

**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 26, 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 9:06 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

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

ABSENT: None

1. Invocation

The invocation was delivered by Elder Peter Onofre of New Life Christian Center, guest of Councilmember Rocha Garcia, Council District 4.

2. Pledge of Allegiance

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

3. Approval of minutes for the City Council meetings of January 11, 2023 and January 12, 2023.

Councilmember Perry moved to Approve the minutes from the City Council meetings of January 11, 2023 and January 12, 2023. Councilmember Castillo seconded the motion. The motion carried by the following vote:

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

POINT OF PERSONAL PRIVILEGE

Councilmember Viagran recognized the work of the Legacy Leadership Institute.

Councilmember Rocha Garcia recognized the service of David Zammiello, President and Chief Executive Officer of Project Quest.

Mayor Nirenberg presented official congratulations to Zammiello for his retirement.

Councilmember Castillo recognized the San Antonio Fire Department for their work fighting a fire at a metal recycling facility in Council District 5.

ACTION ITEMS FOR STAFF BRIEFING

2023-01-26-0014

4. Ordinance approving the Memorial Street Name Designation of East and West Cevallos to reflect Emma Tenayuca Memorial Way, between IH-35 and Probandt Street. [Roderick Sanchez, Assistance City Manager; Michael Shannon, Director, Development Services]

Director of Development Services Michael Shannon presented an overview of the Item noting that Councilmember Castillo had submitted a Council Consideration Request (CCR) for the street name designation. Shannon provided an overview of the timeline and fiscal impact to the designation which was under \$5,000. Shannon clarified that no addresses would be changed along Cevallos Street because this was a memorial designation.

Councilmember Castillo spoke in support of the designation and provided a bio on Emma Tenayuca and thanked organized labor for their efforts to make the lives of workers better. Castillo announced an upcoming celebration of the 85th anniversary of the Pecan Sheller's Strike at Cassiano Park. Councilmember Castillo invited Sarah Zenaída Gould, Director of the Mexican American Civil Rights Institute (MACRI) and members of the Tenayuca family to speak in support of the designation. Councilmember Castillo also thanked educators at UTSA for teaching their students about the work of Tenayuca.

Mayor Nirenberg spoke in support of the designation and the difficult work of Tenayuca, a young Latina fighting for the rights of minority and women workers at a time when white men were in power. Mayor Nirenberg commented that it was time to recognize the significant contributions of Mexican Americans in San Antonio.

Councilmember Viagran spoke in support of the Item recalling that she had migrant workers and pecan shellers in her family. She also thanked Councilmember Castillo for bringing the designation forward.

Councilmember Cabello Havrda thanked the MACRI and Tenayuca family for being at the meeting and working toward the recognition of the contributions of Tenayuca and Mexican Americans. She also thanked Councilmember Castillo and the Mayor for bringing the designation forward as Tenayuca's work paved the way for many Latinos in San Antonio.

Councilmember Sandoval spoke in support of the Item and stated that she hoped this was the beginning of more education related to worker's rights through the MACRI and others.

Councilmember McKee-Rodriguez commented that Emma Tenayuca was one of the most historically important individuals in San Antonio and he was pleased to support Councilmember Castillo's CCR designating the street in her honor.

Councilmember Rocha Garcia spoke in support of the MACRI and the designation. She also thanked Councilmember Castillo and Mayor Nirenberg for bringing the designation forward.

Councilmember Courage spoke in support of the designation acknowledging the commitment of the City Council to better represent the interests of those who had gone unrecognized.

Councilmember Perry thanked Councilmember Castillo for bringing the Item forward to recognize the work of Tenayuca.

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

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

2023-01-26-0015

5. Ordinance accepting the resignation of Councilmember Ana Sandoval, District 7, and initiating procedures to select a temporary Councilmember. [Debbie Racca-Sittre, City Clerk]

Councilmember Sandoval thanked the Council District 7 community, council colleagues, the staff, her family and friends for their support over the past five and a half years. Councilmember Sandoval stated that she wanted to be a Councilmember so she could help improve the community's infrastructure, health, energy sustainability, and improve people's lives.

Mayor Nirenberg recognized the accomplishments of Councilmember Sandoval including her dedication to equity, safety with all modes of transportation, Resiliency Environmental Sustainability Fund, Climate Action Plan, and expressed gratitude for her service.

Councilmember Cabello Havrda thanked Councilmember Sandoval for the time and dedication she gave to her residents, the climate initiatives, health, equity, and other initiatives that she championed.

Councilmember Rocha Garcia commented that she was inducted into City Council as the first majority-woman City Council alongside Councilmember Sandoval and noted that both of their parents

were Spanish speakers which led them to collaborate on language accessibility issues. Councilmember Rocha Garcia recognized Councilmember Sandoval for her work on health, equity, and transportation safety.

Councilmember McKee-Rodriguez thanked Councilmember Sandoval for her leadership and friendship. He thanked her for chairing the Community, Health, Environment and Culture Committee and pushing for more community engagement by pushing for policies for the City to provide transportation and parking for the public.

Councilmember Pelaez stated that the City Council was losing a zealous fighter for the rights of residents.

Councilmember Viagran commented that being a woman on the dais was a challenge and noted that Councilmember Sandoval had been a strong leader and supporter of climate equity.

Councilmember Courage recalled that in 2017 there were six new Councilmembers and the mayor moved up from Council District 8 and Councilmember Sandoval was one of them. Councilmember Courage stated that he appreciated her counsel and collaboration.

Councilmember Perry acknowledged that he often disagreed with Councilmember Sandoval on positions but that there was mutual respect and professionalism that he enjoyed. Councilmember Perry thanked Councilmember Sandoval for her work on the City Council and her commitment to her residents.

Councilmember Castillo joked that she wanted to delay the Item to 2025, however, she understood and respected the decision. Councilmember Castillo thanked Councilmember Sandoval for collaborating on drainage issues, heat illnesses for workers and her work on equity and the environment.

Councilmember Bravo listed numerous actions that Councilmember Sandoval took to make our government more accessible. Councilmember Bravo spoke of Councilmember Sandoval's efforts in streamlining Committee meetings.

City Attorney Andy Segovia, City Manager Erik Walsh, and City Clerk Debbie Racca-Sittre all thanked Councilmember Sandoval for her service.

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

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

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

6. 2023-01-26-0016

Ordinance approving a contract with The Brandt Companies, LLC, to provide the Convention and Sports Facilities Department, with a BTU Boiler System for the Alamodome for a total cost of \$107,286. Funding is from the Hotel Occupancy Tax Fund. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

7. 2023-01-26-0017

Ordinance approving a contract with Silsbee Ford Inc., to provide Police Patrol Ford Interceptor Utility Vehicles for an estimated total cost of \$8,148,827.70. Funding of \$7,991,857.70 is from the FY 2023 Adopted Equipment Renewal and Replacement Fund Budget, and \$156,970 is from the FY 2023 Adopted General Fund Budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

8. 2023-01-26-0018

Ordinance approving a contract with Cavender Ford Motor Company, Ltd., to provide one box truck for the San Antonio Police Department for a total cost of \$58,965. Funding is from the Bureau of Justice Assistance (BJA) FY 2020 Coronavirus Emergency Supplemental Funding Program Grant. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

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

9. 2023-01-26-0019

Ordinance approving a contract with Honeywell Building Solutions to provide the Convention and Sports Facilities Department with maintenance for software, hardware enhancements, and support for the Enterprise Building Integrator (EBI) system for an estimated annual cost of \$1,553,000. Funding is from the respective department's FY 2023 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]

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

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

10. 2023-01-26-0020

Ordinance amending a utility contract in the increased amount of \$346,903 to the \$10,636,237.51 construction contract with E-Z Bel Construction, LLC, to replace existing brick sanitary sewer utility hole structures as part of the North Main Avenue & Soledad Street (Pecan Street to Navarro Street) Project, a 2017 General Obligation Bond funded project; and authorizing the acceptance of reimbursement in the amount of \$346,903 from SAWS for the construction services. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia 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. 2023-01-26-0021

Ordinance awarding the 2023 Task Order Contract for Flatwork and Street Improvements Package 1 to Nerie Construction Limited Liability Company in an amount not to exceed \$5,005,679 of which \$182,050 will be reimbursed by San Antonio Water System for necessary adjustments to their existing infrastructure. Funding is from the General Fund, the Advanced Transportation District Fund and debt proceeds included in the FY 2023 – FY 2028 Capital Improvements Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

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

12. 2023-01-26-0022

Ordinance awarding the 2023 Task Order Contract for Flatwork and Street Improvements Package 2 to F.D. Concrete, LLC in an amount not to exceed \$4,544,777, of which \$223,765 will be reimbursed by San Antonio Water System for necessary adjustments to their existing infrastructure. Funding is from the General Fund, the Advanced Transportation District Fund and debt proceeds included in the FY 2023 – FY 2028 Capital Improvements Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

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

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

13. 2023-01-26-0023

Ordinance approving a capital improvement expenditure in the amount of \$1,097,748 payable to J. Sanchez Contracting, Inc., for the Spigel Trailhead at Guilbeau Rd. (French Creek) Project. Funding is from the voter approved Sales Tax Venue funds of which \$368,752.68 is from the French Creek project and \$485,685.32 will be reallocated from the Trail Connections, Parking, and Other Enhancements project to the French Creek project included in the FY 2023 – FY 2028 Capital Improvement Program. This ordinance also appropriates \$243,310 from the FY 2023 Tree Canopy Preservation and Mitigation Fund which will be used for tree plantings and irrigation support. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

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

14. 2023-01-26-0024

Ordinance amending the License Agreement between the City of San Antonio and the San Antonio Conservation Society to continue using La Villita space for NIOSA for an additional term of three years, commencing in 2023 and expiring 2025. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations Department].

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia 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. 2023-01-26-0025

Ordinance approving a two-year extension to the lease agreement between the City of San Antonio and Little Church of La Villita. Revenue of \$10,385.13 will be deposited into the General Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations.]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia 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. 2023-01-26-0026

Ordinance approving the acquisition through negotiation or condemnation on behalf of CPS Energy of one 7.249 acre parcel and 48 permanent easements of fee simple interests in privately- owned real property in northern Bexar County sufficient for project purposes of constructing a substation and

transmission line starting at the existing Ranchtown to Menger Creek 138-kV transmission line and extending in an easterly direction terminating at 25047 Toutant Beauregard Road in northern Bexar County, Texas for the Scenic Loop Substation and Transmission Project; declaring it to be a public use project and a public necessity. [Roderick Sanchez; Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Pelaez moved to Approve. Councilmember Rocha Garcia 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

17. 2023-01-26-0027

Ordinance approving the acquisition through negotiation or condemnation of interests in land on behalf of the Texas General Land Office, sufficient for project purposes involving 516 East Houston Street fee simple parcel of privately owned real property located in downtown San Antonio of Bexar County in New City Block 423 Block 24 Lot E 36 FT of 2 OR A14, related to the Alamo Visitor Center and Museum and declaring the project to be for public use and a public necessity for the acquisition. [Andy Segovia, City Attorney]

PUBLIC COMMENT

L. Dan Eldredge, attorney representing property owner Vince Cantu spoke in opposition to the Item.

The following persons spoke in support of the Item: Pete Broderick, immediate past chair of the Board of Directors for Centro San Antonio; Forrest Byas, member of the Alamo Citizen Advisory Commission; Marialyn Barnard former chair of the Alamo Museum Planning Committee; Phillip Bakke, Alamo Redevelopment Project Construction Manager; Patricia Mota and Diane Baird-Barger descendants of Alamo defender Toribio Losoya; Hope Andrade, Chair of the Alamo Management Committee; Marco Barros, management consultant; Kate Rogers, Executive Director of the Alamo Trust; Dave Peterson, Interim Chief Executive Officer of the San Antonio Chamber of Commerce; Paul Covey and Kevin Covey, local developers; and Cheryl Wyatt, local resident who had attended the 1960 sit-in at the Woolworth's Building.

DISCUSSION:

Councilmember Pelaez asked the City Attorney if there had been any negotiations or offers made by the State of Texas and whether the condemnation was racially motivated. Segovia stated that there had been offers made with no racial bias. Councilmember Pelaez noted that the project was intended to tell the Alamo stories of all races and clarified that the use of eminent domain still required negotiations and fair offers.

Councilmember Cabello Havrda confirmed that negotiations needed to continue.

Councilmember Rocha Garcia asked about the difference between going forward today or getting an extension. Segovia stated that any delay could delay the project. Councilmember Rocha Garcia acknowledged Segovia's statement and thanked those who came to speak and the members of the

Alamo Trust for their work.

Councilmember Viagran thanked the Losoya descendants for coming to speak as she was also a descendant of Losoya. She commented that the Alamo project needed to reflect all of the stories including the Alamo, Tejano, women, and the civil rights sit-in.

Councilmember Perry recalled that the original Alamo Plan was presented six years ago which he opposed but noted that changes had been made to the design that changed his mind. Councilmember Perry was disappointed that a deal had not been made for the property without the use of eminent domain, but he supported the Item.

Councilmember Castillo noted that she supported property rights and recommended that the offer from the State considered the additional revenues that the Alamo would bring for which the owner would not benefit. Councilmember Castillo asked the City Attorney how the City notified the property owner of the Item. Sandoval stated that the City posted the Item and Rogers reported that the Alamo Trust notified the property owner. Councilmember Castillo supported a two-week postponement as requested by the property owner.

Councilmember McKee-Rodriguez stated that he had planned to vote against the Item but noted that so many residents came to support the project.

Councilmember McKee-Rodriguez moved to delay the Item until February 9, 2023. Councilmember Castillo seconded the motion. The motion failed by the following vote:

Aye: McKee-Rodriguez, Castillo, Sandoval, Perry
No: Nirenberg, Bravo, Viagran, Rocha Garcia, Cabello Havrda, Pelaez, Courage

Mayor Nirenberg noted that the Alamo was a historical icon of our city. Mayor Nirenberg clarified that the Item was to authorize the use of imminent domain so that negotiations could be accelerated. Mayor Nirenberg stated that there was a triparty agreement between the State, the City and the Alamo Trust and asked that both the State and the owner negotiate in good faith regarding the property.

Councilmember Viagran asked Brenda Pacheco, member of the Alamo Committee to speak. Pacheco stated that it was important that all stories were told and provided historical background on the Missions and the Alamo and how Native American and Mexican Americans were impacted. Pacheco urged City Council to approve the Item for the greater good of San Antonio. Councilmember Viagran supported negotiations and a settlement to pay the owner fair market value for his property.

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

Aye: Nirenberg, Bravo, Viagran, Rocha Garcia, Cabello Havrda, Sandoval, Pelaez, Courage, Perry
No: McKee-Rodriguez, Castillo

Grant Applications and Awards

18. 2023-01-26-0028

Ordinance approving the acceptance of funds in the amount of up to \$284,730 from the Centers for Disease Control and Prevention (CDC) for the Public Health Crisis Response Cooperative Agreement grant to support local public health MPOX prevention and response efforts for the period of December 16, 2022 through December 15, 2023. [Erik Walsh, City Manager; Claude Jacob, Health Director]

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

19. 2023-01-26-0029

Ordinance approving the submission of two grant renewal applications, one to the Texas Commission on Environmental Quality (TCEQ) and one to the Department of Homeland Security (DHS) related to the Public Center for Environmental Health's local air monitoring efforts and authorizing the acceptance of funds in an amount up to \$586,897 from TCEQ and DHS for a period beginning June 1, 2023 through August 31, 2024 and authorizing additional personnel. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

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

20. 2023-01-26-0030

Ordinance accepting funds upon award in an amount up to \$13,437,034 from the Texas Department of State Health Services for public health functions of the San Antonio Metropolitan Health District for the period of July 1, 2023 through December 31, 2024, approving an agreement related to the Title V Dental- Oral Health grant with the University of Texas Health Science Center at San Antonio for an amount up to \$160,000 for a term ending August 31, 2024 with options to renew for three, one-year terms, for a cumulative amount up to \$640,000 inclusive of renewals, approving contracts with the San Antonio AIDS Foundation, Beat AIDS, Inc., The Center for Health Care Services, Healthy Futures of Texas, Fiesta Youth, and Corazón Ministries, Inc., related to the Ending the HIV Epidemic grant for terms ending July 31, 2024, with the option to renew for one, one-year term for a total amount of \$70,000 each, inclusive of renewal, approving the execution of Memoranda of Agreement with no exchange of funds associated with these grant-funded projects, and approving associated personnel complements. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

Jack Finger spoke in opposition to the Item.

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

21. 2023-01-26-0031

Ordinance authorizing a request to the U.S. Department of Health and Human Services to consolidate the Department of Human Services existing Head Start and Early Head Start grants and funds in a combined total of \$35,336,915 for the period February 1, 2023 to January 31, 2024. [Lori Houston, Assistant City Manager; Melody Woosley, Human Services Director]

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

22. 2023-01-26-0032

Ordinance approving the submission of a grant application and the acceptance of funds upon award from the Texas Parks & Wildlife Department for the Outdoor Recreation Legacy Program Grant as part of the National Park Service's Land and Water Conservation Fund in the amount of \$2.5 million for revitalization and development at Cassiano Park, leveraging 2022-2027 Bond Program funding, and authorizing the Parks and Recreation Director to execute any related documents. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

Carlos Valdez spoke in support of the Item and more recreation opportunities for kids.

Councilmember Castillo spoke in support of the Item.

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

Boards, Commissions and Committee Appointments

- 23.** Approving the following Board, Commission and Committee appointments for the remainder of an unexpired term of office to expire May 31, 2023 [Debbie Racca-Sittre, Interim City Clerk]
A. Approving the appointment of Thomas Marsalia (Edwards Aquifer Authority Representative) to the Conservation Advisory Board
B. Approving the appointment of Debra Guerrero (District 3) to the Port Authority of San Antonio

Councilmember Viagran highlighted her support for Debra Guerrero's appointment.

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

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

Miscellaneous

24. 2023-01-26-0033

Ordinance approving the transfer of operations and management of the Crane Bat Cave preserve from the Edwards Aquifer Protection Program (EAPP) to the Southern Edwards Plateau Habitat Conservation Plan (SEP-HCP), conveyance of a conservation easement to the Edwards Aquifer Conservancy, and appropriates funding in the amount of \$2,059,144.18 from the Southern Edwards Plateau Habitat Conservation Plan Fund and authorizes the reimbursement to the 2015 Proposition 1 for the initial purchase of the Crane Bat Cave. [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

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

25. 2023-01-26-0034

Ordinance approving a non-exclusive license agreement with Hooks Gas Pipeline, LLC, to use certain City rights-of-way for the purpose of installing, maintaining and operating natural gas transportation pipeline facilities, for an initial term of ten years. Revenue is estimated to be \$117,693.34 in FY 2023 and will be deposited into the General Fund.[Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

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

26. 2023-01-26-0035

Ordinance extending line-of-duty injury leave for San Antonio Fire Department Fire Engineer Robert Despain. [Maria Villagomez, Deputy City Manager; Charles N. Hood, Fire Chief]

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

27. 2023-01-26-0036

Ordinance approving the City of San Antonio's Federal Legislative Program for the 118th U.S. Congress. [Jeff Coyle, Assistant City Manager; Sally Basurto, Director, Government Affairs]

PUBLIC COMMENT:

Jack Finger spoke in opposition to the Item.

DISCUSSION:

Councilmember Pelaez, Chair of the Intergovernmental Relations Committee, spoke in support of the Item and highlighted various components of the Program.

Councilmember Viagran spoke in support of the Item and asked Director of Governmental Relations Sally Basurto how residents could help. Basurto stated that residents could communicate with the City through SA Speak Up and directly communicate with their Senators and Congressmen.

Councilmember Viagran recommended collecting resident success stories to take to Washington DC.

Councilmember Pelaez moved to Approve. 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

28. 2023-01-26-0037

Ordinance amending the City's State Legislative Program to include support for San Antonio Fire and Police Pension Fund's 2023 legislative proposal. [Jeff Coyle, Assistant City Manager; Sally Basurto, Director, Government Affairs]

PUBLIC COMMENT:

Jack Finger spoke in opposition to the Item.

DISCUSSION:

Councilmember Pelaez, Chair of the Intergovernmental Relations Committee, spoke in support of the Item noting that it was proof that the City's Legislative Programs could be amended.

Councilmembers Cabello Havrda and Rocha Garcia highlighted their support for the Item.

Councilmember Pelaez moved to Approve. 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

29. 2023-01-26-0038

Ordinance approving the San Antonio Metropolitan Health District's continued participation in the Medicaid 1115 (a) Demonstration Waiver Program known as the "Texas Healthcare Transformation and Quality Improvement Program" (the Waiver Program); acceptance of funds reimbursed through year 1 of the Waiver Program's Public Health Provider Charity Care Program in an amount up to \$350,000; approving fiscal year budgets in an amount up to \$8,322,541 for the period beginning

October 1, 2023 through September 30, 2024 using Waiver Program cash reserve funds; and authorizing the execution of Memoranda of Agreement that enhance program services with no exchange of funds associated with these grant-funded projects. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

Councilmember Sandoval highlighted her support for the Item.

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

30. 2023-01-26-0039

Ordinance approving a license agreement with Centric Fiber, LLC, for the Installation of fiber optic cable facilities in the City's public right-of-way to provide broadband internet access service. [Ben Gorzell, Chief Financial Officer; Craig Hopkins, Chief Information Officer, Information Technology Services]

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

31. 2023-01-26-0040

Ordinance approving an Interlocal Agreement between the City of San Antonio and Bexar County to accept and appropriate funds in the amount of \$263,958 into the Storm Water Operating Fund from Bexar County for the completion of the Kampmann Boulevard Preliminary Engineering Report. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Sandoval highlighted her support for the Item.

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

32. 2023-01-26-0041

Ordinance approving a responsible bidder program for low bid construction contracts, including best value criteria and authorizing the City to deny contracts or other transactions with a person or company not deemed a responsible bidder under the program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

PUBLIC COMMENT:

Dave Peterson, President and CEO of the San Antonio Chamber of Commerce and Marina Gonzalez, President and CEO of the Hispanic Chamber of Commerce spoke in support of the Item.

The City Clerk read statements in support of the Item from residents Ben Pena and Javier Gutierrez.

DISCUSSION:

Councilmember Bravo thanked Councilmember Cabello Havrda for bringing the Item forward. Councilmember Bravo commented that the program was highly needed to help improve the quality of work and eliminate construction delays.

Councilmember Cabello Havrda provided history and background on the Council Consideration Request that she authored explaining that if an individual hired someone who did not perform, they would not hire them again, and she wanted the City to have a process in place to ensure that it was not forced to hire a bad contractor due to low bid.

Councilmember Pelaez spoke in support of the Item, agreed that the program was sorely needed and warned bad contractors to not apply for work with the City of San Antonio.

Councilmember Courage commented that this was a reasonable program that provided up-front expectations for our construction contractors.

Councilmember Viagran spoke in support of the Item as a first step in getting responsible subcontractors and prime contractors.

Councilmember Perry asked Director of Public Works Razi Hosseini whether construction trade organizations were consulted. Hosseini stated that the department had coordinated with Associated General Contractors and other trade organizations who supported the program.

Councilmember McKee-Rodriguez mentioned that the Council District 2 office had received many complaints and spoke in support of the program.

Councilmember Cabello Havrda moved to Approve. Councilmember Bravo 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

33. 2023-01-26-0042

Ordinance authorizing the establishment of a Streets, Bridges, and Sidewalks Advisory Board and a Storm Water Management Advisory Board to provide oversight of the completion of the 2022 Bond Program projects included in the Streets, Bridges, and Sidewalks and Drainage and Flood Control Propositions. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Sandoval highlighted her support for the Item.

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

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

City Manager's Report

34. City Manager's Report

There was no City Manager's Report.

Executive Session

There was no Executive Session.

ADJOURNMENT

There being no further discussion, Mayor Nirenberg adjourned the meeting at 12:55 p.m.

Approved

**Ron Nirenberg
Mayor**

**Debbie Racca-Sittre
City Clerk**