

**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, October 17, 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 9:00 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

PRESENT: 10 – Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Courage, Whyte

ABSENT: Pelaez

PROCEDURAL

1. Invocation

The invocation was delivered by Tribal Elder Linda Ximenes of American Indians in Texas, guest of Councilmember McKee-Rodriguez, Council District 2.

2. Pledge of Allegiance

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

3. Approval of minutes for the City Council meetings of October 2, 2024 and October 3, 2024.

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

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

Absent: Pelaez

4. Councilmember Alderete Gavito will be sworn in as Mayor Pro Tem for the period of October 17, 2024, through January 1, 2025.

City Clerk Debbie Racca-Sittre administered the Oath of Office to Councilmember Alderete Gavito who provided the required statement.

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg recognized the 249th birthday of the United States Navy and invited Rear Admiral Walter Brafford to speak.

Mayor Nirenberg proclaimed October 2024 to be Manufacturing Month in San Antonio and invited the Texas Federation for Advanced Manufacturing Education (TXFAME) Alamo Chapter to speak.

Mayor Nirenberg proclaimed October 2024 to be Filipino History Month and recognized members of the community to speak.

Mayor Nirenberg proclaimed October 2024 to be Domestic Violence Awareness & Prevention Month and invited Deputy City Manager Maria Villagomez to speak.

Mayor Nirenberg proclaimed October 17, 2024 to be the non-profit organization Women Involved in Nurturing, Giving, Sharing, Inc. (WINGS) 25th anniversary day and recognized Breast Cancer Awareness month.

Mayor Nirenberg proclaimed October 17, 2024 to be The Madonna Center's 85th Anniversary Day.

CONSENT AGENDA

Capital Improvements

5. 2024-10-17-0782

Ordinance approving a contract with Triton Design & Construction LLC for construction work at a 5,698-square-foot, City-owned facility located at 901 Paul Wilkins St. for the relocation of the Airport Security and Airport Badge & ID office for \$2,987,967.60 as part of the Terminal Development Program. Funding is from Airport Interim Financing and included in the FY 2024 – 2029 Capital Improvement Program. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

6. 2024-10-17-0783

Ordinance approving a contract with Noble Texas Builders, LLC, for construction work at a 10,578-square-foot, city-owned facility located at 457 Sandau Rd. for the relocation of the Transportation Security Agency (TSA) K9 Unit and San Antonio Aviation Police Department (SAAPD) for \$3,989,052.55 as part of the Terminal Development Program. Funding is from Airport Interim Financing and included in the FY 2024 – 2029 Capital Improvement Program. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

Acquisition, Sale or Lease of Real Property

7. 2024-10-17-0784

Ordinance approving a lease agreement with Specialed Solutions, Inc. DBA Red Wing Aerial Photography for Building 609 at Stinson Municipal Airport for a term of five years with an annual rent of \$48,702.48 to be deposited into the Airport Operating and Maintenance Fund. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

8.

2024-10-17-0785

Ordinance extending the lease agreement with Boyd State San Antonio LLC for 53,000 square feet of office space located at 4204 Woodcock for the San Antonio Police Department (SAPD) and related agencies for a ten year term, for the annual rental amount of \$954,000 in year one and increasing to \$1,311,750 in the tenth year of the term. Funding is from the High Intensity Drug Trafficking Area (HIDTA) grant and through the General Fund FY 2025 Adopted Budget. [John Peterek, Interim Assistant City Manager; Jorge A. Perez, Director, Building and Equipment Services]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

9.

2024-10-17-0786

Ordinance approving a lease agreement with Casa Guipzot, LLC for Building 2 at the La Villita Historic Arts Village with the Center City Development and Operations with a total revenue of \$147,321.95 to be deposited into the General Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations Department]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

10.

2024-10-17-0787

Ordinance amending a lease agreement with Opportunity Home SA for the use of an additional 2,342 square feet of office space by the San Antonio Metropolitan Health District in the building at 630 S. General McMullen, for a term ending December 31, 2028, for the estimated annual cost of \$3,437.50. Funding is from the General Fund FY 2025 Adopted Budget. Funding for future years is contingent upon City Council approval of the annual budget and funds. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

11. 2024-10-17-0788

Ordinance authorizing the dedication of a private 0.436-acre (18,992.16 square feet) tract 60-foot right-of-way extension of Enterprise Drive for incorporation into the Public Right-of-Way of Enterprise Drive within New City Block 14845 in Council District 8, as requested by Harry B. Jewett III. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

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

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

Absent: Pelaez

Grant Applications and Awards

12. 2024-10-17-0789

Ordinance authorizing submission of a grant application and acceptance upon award of up to \$31,458,112 from the U.S. Department of Health and Human Services for the City of San Antonio Head Start and Early Head Start programs for the period February 1, 2025 to January 31, 2026; a total program budget of \$39,322,640 which includes an in-kind match of \$7,864,528; and staffing of 110 positions for the Department of Human Services, contingent on the grant award. [Lori Houston, Assistant City Manager; Melody Woosley, Director, Human Services]

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

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

Absent: Pelaez

13. 2024-10-17-0790

Ordinance accepting grant funding in the amount of \$57,000 for FY 2024 and \$30,000 in FY 2025 to fund recycling education materials and resources from the Texas Commission on Environmental Quality for Regional Solid Waste Pass-Through Grants for Fiscal Years 2024 and 2025 through the Alamo Area Council of Governments. [David McCary, Assistant City Manager; David Newman, Director, Solid Waste Management]

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

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

Absent: Pelaez

Councilmember Kaur highlighted her support for the Item.

Boards, Commissions and Committee Appointments

14. Approving the appointment of Laasya Daasari (District 8) to the San Antonio Youth Commission for the remainder of a term of office to expire on May 31, 2025. [Debbie Racca-Sittre, City Clerk]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

Miscellaneous

15. **2024-10-17-0791**

Ordinance approving contract extensions with Big Tex Contractors, LLC, Ida Ponce, dba A+ Lawn Service, Mauro Monita, Raul Cerda, dba Raul's Landscape Services, and Silvia R. Mendoza, dba Mendoza and Mendoza, for one additional year in the estimated amount of \$791,678. Funding is from the General Fund FY 2025 Adopted Budget. [John Peterek, Interim Assistant City Manager; Amin Tohmaz, Interim Director, Development Services Department]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

16. **2024-10-17-0792**

Ordinance approving an interlocal agreement with various local public agencies for the joint provision of services to improve the effectiveness of public purchasing from local and small businesses through the reorganization of the South Central Texas Regional Certification Agency and to do business as Supply SA for a total cost of up to \$300,000 over two years. Funding of \$200,000 is from the Economic Development Incentive Fund (EDIF) FY 2025 Proposed Budget. Funding for year two of the agreement is contingent

upon City Council approval of the annual budget. [Alejandra Lopez, Assistant City Manager; Brenda Hicks-Sorensen, Director, Economic Development Department]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

Mayor Nirenberg highlighted his support for the Item.

17.

2024-10-17-0039R

Resolution authorizing the acquisition of Public Safety Answer Point (PSAP) Center by the City from the City of San Antonio, Texas Municipal Facilities Corporation; amendment, as necessary, to the facility lease agreement between the corporation and the City to facilitate such sale and redemption; and other necessary actions related thereto. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

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

Absent: Pelaez

18.

2024-10-17-0040R

Resolution authorizing the Sale of the Public Safety Answer Point (“PSAP”) Center from the City of San Antonio, Texas Municipal Facilities Corporation to the City of San Antonio; redemption of the “City of San Antonio, Texas Municipal Facilities Corporation Lease Revenue Bonds, Series 2011” in connection with such sale; amendment, as necessary to the Facility Lease Agreement between the Corporation and the City to facilitate such sale and redemption; and other necessary actions related thereto. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer].

Councilmember Rocha Garcia moved to Approve on the Consent Agenda.

Councilmember Viagran seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Whyte

Absent: Pelaez

19. **2024-10-17-0793**
Ordinance extending line-of-duty injury leave for San Antonio Fire Department Fire Engineer Clinton Cooper [Maria Villagomez, Deputy City Manager; Christopher Monestier, Interim Fire Chief]

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

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

Absent: Pelaez

20. **2024-10-17-0794**
Ordinance approving Memorandum of Agreements with local corner stores for the Healthy Corner Store program for the term October 1, 2024 through September 30, 2025, with the option to renew for two, one-year terms; and approving an agreement with the Sustainable Food Center and the acceptance of funds in the amount of \$62,725 for the term September 1, 2024 through August 31, 2025, with options to renew for three, one-year terms, for a total amount up to \$268,440. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

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

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

Absent: Pelaez

21. **2024-10-17-0795**
Ordinance authorizing the assignment of two Public Health Associates from the Centers for Disease Control and Prevention's Public Health Associate Program for dedicated assignment in the City of San Antonio Metropolitan Health District for a two-year term beginning October 21, 2024, and the execution of necessary documents associated with the program. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

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

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

Absent: Pelaez

22. **2024-10-17-0796**
Ordinance approving a Funding Agreement between the City of San Antonio and the Board of Directors for the Tax Increment Reinvestment Zone No. 11 - Inner City TIRZ

for an amount up to \$250,000 for relocation expenses incurred by the City in connection with the Ella Austin Community Center Renovation Project located within the boundaries of the Inner City TIRZ, appropriating funds, and authorizing the City to enter into agreements with entities and contractors to carry out necessary actions for temporary relocation of Ella Austin services. [Lori Houston, Assistant City Manager, Veronica Garcia, Director, Neighborhood and Housing Services]

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

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

Absent: Pelaez

Councilmember McKee-Rodriguez highlighted his support for the Item.

23. 2024-10-17-0797

Ordinance approving a Development Agreement between the City of San Antonio, the Inner City TIRZ Board of Directors and All Aboard Holdings, LP for an amount not to exceed \$1,025,000 for the St. Paul Square Rehabilitation and Preservation Project, located at 1160 E. Commerce Street. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services]

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

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

Absent: Pelaez

Jack Finger spoke in opposition to the Item. Councilmember McKee-Rodriguez highlighted his support for the Item.

24. 2024-10-17-0798

Ordinance approving a Development Agreement between the City of San Antonio, the Inner City Tax Increment Reinvestment Zone (TIRZ) Number Eleven Board of Directors and Commerce Street Kitchen, LLC in an amount up to \$142,331 for Royal Blue Grocery on Commerce Project, located at 1431 E. Commerce Street. This agreement is funded through the Inner City TIRZ. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services]

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

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

Absent: Pelaez

Councilmember McKee-Rodriguez highlighted his support for the Item.

25. WITHDRAWN

WITHDRAWN – Ordinance authorizing the execution of an Advanced Funding Agreement (AFA) between the Texas Department of Transportation (TxDOT) and the City of San Antonio, accepting grant reimbursement in the estimated amount of \$800,000 from TxDOT related to the planning costs, and authorizing payment not to exceed \$5,600 to TxDOT for Direct State Costs for the Multimodal Planning Study of Marbach Road from I-410 to San Antonio City Limits. [John Peterek, Interim Assistant City Manager; Catherine Hernandez, Director, Transportation]

Item 25 was withdrawn and not considered.

Annexation

26. CONTINUED

Ordinance extending the city limits by full purpose annexation as requested by the property owner, Doggett Freightliner Properties III, LLC, of one property, legally described as 16.371 acres out of CB 5088, generally located at the southeast corner of the intersection of Weichold Road and Interstate Highway 10 East, which is contiguous to the city limits of San Antonio and located within the City of San Antonio’s Extraterritorial Jurisdiction (ETJ) in east Bexar County, and approving a Service Agreement. (Continued from September 5, 2024) [John Peterek, Interim Assistant City Manager; Bridgett White, Director, Planning]

Public Comment on Items 26, 27, and 28 was heard as a group and is reflected in the minutes on Item 26.

Discussion was taken up on Items 26, 27, and 28 as a group and is reflected in the minutes on Item 28.

Councilmember Kaur moved to Continue to November 7, 2024 Councilmember Courage seconded the motion The motion prevailed by the following vote:

Aye: Nirenberg, Kaur, Viagran, Rocha Garcia, Castillo, Courage

No: McKee-Rodriguez, Cabello Havrda, Alderete Gavito, Whyte

Absent: Pelaez

27. CONTINUED

PLAN AMENDMENT CASE PA-2024-11600022 (ETJ – Closest to Council District 2): Ordinance amending the IH-10 East Corridor Perimeter Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from “Urban Living” to "Community Commercial" on 35.668 acres out of CB 5088 and

NCB 18225, generally located at the southeast corner of the intersection of Weichold Road and Interstate Highway 10 East. Staff and Planning Commission recommend approval. (Associated Zoning Case Z2024-10700059 CD) (Continued from September 5, 2024)

Public Comment on Items 26, 27, and 28 was heard as a group and is reflected in the minutes on Item 28.

Discussion was taken up on Items 26, 27, and 28 as a group and is reflected in the minutes on Item 28.

Councilmember Kaur moved to Continue to November 7, 2024. Councilmember Courage seconded the motion The motion prevailed by the following vote:

Aye: Nirenberg, Kaur, Viagran, Rocha Garcia, Castillo, Courage
No: McKee-Rodriguez, Cabello Havrda, Alderete Gavito, Whyte
Absent: Pelaez

28.

CONTINUED

ZONING CASE Z-2024-10700059 CD (ETJ – Closest to Council District 2): Ordinance assigning zoning to property currently “OCL” Outside City Limits, “C-2 AHOD” Commercial Airport Hazard Overlay District, and “NP-10 AHOD” Neighborhood Preservation Airport Hazard Overlay District to “C-2 CD AHOD” Commercial Airport Hazard Overlay District with a Conditional Use for Manufactured Home/Oversize Vehicle Sales, Service, and Storage on 35.668 acres out of CB 5088 and NCB 18225, generally located at the southeast corner of the intersection of Weichold Road and IH-10 East. Staff recommends Approval. Zoning Commission recommends Denial. (Associated Plan Amendment PA2024-11600022) (Continued from September 5, 2024)

Public Comment on Items 26, 27, and 28 was heard as a group and is reflected in the minutes on Item 28.

Jo Most, Monica Klempa, Tasha James, Claudia Ayers, and Jack Finger spoke in opposition to the Items.

Discussion was taken up on Items 26, 27, and 28 as a group and is reflected in the minutes on Item 28.

Councilmember Viagran moved to approve Item 26. Councilmember McKee-Rodriguez moved to approve Items 27 and 28.

Councilmember McKee-Rodriguez expressed concern that too much industrial development in District 2 had resulted in fewer opportunities for housing and businesses that supported residents like grocery stores.

Councilmember McKee-Rodriguez moved to amend Item 28 to only approve for C-2

Commercial District zoning. Councilmember Cabello Havrda seconded the motion.

The applicant's representative Ken Brown requested to speak on the zoning case. Mayor Nirenberg recognized Brown to speak. Brown recommended not taking action on the Item and requested a continuance to October 31, 2024.

Councilmember Viagran commented that this was a problematic case and was concerned with the lack of geographically diverse representation on the Planning Commission that she had previously expressed with her Council Consideration Request (CCR) 2024-0019.

Councilmember McKee-Rodriguez explained that he decided to move the Item forward to benefit the residents without telling the applicant his intent to amend the zoning because the item would just keep being continued with no real benefit to the community.

Mayor Nirenberg asked Brown if the applicant desired to withdraw the application. Brown said that if he had known Councilmember McKee-Rodriguez was not going to support the zoning with conditional use, he would have withdrawn the applicant's request.

Mayor Nirenberg requested a presentation to explain the project. Assistant Planning Director Rudy Nino provided a map of the project and site plan and explained that a portion of the project abutting IH 10 was within the San Antonio City limits and a portion was outside the City limits. Nino provided a timeline of the case and breakdown of the actions. Nino said staff recommended approval of the annexation and the zoning with conditional use that would allow for a large trucking sales and storage on site and Councilmember McKee-Rodriguez' amendment would remove the requested conditional use.

Councilmember Courage moved to continue Items 26, 27, and 28 to October 31, 2024 to collect more information. Mayor Nirenberg seconded the motion.

Councilmember Viagran said she supported the continuance because of her concerns about the Planning Commission.

Councilmember Whyte did not support the motion to continue but did not like the way the amendment to Item 28 was brought forward without communication with the applicant.

Councilmember McKee-Rodriguez agreed this was not the most transparent way to go about the case but did not want to continue to discuss the case because the use was inconsistent with what the neighborhood wanted.

Councilmember Courage asked Brown if the property became part of the City but did not have the zone requested by the property owner would they propose a different use. Brown said he was only working on the currently proposed use. Councilmember Courage said he respected the neighbors' position but was concerned that the property owner had

requested annexation for a specific use only to have Council to switch the use intended by the owner. Therefore, he wanted to let the property owner withdraw his request for annexation. Brown requested to withdraw the application.

Mayor Nirenberg supported the continuance so that the Council could get a better understanding and called for a vote on the continuance. Motion to continue Items 26, 27, and 28 to October 31, 2024 failed by the following vote: Aye (5) Viagran, Cabello Havrda, Alderete Gavito, Courage, and Nirenberg. Noes (2) McKee-Rodriguez and Whyte. Councilmembers Kaur, Rocha Garcia, and Castillo abstained. Six affirmative votes are required for a vote to pass, thus the motion failed.

Councilmember Cabello Havrda asked for procedural clarification. Segovia clarified that Item 28 should be considered first, then, Items 26 and 27 because the annexation would be moot if the zoning on Item 28 was not approved.

Councilmember Rocha Garcia asked how long the case had been underway. Nino said the case had been in process for five months.

Councilmember Kaur cited the need for more information and moved to continue the Item to November 7, 2024. Councilmember Courage seconded the motion.

Councilmember McKee-Rodriguez noted that any development on this property would trigger the annexation agreement.

Councilmember Cabello Havrda called for the orders of the day. City Attorney Segovia explained that the point of order would mean that the Council would need to take up the vote on Items 26, 27, and 28 in the order posted on the agenda.

Mayor Nirenberg called for a vote on the motion to Continue Items 26, 27, and 28 to November 7, 2024. Motion carried and all other pending motions fell to the floor.

Councilmember Kaur moved to Continue to November 7, 2024. Councilmember Courage seconded the motion The motion prevailed by the following vote:

Aye: Nirenberg, Kaur, Viagran, Rocha Garcia, Castillo, Courage
No: McKee-Rodriguez, Cabello Havrda, Alderete Gavito, Whyte
Absent: Pelaez

City Manager's Report

29. City Manager's Report

City Manager Erik Walsh showed an Employee Spotlight Video highlighting the work of Caleb Jackson, Investigator with the Metro Health Epidemiology Division.

Executive Session

Mayor Nirenberg recessed the meeting into Executive Session at 11:45 a.m.

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 reconvened the meeting in Open Session at 12:08 p.m. and announced that no official action had been taken in Executive Session.

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 12:08 p.m.

Approved

**Ron Nirenberg
Mayor**

**Debbie Racca-Sittre
City Clerk**