

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



**Meeting Minutes
City Council A Session**
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

Thursday, January 12, 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 9:12 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

PRESENT: 10 – Nirenberg, Pelaez, Courage, Bravo, McKee-Rodriguez, Rocha Garcia, Viagran, Castillo, Cabello Havrda, Sandoval

ABSENT: None

PROCEDURAL

1. Invocation

Reverend Richard Burton, Christ Temple Apostolic Church, guest of Councilmember McKee-Rodriguez 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 December 14, 2022 and December 15, 2022.

Councilmember Rocha Garcia moved to Approve the minutes for the City Council meetings of December 14, 2022 and December 15, 2022. Councilmember Castillo seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg invited Councilmember Perry to address the City Council as he was returning from his leave of absence.

Mayor Nirenberg led a moment of silence honoring the death of Sam Luna and Blayne Tucker.

Councilmember Viagran read a short biography honoring Blayne Tucker, business owner and founder of Maverick Music Festival, independent music network DeTour, who helped get the Save Our Stages Act passed to help music venues struggling through the COVID-19 Pandemic.

Councilmember Rocha Garcia recognized the life of Sam Luna, President of the Rainbow Hills Neighborhood Association, who served on various city boards and commissions as well as on the Bond Committees.

Mayor Nirenberg read a Proclamation in honor of Rev. Dr. Martin Luther King, Jr. (MLK). Councilmember McKee-Rodriguez provided historical context to the MLK March in San Antonio and invited everyone to attend. Councilmember McKee-Rodriguez thanked the MLK Commission for their work and invited them to speak. Dwayne Robinson, MLK Commission Chair listed the many events which would be held at the MLK March to honor the life of MLK.

Mayor Nirenberg recognized January as National Blood Donor Month, read a proclamation, and invited representatives from the South Texas Blood and Tissue Center.

Councilmember Castillo spoke regarding fire safety and noted that her office had coordinated with the San Antonio Fire Department to install free smoke detectors in the homes of Council District 5 residents.

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

4. 2023-01-12-0001

Ordinance approving a contract with Hazcore Environmental, Inc., to provide commercial power washing services at the San Antonio International Airport for an estimated cost of \$292,000 annually, beginning upon award and ending September 30, 2025, with the option to renew for two additional one year periods, and totaling an estimated \$1,460,000 over the entire contract term, including renewal options. Funding for this contract is from the FY 2023 Airport Operating and Maintenance Fund 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]

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

5. 2023-01-12-0002

Ordinance ratifying a change order in the amount of \$74,410 with Creative Bus Sales, Inc., for five wheelchair accessible buses for the Department of Human Services increasing the total contract price from \$572,395 to \$646,805. Funding in the amount of \$44,646 is from the FY 2023 Equipment Renewal and Replacement Fund budget, and \$29,764 is from the FY 2023 General Fund budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Cabello Havrda highlighted her support for the Item.

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

6. 2023-01-12-0003

Ordinance approving contracts with Cavender Ford Motor Company Ltd., dba Cavender Grande Ford, and Bruckner Truck Sales, Inc., dba Bruckner's Truck & Equipment, to supply light and medium duty service vehicles for a total cost of \$706,579. Funding in the amount of \$626,342 is from the FY 2023 Equipment Renewal and Replacement Fund budget, and \$80,237 is from the Homeland Security Grant Program awarded by the United States Department of Homeland Security and the Federal Emergency Management Agency. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Alan Montemayor spoke in opposition to the Item recommending electric vehicles (EV) instead.

Councilmembers Bravo and Courage requested a briefing on including more EVs in the City's fleet.

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

Capital Improvements

7. 2023-01-12-0004

Ordinance awarding a construction contract to Crownhill Builders, Inc. in the total amount of \$253,487.00 for improvements to Stinson Park related to the Stinson Park/5 Diamonds Little League Project. Funds are available from the 2022 Certificates of Obligation included in the FY 2023 - FY 2028 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Viagran highlighted her support for the Item.

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

Acquisition, Sale or Lease of Real Property

8. 2023-01-12-0005

Ordinance approving a five-year lease extension with Gallery Ventures Limited, L.L.C. for space at the Houston Street Garage Building for an annual rent of \$49,838.52. This extension waives holdover and late fees and abates 5 months rent all from the prior term. Revenue generated from this lease will be deposited into the City's Parking Operations and Maintenance Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

Grant Applications and Awards

9. 2023-01-12-0006

Ordinance authorizing the submission of a grant application to the Federal Emergency Management Agency in an amount up to \$12,910,000 for the Building Resilient Infrastructure and Communities (BRIC) grant program with a potential City match of \$17,880,000; and authorizing the acceptance of these federal funds, if awarded, to be used towards Seeling drainage improvements totaling \$30.79 million located in Council District 7. Funding for the potential City

match is available from and included in the FY 2023 - FY 2028 Capital Improvement Program. [María Villagómez, Deputy City Manager; Bryan Norris, Deputy Chief, Office of Emergency Management]

Councilmember Sandoval highlighted her support for the Item.

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

10. 2023-01-12-0007

Ordinance approving the acceptance of funds and donated equipment in the total amount of \$50,000 from the 80 | 20 Foundation as well as a \$46,000 monetary donation from the University of Texas at San Antonio for the placemaking and enhancement project at the highway underpass adjacent to the Farmers Market Building in Market Square; and approving a lease agreement with the Texas Department of Transportation for use of the IH-35 elevated highway underpass between Dolorosa and Commerce streets. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]

Councilmember Castillo highlighted her support for the Item.

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

11. 2023-01-12-0008

Ordinance accepting the Building Ecosystems for Youth Opportunity Grant from the Aspen Institute Forum for Community Solutions in the amount of \$96,000 for a period through May 31, 2024; and approving a personnel complement of one position under the Youth Success Division. [Lori Houston, Assistant City Manager; Melody Woosley, Director, Human Services]

Councilmember Castillo highlighted her support for the Item.

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Sandoval, Pelaez, Courage, Perry

Miscellaneous

- 12. 2023-01-12-0009**
Ordinance rescheduling City Council Meetings in January and March 2023. [Debbie Racca-Sittre, City Clerk]

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry
- 13. 2023-01-12-0010**
Ordinance approving a Professional Services Contract with Teachstone, Inc. to provide the Department of Human Services Head Start and Early Head Start programs with annual training in the amount of \$150,000 annually and not to exceed \$750,000 through January 31, 2028. [Lori Houston, Assistant City Manager; Melody Woosley, Human Services Director]

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry
- 14. 2023-01-12-0011**
Ordinance approving a 10-year term extension for the Inner City Tax Increment Reinvestment Zone and amending the TIRZ Project and Finance Plans. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services]

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry
- 15. 2023-01-12-0012**
Ordinance approving an Incentive Agreement between the City, Tax Increment Reinvestment Zone No. 11 - Inner City Board of Directors, and Texas Research and Technology Foundation to fund \$3.5 million for public improvements plus applicable fees and \$5 million in economic development incentives for the G.J. Sutton Project. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services]

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry

16.

2023-01-12-0013

Ordinance approving designation of petition-initiated Lone Oak Tax Increment Reinvestment Zone (TIRZ) Number Forty (Lone Oak #40), located at the northwest quadrant of Loop 1604 and IH-37 South for a term of 25 years with City's participation level at 85% in accordance with the provisions of the Tax Increment Finance Act, Chapter 311 of the Texas Tax Code; authorizing the creation of a seven member board of directors, establishing an effective start date and termination date, approving a preliminary finance plan, and establishing a tax increment fund. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services]

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrdá, Sandoval, Pelaez, Courage, Perry

City Manager's Report

17. City Manager's Report

City Manager Erik Walsh announced that the Spurs 50th Anniversary Game tomorrow in the Alamodome was sold out, 5,000 city employees were provided free tickets, and free parking was available at City Tower and the St. Mary's Street Garage.

City Manager Walsh announced that the 3-1-1 mobile application had been updated and would be available tomorrow in the app store.

City Manager Walsh showed an employee spotlight video highlighting the Management Fellow's Program which brings students preparing to graduate with a Masters in Public Administration through a rotation with the City Manager's Office, Office of Management and Budget, and an operating department.

Executive Session

Mayor Nirenberg recessed the meeting into Executive Session at 9:57 AM to discuss or deliberate 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 relating to COVID-19 preparedness pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Nirenberg reconvened the meeting in Open Session at 1:09 PM and stated that no official

action had been taken in Executive Session.

18. Briefing by CPS Energy on the Power Generation Recommendations submitted to the CPS Energy Board of Trustees [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Mayor Nirenberg recognized the CPS Energy Board of Trustees and introduced Reed Williams, Chairman of the Rate Advisory Committee (RAC), who presented an overview of the work of the RAC. Williams stated that the RAC was comprised of 21 individuals, 10 appointed by City Council and 11 appointed by the CPS Board including the Mayor.

Williams stated that the RAC recommended Portfolio 2 that would increase reliability, reduce system risk, continue progress to the Climate Action & Adaptation Plan (CAAP) goal and facilitate new technologies. Williams described the components of Portfolio 2 which would eliminate coal power generation from the portfolio by the year 2028 and focus on gas, solar, wind, and storage.

Rudy Garza, President and CEO of CPS Energy, recognized the work of the RAC and the leadership of Reed Williams, the CPS Energy Board, Councilmembers Sandoval and Viagran who worked on the recommendations. Garza stated that old power generation plants needed to be retired and the plan would help get the new infrastructure developed with a focus on new technologies within Portfolio 2 recommended fuel sources. Garza assured the City Council that CPS Energy could accomplish rate affordability with Portfolio 2.

Garza introduced Kathy Garcia, Vice President of Government and Regulatory Affairs and Public Policy for CPS Energy, who provided background and overview of the process used to develop the recommendation including public outreach and engagement in person, through webinars, virtual town halls and surveys.

Garcia stated that consulting firms Charles River Associates (CRA) and Burns & McDonnell created several Portfolio scenarios that were reviewed and deliberated by the RAC. Garcia described Portfolio 2 as a “Blended Portfolio” that maintained diversity of power generation and storage that was less vulnerable to extreme weather conditions but also met the CAAP Goals of achieving net-zero carbon emissions by the year 2050. Garcia also described Portfolio 9 which would eliminate gas sooner than Portfolio 2.

PUBLIC COMMENT:

Jack Finger commented that wind and solar were too unreliable and suggested keeping the coal power plants.

Alan Montemayor representing the Sierra Club of San Antonio spoke in support of eliminating coal power plants but was concerned that natural gas would be continued until year 2065 under the proposed Portfolio 2 and recommended moving away from fossil fuels toward renewables.

DISCUSSION:

Mayor Nirenberg opened the discussion by thanking CPS Energy and the RAC for their work. He

spoke in support of the recommendation noting that Portfolio 2 was the best option because it fell within the CAAP obligation, exceeded the goal of closing the coal plants by 2030, took advantage of new technologies and funding sources, while ensuring reliability of electric power for our residents.

Councilmember Sandoval spoke in support of the recommendation and noted that there needed to be more work on meeting or exceeding the goals of the CAAP. She conceded that reliability was the number one driver of the selection of the portfolio but that also meant continued reliance on fossil fuels but pointed out that natural gas might not always be the most reliable, and requested a continued look at trying to eliminate fossil fuels sources as soon as possible. Garza stated that CPS Energy would complete a portfolio planning and reevaluation process every three to five years adding that natural gas was currently more reliable than renewables during extreme weather.

Councilmember Viagran spoke regarding her work as a member of the RAC and explained that the Committee had to consider impacts of extreme weather events. She noted that she had voted for a different portfolio that included more renewables and less reliance on natural gas but overall she supported the recommendation of the Committee. Councilmember Viagran stated that she wanted to meet the CAAP goals sooner because there were too many children living in Council District 3 with asthma and older homes/infrastructure that could be adversely impacted by extreme weather and climate change.

Councilmember McKee-Rodriguez thanked the RAC for their work but expressed concern that Portfolio 2 would extend the operation of Spruce 2 Coal plant to year 2065 after conversion to natural gas rather than closing it since the power plant was near Council District 2. Garza stated that the company had air monitors all over the City and a report on carbon emissions could be provided for the different points, not by City Council District.

Councilmember McKee-Rodriguez agreed that reliability was important but pollution would continue for poor residents of the east side for a longer time under this portfolio and recommended a shift to more renewables and battery storage so that the plant could be closed sooner. Councilmember McKee-Rodriguez expressed concern that gas might be a more expensive model long term and recommended updating the plan every two years. Garza stated that he could not commit to closing Spruce 2 early but that CPS Energy would continue to work toward the CAAP goals by having a strategy of using renewables and battery storage as conditions changed.

Councilmember Pelaez thanked the CPS Energy Board and Dr. Francine Romero, Board Member for their work on the plan and focus on meeting the CAAP goals. Councilmember Pelaez stated that he struggled with how complex the problem was and lauded the work of the RAC to develop a strong plan. Councilmember Pelaez asked Garza to explain the next steps after acceptance of the Portfolio. Garza stated that the company would begin implementation and continue to provide feedback and information to the community since the energy environment could be unpredictable and ever-evolving.

Councilmember Courage asked RAC Committee Chair Williams to describe the Committee process and whether he felt that all information had been considered. Williams replied that he felt all members were thoughtful, respectful, and worked hard to develop a plan given the diverse group with conflicting ideas and noted that the model was designed to be thorough within the

confines of the model.

Councilmember Courage noted that the River's Report considered the options and the McDonnell Report reviewed the assumptions and process of the River's Report. Councilmember Courage asked if Portfolio 2 could provide a cost savings or if it would be more expensive. Garza stated that under extreme weather events, Portfolio 2 would save money but the cost could fluctuate with changing weather events, costs of fuel, and new technology. Garza committed to minimize the impact to ratepayers.

Councilmember Courage wondered if ERCOT would not want CPS Energy to replace Spruce 2 or close down Spruce 1. Garza explained that ERCOT could provide input and could even put the plant into a "no shut down" status. Councilmember Courage recommended moving forward with the plan quickly to minimize risk of ERCOT doing that.

Councilmember Cabello Havrda thanked the RAC for their work but wanted to focus on preparing for growth, preparing for extreme weather events, and reducing impact to our most vulnerable populations. Councilmember Cabello Havrda supported consistent and reliable energy generation and supported Portfolio 2 as a compromise to meeting that goal. She supported Councilmember Sandoval's request to review the Portfolio every three years because population growth and vulnerable populations could increase or shift.

Councilmember Cabello Havrda stressed that population growth could become a challenge since San Antonio was one of the fastest growing cities in the country so she wanted to ensure that energy was reliable and affordable for future residents. Garza responded that rate design would be discussed later with affordability as a part of the discussion.

Councilmember Castillo thanked the RAC for their work, especially her appointee. She expressed concern that natural gas was not completely reliable. Williams emphasized that to the extent CPS Energy can purchase from reliable and eco-friendly natural gas providers, we would meet our goals but urged flexibility when new technologies emerged. Councilmember Castillo wanted to ensure that failures of systems would be prevented.

Councilmember Bravo supported closure of Spruce 1 but expressed concern on CPS Energy's over-reliance on natural gas as the plan included conversion of Spruce 2 with it being operational using natural gas through 2065. Councilmember Bravo noted that even though natural gas was cleaner than coal, it still was a fossil fuel that had challenges. Councilmember Bravo requested that CPS Energy's Board ensure the utility committed to responsible sourcing of natural gas that reduced greenhouse gas emissions.

Councilmember Sandoval stressed that the 2030, 2040 and 2050 goals of the CAAP needed to be considered and agreed with Councilmember Bravo's recommendation that CPS Energy source natural gas responsibly. Garza committed to trying to find a reliable supplier that addressed leakage and minimized the impact on the environment. Councilmember Sandoval requested an estimate of methane emissions associated with Portfolio 2 based on the assumptions. CPS Energy stated that they would ask their natural gas suppliers for the information. Councilmember Sandoval recommended closure of Spruce 1 quickly.

Councilmember Bravo recommended removal of hydrogen from the Portfolio because it was not currently feasible and suggested investigating more use of renewables instead.

Mayor Nirenberg recommended investment in green jobs, existing employee retraining, exploration of Federal tax incentives available to renewables and thanked CPS Energy employees for their work. Mayor Nirenberg stated that it was possible to achieve reliability while accomplishing CAAP goals and noted that the recommendation would go to the CPS Energy Board in a couple of weeks.

No action was required for Item 18.

ADJOURNMENT

There being no further discussion, Mayor Nirenberg adjourned the meeting at 2:52 PM.

Approved

**Ron Nirenberg
Mayor**

**Debbie Racca-Sittre
City Clerk**