

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



**Meeting Minutes
City Council A Session**

Municipal Plaza Building
114 W. Commerce Street
San Antonio, Texas 78205

2023 – 2025 Council Members

Mayor Ron Nirenberg

Dr. Sukh Kaur, 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
Marina Alderete Gavito, Dist. 7 | Manny Pelaez, Dist. 8
John Courage, Dist. 9 | Marc Whyte, Dist. 10

Thursday, December 5, 2024

9:00 AM

City Council Chambers

The City Council convened a regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at 9:12 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

PRESENT: 11 – Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

ABSENT: None

PROCEDURAL

1. Invocation

The invocation was delivered by Minister Oliver Carr of Grace First Baptist Church, guest of Councilmember Cabello Havrda, Council District 6.

2. Pledge of Allegiance

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

3. Approval of minutes for the City Council meetings of November 19, 2024; November 20, 2024; and November 21, 2024.

Councilmember Viagran moved to approve. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg led a moment of silence in honor of the death of former Mayor Howard Peak.

Mayor Nirenberg proclaimed December 1, 2024 to be World Aids Day in San Antonio.

Mayor Nirenberg recognized Chef Manny Martinez who recently won the Food Network Halloween Baking Championship.

ACTION ITEMS FOR STAFF BRIEFING

4. Ordinance amending Chapter 5 of the City Code entitled "Animals" to increase minimum fines for repeat roaming dog and bite offenders and to clarify language regarding sterilization requirements of owned animals found free of restraint. [David W. McCary, Assistant City Manager; Michael Shannon, Interim Director, Animal Care Services]

Councilmember Viagran moved to approve. Councilmember McKee-Rodriguez seconded the motion. The motion prevailed by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

PUBLIC COMMENT:

Alan Hepp president of the Animal Defense League spoke in support of the Item.

DISCUSSION:

Councilmember Alderete Gavito provided background on the CCR noting this was a people problem and not a dog problem since most of the loose and dangerous dogs were owned by a resident, not just stray animals. Councilmember Alderete Gavito supported the staff's recommended solutions and indicated that they were in line with the intent of the CCR. She thanked staff for their work, stakeholders for their involvement, and the Mayor and Council for their support. She supported banning repeat offenders from owning pets which would require action by the Texas State Legislature and noted she had

worked with Senator Jose Menendez on the issue of dangerous dogs.

Councilmember Viagran thanked the residents and ACS Advisory Board. She recommended that Municipal Court begin to create a repeat offender list. Shannon said ACS was already coordinating with Municipal Court and noted the huge support provided by ACS Advisory Board. Councilmember Viagran recommended allocating minor home repair funding to help seniors and low-income persons fix their fences.

Councilmember Whyte thanked Councilmember Alderete Gavito for her leadership and declared this to be a public safety issue. He expressed concern with the sterilization process without an appeals process but overall supported the Code updates to help keep people safe. He encouraged more people to adopt pets from the Animal Defense League.

Councilmember Cabello Havrda thanked Mike Shannon for his work serving as Interim Director of ACS and noted that in the past few months she had seen more community partnerships for adoption and spay/neuter events. Councilmember Cabello Havrda supported the Code updates to make neighborhoods safer.

Councilmember Castillo supported all recommendations of the staff but wanted to ensure an education campaign was also included regarding responsible pet ownership.

Councilmember Pelaez emphasized that the entire ACS team was dedicated and those to blame for tragedies were the owner of the unrestrained or unsterilized dog. He recommended educating pet owners about the new laws in both English and Spanish.

Councilmember Rocha Garcia commented that there was a pilot project in District 4 that focused on responsible pet ownership and recommended more education in elementary schools. She asked where the money for the fees/fines was deposited. Shannon said the money went into the General Fund and was not specifically designated for ACS. Councilmember Rocha Garcia reviewed the statistics and noted the noncompliance in sterilization which would be improved by onsite sterilization before returning the pet to the owner as well as the opening of two new spay/neuter clinics. Councilmember Rocha Garcia requested an update to the new Code to add gender neutral language.

Councilmember Kaur commented that the education and awareness campaign was critical and recommended targeting areas that had a history of more loose animals. She supported the work of the Animal Defense League and funding for fences for low-income residents.

Councilmember Courage thanked the ACS team and Councilmember Alderete Gavito for taking on the issue. He recognized that people needed more information in order to be more responsible pet owners and recommended providing printed education materials. Councilmember Courage asked about the number of adoptions annually and what else the new pet owners received besides the pet. Shannon said 5,000 adoptions of fully sterilized pets were completed each year, along with education on responsible pet owners and were also having a holiday event for dog beds and toys. Councilmember Courage recommended partner organizations that adopted out animals should provide responsible

pet ownership education including information about the new City Code.

Mayor Nirenberg thanked City staff and Councilmember Alderete Gavito for their work on filling the need to support responsible pet ownership in San Antonio.

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

5. 2024-12-05-0951

Ordinance approving a contract with WHC STX, LLC, to provide non-emergency transportation services for the San Antonio Fire Department at an estimated cost of \$55,000 annually and an estimated total cost of \$275,000, beginning January 1, 2025, through December 31, 2027, with two additional, one-year renewal options. Funding is from the FY 2025 General Fund Adopted 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 Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

6. 2024-12-05-0952

Ordinance approving contracts with B&E Medical Supply, Medwheels Inc., and Life Assist Inc., to provide Zoll Defibrillator, X-Series 12 Lead Accessories for the San Antonio Fire Department for a total estimated annual amount up to \$770,000, and an estimated total aggregate amount of \$3,850,000, beginning January 1, 2025 to December 31, 2026, with three additional, one-year renewal options. Funding is from the FY 2025 General 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 Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

7. 2024-12-05-0953

Ordinance approving a contract with Dana Safety Supply, Inc., for the installation of ballistic windshields and side panel windows for specialty and patrol vehicles for the San Antonio Police Department for an estimated cost of \$1,274,000 annually and an estimated total cost of \$6,370,000 over the contract term, beginning upon award through December 31, 2027, with two additional, one-year renewal options. Funding for the first year of the contract in the amount of \$1,274,000 is from the Equipment Renewal and Replacement

Fund FY 2025 Adopted 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 Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

8. 2024-12-05-0954

Ordinance approving a contract with The Brandt Companies LLC for preventive maintenance, inspection, and repair services for various types of heating, ventilation, and air conditioning (HVAC) systems, equipment, and supporting components at various City facilities for an estimated annual cost of \$672,318 and an estimated total cost of \$3,361,590 beginning upon award through August 31, 2027, with two additional, one-year renewal options. Funding is from each respective department's FY 2025 Adopted 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 Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

9. 2024-12-05-0955

Ordinance ratifying a contract with Johnson Controls Fire Protection LP in the amount of \$67,081 for the purchase and upgrade of the fire network computer located at the Parking Administration Building for the Aviation Department. Funding is from the Airport Operating and Maintenance Fund FY 2025 Adopted Budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

10. 2024-12-05-0956

Ordinance authorizing an agreement with Carahsoft Technology Corporation (Carahsoft) to procure SAP's Enterprise Resource Planning S4 Financials and Ariba Procurement software licenses to support the Financials and Procurement Phase of the City's Enterprise Resource Planning (ERP) modernization and transformation program. The contract has a seven-year base term with four optional one-year extensions for an estimated contract value of \$60,672,040.64 over the contract term including renewal periods. Funding for the implementation of the Financials and Procurement Phase of the

ERP Project is included in the FY2025 – FY2030 Capital Improvement Program in the amount of \$13,549,829.04. 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 Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

11. 2024-12-05-0957

Ordinance authorizing an agreement with Carahsoft Technology Corporation (Carahsoft) to procure software licensing and implementation services for Sherpa Budget to support the Office of Management and Budget Phase of the City’s Enterprise Resource Planning (ERP) modernization and transformation program. The contract has an eight-year base term with three optional one-year extensions for an estimated contract value of \$4,023,010.42 over the contract term including renewal periods. Funding for the implementation of the Office of Management and Budget Phase of the ERP Project is included in the FY2025 – FY2030 Capital Improvement Program in the amount of \$1,743,222.12. 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 Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

12. 2024-12-05-0958

Ordinance extending the contract with Open LMS, LLC, to provide hosting services for a Learning Management System for an additional six-month period for \$33,171 with four additional, six-month renewal options for an estimated total cost of \$172,624 including all renewals. Funding of \$33,171 for the extension is from the General Fund FY 2025 Adopted Budget. Funding for future years is contingent on City Council approval of the annual budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

13. 2024-12-05-0959

Ordinance approving an amendment with AXON Enterprise, Inc. to add capacity to the existing contract for up to 400 additional Tasers over the next six years for a total of 1,850 Tasers, including all related accessories, and increasing the contract by an amount not to exceed \$2,171,793.70 for a total contract amount of \$11,773,693.70. A total of 65 tasers will be acquired in FY 2025 in the amount of \$63,962.85 funded by the General Fund FY 2025 Adopted Budget. Funding for subsequent years is contingent upon Council approval of the annual budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

14. 2024-12-05-0960

Ordinance approving a contract with 3rd Generation Services, LLC, to provide custodial services for the San Antonio Public Library for an estimated annual cost of \$1,840,000, and an estimated total contract cost of \$9,200,000, beginning January 1, 2025, through December 31, 2027, with two additional one-year renewal options. Funding is from the FY 2025 General Fund Adopted Budget and 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 Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

15. 2024-12-05-0961

Ordinance approving a contract with Universal Protection Service, LP, dba Allied Universal Security Services, for security services for the Aviation Department for an estimated annual cost of \$1,179,334, and total contract cost of \$5,896,670, from January 1, 2025, through September 30, 2027, with two additional, one-year renewal options. Funding is from the Airport Operating & Maintenance Fund FY 2025 Adopted 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 Viagran moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

16. 2024-12-05-0962

Ordinance extending the Annual Contract for Fire Detection and Fire Suppression Systems and Equipment Services for the San Antonio Airport System with Western

States Fire Protection Co., beginning January 1, 2025, through June 30, 2025, with three, one-month renewal options for a cost not to exceed \$200,000. Funding is from the Airport Operating & Maintenance Fund FY 2025 Adopted Budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

17. 2024-12-05-0963

Ordinance ratifying a contract with SHI Government Solutions, Inc., for Lightcast annual subscriptions for the Workforce Development Office, for the period October 19, 2024, through October 18, 2025, with a one-year renewal option, for a total cost of \$76,419.35. Funding is from the FY 2025 SA: Ready to Work Fund Adopted Budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

18. 2024-12-05-0964

Ordinance approving the following contracts establishing unit prices for goods and services for an estimated cost of \$392,000 annually, included in the respective department's FY 2025 Adopted Budget: (A) Sweeping Corporation of America, LLC, for parking garage and parking lot sweeping services for the San Antonio Police Department; (B) Fox Truck World, LLC, for GS Products truck parts for repairs; (C) Litho Press, Inc., for door hangers and tags; and (D) Door Direct LLC for Citywide distribution of door hangers and tags. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Capital Improvements

19. 2024-12-05-0965

Ordinance authorizing the execution of five (5) On-Call Construction Engineering and Inspections Professional Service Agreements with BGE, Inc.; ESP Associates, Inc.; Freese and Nichols, Inc.; KCI Technologies, Inc.; and Michael Baker International, Inc. for construction engineering and inspection services for a total of \$20,000,000. Each agreement is for an amount not to exceed \$2,400,000 for a three-year term with the option

to renew for up to two additional one-year extensions at \$800,000 per extension for a total amount not to exceed \$4,000,000 per contract. Funding is from various sources, including the 2022 General Obligation Bond Funds included in FY 2025 Capital Budget. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

20. 2024-12-05-0966

Ordinance approving a Professional Services Agreement with AG3 Group, LLC for the Underground Storm Drain Video Inspection Program for an estimated annual amount of \$1,600,000, and a total contract value not to exceed \$4,800,000 for a three-year period beginning upon City Council approval. Funding for the first year is from the Storm Water Operating Fund FY 2025 Adopted Budget. Funding for subsequent years is subject to City Council approval of future annual budgets. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

21. 2024-12-05-0967

Ordinance approving a task order to a Job Order Contract with Con-Cor, Inc., in the amount not to exceed \$810,857.72 for the Bazan Library Heating, Ventilation, and Air Conditioning (HVAC) project. Funding is from Certificates of Obligation included in the FY 2025 Capital Budget. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

22. 2024-12-05-0968

Ordinance approving a construction contract with E-Z Bel Construction, LLC in the amount not to exceed \$2,286,120 for the construction of Citywide Bridge Improvements (Downtown Bridge Rail). Funding is from the 2022 General Obligation Bond Program and American Rescue Plan Act (ARPA) funds included in the FY 2025 Capital Budget. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

23. 2024-12-05-0969

Ordinance approving the execution of an amendment in the increased amount of \$176,383.50 for a total Professional Services Agreement amount of \$430,947.40 with Pfluger Architects Inc. for additional architectural design services for the SAPD K-9 Unit Facility Relocation project. Funding is from Tax Notes included in the FY 2025 Capital Budget. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Acquisition, Sale or Lease of Real Property

24. 2024-12-05-0970

Ordinance accepting the donation of a conservation easement over the Edwards Aquifer Recharge and Contributing Zones on four parcels totaling 54.692 acres known as the San Antonio Municipal Utility District No. 1 Phase II project located in Bexar County, Texas from San Antonio Municipal Utility District No. 1, and authorizing payment to Alamo Title Company as escrow agent in the amount of \$26,500.98 for due diligence expenses and closing costs to be paid from the San Antonio Municipal Facilities Corporation fund included in the FY 2025. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

25. 2024-12-05-0971

Ordinance approving the acquisition of a conservation easement over the Edwards Aquifer Recharge and Contributing Zones on a 151.14-acre tract of land known as the Roland Smith Ranch property located in Uvalde County, Texas from Roland Smith and Kimberly Smith, and authorizing payment to Mission Title Company as escrow agent in the amount of \$795,210.71 from the San Antonio Municipal Facilities Corporation fund, which is included in the FY 2025 – FY 2030 Capital Improvement Program. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

26. 2024-12-05-0972

Ordinance approving the acquisition of a conservation easement over the Edwards Aquifer Contributing Zone on a 271.33-acre tract of land known as the Bryant Ranch property located in Medina County, Texas from Penny A. Bryant, and authorizing payment to Alamo Title Company as escrow agent in the amount of \$812,914.20 from the San Antonio Municipal Facilities Corporation fund, included in the FY 2025 Capital Budget. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Grant Applications and Awards

27. 2024-12-05-0973

Ordinance authorizing the acceptance upon award of up to \$2,202,537 in Community Services Block Grant funds awarded by the Texas Department of Housing and Community Affairs to support programs that promote financial self-sufficiency for the period January 1, 2025 through December 31, 2025, and authorizing a budget, personnel complement, and revisions to the Community Action Advisory Board bylaws. [Lori Houston, Assistant City Manager; Melody Woosley, Director, Human Services]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

City Code Amendments

28. 2024-12-05-0974

Ordinance amending Chapter 19 of the City Code to update Traffic Control Schedules of Devices, adding 49 locations citywide where new installations of traffic control devices have occurred, and removing 30 locations citywide where devices have been altered or removed. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Boards, Commissions and Committee Appointments

- 29.** Approving the appointment of Michele Dalbis-Robledo (District 7) to the San Antonio Public Library Board of Trustees for the remainder of a term of office to expire on September 30, 2025. [Debbie Racca-Sittre, City Clerk]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Councilmember Alderete Gavito highlighted her support for the Item.

- 30.** Approving the appointment of Francisco “Frank” Sanchez, Jr. (District 4) to the San Antonio Diez y Seis Commission for the remainder of a term of office to expire on May 31, 2025. [Debbie Racca-Sittre, City Clerk]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Councilmember Rocha Garcia highlighted her support for the Item.

Miscellaneous

- 31.** **2024-12-05-0975**

Ordinance authorizing the execution of a Joint Use Agreement with CPS Energy to accommodate utility upgrades for the San Antonio International Airport and approving the reimbursement to CPS Energy in an amount not to exceed \$2,500,000. Funding of \$835,000 is from interim airport financing and included in the FY 2025 Capital Budget. This action appropriates an additional \$1,665,000 to Utility Infrastructure Upgrades project. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

- 32.** **2024-12-05-0976**

Ordinance approving the levy of a special assessment, levying an assessment and maintaining the assessment rate for Fiscal Year 2025 at 1.25% of the gross hotel room

revenue subject to local hotel tax that is derived from an individual room rental of qualified rooms, approving the Fiscal Year 2025 assessment roll, and approving the Fiscal Year 2025 Service and Assessment Plan for the San Antonio Tourism Public Improvement District. [Alejandra Lopez, Assistant City Manager; Patricia Muzquiz Cantor, Executive Director, Convention & Sports Facilities]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

- 33.** Approval of an appeal of the decision of the Board of Adjustment, pursuant to City Code Sec. 28-5, to deny a 20 foot variance from the maximum 50 foot sign height restriction (to include a 10 foot additional grade) to allow for a multi-tenant sign to be 70 foot height and a 350 square foot variance from the maximum 300 square foot to allow a 650 square foot sign, located at 15000 IH-10. Approval of this item would allow the requested variance for the applicant. [John Peterek, Interim Assistant City Manager; Amin Tohmaz, Interim Director, Development Services]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Jack Finger spoke in opposition to the Item.

34. 2024-12-05-0977

Ordinance adopting amendments to the Small Business Economic Development Advocacy (SBEDA) Ordinance based on findings from the 2023 SBEDA Disparity Study. [Alejandra Lopez, Assistant City Manager; Brenda Hicks-Sorensen, Director, Economic Development Department]

Councilmember Rocha Garcia moved to approve. Councilmember Whyte seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, Viagran, Rocha Garcia, Alderete Gavito, Courage, Whyte

No: McKee-Rodriguez, Castillo, Cabello Havrda, Pelaez

PUBLIC COMMENT:

Jeff Webster, President of the Greater San Antonio Chamber of Commerce spoke in support of the Item but recommended review after the implementation of the program changes for a year, particularly as they related to joint ventures.

Chair of the SBEDA Committee Roy Schaufele and Vice-Chair of the SBEDA Committee Juanita Sepulveda spoke in support of the Item.

Jack Finger spoke in opposition to the SBEDA Program.

DISCUSSION:

Councilmember Pelaez commented that the Council had fought hard for the SBEDA ordinance 20 years ago and the data indicated that there had been substantial headway made in addressing racial disparity. He noted that within the current political climate at the state and federal level, the definitions of discrimination had been flipped which led the City Council to have a choice to fight for the principles of the SBEDA ordinance or should we simply strip out the race component and give up the fight essentially doing the Supreme Court's job for them. He did not support removing race conscious goals and if the Item passed, it should be brought before a B session.

Councilmember Viagran pulled the Item for individual consideration. She suggested that the findings of the 2023 SBEDA Disparity study indicated that there was still significant disparity since Black and Hispanics made up almost 70% of our City yet owned only 20% of our businesses. She asserted that race and gender disparity was definitely still an issue and even though the current program was sunset at the end of 2024, the new ordinance was not set to take effect until August 2025.

Councilmember Viagran recommended keeping the race and gender conscious preference points and requested a meeting of the community on the South, East, and West sides to ensure our small businesses really understood the proposed changes. She requested the item return to B Session on February 12, 2025 so that the proposed changes could be monitored. Walsh committed to providing an update in March 2025 on how the small businesses would be impacted on changes to the SBEDA ordinance as well as federal tariffs so that adjustments could be made before the implementation date of August 25, 2025.

Councilmember Whyte suggested that today should be a celebration that the SBEDA program has worked and there was no more disparity because the goal was that one day we would not need a program and now was the time to slowly dial back the program. He thanked the SBEDA committee and staff for their work. Councilmember Whyte supported Councilmember Viagran's request to bring more information back to City Council. He cautioned that the Supreme Court had set a standard and did not want the entire program to be struck down because it was overly aggressive and did not want to spend taxpayer dollars defending lawsuits particularly an unsuccessful lawsuit.

Councilmember Cabello Havrda commented that the ordinance "as-is" was working and recommended a review of why it was working and what would happen if the race-conscious tools were removed. She asserted that the Council should not approve the program without knowing how it would impact local small businesses, women-owned, and minority-owned businesses. Councilmember Cabello Havrda asserted that this would hurt emerging small businesses and encouraged Council to not forget how we got to this

high attainment.

Councilmember Castillo noted the shift in the Federal Administration, however, acknowledged that the program had worked for some but there were still more small-, minority-, and women-owned businesses that needed help. She felt the program was worth fighting for and did not support the changes.

Councilmember Kaur noted that many Councilmembers were minority business owners, however, she acknowledged that the entire program could go away. She felt that with the goals set for the program, we should continue to monitor the program.

Councilmember Courage pointed out that race- and gender-conscious tools would still continue and preference points for small businesses would continue as well as the proactive monitoring of contract utilization of small-, minority-, and woman-owned businesses. He was concerned that the program could be completely shut down if these changes were not made.

Mayor Nirenberg characterized the action today as adhering to the true purpose of the SBEDA policy to reduce disparities, and the program had been successful, therefore some changes were needed. He noted the Council would get annual briefings and quarterly data reports from the Economic Development Department.

Mayor Nirenberg asserted that very few cities were as supportive of small businesses as San Antonio was and urged a look at the Supply SA initiative that was focused on helping small- and micro-businesses to get not only City contracts but other contracts. The data showed the SBEDA program had been successful, and the changes had nothing to do with perceived threats of litigation, according to Mayor Nirenberg. He noted there would be an update in March.

35. 2024-12-05-0978

Ordinance approving a contract with Clinical Pathology Laboratories, Inc., for medical laboratory testing services for the San Antonio Fire Department for an estimated annual cost of \$37,630.50, and an estimated total cost of \$188,152.50, beginning March 1, 2025, to February 29, 2028, with two additional, one-year renewal options. Funding is from the FY 2025 General Fund. [María Villagómez, Deputy City Manager; Valerie Frausto, Fire Chief, Fire Department]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

36. 2024-12-05-0979

Ordinance approving a Funding Agreement between the Midtown Tax Increment Reinvestment Zone Number 31 Board of Directors and the Brackenridge Park

Conservancy for up to \$7,500,000 for various capital projects and operations in Brackenridge Park. Funding for this agreement is available through the tax increment produced by the Midtown TIRZ. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services Department]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

37. WITHDRAWN

WITHDRAWN – Ordinance approving the naming of the New District 6 Destination Park to Luis Gomez Park located adjacent to 5800 Historic Old Highway 90. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

Item was withdrawn and not considered.

38. 2024-12-05-0980

Ordinance approving the renaming of the Westside Creeks Ecosystem to the “Roberto Rodriguez Westside Creeks Ecosystem.” [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

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

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Councilmembers Castillo and Alderete Gavito highlighted their support for the Item.

City Manager's Report

39. City Manager’s Report

City Manager Erik Walsh announced that the City met its Charitable Campaign goal of raising \$1 million thanks to the leadership of co-chairs Krystal Jones, Director of Arts & Culture and Aurora Perkins, Deputy City Clerk as well as the citywide coordinator Ryan Harrison, Assistant to the Parks & Recreation Director.

Walsh announced some upcoming ACS events and noted some successful adoption, foster, and spay/neuter events.

Walsh reported that over 1,900 employees celebrating a 5-year milestone attended the Annual employee appreciation event in November at the San Antonio Zoo. These employees had a combined 26,880 years of service.

Executive Session

At any time during the meeting, the City Council may recess into executive session in the C Room to consult with the City Attorney's Office (Texas Government Code Section 551.071) and deliberate or discuss any of the following:

- A.** Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B.** The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C.** Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D.** Legal issues related to emergency preparedness pursuant to Texas Government Code Sec. 551.071 (consultation with attorney).
- E.** Legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Nirenberg recessed the meeting in Executive Session at 11:16 a.m.

Mayor Nirenberg reconvened the meeting in Open Session at 12:47 and announced that no official action had been taken in Executive Session.

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 12:47 p.m.

Approved

**Ron Nirenberg
Mayor**

**Debbie Racca-Sittre
City Clerk**