

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



**Meeting Minutes  
City Council A Session**  
City Hall Complex  
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, August 31, 2023**

**9:00 AM**

**Municipal Plaza Building**

The City Council convened a regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at 9:17 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**

Juspreet Kaur with the Sikh Center of San Antonio, guest of Councilmember Kaur led the invocation.

**2. Pledge of Allegiance**

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

3. Approval of minutes for the City Council meetings of August 9, 2023, August 10, 2023, August 15, 2023, and August 17, 2023.

Councilmember Viagran moved to Approve the minutes of the August 9, 2023, August 10, 2023, August 15, 2023 and August 17, 2023 City Council meetings. Councilmember McKee-Rodriguez 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 recognized the San Antonio Missions as the first and only UNESCO World Heritage Site in Texas and San Antonio as one of only two Creative Cities of Gastronomy in the nation and recognized the Chef Ambassadors.

Councilmember Kaur recognized the Campus Punks Rock Climbing Team for winning the summer solstice.

Councilmember Castillo spoke in support of harm reduction strategies to save lives by addressing drug overdoses and recovery from drug addiction. She recognized the work of the San Antonio Recovery Center. Mayor Nirenberg declared August 31, 2023 as National Overdose Prevention Day in San Antonio.

## **ACTION ITEMS FOR STAFF BRIEFING**

**2023-08-31-0585**

4. Ordinance establishing minimum Heat Illness prevention requirements for certain City funded contracts involving activities in outdoor and unconditioned spaces. [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Mike Shannon, Director of the Department of Development Services (DSD) stated that a task force was created last year to study heat illness and make recommendations for improving outcomes for outdoor workers in San Antonio. Shannon provided comparisons of peer city's policies and Ordinances and reviewed the minimum Occupational Safety and Health Administration (OSHA) requirements. Shannon stated that the recommendations were presented to the Planning and Community Development Committee (PCDC) in May and June 2023.

Shannon proposed that all City-funded construction contracts would include protections for workers when the heat index was 95 degrees fahrenheit or higher to require a minimum 15-minute break every 4 hours, heat relief stations with shade and drinking water, displays of signage indicating worker's rights on all construction sites in both English and Spanish and training for supervisors and workers on heat hazards and mitigation.

**PUBLIC COMMENT:**

Matt Gonzales, Charles Fuentes, Dale Hanson, Alejandra Lopez, and Robert Bawney representing the local labor unions and Marty Garza, David Chincanchan and Manuel Antu spoke in support of the Ordinance.

Lauren Mandel, President of the San Antonio Associated General Contractors – Building Branch asserted that all her member contractors held worker safety at the highest standard.

Jack Finger spoke in opposition to the Ordinance.

#### DISCUSSION:

Councilmember Castillo spoke in support of the Ordinance because Texas had the highest level of worker heat related illnesses and deaths in the nation due to our intense heat. Councilmember Castillo noted that OSHA did not have standards for heat related illnesses and these incidents would not have happened if they addressed this issue.

Councilmember Castillo highlighted that there was bipartisan support at the Federal level to institute mandatory water breaks and noted that the Solid Waste Management Department as well as San Antonio Water System had already implemented these measures for their workers.

Councilmember Pelaez commented that the proposed Ordinance was informed by compassion and noted that there was an extensive stakeholder process that led to the proposed policy. Councilmember Pelaez asked Public Works Director Razi Hosseini if, in his 30 years, had he ever seen a heat illness or death on a City contract and whether the City Manager had the resources to enforce the policy. Hosseini stated that he had not seen this happen on City contracts and City Manager Walsh noted that the City was able to monitor the policy by receiving complaints, however, a proactive enforcement was not currently resourced.

Councilmember Viagran thanked Councilmember Rocha Garcia and former Councilmember Sandoval for their leadership on this issue and supported the Ordinance as a first step in protecting workers in San Antonio at least on our own contracts which was specific to the needs of San Antonio. She stated that the Ordinance may need to be expanded later if OSHA did not come through with worker protections. She thanked the San Antonio Federal delegation for their leadership and hoped they would be able to get heat illness protections for workers nationwide.

Councilmember Whyte commented that not only were workers our friends and relatives, but the business owners were also our friends and relatives, and he trusted these firms to do the right thing and protect their workers. Councilmember Whyte stated that his team had surveyed the City's construction contractors and had not heard that this was an issue.

Councilmember Whyte asserted that there should be a tailored approach to each worker's needs and the Ordinance was symbolic gesture as it would not really protect workers, nor would there be any enforcement action by the City. He noted that the Heat Ordinances in other cities were not working. Councilmember Whyte felt that the Ordinance was not necessary.

Councilmember Whyte asked the City Attorney if the amendment were to pass, would City staff be able

to use the safety plan that would include the heat prevention, heat illness prevention measures in evaluating proposals. City Attorney Andy Segovia stated that they could be included for evaluation in all contracts except low bid.

Councilmember Castillo asked if money was set aside in the Budget for enforcement and did the Ordinance require enforcement as well as how the safety plan would be included in contracts. City Manager Walsh clarified that with the passage of the Ordinance, staff would be required to enforce it. Segovia stated that contractual enforcement was similar to other contractual remedies for non-compliance such as suspension and termination.

Councilmember Viagran recommended a larger conversation regarding what Contractors were required to submit with their proposals. She asserted that her office would take phone calls if workers didn't get their breaks. Councilmember Viagran suggested that work hours might need to be adjusted during hot summer days which could impact other Ordinances and City Codes.

Councilmember Courage asked about the task force representation and stated that he was surprised that they had not heard from the Associated General Contractors (AGC) and other contractors' associations as well as the Real Estate Council. Shannon stated that there was a split on whether an Ordinance was required or necessary even though the task force agreed on the recommendations.

Councilmember Courage asked DSD how often they visited construction sites and whether they could survey workers as to whether they were given breaks. Shannon stated that his team inspected buildings monthly and weekly. Councilmember Courage asked whether there were cost estimates related to the impact to the construction companies. Shannon stated that business costs had not been determined.

Councilmember Courage asked how many construction heat-related illness or deaths had been reported this year. Claude Jacob, Metro Heath Director, stated there had been 642 heat related illnesses reported this year overall, but he did not have the information related to construction. Councilmember Courage expressed concern about the Subcontractors and their workers that were independent contractors with no insurance or benefits. Councilmember Courage expressed concern that the General Contractor might not be able enforce their own safety policies on Subcontractors.

Councilmember Castillo noted that there had been citations issued in Austin for not posting the signage.

Mayor Nirenberg commented that both the workers representatives and the Contractors agreed that laborers working in extreme heat should given breaks and everyone was already doing it. Mayor Nirenberg agreed that the Contractors cared about their workers and wanted to do the right thing. However, our summers were getting hotter so he felt that this minimum requirement should not be that difficult to comply with. Mayor Nirenberg respected the work of the Task Force and supported the overall recommendation.

Councilmember Alderete Gavito commented that in most cases the Ordinance was not there to police the good Contractors doing the right thing but was meant to set parameters for those

who were not protecting their workers.

Councilmember Viagran requested clarification as to whether the second amendment would apply to current contracts. Segovia stated that it would be only enforceable for new contracts.

Assistant City Manager Rod Sanchez stated that the requirement would be placed in new contracts and Segovia stated that the safety plan provisions could be included in the General Conditions and would not impact current contracts, however, the other provisions would apply.

Councilmember Whyte did not support adding more regulations as they would ultimately add more cost to the City.

Councilmember Kaur requested information on the amount of effort required for development of a safety plan. City Manager Walsh expected that most Contractors would know what a safety plan was.

Segovia noted that women participated in construction contracts as well.

Councilmember McKee-Rodriguez commented that Climate Scientists have stated that this might be the coolest summer we have experienced going forward as climate change was real and we experienced 61 days so far of 100+ degrees fahrenheit. Councilmember McKee-Rodriguez stated that he was confident the Ordinance would save lives and was not just a nice thing to do and asserted that workers who were well taken care of would accomplish more and better work.

Councilmember Rocha Garcia thanked the public who came to comment and the task force for their work. She noted that summers were getting hotter and recalled her father who was a construction worker coming home sweaty and tired so she was doing the work that her constituents wanted her to do even if they did not or could not vote. Councilmember Rocha Garcia expressed concern that the Good Night Construction Site Ordinance could cause workers to be working more in the heat since construction could not begin before 7 a.m. but noted that Shannon had offered companies to apply for an exemption.

Councilmember Rocha Garcia thanked Councilmember Whyte for bringing the safety plan idea forward and Councilmember Alderete Gavito for including it in her motion to amend. She also thanked the PCDC for their work. Councilmember Rocha Garcia commented that undocumented workers were most at risk because they were afraid to stand up for their own needs in fear of retaliation. Councilmember Rocha Garcia thanked Lauren Mandel from the AGC for providing training to their members and cultivating a culture of safety.

Councilmember Cabello Havrda agreed that most businesses cared about their workers but noted that this Ordinance was a balance in an industry with tight profit margins, especially for small businesses, but healthy and safe employees were profitable. Councilmember Cabello Havrda thanked those who participated in the formulation of the Ordinance.

Councilmember Courage stated that he was glad the health and safety plan was added and it was a good compromise to help protect the health and safety of all of our workers.

Councilmember Kaur thanked all members of the public for attending and speaking. She saw the Ordinance as meeting the call for compassion requested by the invocator this morning. Councilmember Kaur stated that her staff had surveyed some of the projects and workers were getting water breaks. She asked if there was some enforcement process such as tracking the number of incidents by a Contractor. City Manager Walsh explained that the City had its own construction inspectors on the job nearly every day and stated that there would be an attestation of compliance included for Contractors to include in their pay applications. Additionally, City Manager Walsh stated that the procurement process would include a notice of the requirements.

Councilmember Kaur suggested that the signage could explain the process of acclimating to the heat.

Councilmember Whyte supported the kind words about our Contractors and the AGC but cautioned against divisive rhetoric. Councilmember Whyte noted that it cost companies money to bid on our City contracts and anything that cost more money was passed along to the consumer and the City.

Councilmember Pelaez commented that many construction companies were good corporate citizens in our community, and most were conscientious employers. Councilmember Pelaez mentioned that small businesses would be impacted by the Ordinance, and they were the ones who cared most about our community. Councilmember Pelaez asked how success would be measured. City Manager Walsh stated that work needed to get done on time with no one getting hurt on the job.

Councilmember Viagran thanked the City Council Committees for their work and thanked Segovia for recognizing the work of women in construction. Councilmember Viagran suggested a review of heat illness cases in Committee and noted that the City Council's priority was health and safety.

Councilmember Castillo reiterated that this Ordinance would support the City continuing to do business with ethical employers.

Councilmember McKee-Rodriguez commented that each Councilmember was representing his constituency.

Councilmember Whyte moved to amend the Ordinance to remove the requirement for a 15-minute rest break and replace with a requirement that contractors shall submit a health and safety plan that includes heat illness measures for City work in response to a City solicitation. Councilmember Pelaez seconded the motion The motion failed by the following vote:

**Aye:** Pelaez, Whyte

**No:** Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello  
Havrdá, Alderete Gavito, Courage

Councilmember Alderete Gavito moved to Amend the Ordinance to require Contractors to submit a health and safety plan that included heat illness measures for City work in response to a City solicitation. Councilmember Rocha Garcia seconded the motion The motion prevailed by the

following vote:

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

Councilmember Castillo moved to Approve. Councilmember Rocha Garcia seconded the motion. The motion prevailed by the following vote:

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

## **CONSENT AGENDA**

### **Purchase of Services, Supplies and Equipment**

#### **5. 2023-08-31-0586**

Ordinance approving a contract with Rolltechs Specialty Vehicles LLC, to provide a customized vehicle to function as a drone mobile command center for the San Antonio Police Department for a cost of \$242,462. Funding is available from the 2022 Urban Areas Security Initiative Grant. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember McKee-Rodriguez noted that this was a high tech toy for SAPD.

Councilmember moved to Approve on the Consent Agenda. Councilmember Rocha Garcia 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

### **Capital Improvements**

#### **6. 2023-08-31-0587**

Ordinance approving a construction contract with Skanska USA Building, Inc. in an amount of \$19,890,000 for construction of the Alamodome Improvements Project. Funding of \$16,995,200 is from Certificates of Obligation and \$1,545,534 is from the Hotel Occupancy Tax Redemption and Capital Fund and included in the FY 2023 – FY 2028 Capital Improvements Program. The remaining \$1,349,266 is contingent upon City Council approval of the FY 2024 Budget. [Rod Sanchez, 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

**7. 2023-08-31-0588**

Ordinance approving a construction contract in an amount not to exceed \$9,159,100 with Turner Construction for construction services for the Alamodome Structural Repairs Project. Funding of \$4,339,990 is from the Hotel Occupancy Tax Redemption and Capital Fund included in the FY 2023 – FY 2028 Capital Improvements Program. The remaining \$4,819,110 is contingent upon City Council approval of the FY 2024 Budget. [Rod Sanchez, 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

**8. 2023-08-31-0589**

Ordinance approving the 2023 Pavement Preservation Package 14 – Microsurface Task Order Contract with Viking Construction, LLC in an amount not to exceed \$5,423,123.54. Funding is from the General Fund and the Advanced Transportation District Fund included in the FY 2023 – FY 2028 Capital Improvements Program. [Roderick Sanchez, 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

**9. 2023-08-31-0590**

Ordinance authorizing the negotiation and execution of six Professional Services Agreements with a) Pape-Dawson Consulting Engineers, Inc.; b) WSP USA, Inc.; c) RS&H, Inc.; d) Kimley-Horn and Associates, Inc.; e) Kittelson & Associates, Inc.; and f) Freese and Nichols, Inc. for on-call civil engineering services for citywide projects. Each contract will have an estimated value of \$325,000 per year for an initial three-year term with two, one-year renewal options for an estimated value of \$1,625,000 per contract with an aggregate estimated value of \$9,750,000. Funding sources may include the Advance Transportation District Fund, the General Fund, and other funding sources. [Roderick Sanchez, Assistant City Manager; Catherine Hernandez, Interim Director, Transportation]

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**



**10. 2023-08-31-0591**

Ordinance approving a 0.409-acre sanitary sewer easement with Applewhite-NFP III LLC. granting access to City of San Antonio property at Medina River Natural Area, 15890 Poteet Jourdanton Freeway. Ordinance also authorizes the acceptance of funds for the Parks Donation and Contribution Fund in the amount of \$9,100 for improvements at Medina River Natural Area. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks & 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

**11. 2023-08-31-0592**

Ordinance approving a conservation easement over the Edwards Aquifer Recharge and Contributing Zones on a 650.03-acre tract of land known as the D&M Bendele Ranch located in Medina County, Texas from David Bendele, for a cost of \$888,388.45. Funding of \$90,000 is from the 2015 Sales Tax Proposition 1 Edwards Aquifer Protection Program, and \$798,388.45 is from the San Antonio Municipal Facilities Corporation and included in the FY 2023 - FY 2028 Capital Improvement Program. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

Councilmember Courage spoke in support of the Item.

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**

**12. 2023-08-31-0593**

Ordinance approving the submission of two grant applications and the acceptance and appropriation of funds for Federal Aviation Administration grant programs for the electric shuttle bus infrastructure and pavement study at the San Antonio International Airport in the total amount of \$1,785,525 with the FAA's share of \$1,339,148 and the City's share of \$446,377. Funding of \$32,017 is from the FY 2023 Airport Operating and Maintenance Fund and \$414,360 is from Interim Airport Financing, contingent upon City Council approval of the FY 2024 Budget. [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

**13. 2023-08-31-0594**

Ordinance authorizing the acceptance of funds in an amount not to exceed \$6.5 million from the Office of the Governor, Public Safety Office, Homeland Security Grants Division for the Texas Anti-Gang Program for the period of September 1, 2023 to August 31, 2024, and approving an interlocal cooperation agreement with the Texas Department of Public Safety, Bexar County Criminal District Attorney's Office, and the Bexar County Sheriff's Office. [María Villagómez, Deputy City Manager; William McManus, Chief, Police]

Councilmember Cabello Havrda highlighted her support for the Item.

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. 2023-08-31-0595**

Ordinance approving acceptance of a grant in an amount not to exceed \$843,000 from the Texas Department of Transportation, for the Comprehensive Selective Traffic Enforcement Program Grant, for the period of October 1, 2023 through September 30, 2024. [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

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**

**15. Approving the following board, commission and committee appointments for the remainder of an unexpired term of office to expire May 31, 2025 [Debbie Racca-Sittre, City Clerk]**

**A.** Appointing Matthew Salomon (District 5) and reappointing Rachel Cywinski (District 3) to the Affirmative Action Advisory Committee

**B.** Appointing Charlene Ducote (District 1) and reappointing George Garcia (District 3) to the Animal Care Services Advisory Board

**C.** Reappointing Patricia Jasso (District 3) to the Brooks Development Authority

**D.** Reappointing Frederick Andis (District 3) to the Building Standards Board

**E.** Appointing Thad Rutherford (District 3) to the Capital Improvements Advisory Committee

**F.** Reappointing Dr. Russell Persyn (Medina County Representative) to the Conservation Advisory Board

Mayor Nirenberg, Councilmembers Kaur and Castillo highlighted their support for the board appointments.

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. Approving the following board, commission and committee appointments for the remainder of an unexpired term of office to expire May 31, 2025 [Debbie Racca-Sittre, City Clerk]

**A.** Reappointing Clarissa Esparza Tejeda (District 3) to the City of San Antonio Commission on Education

**B.** Reappointing Noralyn Ripps (District 3) to the City/County Joint Commission on Elderly Affairs

**C.** Appointing Dr. Homer Guevara, Jr. (District 6) and reappointing Gabriel Velasquez (District 3) to the Historic and Design Review Commission

**D.** Appointing Jason Vasquez (District 7) to the Historic and Design Review Commission Technical Advisory Board

**E.** Reappointing Leslie Provence (District 3) to the Linear Creekway Parks Advisory Board

**F.** Reappointing Phillip Ryan Garza (District 3) to the Parks and Recreation Board

Mayor Nirenberg, Councilmembers Cabello Havrda and Alderete Gavito highlighted their support for the board appointments.

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. Approving the following board, commission and committee appointments for the remainder of an unexpired term of office to expire May 31, 2025 or for the terms shown below [Debbie Racca-Sittre, City Clerk]

**A.** Reappointing Debra Guerrero (District 3) to the Port Authority of San Antonio

**B.** Appointing Amrik Singh (District 8) to the San Antonio Youth Commission

**C.** Appointing Bianca Maldonado (District 7) to the Storm Water Management Advisory Board

**D.** Reappointing Nefi Garza to the Tax Increment Reinvestment Zone No. 30 - Westside

**E.** Appointing Richard Otley to the Tax Increment Reinvestment Zone No. 33 - Northeast Corridor

**F.** Reappointing Edward Fears (District 3) to the Veterans Advisory Commission

**G.** Reappointing Abel Menchaca (District 3) to the Zoning Board of Adjustment

Mayor Nirenberg, Councilmembers Castillo, Pelaez and Whyte highlighted their support of the board appointments.

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. Approving the following board, commission and committee appointments for the remainder of an unexpired term of office to expire May 31, 2025 [Debbie Racca-Sittre, City Clerk]

**A.** Reappointing Dr. Lorena Havill (District 2), Susan Beldon (District 9) and Amin Tohmaz (Mayoral) to the Animal Care Services Advisory Board  
**B.** Reappointing James Campbell (District 1) and Rudy Garza (District 9) to the Brooks Development Authority  
**C.** Appointing Paul Hernandez (District 7) and reappointing Dewayne Nelson (District 9) to the Building Standards Board  
**D.** Reappointing Susan M. Wright (District 2) to the Capital Improvements Advisory Committee  
**E.** Appointing Syese Jacqueline Jackson (District 7) to the City of San Antonio Higher Education Student Advisory Board  
**F.** Reappointing Elizabeth Holmes (District 2) Linda Lopez-George (Mayoral) to the City of San Antonio Commission on Education  
**G.** Reappointing Alexandra Bachran (District 9) to the City of San Antonio Commission on Strengthening Family Well-Being  
**H.** Reappointing Miguel Castro (Mayoral) to the Disability Access Advisory Board  
**I.** Reappointing Journal M. Gibbs (Mayoral), Monica Savino (District 2), and Roland Mazuca (District 5) to the Historic and Design Review Commission  
**J.** Appointing Lorraine Castillo (District 1) to the Historic and Design Review Commission

Mayor Nirenberg, Councilmembers Kaur, McKee-Rodriguez and Alderete Gavito highlighted their support for the board appointments.

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

19. Approving the following board, commission and committee appointments for the remainder of an unexpired term of office to expire May 31, 2025 [Debbie Racca-Sittre, City Clerk]

**A.** Appointing Guillermo "William" Ramirez-Long (Mayoral) and reappointing Carol Sue Calberg (District 2), Don M. Rios (District 7), and John F. Kent (District 9) to the Linear Creekway Parks Advisory Board  
**B.** Appointing Mara Posada (Mayoral) and Jacqueline Pugh (District 9) to the Mayor's Commission on the Status of Women  
**C.** Reappointing Ramiro Gonzales (Mayoral), and Michael Moore (Mayoral) to the Office of Urban Redevelopment (OUR-SA)  
**D.** Reappointing Jeanette Honermann (Mayoral) and Jennifer Ramage (District 2) to the Parks and Recreation Board  
**E.** Appointing Elida "Elly" Smith (District 7), and Margaret Louise Wilson-Anaglia (District 2),

James “Bill” W. Mock III (District 9) and reappointing Olivia Travieso (Mayoral) to the Port Authority of San Antonio

**F.** Reappointing Rene Barilleaux (Mayoral), Linda Hardberger (Mayoral), Jessica Sanchez (Mayoral), Maria Magdalena Williams (District 2), and Freda Facey (District 9) to the San Antonio Arts Commission

**G.** Appointing Emma Baugh (District 1), Amrutha Konduru (District 7), and Tyler Piesman (District 9), and reappointing Thy Truong (District 7) and Mara Flores (Mayoral) to the San Antonio Youth Commission

Mayor Nirenberg, Councilmembers Kaur, McKee-Rodriguez, Alderete Gavito and Cabello Havrda highlighted their support for the board appointments.

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. Approving the following board, commission and committee appointments for the remainder of an unexpired term of office to expire May 31, 2025 [Debbie Racca-Sittre, City Clerk]

**A.** Appointing Sarah Esserlieu Khalil (District 1), Janell Martinez (District 7), and reappointing Alexandra Perez (Mayoral) to the Small Business Advisory Commission

**B.** Reappointing Renee Joy McGhee (District 3) and Angela Gonzales (District 6) to the Small Business Economic Development Advocacy (SBEDA) Committee

**C.** Appointing Kelsey Krueger (District 1) and Rodolfo "Rudy" Munoz (Mayoral) to the Storm Water Management Advisory Board

**D.** Appointing David Strange (District 9) and reappointing George Mery (District 7) to the Transportation Advisory Board

**E.** Appointing Dr. Thomas Brereton (District 1) and reappointing Andrew Ozuna (Mayoral) and Kimberly Bragman (District 9) to the Zoning Board of Adjustment

**F.** Appointing Dr. Daniel Kellum (District 1) to the Zoning Commission

Mayor Nirenberg, Councilmembers Kaur and Alderete Gavito highlighted their support for the board appointments.

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. Approving the following appointments and reappointments to the San Antonio Public Library Board of Trustees for terms of office beginning October 1, 2023 to expire as shown below:

**A.** Appointing Karla Gurgiolio (District 1) for a term ending September 30, 2025

**B.** Reappointing and Josie U. Martinez (District 3) for a term ending September 30, 2024

**C.** Reappointing Marcia Ince (District 9) for a term ending September 30, 2025

**D.** Reappointing Judy Cruz (Mayoral) for a term ending September 30, 2024

Councilmember Kaur highlighted her support for the board appointments.

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.** Approving the following appointments and reappointments to the San Antonio Early Childhood Education Municipal Development Corporation (PreK4SA) for terms of office to expire as shown below [Debbie Racca-Sittre, City Clerk]

**A.** Reappointing Andrea Lynn Greimel (District 5) for an unexpired term ending May 31, 2025

**B.** Reappointing Frances Guzman (District 7) for an unexpired term ending May 31, 2025

**C.** Reappointing Jan S. Kirby (District 10) for an unexpired term ending May 31, 2024

**D.** Reappointing Elaine Mendoza (Mayoral) for an unexpired term ending May 31, 2025

Mayor Nirenberg, Councilmembers Castillo, Alderete Gavito and Whyte highlighted their support for the board appointments.

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.** **2023-08-31-0596**

Ordinance appointing Nefi Garza (Mayoral) as chair of the Storm Water Management Advisory Board for the remainder of an unexpired term of office to expire May 31, 2025 and waiving the City Code residency requirement for the appointment [Debbie Racca-Sittre, City Clerk]

Mayor Nirenberg highlighted his support for the board appointment.

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

- 24.** **2023-08-31-0597**

Ordinance appointing Suzanne Scott (Mayoral) to the Storm Water Management Advisory Board for the remainder of an unexpired term of office to expire May 31, 2025 and waiving the City Code residency requirement for the appointment [Debbie Racca-Sittre, City Clerk]

Mayor Nirenberg highlighted his support for the board appointment.

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. 2023-08-31-0598**

Ordinance reappointing Valerie L. Moore (District 7) to the Animal Care Services Advisory Board for the remainder of an unexpired term of office to expire May 31, 2025 and waiving the City Code residency requirement for the appointment [Debbie Racca-Sittre, City Clerk]

Councilmember Alderete Gavito highlighted her support for the board appointment.

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. 2023-08-31-0599**

Ordinance appointing Larissa Martinez (District 6) to the Mayor's Commission on the Status of Women for the remainder of an unexpired term of office to expire May 31, 2025 and waiving the City Code residency requirement for the appointment [Debbie Racca-Sittre, City Clerk]

Councilmember Cabello Havrda highlighted her support for the board appointment.

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

**Miscellaneous**

**27. 2023-08-31-0600**

Ordinance approving the settlement of a motor vehicle accident lawsuit styled Edward Guzman v. City of San Antonio, Cause No. 2022-CI-01354, in the 285th Judicial District Court, Bexar County, Texas for a total amount of \$175,000. [Andy Segovia, City Attorney]

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

**28. 2023-08-31-0601**

Ordinance approving the City Auditor's Fiscal Year FY 2024 Annual Audit Plan. [Kevin W. Barthold, City Auditor]

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

**29. 2023-08-31-0602**

Ordinance approving a concession agreement with Ready Credit Corporation for three cashless kiosks at the San Antonio International Airport that will allow customers to convert cash into a credit card as a passenger convenience for an initial term of three years, with the option to renew for two additional one-year terms. The agreement will generate a minimum annual guarantee of \$4,500.00 in revenue which will be deposited into the Airport Operating and Maintenance Fund. [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

**30. 2023-08-31-0603**

Ordinance adopting the findings of the 2023 Disparity Study conducted by Colette Holt and Associates (CHA) relating to the City's Small Business Economic Development Advocacy (SBEDA) Ordinance, and extending the Ordinance sunset clause until the earlier of City Council adoption of an amended ordinance or December 31, 2024. [Alejandra Lopez, Assistant City Manager; Brenda Hicks-Sorensen, Director, Economic Development Department]

**PUBLIC COMMENT:**

Jack Finger spoke in opposition to the Item.

Roy Shuaffel spoke in support of the Item.

Juanita Sepulveda, Chair of the Small Business Economic Development Advisory (SBEDA) Committee, spoke in support of the Item.

Ida Ayala recommended more opportunity for feedback.

**HIGHLIGHTS:**

Councilmember Viagran highlighted her support for the Item.



Councilmember McKee-Rodriguez hoped that there was sufficient feedback opportunity.

Councilmember Whyte thanked Roy Shuaffel for his service.

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

**31. 2023-08-31-0604**

Ordinance authorizing the City Manager or designee to enter into an interlocal agreement with the Southwest Texas Regional Advisory Council (STRAC) for reporting software, data management assistance, and satellite communications to support the San Antonio Fire Department (SAFD) for a three-year term beginning September 1, 2023 through August 31, 2026, with two, one-year renewal options for a total cost of \$4,529,112.53. Funding of \$821,886.22 for year 1 is from the General Fund and the Information Technology Services Fund. Funding for subsequent years is contingent upon the City Council approval of the annual budget. [Maria Villagomez, Deputy City Manager; Charles Hood, 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, Cabello  
Havrda, Alderete Gavito, Pelaez, Courage, Whyte

**32. 2023-08-31-0605**

Ordinance approving a Professional Service Agreement with Ford, Powell & Carson Architects & Planners, Inc. to produce a Reconciled Plan and Project Inventory for Brackenridge Park in an amount not to exceed \$150,000. Funding is from the Midtown TIRZ. There is no anticipated impact to the City's General Fund. [Lori Houston, Assistant City Manager; Shanon Shea Miller, Director, Office of Historic Preservation]

Jack Finger spoke in opposition to including diversity, equity, and inclusion in contracts.

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. 2023-08-31-0606**

Ordinance approving Home Rehab Program Delivery Funding Partnerships with non-profit organizations to include Blueprint Ministries, Divine Redeemer, Operation Triage, and Rebuilding Together to assist homeowners with small-scale repairs to address health, safety and/or code issues for a total amount of \$525,000. Funding is from the General Fund FY 2023 Adopted

Budget. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood & Housing Services Department]

Councilmember Castillo highlighted her support for the Item.

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

**34. 2023-08-31-0607**

Ordinance adopting the Growth Management Policy as a component of the City's Comprehensive Master Plan. [Roderick Sanchez, Assistant City Manager; Rudy Niño, Jr., Interim Director, Planning 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

**35. 2023-08-31-0031R**

Resolution consenting to the creation by Bexar County of a proposed Public Improvement District (PID), to be named the Stone Garden Special Improvement District, generally located northeast of Old Corpus Christi Road and Richter Road, in the extraterritorial jurisdiction of the City of San Antonio. The resolution authorizes a Special District Application fee of \$7,500 to be collected and deposited in into the City's General Fund. [Roderick Sanchez, Assistant City Manager; Rudy Nino, Interim Director, Planning].

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. 2023-08-31-0608**

Ordinance approving a Development Agreement with Davis-McCrary Property Trust & Lennar Homes of Texas Land and Construction, Ltd, owners of approximately 423.15 acres of land generally located northeast of Old Corpus Christi Road and Richter Road in the extraterritorial jurisdiction of the City of San Antonio. The development agreement allows for the creation of the Stone Garden Special Improvement District. This ordinance authorizes a Special District Operations Assessment of \$385,350 to be collected and deposited into the City's General Fund. [Roderick Sanchez, Assistant City Manager; Rudy Nino, Interim Director, Planning].

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. CONTINUED**

Ordinance extending the city limits by full purpose annexation as requested by the property owner, BryCap Farm Properties, 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. Staff and Planning Commission recommend Approval. [Roderick Sanchez, Assistant City Manager; Rudy Nino, Interim Director, Planning]

Councilmember McKee-Rodriguez moved to Continue to September 14, 2023. Councilmember Castillo 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  
**Absent:** Whyte

**38. CONTINUED**

PLAN AMENDMENT CASE PA-2023-11600041 (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, 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 Z-2023-10700157)

Councilmember McKee-Rodriguez moved to Continue to September 14, 2023. Councilmember Castillo 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  
**Absent:** Whyte

**39. CONTINUED**

ZONING CASE ZONING-Z-2023-10700157 (ETJ – Closest to Council District 2): Ordinance assigning zoning to property currently located Outside the City Limits by applying "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Manufactured Home/Oversize Vehicle Sales, Service, and Storage on 16.371 acres out of CB 5088, generally located at the southeast corner of the intersection of Weichold Road and Interstate Highway (IH)10 East, and amending the Zoning District Boundary from "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 19.297 acres out of CB 5088, generally located at the southeast corner of the intersection of Weichold Road and Interstate Highway (IH)10 East. Staff and Zoning Commission recommend Approval. (Associated Plan Amendment PA-2023-11600041)

Councilmember McKee-Rodriguez moved to Continue to September 14, 2023. Councilmember Castillo 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

**Absent:** Whyte

### **City Manager's Report**

#### **40. City Manager's Report**

City Manager Walsh announced that the City was named one of the Forbes Best in State employers and added that the public sector Human Resources Association awarded their excellence award to the City of San Antonio Human Resources Department for apprenticeship programs and CDL programs.

City Manager Walsh played an employee spotlight video highlighting Parks & Recreation Department dance class instructor Sonya Casillas.

### **Executive Session**

Executive Session was not held.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:13 p.m.

**Approved**

**Ron Nirenberg  
Mayor**

**Debbie Racca-Sittre  
City Clerk**