

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 12, 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 9:05 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 Pastor Jerome Oddo of City Church, guest of Councilmember Alderete Gavito, Council District 7.

2. Pledge of Allegiance

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg led a moment of silence in honor of the death of Rosemary Kowalski.

Mayor Nirenberg recognized the 130th anniversary of the Greater San Antonio Chamber of Commerce.

Mayor Nirenberg recognized Councilmember Castillo who congratulated Police Athletic League (PALs) volleyball champions from the Perales Elementary School in Edgewood ISD and the Las Palmas Leadership Academy.

Mayor Nirenberg recognized Councilmember Kaur who welcomed students from CAST Tech and the Leadership Academy who were observing the meeting.

ACTION ITEMS FOR STAFF BRIEFING

2024-12-12-0998

3. Ordinance approving a three-year plan to phase out the use of horses with horse-drawn carriages in San Antonio, including the abolishment of ordinance(s) and policies as they relate to Chapter 33 permitting equine drawn carriages. [María Villagómez, Deputy City Manager; Chief William McManus, Director, Police Department]

Assistant Director of the San Antonio Police Department (SAPD) Rick Riley presented background on the Item. He noted that the Council Consideration Request (CCR) submitted by Councilmembers McKee-Rodriguez and Viagran on November 28, 2022 requested a plan to phase out the use of horses with horse-drawn carriages in San Antonio, to include the abolishment of Ordinance(s) or policies as they related to Chapter 33 permitting equine-drawn carriages. He reported that the CCR requested that the plan include: determination of the feasibility and establishment of a program to support a workforce transition from horse-drawn carriages to electric carriages and pedicabs; the establishment of a prohibition of the use of horses with carriage rides; and immediate cessation of the issuance of all new horse-drawn carriage permits, medallions, and/or Special Event Permits so that eventually all valid permits, medallions, and/or Special Event Permits would expire.

Riley provided the following process overview: In April 2024, the Governance Committee heard the CCR, and the issue was referred to the Transportation and Infrastructure Committee (T&IC). In May, the Transportation Advisory Board (TAB) discussed the CCR and heard from horse-drawn carriage business owners and operators and in June 2024 staff briefed the Committee noting that SAPD met with horse-drawn carriage companies and the TAB discussed the CCR. In July 2024, the Communications and Engagement Department (C&E) conducted an SA SpeakUp Survey of residents, business, and tourists, and staff briefed the Animal Care Services (ACS) Board. Staff updated T&IC and the Economic Development Department met with horse-drawn carriage business owners in September 2024. In October 2024 the Workforce Development Department met with horse-drawn carriage drivers to discuss the Ready-to-Work Program.

Riley reported that based on feedback received at the October 31, 2024 City Council Special Session, staff developed a three-year Transition Plan to phase out horse-drawn carriages. He reported that under the Plan, horse-drawn carriages would cease to operate in San Antonio on January 1, 2028, and operating hours would be reduced annually until the prohibition took effect on December 12, 2024.

According to Riley, no new permits to operate horse-drawn carriages would be issued and no new horses would be licensed by ACS upon today's approval of the proposed changes to City Code Chapter 33.

The Economic Development Department would assist business owners to navigate programs using Launch SA, to assist with business plan development, and LiftFund to explore Zero Percent Interest Loan eligibility, according to Riley. Additionally, Riley noted that the Workforce Development Office would schedule resource fairs monthly and coordinate to connect carriage operators with local workforce partners and education institutions; fairs would focus on increasing awareness of the City's Ready to Work Program. He added that the Office would present programs that matched workers' interests and abilities, and guide workers interested in education or training including tuition support and support from job placement specialists at the end of training.

PUBLIC COMMENT:

The following spoke in opposition to the Item and in support of horse-drawn carriages: Art Martinez de Vara representing the horse-drawn carriage industry, Emily Doherty, Devon Vaniman, and Kathy Stephens who were carriage operators, Denise Gutierrez-Homer, Joe Straus Jr., Mark White, Kenneth Spradley, Rose Hill, and Grace Rose Gonzales. Mindy Patterson, President of the Cavalry Group provided a letter supporting the horse-drawn carriage industry and opposing the prohibition.

The following spoke in support of the Item prohibiting horse-drawn carriages: Rachel Wolf representing Voice for Animals, Carter Graham, Joao Fernandes, Roland Downs, Iliana Poor, Tyler Parriski, Mariah Smith, Lacey Jessamine, and Carlos Trevino.

DISCUSSION:

Councilmember McKee-Rodriguez moved to Approve the staff recommended three-year phase out. Councilmember Kaur seconded the motion.

Councilmember Courage noted that he had been watching the carriages in action and visited the barns and felt the animals were treated well. He commented that the narrative had changed from animal abuse to exploitation and mentioned numerous uses of animals such as at the zoo and canines that could also be considered exploitation and noted that those uses were not being questioned.

Councilmember Courage acknowledged that the carriages caused traffic congestion, but it was a valuable tourism experience. He noted that there were lots of past practices and facilities that were being kept due to historic preservation. Councilmember Courage was reluctant to close a legally operating business.

Councilmember Pelaez wanted to ensure that equine hybrids were also included in the prohibition. Segovia confirmed that they were included. Councilmember Pelaez supported the prohibition and lamented that it should have happened sooner. He clarified that his ACS Board appointee Katie Jarl was not a lobbyist.

Councilmember Alderete Gavito advocated for a one-year transition but was willing to concede to a three-year transition to help the businesses. She noted that the traffic congestion and carriages impeded public safety vehicles.

Councilmember Rocha Garcia asked about the electric carriage that was operating. Riley stated that the vehicle was cited for not having a license to operate as a vehicle for hire and if caught again, the vehicle would be impounded.

Councilmember Whyte suggested that the action did not do enough for small businesses and he did not support eliminating the horse-drawn carriage industry. However, he noted that there was support for prohibiting the carriages but wanted a better response to help the businesses.

Councilmember Whyte moved to amend the proposed plan to give the horse-drawn carriage industry five years to transition for an end date of January 1, 2030, instead of 2028. Councilmember Castillo seconded the motion. Mayor Nirenberg clarified that the motion was an amendment to a main motion which Councilmember Whyte would not support even his own amendment.

Councilmember Viagran supported the amendment because she heard that the industry needed more time. She noted that the Governance Committee did not hear the 2022 CCR until 2024 which meant nothing was started on the issue for two years. Councilmember Viagran provided copies of six letters from the public supporting the horse-drawn carriage industry as well as a letter from herself.

Councilmember Castillo highlighted the rodeo which brought billions of dollars to the City and claimed hypocrisy of the City Council to hurt small businesses but not large ones. She asked whether emergency vehicles had been impaired by the carriages. Riley stated that they had not reported any delays due to the carriages. Councilmember Castillo noted that the City-contracted veterinarian had not stated that the horses were mistreated. She commented that the horse-drawn carriage owners and drivers needed to be considered and supported the amendment and would not support the three-year phase out.

Councilmember Kaur requested information about the debt held by the carriage business owners. Director of Economic Development Brenda Hicks-Sorensen stated that staff reviewed the financials and confirmed the debt but did not receive documents as they were not provided due to concerns with Texas Public Information Act Requests. Councilmember Kaur expressed concern with not receiving the information she had requested.

Mayor Nirenberg asked Deputy City Manager Maria Villagomez for clarification on how staff would handle a five-year phase out. Villagomez stated that the City Council could consider keeping the current hours of operation for two years. Segovia recommended that Councilmember Whyte clarify his amendment to add "adjust the phase-out timeline accordingly." Councilmember Whyte supported the clarification.

Mayor Nirenberg called for a vote on the motion to amend the Item which would include a five-year plan to phase out the use of horses with horse-drawn carriages in San Antonio, including the phased-out timeline, and the abolishment of Ordinance(s) and policies as they related to Chapter 33 permitting equine-drawn carriages. The motion carried by the following vote:

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

Councilmember McKee-Rodriguez noted that he had met with carriage operators and animal rights activists alike, and while his proposal was for an immediate ban, he supported a three-year transition but would support the amended five-year transition plan in order to eventually accomplish the prohibition. He stated that carriage horses were forced to breathe exhaust fumes and carry a bag of excrement against their will and suggested that they were oppressed animals.

Councilmember McKee-Rodriguez did not take lightly that this was a conversation about the livelihoods of business owners but added that he would also consider helping animals exploited by the rodeo and other industries. He supported helping the businesses buy e-carriages and retraining of their employees. Councilmember McKee-Rodriguez saw this as a transformational process to move to ethical jobs, however, he supported the motion as amended to help the businesses and noted that he had spoken to horse sanctuaries that would take the horses.

Councilmember Courage asked if the City would keep all of Chapter 33 of the City Code currently in place until 2027 and then start the three-year transition. Villagomez clarified that no new permits or horse licenses would be issued beginning today and banning of the horse-drawn carriages would be effective January 1, 2030, with the hours beginning to be reduced starting in 2027.

Councilmember Viagran wanted to ensure that owners were kept in the downtown stakeholder meetings regarding upcoming events and downtown traffic during the transition. She recommended a holistic approach to downtown congestion. Councilmember Viagran felt that the five-year transition was a good compromise and thanked the TAB for their efforts.

Councilmember Castillo thanked Art Martinez and his team for their advocacy and supported the five-year compromise. She also thanked the TAB for their work.

Councilmember Whyte noted this was not the ideal outcome for the horse-drawn carriage industry but felt that it was a good compromise for the businesses to allow them to phase-out. Councilmember Pelaez stated that he would abstain because five years was too long.

Mayor Nirenberg commented that no less than three times in the last seven years he had asked for horse-drawn carriage phase-out to be considered and thanked Councilmembers McKee-Rodriguez and Viagran for the CCR. While he wanted this to occur sooner, he appreciated that the five-year phase-out was a compromise that would allow the horse-drawn carriage businesses to transition. Mayor Nirenberg apologized to Councilman Whyte for stating that his motion was disingenuous.

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

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

Councilmember Whyte moved to Amend the motion to phase out the industry from three to five years. Councilmember Castillo seconded the motion The motion prevailed by the following vote:

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

2024-12-12-0999

4. Ordinance approving amendments to the City's Economic Development Incentive Fund (EDIF) Guidelines pursuant to Chapter 380 of the Local Government Code, originally adopted by City Council on June 3, 2004. [Alejandra Lopez, Assistant City Manager; Brenda Hicks-Sorensen, Director, Economic Development]

Items 4 and 5 were presented and discussed together but approved individually.

City Manager Erik Walsh commented that changes had been made based on feedback from the B Session. Brenda Hicks-Sorensen, Director of Economic Development stated that the program priorities were high-wage jobs, competitiveness, accessible policy tied to key areas, streamlined and efficient processes, and objective metrics. Hicks-Sorensen provided comparisons of different cities and provided an overview of the updates made as a result of the B Session which included: power-intensive users, remote/hybrid "qualified workers", wages for new and existing jobs, wage indexing, capping abatements and rebates, and updates to the legal language. Additional considerations were: additional site enhancements, engagement with the Ready-to-Work (RTW) Program, local hiring efforts, and safety-related reporting.

Hicks-Sorensen stated that for Power Intensive Users which was defined as projects requiring 40 megawatts of energy or more would be required to meet the Tier 2 requirement of 200 jobs. She noted that under the Chapter 380 Program employees would need to spend at least 60% of their annual hours at the project site engaged in services on-site; or reside within the City of San Antonio (COSA), COSA ETJ, or Bexar County. She indicated that under the Chapter 312 Program, no more than five-percent (5%) of the full-time jobs could be hybrid, but must still be physically present at the project site at least twice per week.

Hicks-Sorensen reported that wages were updated for Tax Abatements/Rebates so that 100% of jobs (both new and existing) would be required to be at the City of San Antonio indexed minimum wage and 90% of jobs would be required to be paid at 80% of the area median wage. Hicks-Sorensen stated that for EDIF Grants, 100% of jobs required the City median income of \$28.65 per hour which would be indexed and 90% of jobs would require 150% of the median income \$89,389 or the current rate of \$42.97 per hour which would be indexed. She added that all existing jobs must pay the minimum City of San Antonio wage at the time of the abatement or grant.

Hicks-Sorensen stated that additional considerations would be to require recipients to create a customized RTW Plan with staff including interviewing and hiring program graduates, require efforts to hire at least 30% of FTEs from within COSA, COSA ETJ, or Bexar County as well as submission of a safety program/plan that included heat-related safety and the United States Occupational Safety and Health Administration (OSHA) level 10 or equivalent training, and required reporting of contractors'

Experience Modification Rating (EMR).

Hicks-Sorensen recommended that City Council adopt the Ordinance approving amendments to the City of San Antonio Economic Development Incentive Fund Guidelines (EDIF) pursuant to Chapter 380 of the Local Government Code, effective January 1, 2025, through December 31, 2026. She also recommended adoption of the Ordinance approving amendments to the City of San Antonio Tax Abatement Guidelines effective January 1, 2025, through December 31, 2026.

PUBLIC COMMENT:

Sarah Carabias Rush, Chief Economic Development Officer for Greater SATX spoke in support of the Item and staff's recommendations.

DISCUSSION:

Councilmember Alderete Gavito supported the Item and requested regular City Council updates on the program and recommended that feedback be collected from the businesses. Hicks-Sorensen stated that staff would be briefing the Economic and Workforce Development Committee semi-annually and would provide any information requested and collect feedback.

Councilmember Pelaez supported the Item and thanked Hicks-Sorensen for meeting with stakeholders to ensure a fair program. He requested that if Greater SATX or EDD was told the guidelines were too tight and were keeping businesses from coming to let him know.

Councilmember Castillo thanked staff for the presentation and for having conversations with the contracting industry and the Laborers' International Union of North America (LiUNA). She stated that she was looking forward to approving the Item.

Councilmember Rocha Garcia supported requiring EDIF recipients to develop a specialized RTW plan. She stated that the Item was a good compromise and called for exploration of other contracting opportunities.

Councilmember Viagran recommended keeping an eye on trends and supported efforts to globalize business in San Antonio.

Councilmember Kaur requested clarification on tax abatement values being updated versus the investment. Hicks-Sorensen stated that other cities capped their abatements to provide more assurance during the City's Budget process.

Councilmember Pelaez moved to Approve. Councilmember Viagran seconded the motion The motion prevailed by the following vote:

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

Absent: Cabello Havrda, Whyte

2024-12-12-1000

- 5. Ordinance adopting the City of San Antonio Tax Abatement Guidelines effective from January 1, 2025, through December 31, 2026. [Alejandra Lopez, Assistant City Manager; Brenda Hicks-Sorensen, Director, Economic Development]

Councilmember Viagran moved to Approve. Councilmember Courage seconded the motion The motion prevailed by the following vote:

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

Items 4 and 5 were presented and discussed together but approved individually.

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

- 6. **WITHDRAWN**
WITHDRAWN – Ordinance approving a contract with T & W Tire, L.L.C., to provide tires and tire services for the Solid Waste Management, Aviation, Fire, and Building and Equipment Services Departments, beginning upon award through June 30, 2027, with two, one-year renewal options for an estimated cost of \$3,000,000 annually, and an estimated total cost of \$15,000,000, including renewals. Funding of \$2,909,000 is from the Fleet Services Fund, \$21,000 from the Airport Operating & Maintenance Fund; and \$16,000 from the General 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]

Item was withdrawn and not considered.

- 7. **2024-12-12-1001**
Ordinance approving a contract with Otto Environm Inc. for two sets of stainless steel canine kennels for the Animal Care Services Department for a total cost of \$51,000. Funding is from the FY 2025 General Fund Budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

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

Capital Improvements

8. **2024-12-12-1002**
Ordinance approving a design build agreement with CABASS VENTURES, LLC for emergency generator design and installations at seventeen Fire Stations and the San Antonio Fire Department (SAFD) Services Facility in the amount not-to-exceed \$4,000,000, funded from the General Fund. [María Villagómez, Deputy City Manager; Valerie Frausto, Fire Chief]

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, Alderete
Gavito, Pelaez, Courage

Absent: Cabello Havrda, Whyte

9. **2024-12-12-1003**
Ordinance amending a contract with Keeley Construction Group, Inc. for the increased amount of \$181,952.04 and a total contract value of \$909,760.18, and for a six-month extension for additional construction services to complete non-service alley projects. Funding is from the FY 2025 General Fund 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, Alderete
Gavito, Pelaez, Courage

Absent: Cabello Havrda, Whyte

10. **2024-12-12-1004**
Ordinance amending the Professional Services Agreement with Structural Engineering Associates, Inc. for the increased amount of \$1,066,441.13 and a total contract amount of \$4,579,809.77 for additional civil engineering services for the South Zarzamora Street Overpass at Union Pacific Railroad and Frio City Road project. Funding is from 2017 General Obligation Bond 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, Alderete
Gavito, Pelaez, Courage

Absent: Cabello Havrda, Whyte

11. **2024-12-12-1005**
Ordinance amending the Professional Services Agreement with Lamb-Star Engineering, LLC for the increased amount of \$316,112.56, and a total contract amount of \$1,052,781.11 for additional civil engineering services for the North Frio Bike and Pedestrian Improvements (West Houston Street to Interstate Highway 10) project. San Antonio Water System will reimburse a total of \$14,815 and CPS Energy will reimburse a total of \$15,715. Funding is from the General Fund and 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, Alderete Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

12. 2024-12-12-1006

Ordinance approving an Advanced Funding Agreement between the City of San Antonio and the Texas Department of Transportation (TxDOT) and authorizing payment in an amount not to exceed \$24,355 payable to TxDOT for administrative oversight of federal funds and accepting \$2,018,115 in Highway Safety Improvements Program (HSIP) infrastructure to include improvements of traffic signals at four locations as FY 2025 Traffic Signal Installation projects. Funding is from the General Fund FY 2025 Adopted 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, Alderete Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

13. 2024-12-12-1007

Ordinance approving an Advanced Funding Agreement between the City of San Antonio and the Texas Department of Transportation (TxDOT) and accepting reimbursement in the estimated amount not to exceed \$15,845,676 from TxDOT through their Transportation Alternatives Set- Aside Program for civil engineering and construction-related expenses for the Market Street Cycle Track Project. No City match is required. [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, Alderete Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

14. 2024-12-12-1008

Ordinance approving the 2025 Pavement Preservation Package 7 – Flatwork Task Order Contract with Bueno Pro Services, LLC. in an amount not to exceed \$569,519.10 of which \$31,100 will be reimbursed by San Antonio Water System for necessary adjustments to their existing infrastructure. Funding is from the General Fund and the Advanced Transportation District Fund 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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

15. 2024-12-12-1009

Ordinance approving the 2025 Pavement Preservation Package 8 – Flatwork Task Order Contract with F.D. Concrete, LLC in an amount not to exceed \$512,777 of which \$23,357 will be reimbursed by San Antonio Water System for necessary adjustments to their existing infrastructure. Funding is from the General Fund and the Advanced Transportation District Fund 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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

16. 2024-12-12-1010

Ordinance approving a construction contract with D&S Concrete Contractors LLC in the amount not to exceed \$597,113 for the construction of the Bitters Road & Silverhorn Drive Retaining Wall Replacement project. Funding is from the 2017 General Obligation Bond and Great American Insurance 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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

17. 2024-12-12-1011

Ordinance approving a construction contract with RCO Construction, LLC in the amount not to exceed \$1,539,073, of which \$15,600 will be reimbursed by San Antonio Water System for necessary utility adjustments for the construction of intersection improvements related to Port San Antonio Area Streets project. Funding is from 2022 General Obligation Bond 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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

Acquisition, Sale or Lease of Real Property

18. 2024-12-12-1012

Ordinance amending the lease for the Tower of the Americas with Landry's Restaurant Group to extend the lease for an additional five-year term, and providing an additional five-year extension term at the City's discretion. Total projected revenue for the initial five year term of \$10,585,636.07 is to be deposited into the General Fund as a result of the lease extension, and \$3,804,848.09 is to be deposited into the Parking Operating and Maintenance Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations]

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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

19. 2024-12-12-1013

Ordinance approving the acquisition, through negotiation or condemnation, of interests in permanent and temporary parcels of land sufficient for project purposes of privately-owned real property and declaring the Classen Road (Classen Spur to Knollcreek Drive), a 2022 Bond Program funded project, to be public use project and a public necessity for the acquisitions of one drainage easement totaling 0.21 acres (9,228 square feet), five (5) right of way easements totaling 0.53 acres (22,914 square feet), and nine (9) temporary construction easements totaling 0.61 acres (26,563 square feet), all located along Classen Road from Classen Spur to Knollcreek Drive in NCBs 17726 in Council District 10. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Whyte pulled the Item for Individual Consideration. City Clerk Debbie Racca- Sittre read the caption and property description aloud for the record.

Councilmember Whyte moved to Approve. Councilmember Courage seconded the motion. The motion carried by the following vote:

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

Miscellaneous

20. 2024-12-12-0057R

A Resolution by the City Council of the City of San Antonio, Texas approving the Issuance of higher

education revenue bonds by the City of San Antonio, Texas Education Facilities Corporation for the University of the Incarnate Word, a Texas nonprofit corporation, and approving other matters related thereto. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer].

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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

21. 2024-12-12-0058R

A Resolution of the City of San Antonio, Texas Education Facilities Corporation authorizing the issuance of City of San Antonio, Texas Education Facilities Corporation Higher Education Revenue Bonds (University of the Incarnate Word Project); authorizing the execution of a Loan Agreement, an Indenture of Trust, a Bond Purchase Contract and other related documents in connection therewith; authorizing the preparation and distribution of an official statement; and approving other matters in connection therewith. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer].

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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

22. 2024-12-12-1014

Ordinance renewing Professional Services Agreements for Federal Representation Services with Akin Gump for a period of two years, at an amount not to exceed \$540,000; and Serna & Serna for a period of two years, at an amount not to exceed \$90,000. The renewed agreements commence on January 1, 2025, and end on December 31, 2026. Funding of of \$315,000 for the first year of the contract is from the General Fund FY 2025 Adopted Budget, and funding for subsequent years is contingent upon City Council approval of the annual budget. [Jeff Coyle, Assistant City Manager; Sally Basurto, Government Affairs]

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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

23. 2024-12-12-1015

Ordinance approving an agreement with Communities in Schools of San Antonio for school-based counseling services, as part of the City of San Antonio Metropolitan Health District's SA Forward Plan and the Office of Mental Health and Resilience, in an initial amount up to \$1,119,000 for the term

beginning January 1, 2025 through September 30, 2027, with options to renew for two, one- year terms, for a total contract amount up to \$1,919,000. Funding is from the General Fund FY 2025 Adopted Budget. Funding for subsequent years is contingent upon City Council approval of the annual budget and funds. [Erik Walsh, City Manager; Claude A Jacob, Director, Health]

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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

Councilmember Rocha Garcia moved to reconsider Item 23 which had been passed on Consent so that she could recuse herself. Councilmember Viagran seconded the motion. Motion carried by the following vote:

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

Councilmember Kaur moved to Approve. Councilmember Viagran seconded the motion. Motion carried by the following vote:

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

24. 2024-12-12-1016

Ordinance approving an Insurance Property Damage Release agreement between the Ohio Security Insurance Company (dba Liberty Mutual Insurance) and the City of San Antonio to accept funds in an amount not to exceed \$89,005.91 for property damage incurred at Stonewall Avenue resulting from work completed for Netspan Corporation and Foremost Telecommunications Corporation. Funds will be deposited into the Storm Water Operating Fund. [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, Alderete
Gavito, Pelaez, Courage
Absent: Cabello Havrda, Whyte

City Manager's Report

25. City Manager's Report

City Manager Erik Walsh announced that the City of San Antonio had been recognized for its comprehensive health policies in six categories.

City Manager Walsh recognized the Development Services Department as achieving accreditation for the 10th year.

City Manager Walsh showed an Employee Spotlight Video recognizing the work of Christine Hill, San Antonio Film and Music Manager with the Department of Arts & Culture.

Executive Session

Mayor Nirenberg recessed the meeting into Executive Session at 12:02 p.m. to discuss 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).
- F.** Deliberate the 2024 evaluation for the City Manager and City Clerk and any related legal issues pursuant to Texas Government Code Section 551.074 (personnel matters) and Texas Government Code Section 551.071 (consultation with attorney).

Mayor Nirenberg reconvened the meeting in Open Session at 2:52 p.m. and announced that no official action was taken in Executive Session.

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 2:52 p.m.

Approved

Ron Nirenberg Mayor

**Debbie Racca-Sittre
City Clerk**