

City of San Antonio



Minutes Governance Committee 2023 – 2025 Council Members

Mayor Ron Nirenberg, Chair
Dr. Adriana Rocha Garcia, Dist. 4 | Melissa Cabello Havrda, Dist. 6 Manny
Pelaez, Dist. 8 | John Courage, Dist. 9

Tuesday, April 23, 2024

10:30 AM

City Hall

The Governance Committee convened a regular meeting in the City Hall Media Briefing Room at 10:36 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Committee Members present:

Members Present: Ron Nirenberg, *Mayor, Chair*
Dr. Adriana Rocha Garcia, *Member*
Melissa Cabello Havrda, *Member*
Manny Pelaez, *Member*
John Courage, *Member*

Members Absent: None

Briefing and Possible Action on

2. Consideration of one At-Large Appointment to the SA: Ready to Work Advisory Board [Debbie Racca-Sittre, City Clerk]

Committee members interviewed Marti Garza, Matthew Gonzalez, and Emilie Herrera for the Ready to Work Board vacancy. Dale Hanson provided a written statement that was read aloud by City Clerk Debbie Racca-Sittre.

Councilmember Pelaez moved to recommend Marti Garza for the Trade/Labor Organization category to full City Council for the remainder of a term of office expiring on May 31, 2024. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Rocha Garcia, Cabello Havrda, Pelaez, Courage

3. Process and Timeline for State Legislative Agenda. [Jeff Coyle, Assistant City Manager; Sally Basurto, Director, Government Affairs]

Sally Basurto, Director of Government Affairs, provided an overview of the 89th State Legislative Session which was scheduled to begin January 14, 2025. Basurto stated that the legislative program was intended to guide staff and consultants' advocacy on behalf of the City before the legislature, the Governor's Office, and state agencies. She provided a timeline for the program development, which was expected to begin in May 2024, and proposed recommendations would be brought back to the Governance Committee in September 2024 and would be brought before the full City Council in October 2024. Basurto stated that the first day bills could be filed for the 89th Legislature was November 11, 2024. She noted there could be a change in representation as a result of the November 2024 election.

Mayor Nirenberg stated that he would reinstate the Intergovernmental Relations Committee when the State Legislature was back in session so they could coordinate and receive updates.

Councilmember Courage recommended collaboration with Bexar County, Chambers of Commerce, and the SA Board of Realtors for our legislative agenda. Basurto agreed and stated that they planned a robust outreach to include those recommended by Councilmember Courage along with Brooks, VIA, State organizations, and others. Councilmember Pelaez recommended prioritizing domestic violence.

Item was for briefing so no action was taken.

4. Process and Timeline for Federal Legislative Agenda. [Jeff Coyle, Assistant City Manager; Sally Basurto, Director, Government Affairs]

Sally Basurto, Director of Government Affairs, provided an overview of the 119th United States Congress which was scheduled to begin January 3, 2025. Basurto stated that the legislative program was intended to guide staff and consultants' advocacy on behalf of the City before the legislature, executive branch, and Federal agencies. She provided a timeline for the program development, which was expected to begin in July 2024 and the proposed recommendations would be brought back to the Governance Committee in November 2024 and would be brought before the full City Council for briefing in December 2024 and would be brought before the full City Council for consideration in January 2025. She noted that there could be a change in representation as a result of the November 2024 election and January 20, 2025 was the presidential inauguration date.

Mayor Nirenberg stated that he would reinstate the Intergovernmental Relations Committee when the legislature was back in session so they could coordinate and receive updates. Councilmember Courage recommended collaboration with other local government stakeholders to develop the agenda.

Item was for briefing so no action was taken.

5. Resolution for Continued Funding for Migrant Resource Center. [Jeff Coyle, Assistant City Manager; Sally Basurto, Director, Government Affairs]

Sally Basurto, Director of Government Affairs, stated that the Federal government had been helping communities through the Department of Homeland Security (DHS), and through the Federal Emergency Management Agency (FEMA) Emergency Food & Shelter Program (EFSP) since 2021, and more recently through the Shelter and Services Program (SSP). In Fiscal Year 2023, Congress allocated \$800 million to the SSP, and on March 23, 2024, Congress approved \$650 million for SSP

for FY 2024, according to Basurto.

Basurto reported that direct funding allocations for FY 2024 included \$3 million for the City of San Antonio and \$10,877,226 for Catholic Charities; the deadline for application for direct awards was set for April 26, 2024 and would be submitted by the City's Department of Human Services. She stated that \$340.9 million was being made available through a competitive grant process and the deadline to apply for competitive funding was anticipated to be June 13, 2024.

Basurto recommended that the Governance Committee consider a Resolution stating City Council's position on continued Federal funding for humanitarian assistance and the City Council continue to include similar language in the legislative program for the 119th Congress.

Mayor Nirenberg commented that there were changes in migration flow and the government's approach, therefore, he agreed to have a statement of support from the City Council.

Councilmember Pelaez asked City Attorney Andy Segovia if any illegal aliens had been served by the Migrant Resource Center (MRC) or transported by Catholic Charities. Segovia stated that every person being served by the MRC and Catholic Charities were here legally seeking asylum and were transported to their asylum hearing and Federal funds were meant to support these services. Councilmember Pelaez asserted that there was a policy debate but dishonest lies about us violating the law were not acceptable and he pointed out that U.S. Representative Monica De La Cruz had made false accusations.

Councilmember Cabello Havrda did not think a Resolution was the appropriate tool as she did not think it would be beneficial and suggested a stronger, more coordinated campaign of phone calls and letters instead since many cities were asking for money and this was a limited scope. Basurto stated that timing was critical and because the Homeland Security Bill would be considered last and during consideration of a congressional continuing Budget Resolution it would be a tool to provide to our delegation. Councilmember Cabello Havrda supported keeping the MRC open to provide humanitarian assistance to legal asylum seekers.

Councilmember Rocha Garcia recommended waiting on the Resolution and suggested collaboration with the National League of Cities. However, she appreciated Councilmember Kaur's request for a resolution as the MRC was in her council district. Councilmember Rocha Garcia recommended that staff develop contingency plans depending on Federal leadership changes. Councilmember Rocha Garcia suggested more collaboration with Catholic Charities to educate lawmakers on the function of the MRC.

Councilmember Courage asked the City Manager what additional funding was needed to make the City whole. City Manager Walsh stated that the City was not owed any money from the Federal Government because their process had changed to provide advanced payments and the City was looking to reduce its expenses so the funding was expected to last until October 2024 and the additional funds would last until January 2025.

Councilmember Courage recommend that the IGR consider the potential Resolution.

Mayor Nirenberg clarified that the staff recommendation was to consider adopting a Resolution at a later date so no action was taken at the meeting.

6. Council Consideration Request by Councilmember Teri Castillo (District 5) on DART Cost Recovery. [Andy Segovia, City Attorney]

City Attorney Andy Segovia provided an overview of the CCR and noted that the CCR requested the development of a comprehensive fee structure that could be used to transition families to safer housing. Segovia stated that the Dangerous Assessment Response Team (DART) was an enforcement tool to abate the impact of nuisance properties within a neighborhood, mitigate safety concerns, and ensure compliance with laws and City Codes. Segovia recommended discussion of additional funding for relocation assistance as a part of the FY 2025 Budget development process through the Development Services Department (DSD) Fund for compliance assistance and some for Animal Care Services (ACS). City Manager Erik Walsh stated that staff would consider development of additional fees through the Budget process that could be used for relocation.

Councilmember Cabello Havrda mentioned that Councilmember Castillo submitted a letter to the Governance Committee opposing the staff's recommendation on the grounds that DART property owners should be held accountable via the DART Abatement Fee. City Manager Walsh stated that he would discuss this with the Councilmember as he felt their recommendation addressed her concern because staff agreed that those property owners that caused the dislocation would be paying for the relocation.

Mayor Nirenberg suggested that the staff recommendation was a new fee for DART owners. Segovia added that it might be applied across code enforcement cases as well as DART; including the Proactive Apartment Inspections Program. Councilmember Cabello Havrda agreed that expanding the definition should be discussed in the Budget process as a separate item. City Manager Walsh stated that it could be covered by the DSD Code Enforcement Budget as a new policy issue.

Councilmember Courage requested clarification on how much money was being collected already and the proposal in detail. Segovia stated that \$20 of each fine went to the Compliance Assistance Program and more details would be discussed during the Budget process. Councilmember Courage agreed with the CCR and recommended an ongoing fee such as \$1 a unit every month that they were in noncompliance to build resources to help people relocate as many were forced to find a new place to live and perhaps did not ask the City for help moving. Segovia supported City Manager Walsh's suggestion to include the Proactive Apartment Inspections Program as most people were not relocated because of DART, but rather other programs.

Mayor Nirenberg suggested that a committee could delve deeper into the issue. City Manager Walsh stated that staff were briefing the Planning & Community Development Committee at its next meeting on the Proactive Apartment Inspections Program, so a conversation could begin at that point and followed up on in May 2024.

Councilmember Pelaez moved to refer the CCR to the Planning & Community Development Committee. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Rocha Garcia, Cabello Havrda, Pelaez, Courage

7. Council Consideration Request by Councilmember Marina Alderete Gavito (District 7) on a Bird Sanctuary Designation. [David W. McCary, Assistant City Manager; Homer Garcia III,

Director, Parks and Recreation]

Assistant City Manager, David McCary, provided an overview of the CCR and noted that the Texas Parks and Wildlife Department (TPWD) offered a community focused certification, known as the Bird City Texas Program, which focused on the protection of native birds and their habitat. He noted that to achieve this certification, specific criteria must be met. Assistant City Manager McCary stated that locally, the Bexar Audubon Society (BAS) and the San Antonio Bird City Texas Collaborative Body worked together to achieve this certification for San Antonio in 2021. He added that the certification required a commitment in three (3) different areas: community engagement, habitat enhancement and protection, and creation of safer spaces for birds.

Assistant City Manager McCary stated that as a non-native species, peafowl were considered “exotic fowl” by Texas Parks and Wildlife and were not subject to the Federal Migratory Bird Act which meant peafowl were not a protected species. However, since peafowl were also considered wildlife, the Animal Care Services (ACS) Department did have jurisdiction unless it was a cruelty related matter, according to McCary. He added that it was unlawful to abuse or cruelly treat peafowl, use inhumane traps, sell peafowl in public places, or hunt wild peafowl in public spaces or on private property without the owner’s permission. McCary added that it was allowable to feed, hunt, humanely trap, and sell on private property with proper permits from the City.

Assistant City Manager McCary noted that the CCR request was intended to not adversely impact operational practices on public property consistent with regulatory guidelines and requested a review of the limited regulation of peafowl. McCary recommended that the CCR be referred to the Public Safety Committee.

Councilmember Pelaez commented that the neighborhood where the peafowl are found, used to be in Council District 8 which was redistricted to Council District 7 but he supported the CCR to help keep peace between neighbors who had differing opinions on how to deal with the peafowl. Councilmember Rocha Garcia spoke in support of the CCR and the staff recommendation.

Councilmember Pelaez moved to refer the CCR to the Public Safety Committee. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Rocha Garcia, Cabello Havrda, Pelaez, Courage

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

Interim Assistant City Manager, John Peterek, provided an overview of the CCR which requested the staff to develop a partnership with the Union Pacific Rail Road (UPRR) to address maintenance of properties owned by Union Pacific to better address illegal dumping, code enforcement, and other miscellaneous issues. Interim Assistant City Manager Peterek stated that Public Works routinely entered into construction agreements with UPRR on construction projects within or near its right-of-way, UPRR maintained its railroad crossings and equipment and any associated work within UPRR's right-of-way. However, for safety reasons, City staff and its contractors did not enter UPRR’s property unless granted permission from UPRR, according to Interim Assistant City Manager Peterek. He recommended proceeding with a draft maintenance agreement with UPRR and presenting it to the

Transportation & Infrastructure Committee for review and approval.

Mayor Nirenberg asked what the City was currently doing to address the issue of litter along the UPRR right-of-way. Director of Public Works Razi Hosseini stated that the challenge was that UPRR had many miles across the community which were at least 100' wide and whenever the City crossed UPRR tracks to work on roadway crossings, UPRR required extensive insurance and bonding from the City's contractors. He stated that Public Works held monthly meetings with UPRR and already talked about cleanup but would discuss a collaborative agreement. Interim Assistant City Manager Peterek clarified that the City would require UPRR to do their own maintenance.

Councilmembers Courage and Rocha Garcia supported the staff recommendation.

Councilmember Pelaez moved to refer the CCR to the Transportation & Infrastructure Committee. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Rocha Garcia, Cabello Havrda, Pelaez, Courage

9. Council Consideration Request by Councilmembers Manny Pelaez (District 8) and Adriana Rocha Garcia (District 4) on Casa Bella Street Extension, 7100 Block of Heathers Place extension. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

Interim Assistant City Manager, John Peterek, provided an overview of the CCR which requested that the City Manager commission a traffic study of Casa Bella Street that would inform the development of a funding plan and schedule for the extension of Casa Bella Street to connect with Vance Jackson as well as a traffic study for the 7100 block of Heathers Place that would inform the development of a funding plan and schedule for construction of a turnaround mechanism for neighbors. The CCR set a deadline of no more than 36 months for the completion of the road's extension. Interim Assistant City Manager Peterek explained that these streets had not been completed by developers and recommended that the Councilmembers use their Neighborhood Accessibility and Mobility Program (NAMP) funding or Capital District Infrastructure Improvement funds for a feasibility assessment and potential design of the proposed street extensions. Interim Assistant City Manager Peterek suggested that funding for final design and construction would be identified after finalized cost estimates. Potential construction funding sources were the FY 2025 NAMP and 2022 Bond Pedestrian Mobility Funds, according to Interim Assistant City Manager Peterek.

Councilmember Pelaez commented that this had been a safety concern over seven years in Council District 8 and stated that he would consider using FY 2024 NAMP funding for the feasibility study. Councilmember Rocha Garcia commented that there was constant illegal dumping in the area and supported the staff's recommendation. Councilmember Cabello Havrda supported the recommendation considering both impacted Councilmembers seemed to accept the solution.

Councilmember Courage expected the City to find money to complete a street like Silver Oaks and did not really support the use of NAMP suggesting development of a program on these incomplete/underdeveloped streets.

City Manager Walsh clarified that no money should be spent without a feasibility study for that specific property to ensure a public street was the solution because the areas in question were

private property.

Councilmember Pelaez moved to refer the CCR back to Public Works to begin the feasibility process and develop recommendations for funding. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Rocha Garcia, Cabello Havrda, Pelaez, Courage

Approval of Minutes

1. Governance Committee meeting on April 17, 2024.

Councilmember Cabello Havrda moved to Approved the minutes of the April 17, 2024 Governance Committee meeting. Councilmember Pelaez seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Cabello Havrda, Pelaez, Courage

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 12:23 p.m.

Approved

Ron Nirenberg Mayor

Debbie Racca-Sittre
City Clerk