

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



**Meeting Minutes
City Council A Session**

Municipal Plaza Building
114 W. Commerce Street
San Antonio, Texas 78205

2023 – 2025 Council Members

Mayor Ron Nirenberg
Dr. Sukh Kaur, Dist. 1 | Jalen McKee-Rodriguez, Dist. 2
Phyllis Viagran, Dist. 3 | Dr. Adriana Rocha Garcia, Dist. 4
Teri Castillo, Dist. 5 | Melissa Cabello Havrda, Dist. 6
Marina Alderete Gavito, Dist. 7 | Manny Pelaez, Dist. 8
John Courage, Dist. 9 | Marc Whyte, Dist. 10

Thursday, April 4, 2024

9:00 AM

City Council Chambers

The City Council convened a regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at 9:10 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

PRESENT: 11 – Nirenberg, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

ABSENT: None

PROCEDURAL

1. Invocation

The invocation was delivered by Rev. Dr. Bryan Stamper of San Pedro Presbyterian Church, guest of Councilmember Courage, Council District 9.

2. Pledge of Allegiance

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

3. Approval of minutes for the City Council meetings of March 20, 2024, and March 21, 2024.

Councilmember Castillo moved to Approve the minutes of the March 20, 2024 and March 21, 2024 City Council meetings. 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

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg proclaimed the month of April to be Donate Life Month and noted events being hosted by the South Texas Blood & Tissue Center, the Texas Organ Sharing Alliance, San Antonio Eye Bank, University Health Transplant Institute, and the Methodist Transplant Institute. The family of David Menchaca spoke about his gift of organ donation that saved 73 lives after he died in a car accident at the age of 24. Mayor Nirenberg and Councilmembers Viagran, Cabello Havrda, Alderete Gavito and Pelaez thanked the Menchaca family and spoke in support of the Proclamation.

Mayor Nirenberg proclaimed the week of April 1-7, 2024 to be National Public Health Week and invited Director of the City of San Antonio Metropolitan Health District (Metro Health) Dr. Claude Jacob and other public health partner representatives to speak. Mayor Nirenberg and Councilmembers Kaur, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, and Courage spoke in support of the work of the Public Health Collaborative.

Mayor Nirenberg proclaimed the month of April to be Arab American Heritage Month and recognized Lilly Guindy of The Lilly Agency to speak. Councilmembers Viagran, Castillo, Pelaez, and Courage spoke in support of the Proclamation.

Mayor Nirenberg recognized 12-year old Lila Smethurst, The Food Network's Kid's Baking Champion for Season 12. Councilmembers Whyte, Pelaez, Alderete Gavito, Castillo, Viagran, Rocha Garcia, and Courage congratulated Smethurst for her victory.

Councilmember Viagran announced the 10th Annual Viva Poesia which was the official kickoff to National Poetry Month in San Antonio. Former San Antonio Poet Laureate Dr. Octavio Quintanilla read a poem. Councilmember Rocha Garcia thanked Dr. Quintanilla.

Councilmember Rocha Garcia announced the total solar eclipse that would be available for viewing on Monday April 8, 2024. Councilmembers McKee-Rodriguez, Pelaez, and Whyte spoke in support of the activities. Mayor Nirenberg noted that this might be a once in a lifetime experience because the next full solar eclipse would not be until February 23, 2043.

Councilmember Castillo recognized Dr. Noel Cortez, Director of Graduate Student Services at Our Lady of the Lake University. Councilmember Alderete Gavito supported the recognition.

Councilmember Alderete Gavito kicked off the “Cardboard Kids Campaign” for Child Abuse Prevention Month and recognized the non-profit ChildSafe. Mayor Nirenberg and Councilmembers Viagran, Courage, and Whyte spoke in support of ChildSafe.

Councilmember Courage recognized the San Antonio Youth Commission appointees who made a public call for action condemning the banning of books noting that April was National Library Month. Councilmember Viagran expressed concern that the banning of books make it harder for books about people of color or LGBTQ lifestyles to be introduced in libraries and schools. Councilmember Kaur commended the Commission for their work.

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

- 4. **2024-04-04-0219**
Ordinance approving a contract with Austin Armature Works LP to provide 11 sewage ejector pumps for the Henry B. Gonzalez Convention Center for \$62,460.80. Funding is from the Hotel Occupancy Tax fund and included in the FY 2024 - FY 2029 Capital Improvement Program. [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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

- 5. **2024-04-04-0220**
Ordinance approving a contract with DZ Industries Inc., dba Home Elevator of Texas, to provide the Henry B. Gonzalez Convention Center with one vertical portable wheelchair lift for \$61,925. Funding is available from the FY 2024 to FY 2029 Capital Program with funding from debt proceeds under the Texas Public Facilities Corporation. [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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

- 6. **2024-04-04-0221**
Ordinance approving a contract with Hi-Lite Airfield Services, LLC, for rubber and paint build-up removal services for the Aviation Department beginning upon award and ending December 31, 2027, with two, one-year renewal options for an estimated annual cost of \$175,600 with an estimated total cost of \$878,000. Funding is from the Airport Operating & Maintenance Fund. [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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

7. 2024-04-04-0222

Ordinance approving a contract with Rush Truck Centers of Texas LP, dba Rush Truck Center, San Antonio, to provide 15 replacement automated side load refuse collection trucks for the Solid Waste Management Department for a total cost of \$6,819,060. Funding is from the Equipment Replacement and Renewal Fund. [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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

8. 2024-04-04-0223

Ordinance approving a contract with Santex Truck Centers, LTD, dba Kyrish Truck Centers of San Antonio, to provide 16 replacement automated side loader refuse collection trucks for the Solid Waste Management Department for a total cost of \$6,903,971.04. Funding is from the Equipment Replacement and Renewal Fund. [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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Capital Improvements

9. 2024-04-04-0224

Ordinance authorizing the City Manager or Director of Public Works to execute Local On-System Improvement Project Agreements (LOSAs) between the Texas Department of Transportation and the City of San Antonio without further City Council action. [John Peterek, Interim Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda. Councilmember Viagran 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. **2024-04-04-0225**

Ordinance approving a five-year Lease Agreement with North Star Income Partners L.P. for office space at 8507 McCullough Avenue, for the City Council District 1 Constituent Office, for the annual rental amount of \$55,647 for year one and increasing to \$63,754.80 in the fifth year, plus \$160,000 for improvements to the space. Funding is from the General Fund. [John Peterek, Interim Assistant City Manager; Jorge A. Perez, Director, Building and Equipment Services]

Councilmember Kaur 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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

11. **2024-04-04-0226**

Ordinance approving a five-year lease renewal with Subway Real Estate, LLC for space at the Houston Street Garage Building for total City revenue of \$275,997.76 over the renewal term and broker's fee payment expense from City to Providence Commercial Real Estate Services in the amount of \$9,659.92. Lease revenue will be deposited in and the fee payment will be paid from, the Parking Operating and Maintenance Fund. [John Peterek, Interim Assistant City Manager; Jorge A. Perez, Director, Building and Equipment 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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

12. **2024-04-04-0227**

A public hearing and approval of an ordinance allowing the sale of City-owned property located within the Hyatt Regency San Antonio River Walk Hotel and an access easement located adjacent to the building. Funding of \$630,000 will be deposited into the Community Development Block Grant fund for the sale of this property. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and 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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Street Closures and Traffic Control Procedures

13. 2024-04-04-0228

Ordinance approving the temporary closure of certain streets for the 2024 Fiesta San Antonio celebration; approving the dates, times and locations for specified Fiesta events including the Fiesta street parade route, Fiesta river parade route, and approving the dates and times for the Fiesta Carnival and related requirements and conditions. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and 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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

Boards, Commissions and Committee Appointments

14. 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 as shown below [Debbie Racca-Sittre, City Clerk]
- A. Appointing Dora Solis (District 6) to the Building Standards Boards
 - B. Appointing Leslie Provence (District 3) to the City/County Joint Commission on Elderly Affairs
 - C. Appointing Melanie Rodriguez (District 3) to the City of San Antonio Higher Education Student Advisory Board
 - D. Appointing Philip "Ryan" Garza (District 3) to the Ethics Review Board for the remainder of an unexpired term ending April 25, 2024
 - E. Appointing Michael "Mike" Pollog (District 9) to the Historic and Design Review Compliance and Technical Advisory Commission

Councilmember Viagran highlighted her support for the council district board appointments.

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

15. 2024-04-04-0229

Ordinance approving the following At-Large Appointees to the Airport Advisory Commission for the remainder of an unexpired term of office to expire on March 18, 2026. [Debbie Racca-Sittre, City Clerk]

- A. Appointing Bailey Gorin to the Aviation Industry seat
- B. Reappointing Jeffrey "Jeff" Fair to the Business Community seat
- C. Appointing Juanita Sepulveda and reappointing Roger Dillard and William "Pat" Garrison to the Community seats

And waiving the term limit requirement for the following appointments:

- D. Appointing Deborah Omowale Jarmon to the Travel & Tourism Industry seat

- E. Reappointing Mark Fessler to the Aviation Industry seat
- F. Reappointing Earl Jackson to the Federal Aviation Administration seat
- G. Reappointing John Grisell to the Ground Transportation seat

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

16. 2024-04-04-0230

Ordinance amending a contract with Universal Protection Services, LP dba Allied Universal Security Services (Allied) for secured area access management and monitoring services at the San Antonio International Airport to extend the contract period six months from June 30, 2024 through December 31, 2024, or until a newly-selected provider is ready to begin operations, whichever shall occur first. Funding is from the Airport Operating and Maintenance Fund. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda. Councilmember Viagran 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. 2024-04-04-0231

Ordinance approving a Professional Services Agreement with Courageous Creativity DBA GEM Nonprofit Consulting in an amount not to exceed \$150,000 for a two-year period ending June 30, 2026 for marketing and creative strategy services for the Workforce Development Office (WDO) - Apprenticeship Building America (ABA) program. Funding is from the Apprenticeship Building America Program grant. [Alejandra Lopez, Assistant City Manager; Michael Ramsey, Executive Director, Workforce Development Office]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda. Councilmember Viagran 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. 2024-04-04-0232 and 2024-04-04-0018R (Item 18B)

An Ordinance authorizing: A) terms and conditions of a 10 year Tax Abatement Agreement for a 90% abatement of real and personal ad valorem taxes and Chapter 380 Economic Development Grant Agreement in an amount not to exceed \$2,350,000 and City and SAWS fee waivers not to exceed \$1,500,000 with JCB Texas, LLC.; and B) a Resolution nominating JCB Texas, LLC for designation as a “qualified business” and enterprise project under the Texas Enterprise Zone

Program. [Alejandra Lopez, Assistant City Manager; Brenda Hicks-Sorensen, Director, Economic Development]

Jack Finger spoke in opposition to the Item.

Mayor Nirenberg and Councilmembers Rocha Garcia, Viagran, and Pelaez highlighted their 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, Kaur, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Alderete Gavito, Pelaez, Courage, Whyte

19. 2024-04-04-0233

Ordinance establishing an exemption from the City's property tax of 100 percent of the appraised value for all or part of real property used as a qualified childcare facility. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

PUBLIC COMMENT:

Katie Ferrier, Vice President of Education & Workforce Development for the Greater San Antonio Chamber of Commerce; Jonathan Gurwitz, Board Chair of United Way of San Antonio and Bexar County; and Liza Gomez Ready Children Program Director for United Way of San Antonio and Bexar County spoke in support of the Item.

Jack Finger spoke in opposition to the Item.

DISCUSSION:

Councilmember Courage provided background on the option to exempt child care facilities from property tax being approved by the voters in November 2023 in a State of Texas Constitutional Amendment. He spoke in support of the exemption to allow child care centers to pay their employees more, provide higher quality services, or pass along savings to families. Councilmember Courage recommended adding child care support to the Texas Legislative Agenda in the next biennium.

Councilmember Rocha Garcia thanked Councilmember Courage for spearheading the effort and also thanked the San Antonio Greater Chamber of Commerce for their leadership and recommended that they develop a task force to develop more opportunities for childcare. Councilmember Rocha Garcia hoped the exemption would positively impact the lives of women.

Councilmember Alderete Gavito commented that the cost of childcare was high and not attainable by many families which led to disparities, particularly for women. She supported the use of the exemption to keep childcare facilities accessible but hoped it would also help drive down costs.

Councilmember Kaur supported the Item noting that it was the first step in relieving the strain on childcare facilities and eliminating barriers to quality child care. She committed to advocating for education and affordable child care.

Councilmember Viagran asked Dr. Sarah Baray, Director of PreK 4 SA if there were any books banned. Baray stated that PreK 4 SA was not required to comply with the Texas Education Agency rules because they were not a public school and it was important that childcare facilities reflected the needs of their individual communities.

Councilmember Whyte thanked Councilmember Courage for bringing the issue forward and spoke in support of the exemption to help the economy.

Councilmember Pelaez commented that he had served on the Workforce Solutions Alamo Committee of Six and stated that the agency's goal was to strengthen the regional economy by growing the workforce but noted that a large amount of their funding was dedicated to making childcare accessible.

Mayor Nirenberg spoke in support of the Item and reminded everyone that there was a report being developed regarding the childcare needs of San Antonio and this was only a small first step to help solve the challenge of childcare.

Councilmember Courage moved to Approve. Councilmember Kaur 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. 2024-04-04-0234

Ordinance amending the Major Thoroughfare Plan, a component of the City of San Antonio Master Plan, by realigning a proposed segment of Beck Road, a Secondary Arterial Type A 86' feet of right-of-way, between approximately 0.9 miles south of existing New Sulphur Springs Road and existing Burshard Road. Staff recommends Approval. Planning Commission recommends Approval. [John Peterek, Interim Assistant City Manager; Catherine Hernandez, Director, Transportation Department]

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

City Manager's Report

21. City Manager's Report

City Manager Erik Walsh stated that he had spoken at the recent Texas Solid Waste Association

of North America Conference and recognized Sanitation Workers Week, and the hard work of employees with the Solid Waste Management Department. Director of SWMD, David Newman, recognized his team.

Mayor Nirenberg encouraged his colleagues to do ride-alongs with SWMD. Mayor Nirenberg and Councilmembers Viagran, Castillo, and Courage recognized the public service provided by SWMD employees.

Executive Session

Mayor Nirenberg recessed the meeting into Executive Session at 11:46 a.m.

- A. Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B. The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C. Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Legal issues related to emergency preparedness pursuant to Texas Government Code Sec. 551.071 (consultation with attorney).
- E. Legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Nirenberg reconvened the meeting in Open Session at 1:24 p.m. and announced that no official action was taken in Executive Session.

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 1:24 p.m.

Approved

**Ron Nirenberg
Mayor**

**Debbie Racca-Sittre
City Clerk**