

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



**Meeting Minutes  
City Council Special Meeting**

City Hall Complex  
San Antonio, Texas 78205

**2021 – 2023 Council Members**

Mayor Ron Nirenberg

Mario Bravo, 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

Ana Sandoval, Dist. 7 | Manny Pelaez, Dist. 8

John Courage, Dist. 9 | Clayton Perry, Dist. 10

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**Monday, November 14, 2022**

**1:30 PM**

**Municipal Plaza Building**

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The City Council convened a regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at 1:40 PM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

**PRESENT: 11** – Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry

**ABSENT:** None

**ITEMS**

1. Resolution of the City Council of the City of San Antonio, Texas, issuing a vote of no confidence, calling for City Councilmember Clayton Perry to resign; and accepting his resignation and authorizing actions necessary to start the appointment process for an interim Councilmember if he voluntarily resigns.

Councilmember Perry read a statement in which he took full responsibility for his actions that caused an auto accident on November 6, 2022 and apologized to the people involved in the

accident, staff, family, friends and members of the community as a whole. He humbly asked for forgiveness and stated that he would like to take a leave of absence from his duties as a City Councilmember while he sought medical treatment or rehabilitation and while the investigation continued. Councilmember Perry pledged to do whatever it took to regain confidence from his colleagues and noted that it should be the residents of Council District 10 who determined who would sit in the Council District 10 Council Seat.

#### PUBLIC COMMENT:

Ginger Treanor, Michael Anderson, David Pierce, Ray Blankenberg, Carl Merkle, Linda Estes, Donna Dozier, Lon Jett IV, Andrew Vicencio, Peggy Sue Wilson-Schmueckle, Gary Schmueckle, Cesario Garcia, Jeffrey R. McManus, Craig Courtney and Jack M. Finger spoke in support of Councilmember Perry and against the Resolution.

James Hamilton spoke in favor of the Resolution stating that keeping Councilmember Perry in office would be White Privilege.

City Attorney, Andy Segovia, clarified that the action was a vote of no confidence and a Resolution asking Councilmember Perry to voluntarily resign, as City Council did not have the authority to remove the Councilmember from office. Segovia commented that the Resolution was posted before Councilmember Perry requested a leave of absence. Segovia stated that City Code Section 2-36 outlined a process for appointing a temporary Councilmember in the event of a temporary leave of absence so that the council district was represented during the vacancy. He noted that the City Code required the City Clerk to post and accept applications and for City Council to review the applications in a B Session and interview and make a selection for a temporary Councilmember in an A session.

#### DISCUSSION:

Councilmember McKee-Rodriguez mentioned that this was a difficult time for our City Council. He stated that although he respected Councilmember Perry as a fellow councilmember, elected officials were under a high level of scrutiny and deserved to be held to a higher standard.

Councilmember Bravo commented that drinking and driving as well as hit and run were serious crimes, but noted that alcoholism was a disease that needed to be treated. He cited the City Charter which required removal from office only if a Councilmember was convicted of a crime and so far, Councilmember Perry had only been arrested. Councilmember Bravo stated that he would abstain from voting on the Resolution as it felt rushed.

Councilmember Pelaez recognized that Councilmember Perry had apologized to everyone including the victims of the car crash and expressed compassion for substance abuse as a health issue.

Councilmember Cabello Havrda stated that she felt the City was a compassionate City, but there needed to be accountability so she supported the amendment.

Councilmember Viagran requested a full reading of the amended Resolution. First Assistant City Attorney Elizabeth Provencio read the amended Resolution aloud to the City Council.

Councilmember Castillo asserted that constituents of a council district should decide what happened to an elected official.

Councilmember Courage acknowledged that he was a friend of Councilmember Perry. Councilmember Courage mentioned he had received letters from residents of Council District 10 in support of Councilmember Perry. He stated that a Councilmember's actions and decisions impacted the entire City and noted that elected officials were necessarily held to a higher standard. Councilmember Courage announced the results of a poll that he took regarding this issue and spoke in support of the amendment.

Councilmember Rocha Garcia recognized that the staff of City Council District 10 continued working and serving the council district throughout the difficult time, and stressed that San Antonio was a compassionate City. Councilmember Rocha Garcia suggested that the City was better served when various opinions were represented on City Council. She supported the Amended Resolution, but expressed concern with no representation for Council District 10 and suggested that a temporary vacancy might need to be filled while the Councilmember was on sabbatical.

Councilmember Sandoval supported the amendment given that Councilmember Perry had provided a statement of remorse. She echoed the need for Councilmembers to hold themselves to higher standards.

Mayor Nirenberg spoke in opposition to the amendment.

Segovia clarified that the Resolution did not limit future action including as might be required by City Charter or allowed in the City Code, including filling a temporary vacancy.

Councilmember Sandoval commented that she had visited many neighborhood sites where tragic vehicle crashes had occurred and the worst were when the driver was drunk. She supported Councilmember Perry's commitment to seeking help and suggested that he could potentially be a role model in the fight against drunk driving.

Councilmember Rocha Garcia stated that she had confidence in the Council District 10 staff to keep serving residents but suggested that this was a time for healing and appreciated that the Councilmember wanted to seek help. She stated that it was a difficult time for her because a drunk driver killed one of her students a week ago and she always stressed to her students to not drink and drive. Councilmember Rocha Garcia agreed with Councilmember Sandoval that Councilmember Perry could serve as a role model for seeking help.

Councilmember Rocha Garcia moved that City Council acknowledge that Councilmember Perry planned to take a leave of absence, which resulted in a temporary vacancy, so City Council would move forward in accordance with City Code Section 2-36 to advertise a vacancy with a closing date of November 28, 2022. Councilmember Courage seconded the motion.

Segovia listed the timeline for the process to fill a temporary vacancy which would include immediate advertisement, the City Clerk's receipt of applications until November 28, 2022 and review of the applications by City Council at the B Session on November 30, 2022 with subsequent interviews to be held.

Mayor Nirenberg requested clarification on the required action or if there was another option. Segovia stated that the only approval needed by City Council was to set the date for receipt of applications as it would be shorter than outlined in the City Code.

Councilmember Pelaez moved to Amend and remove mention of no remorse and remove the request for resignation. Councilmember Courage seconded the motion. The motion carried by the following vote:

<b>Aye:</b>	Bravo, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage
<b>No:</b>	Nirenberg
<b>Abstain:</b>	McKee-Rodriguez, Perry

Councilmember Rocha Garcia moved to Amend the main motion as amended and call for temporary appointment of representative for Council District 10 vacancy. Councilmember Courage seconded the motion. The motion carried by the following vote:

<b>Aye:</b>	Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage
<b>Abstain:</b>	Perry

Councilmember McKee-Rodriguez moved to Approve as amended. Councilmember Viagran seconded the motion. The motion carried by the following vote:

<b>Aye:</b>	Nirenberg, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage
<b>Abstain:</b>	Bravo, Perry

## **EXECUTIVE SESSION**

No Executive Session was held.

## **ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 3:07 PM.

**Approved**

**Ron Nirenberg  
Mayor**

**Debbie Racca-Sittre  
City Clerk**