429 by Representative Campos expanded the definition of family violence to

include anyone living in the household, child abuse and dating violence; and HB 2229 by Representative Goodwin which required the Health & Human Services Commission to develop a standard notice of rights and list of agencies and services for victims of domestic violence.

Basurto listed City supported bills related to dangerous animals which included SB 2226 by Senator Menendez and its companion bill HB 4909 by Representative Bernal to redact personal information from complaints or reports by witnesses of dangerous dogs and HB 1653 by Representative Campos increasing the penalty for dangerous animals (dogs).

Basurto also outlined HB 2633 filed by Representative Cortez and its companion bill SB 1794 by Senator Menendez regarding the requirement for an Emergency Service District to get municipal approval to acquire debt and HB 2649 by Representative Allison and companion bill SB1207 by Senator Menendez increasing death benefits for police officers and firefighters killed in the line of duty.

DISCUSSION:

Mayor Nirenberg commented that there were many areas covered by the preemption bill HB 2127 including agriculture, finance, labor, insurance, natural resources, property, and business/commerce codes. City Attorney Andy Segovia stated that this bill effectively removed home rule cities' authority and would effectively make San Antonio a General Law City. Assistant City Manager Jeff Coyle noted that the Local Government Code, Health and Safety, Transportation and Tax Codes were not impacted but it was unclear the reach of this bill. Mayor Nirenberg commented that City Council was a forum for local debate and provided local citizens to deal with conflicts adding that this was one of the most undemocratic.

Councilmember Cabello Havrda stated that her priorities were property tax, mental health, school safety and housing, noting that funding was needed to protect vulnerable groups which included funding from CPS Energy which was threatened by SB 1110. Councilmember Cabello Havrda recommended coordination with other cities that owned their own utilities to oppose the legislation. Councilmember Cabello Havrda requested information on changes to the police/fire pension and HB4186 which requested housing authorities to prioritize youth aging out of foster care.

Councilmember Pelaez expressed concern with the language of HB 2127 which limited the City's powers to adopting ordinances that were "uniquely local" and would limit the City's authority if any other City experienced a similar issue using the concerns surrounding lighting near military bases as an example where San Antonio, El Paso and Del Rio might have commonalities. Councilmember Pelaez requested clarification on SB 12 noting that many famous plays such as "Hair" had male actors who dressed up as women and the Majestic Theater could be prohibited from showing those classic plays. Councilmember Pelaez recommended that his fellow councilmembers go to Austin to oppose some of these bills.

Councilmember Rocha Garcia supported the efforts of the Mayor, other large cities, and the Texas Municipal League to protect the Home Rule status and CPS Energy revenues. Councilmember Rocha Garcia asked if SB 1110 would impact the City bond rating. Gorzell reported that CPS Energy revenues were 26% of the City's General Fund and, if passed, the City would have difficulty

finding a way to pay its operating and capital costs including bond debt and would be required to reduce services to the community including infrastructure.

Councilmember Rocha Garcia requested clarification on SB 175 related to whether staff of the City Council Local Government Corporation (LGC) would be considered lobbyists. City Attorney Andy Segovia stated that the bill was targeting paid and registered lobbyists, not staff. Councilmember Rocha Garcia expressed concern that the City would not be able to enforce Ordinances related to overgrown vegetation, dangerous animals, tenants' rights, etc. under the preemption bills. Councilmember Rocha Garcia opposed bills that would impose limitations on the city's Extraterritorial Jurisdiction (ETJ), or create an automatic or petition driven de-annexation.

Councilmember Rocha Garcia supported HB 300 which was a sales tax exemption for feminine and baby products noting it was long overdue. Councilmember Rocha Garcia requested that Chair Pelaez place the preemption, property tax, and municipal utility bills on the next IGR Committee agenda for an update.

Councilmember Courage expressed concern about the preemption bills noting that the bills were so vague and broad that it was difficult to explain to residents. Councilmember Courage summed up the bills as such; "A State legislature that met for six months every two years wanted to manage how a city served, supported, and protected its citizens." He added that the Citizens of San Antonio would not have any control over their city.

Councilmember Courage noted that SA 1110 effectively stripped the City of San Antonio of its ownership of a utility that it had bought. Councilmember Courage spoke regarding a Council Consideration Request (CCR) that he authored to place "Safe Baby Boxes" at City facilities which had some similar bills filed and requested that Basurto keep the City Council informed as well as obtaining an opinion from the Attorney General.

Councilmember Bravo characterized HB 2127 as changing Home Rule Cities to "Mother may I" cities and noted that there had been Ordinances introduced through concerns of the community such as regulating short term rentals that would be prevented under HB 2127.

Councilmember Bravo expressed concern that SB 1110 prevented San Antonio from taking its revenues from CPS Energy and placing it in the General Fund which would result in either cutting services or raising property tax revenues. He commented that even basic services such as public safety would be reduced by this bill.

Councilmember Viagran requested a timeline for when the City Council needed to start mobilizing to get to Austin and testify and recommended partnering with Bexar County and the Commissioners Court to help testify. Basurto replied that the timing was up to the legislature and was not very predictable. Councilmember Viagran requested that Basurto provide an update on bills relating to school funding and school safety.

Councilmember Castillo found it ironic that State legislators who championed freedoms would tie the hands of its own cities through the preemptive bills and negatively impact our resident's quality of life through slashing our revenues from CPS Energy. She noted that people in Texas had

significantly less civil liberties such as women's control over their bodies and not allowing teachers to talk about or teach culturally significant subjects.

Councilmember Perry asked why the preemption bills were showing up now. Assistant City Manager Jeff Coyle stated that the author had struggled to answer the question when asked in Austin, but merely cited employment ordinances and plastic bag bans even though those had already been stricken down by the courts. Councilmember Perry asked for clarification on the characterization that Home Rule cities would become General Law cities. Assistant City Manager Coyle reported that the House Committee substitute bill added a clause that stated that anywhere a Home Rule City's authority was preempted under the law, the General Law Rules would apply. Assistant City Manager Coyle stated that out of 1,100 cities, there were 372 Home Rule Cities across Texas. Councilmember Perry suggested that this was an effort to reel in cities that were going off on tangents that were against State Law. Councilmember Perry compared cities' relationship to the State with the State's relationship to the Federal Government. Councilmember Perry asked whether Coyle knew the positions of our local legislators. Assistant City Manager Coyle responded that this was not known presently.

Councilmember Perry commented that a large amount of money came from CPS Energy, and noted that CPS Energy had a monopoly and requested the total amount of funding from CPS Energy since its initial creation in 1942. He suggested reviewing the City's option to sell CPS Energy. Gorzell reported that in 1987, the City decided to keep ownership of CPS Energy when the State deregulated utilities. Gorzell explained that once the City owned an asset, it was entitled to reap the benefits from that asset just like any other owner. Gorzell stated that CPS Energy's rates were very competitive compared to the rest of the state and noted that if the utility were privately owned, instead of profits going to the City to provide services to our community, those profits would merely be funneled to the pockets of private investors.

Councilmember McKee Rodriguez stressed the gravity of the situation and dreaded what would happen if the City's revenues were stripped of a quarter of its budget which would affect parks, libraries, infrastructure, streets, social services, senior services and would be a major setback that could affect the safety and health of our community.

Councilmember Castillo suggested that it was important to set a Texas Legislature Day for all of San Antonio to go to Austin to lobby its positions.

Mayor Nirenberg commented that one day the governance of the State would change and when that happened all control will have been stripped from those who care the most about its local citizens, the Cities.

No action was required for Item 4.

2023-03-23-0166

5. Ordinance authorizing the Proactive Apartment Inspections program to proactively inspect multi-family residential properties, or apartment complexes, for compliance with minimum health and safety housing standards and establishing a fee for registered apartments in the annual amount of \$100 per unit on the property. [Roderick Sanchez, Assistant City Manager; Michael Shannon,

Director, Development Services]

City Manager Walsh introduced the Item and Assistant Director of Development Services Ahmin Tomaz who presented background on the Item which resulted from recent incidents related to some noncompliant properties. Tomaz reported that the two new Code Enforcement Officer positions included in the FY 2023 Budget had been hired and were dedicated to apartment inspections. Tomas noted that twelve stakeholder meetings and two community input meetings were held.

Tomaz provided data on the most common violations and stated that the goal of the proposed policy was to incentivize good property management, hold apartment property owners accountable and be more proactive. Tomaz stated that the Ordinance would apply to apartment complexes with five or more units. He noted that apartment complexes that received three designated citations within a six-month period would be required to register with the City and be subject to monthly proactive inspections with an ability for the property to “graduate” if they were consistently compliant but also be placed on probation during that period with additional inspections if they did not meet the requirements of probation.

Tomaz stated that property owners would receive notice both at the door of the property manager’s office and by email and outlined the appeal process for landlords with the burden of proof being on the property owner. He stated that an administrative appeal would go to the Code Official and a formal appeal would be heard by a judge. Tomaz stated that registered landlords would be required to pay a fee that would eventually be used to pay for the proposed six-person Proactive Apartment Inspections Code Enforcement Team which would cost \$380,000 for the first year with an annual recurring cost of \$300,000. Tomaz showed the fiscal impact of the program which had a proposed fee of \$100 per unit annually to recover the \$300,000.

Mayor thanked the Renter’s Solution Subcommittee of the Housing Commission, the San Antonio Apartment Association, San Antonio Board of Realtors, members of the community and staff for their work on the program.

PUBLIC COMMENT:

Keisha Brown, James Hamilton, Herman Macias, Joanne Rolon, Marcia Wilmot, Janet Uhler and Willie Rector, local apartment residents and members of the Texas Organizing Project (TOP), spoke in support of the Item and urged City Council to ensure that property owners did not pass the costs of the program along to the renters in the form of higher rents.

Mia Loseff with Texas Housers spoke in support of the Item but recommended fair and consistent enforcement and appeals.

Celine Williams, small business owner and member of the proactive inspections’ stakeholder group representing the San Antonio Apartment Association, spoke in support of the Item but asked that any changes to their recommendations be returned to the stakeholder group for review and discussion.

Crystal Moya, Regional Vice-President of NRP Group, a local developer and owner of apartments

urged the City to implement the Ordinance in a fair and consistent manner.

DISCUSSION:

Councilmember Rocha Garcia, Chair of the Planning and Community Development Committee (PCDC), thanked those who attended the meeting and participated in developing the policy. Councilmember Rocha Garcia noted that this was a compromise and a compassionate program to ensure quality housing through the proactive inspection of apartments and a future Tenant's Bill of Rights. She spoke in support of the policy and looked forward to regular reports from the Development Services Department.

Councilmember Castillo was grateful for those who participated in the process and the members of the PCDC and recognized what the tenants risked when they spoke out but was pleased that they used their voices. Councilmember Castillo also recognized former Councilmember Ana Sandoval for the work she did with residents of the Seven Oaks Apartments and initiating this dialogue. Councilmember Castillo provided statistics on the success of similar programs in other cities. Councilmember Castillo requested more information on the graduation process. Tomaz stated that all citations would need to be corrected before a property could "graduate."

Councilmember Cabello Havrda thanked everyone who spoke at the meeting and the work of the stakeholders and noted that the Ordinance was a step in enhancing public safety and moving in the right direction and added that housing was a fundamental right. Councilmember Cabello Havrda noted that there were many good property owners that took care of their properties and tenants but the Ordinance focused on those "bad actors." Councilmember Cabello Havrda recommended tracking of retaliation or push back from the landlords and referrals to resources in case the landlord might need them to come into compliance. Veronica Gonzalez, Neighborhood and Housing Services Department (NHSD) Assistant Director stated that the Fair Housing Program would assist with reports of retaliation.

Councilmember McKee-Rodriguez commented that the program did not limit the ability to provide quality affordable housing as this was exactly a quality issue. Councilmember McKee-Rodriguez commended the work of TOPS and recognized that they were also tenants working for their own rights.

Councilmember McKee-Rodriguez asked for guarantees against retaliation. Tomaz stated that the Ordinance was intended to ensure compliance and NHSD was working on the Tenant's Bill of Rights. Councilmember McKee-Rodriguez considered a rent increase to be retaliation and asked staff to consider more protections. Gonzalez reported that NHSD was launching a tenant's education campaign to help them know their rights and what protections were available.

Councilmember McKee-Rodriguez recommended that 3-1-1 calls could trigger an inspection. Tomaz described the process as including code officers to inspect reactively as well as proactively. Councilmember McKee-Rodriguez recommended a dashboard or process for real-time updates to the Committee Members.

Councilmember Perry supported the Item because the local housing industry supported it but

asked if there was a change in the up-front inspection process. Tomaz stated that calls would be accepted through 3-1-1 to trigger inspections but this program was different because it created a process of proactive inspections after three citations. Councilmember Perry stated that the renters would ultimately bear the cost of the program and recommended a review of the rental rates as a part of the program metrics.

Councilmember Perry requested information on programs by other cities. Tomaz stated that this program was unique because only the properties in the program would pay, whereas in other cities, all apartments paid and approximately 15 apartment complexes were expected to participate in the program which was about 2% of the total apartments in San Antonio. City Manager Walsh reminded the City Council that the goal of the program was to have the complexes resolve the issue within 10 days which would prevent them from going into the program and having to pay the fee or be subject to the proactive inspections.

Councilmember Courage thanked the stakeholders and Committee Members representing renters, property owners/managers and city staff noting that the policy was a good compromise. Councilmember Courage recommended providing notice to all tenants when the complex was placed in the program. Tomaz stated that the landlord would need to notify the tenants when they were coming for the proactive inspections, but all complainants would be informed of the inspection of their unit.

Councilmember Courage asked about the penalties for noncompliance. Deputy City Attorney Joe Nino stated that the violation was a criminal Class C Misdemeanor with a maximum fine of \$500 fine and a criminal court referral which would result in court and legal costs. Councilmember Courage suggested revoking the certificate of occupancy on the building. City Attorney Segovia stated that if the unit or complex were uninhabitable, their certificate of occupancy could be revoked. Tomaz noted that each violation could result in a citation every day they did not comply so the \$500 fine could add up. Assistant City Manager Rod Sanchez stated that the bad actors would go on a list on the City's website and staff would look into a mailout.

Councilmember Bravo asked if the newly proposed HB 2127 could negate the Ordinance. City Attorney Segovia stated that this was a perfect example of a law that could be preempted. Councilmember Bravo cautioned that many renters were a captive audience and had no choice to move to a better managed property due to limited income. He wanted to ensure that future tenants were warned that they were moving into a property that was on the list.

Councilmember Castro supported the Ordinance as a good compromise and thanked TOPs for helping the Seven Oaks Apartments tenants organize. She applauded the work of the City Council for taking up the issue of safe and quality housing. Councilmember Castro commented that people generally objected to a apartment complex in their neighborhoods which was counter to being able to provide affordable housing.

Councilmember Viagran acknowledged the work of the PCDC and thanked the stakeholders and renters for working on the policy and expressed support for the ongoing work of NHSD to help tenants understand their rights. Councilmember Viagran commented that many of these bad actors were out of town property owners and she supported more local ownership.

Councilmember Castillo thanked DSD for facilitating the conversation and debate between residents and the stakeholders.

Mayor Nirenberg thanked everyone for being engaged in the process for such a long time.

Councilmember Rocha Garcia moved to Approve as presented by staff. Councilmember Courage seconded the motion. The motion prevailed by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Courage, Perry, Castro
Absent: Pelaez

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

6. 2023-03-23-0167

Ordinance approving a contract with Route4Me, Inc., to provide a field inspection route optimization and customer notification solution for the Development Services Department beginning upon award for two years, with three, one-year renewal options, for an initial estimated yearly cost of \$110,800. Funding for the first year is from the FY 2023 Development Services Enterprise Fund budget. Funding for subsequent years is contingent upon City Council approval of the annual budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry
Absent: Pelaez

7. 2023-03-23-0168

Ordinance approving a contract with Air Relief Technologies, Inc., to provide on-call HVAC filter replacements and filter services for the Building and Equipment Services Department, the San Antonio Fire Department, and the Convention and Sports Facilities Department, beginning upon award through March 23, 2025, with three, one-year renewal options, for an estimated amount of \$480,000 annually, not to exceed \$2.4 million for the entire contract. Funding is from American Rescue Plan Act (ARPA) funds, the Facilities Services Fund, the General Fund, and the Convention and Visitors Facility Fund. Funding for subsequent years is contingent upon City Council approval of the annual budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

8. 2023-03-23-0169

Ordinance approving the following contracts and amendments establishing unit prices for goods and services for an estimated annual cost of \$1,739,470 included in the respective department's FY 2023 Adopted Budget: (A) Specialed Solutions Inc., dba Red Wing Aerial Photography, for aerial photographs of the San Antonio International Airport and the Stinson Municipal Airport; (B) BSN Sports, LLC, for recreational games and sports equipment; (C) Tifco Industries, Inc., for shop fasteners; (D) ZW USA, Inc., for pet waste bags and dispensers; (E) Pantusa Towing & Recovery, LLC, and TXTOW Corp, dba Texas Towing, for on-call towing services for vehicles and equipment; (F) TRAX Analytics, LLC, for a change order to the contract for smart restroom technology for the San Antonio International Airport; (G) Zoll Medical Corporation, for Amendment VII to the annual contract for Zoll X-Series Lead defibrillators and maintenance; and (H) MedWheels, Inc., for Amendment V to the annual contract for Defibrillator X-Series 12 Lead accessories. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

Capital Improvements

9. 2023-03-23-0170

Ordinance approving two on-call storm water consulting professional services agreements with Halff Associates, Inc. and HDR Engineering, Inc., in the amount not to exceed \$150,000 per year for each agreement for a total amount of \$750,000 per contract. Funding for year one is from the FY 2023 Storm Water Regional Facilities Fund Adopted Budget. Funding for the subsequent years is contingent upon City Council approval. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Castillo highlighted her support for the Item.

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

10. 2023-03-23-0171

Ordinance awarding the 2023 – 2024 Non-Service Alley Improvements Task Order Contract to Bueno Pro Services, LLC, in an amount not to exceed \$898,713.50 for completion of storm water projects. Funding for the first year is from the FY 2023 General Fund Adopted Budget. Funding for the second year is contingent upon City Council approval. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

11. 2023-03-23-0172

Ordinance authorizing the closure, vacation and abandonment of an unimproved portion of Elvira Street Public Right-of-Way within New City Block 2436, as requested by the San Antonio Alternative Housing Corporation, with the consideration fee being waived for meeting the affordability guidelines of the COSA Fee Waiver Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

12. 2023-03-23-0173

Ordinance awarding the Task Order Contract for Cool Pavement Pilot Program to Intermountain Slurry Seal, Inc. in an amount not to exceed \$812,822 to pilot test the heat island effect in 10 pre-selected locations. Funding is from the Resiliency, Energy Efficiency and Sustainability Program Fund included in FY 2023 Adopted Budget. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Castillo highlighted her support for the Item.

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

Acquisition, Sale or Lease of Real Property

13. 2023-03-23-0174

Ordinance approving the acquisition of a conservation easement over the Edwards Aquifer Recharge and Contributing Zones on a 74.27-acre tract of land known as the Littleton Ranch located in Medina County, Texas from David A. Littleton and James A. Littleton d/b/a The Littleton Company, and authorizing payment to Mission Title Company as escrow agent in the amount of \$294,575.24 from Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2023 – FY2028 Capital Improvement Program. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

Councilmember Cabello Havrda highlighted her support for the Item.

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Castro, Courage, Perry

Absent: Pelaez

14. 2023-03-23-0175

Ordinance approving the acquisition of a conservation easement over the Edwards Aquifer Recharge and Contributing Zones on a 2,267.58-acre tract of land known as the Moos Ranch located in Uvalde County, Texas from NSHE TX Quinlan, LLC, and authorizing payment to Mission Title Company as escrow agent in the amount of \$3,143,207.59 from Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2023 – FY2028 Capital Improvement Program. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

Councilmember Cabello Havrda highlighted her support for the Item.

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Castro, Courage, Perry

Absent: Pelaez

Grant Applications and Awards

15. 2023-03-23-0176

Ordinance ratifying the acceptance of additional funds from the Texas Health and Human Services Commission (HHSC) for the Title V Child Health and Dental Grant in the amount of \$122,364 for

a total grant award of \$222,364 and approving a contract amendment with UT Health San Antonio to increase compensation for preventative dental services in the amount of \$17,89 for a period beginning September 1, 2022 through August 31, 2023. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

Councilmember Cabello Havrda highlighted her support for the Item.

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry
Absent: Pelaez

16. 2023-03-23-0177

Ordinance approving the submission of a NASA @ My Library grant application and acceptance of funds, upon award, of up to \$25,000 from the Space Science Institute through the period of November 30, 2025. [David W. McCary CPM, Assistant City Manager; Ramiro S. Salazar, Director, Library]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry
Absent: Pelaez

Boards, Commissions and Committee Appointments

17. 2023-03-23-0178

Approving the following Board, Commission and Committee appointments for the remainder of an unexpired term of office to expire May 31, 2023 [Debbie Racca-Sittre, City Clerk]

- A. Appointing George Rice (District 1) to the Storm Water Management Advisory Board
- B. Appointing Joe Nix (District 10) to the Zoning Commission

Councilmember Perry highlighted his support for the appointment of Joe Nix to the Zoning Commission.

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry
Absent: Pelaez

Miscellaneous

18. 2023-03-23-0178

Ordinance amending the First Amended and Restated Baseball Stadium Facility Lease Agreement with the SA Missions Baseball Club, LLC and appropriating funds for the Stadium Improvement Plan in the amount of \$407,859.79 of which \$179,186.79 will be appropriated from Wolff Stadium Renewal & Improvement Fund and \$228,673 will be appropriated from Wolff Stadium Building fund. [Alejandra Lopez, Assistant City Manager; Patricia Muzquiz Cantor, Executive Director, Convention & Sports Facilities]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry
Absent: Pelaez

19. 2023-03-23-0179

Ordinance approving the issuance by the Las Varas Public Facility Corporation of its Multifamily Housing Revenue Notes (Tigoni Villas), Series 2023 (the “Notes”) for purposes of Section 147(f) of the Internal Revenue Code. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer].

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry
Absent: Pelaez

20. 2023-03-23-0180

Ordinance approving the issuance by the Las Varas Public Facility Corporation of its Multifamily Housing Revenue Notes (Costa Almadena Apartments), Series 2023 (the “Notes”) for purposes of Section 147(f) of the Internal Revenue Code. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer].

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry
Absent: Pelaez

21. 2023-03-23-0181

Ordinance approving the issuance by the Las Varas Public Facility Corporation of its Multifamily Housing Revenue Notes (Rosemont at University Park Apartments), Series 2023 (the “Notes”) for purposes of Section 147(f) of the Internal Revenue Code [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer].

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

22. 2023-03-23-0182

Ordinance approving a month-to-month extension of the contract with Equifax Workforce Solutions LLC for the administration and management of the City's unemployment cost management services for up to twelve months beginning April 1, 2023 to March 31, 2024 in an amount up to \$11,560 and a total contract value not to exceed \$57,799. [Ben Gorzell, Jr., Chief Financial Officer; Renee Frieda, Director, Human Resources]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

23. 2023-03-23-0183

Ordinance designating a portion of the downtown area and areas around the Henry B. Gonzalez Convention Center as a Clean Zone to regulate commercial activity on public property in connection with the U.S. Travel Association's 2023 IPW Conference, beginning on May 20, 2023 through May 24, 2023. This Ordinance designates the geographical boundaries for the Clean Zone; provides for special Clean Zone license permits; and establishes criminal penalties for violation of this Ordinance with a fine not to exceed \$2,000. [Lori Houston, Assistant City Manager; Shanon Miller, Director, Office of Historic Preservation]

Councilmember Rocha Garcia highlighted her support for the Item.

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

24. 2023-03-23-0184

Ordinance approving the negotiation and execution of Professional Services Agreements with Bexar Land Trust d/b/a Green Spaces Alliance of South Texas and The Nature Conservancy not to exceed an aggregate of \$1,750,000 for real estate services under the Edwards Aquifer Protection Program. Funding in the aggregate amount of \$1,750,000 for the land acquisition services is from the San Antonio Municipal Facilities Corporation fund and is included in the FY

2023-2028 Capital Improvement Program for an initial three-year term with two, one-year administrative renewals. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Castro, Courage, Perry

Absent: Pelaez

- 25. WITHDRAWN** – Ordinance approving a contract with Monterrey Iron & Metal to provide Recycling of Metals Services to the Solid Waste Management Department for a term of three years with two additional one-year renewal options with an estimated annual revenue of \$60,000. [David W. McCary, Assistant City Manager; David Newman, Director, Solid Waste Management]

City Manager's Report

26. City Manager's Report

City Manager Walsh played a video highlighting the contributions of women in honor of Women's History Month.

Executive Session

No Executive Session was held.

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 1:46 p.m.

Approved

**Ron Nirenberg
Mayor**

**Debbie Racca-Sittre
City Clerk**