

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, May 5, 2022

9:00 AM

Municipal Plaza Building

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

1. Invocation

Pastor Eddie M. Medel of The Miracle Center, guest of Councilmember Viagran led the Invocation.

2. Mayor Nirenberg led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of minutes for the City Council meetings of April 13, 2022, April 14, 2022, April 20, 2022 and April 21, 2022.

Councilmember Perry moved to Approve the minutes for the City Council meetings of April 13, 2022, April 14, 2022, April 20, 2022 and April 21, 2022. 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, Courage, Perry

Absent: Pelaez

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg presented a Proclamation in recognition of United States Postal Services Letter Carriers Alamo Branch 421 and their community food drive “Stamp Out Hunger” and invited a representative to speak.

Mayor Nirenberg introduced a Proclamation honoring the 2022 Martin Luther King, Jr. Commission Scholarship recipients. Councilmember McKee-Rodriguez provided history and the importance of the scholarship opportunity and congratulated the recipients. Mayor Nirenberg and Councilmember McKee-Rodriguez presented Certificates and Medals to the recipients.

Councilmember Viagran announced that the Mission Marquee Plaza Film Series would begin this weekend. Councilmember Viagran stated that the event would also include winners of the #SA Film Contest.

Councilmember Rocha Garcia announced the 13th Annual Fit Family Challenge.

Councilmember Castillo recognized Teacher Appreciation Week and invited Alejandra Lopez, President of the San Antonio Alliance of Teachers and Support Personnel to speak.

Mayor Nirenberg read a Proclamation in recognition of May 6, 2022 as San Antonio Police Officer’s Memorial Day.

Councilmember Courage recognized the retirement of Dr. Eileen Breslin, Dean of University of Texas at San Antonio Health Science Center School of Nursing and invited her to speak.

Councilmember Perry recognized May as Military Appreciation Month and the passing of Senior Master Sergeant James Bynum, a Tuskegee Airman.

Councilmember Perry highlighted the Randolph Air Force Base Airshow held last weekend and provided a short video.

Councilmember Perry recognized Mother's Day.

Mayor Nirenberg recognized Municipal Clerk's Week and read a proclamation in honor of the Office of the City Clerk.

Mayor Nirenberg recognized local civil rights leader William "Willie" Velasquez and founder of the Southwest Voter Registration Project and proclaimed May 9, 2022 Willie Velasquez Day.

ACTION ITEMS FOR STAFF BRIEFING

None

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

4. 2022-05-05-0294

Ordinance approving contracts with Central Electric Enterprises and Company, HJD Capital Electric, Inc., and Zachman Enterprises, Inc., dba Fred Clark Electrical Contractor, to provide on-call electrical maintenance and repairs for an estimated amount of \$480,000.00 annually, not to exceed an aggregate \$2.4 million for the entire contract term, including renewal options. Funding is available through each respective department's FY 2022 Adopted Budget. Funds are not encumbered by this ordinance. 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 Viagran 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

5. 2022-05-05-0295

Ordinance approving a contract with Liberty Tire Recycling, LLC, for processing of waste tires for an estimated annual cost of \$488,000.00, included in the respective department's FY 2022 Adopted Budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Viagran 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

6. 2022-05-05-0296

Ordinance approving the amendment of the FY 2022 - FY 2027 Capital Improvement Program to include the Terminal A Ground Loading Facility project, establish its estimated project budget and appropriate funds in the amount of \$750,000.00 from the Airport Improvement and Contingency Fund for design work. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

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

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

7. 2022-05-05-0297

Ordinance awarding a construction contract to J3 Company, LLC in the amount of \$1,128,652.00, of which \$218,157.00 will be reimbursed by San Antonio Water System for the Orsinger Low Water Crossing #35 project. Funds are available from the Stormwater Operating Fund and are included in the FY 2022 – FY 2027 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

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

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

Acquisition, Sale or Lease of Real Property

8. 2022-05-05-0298

Ordinance approving a lease extension agreement with Riverbend Garage LLC for a 72-month period ending August 31, 2027, for a 5,126 square foot facility located at 412 East Commerce Street for the San Antonio Police Department's Bike Patrol Unit for the initial monthly rental amount of \$9,030.81. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations]

Councilmember Viagran 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. 2022-05-05-0299

Ordinance approving a lease agreement with La Boutique International at the El Mercado building in Market Square for a fee of \$1,500.00 to be deposited into the Market Square Improvement Fund; and terminating the existing lease agreements with La Boutique International and La Boutique. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations]

Councilmember Viagran 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

Grant Applications and Awards

10. 2022-05-05-0300

Ordinance approving the submission of a grant application and the acceptance of funds for the Federal Aviation Administration (FAA) Airport Improvement Program for West Apron Taxilane Reconstruction project at the San Antonio International Airport in the total amount of \$4,022,250 with the FAA's share of \$3,016,688.00 and the City's share of \$1,005,562.00 from the Airport Improvement and Contingency Fund. This action will amend the FY 2022 - FY 2027 Capital Improvement Program Budget to include the new project, the establishment of its budget and appropriation funds. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

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

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

11. 2022-05-05-0301

Ordinance approving the submission an application to the U.S. Department of Health and Human Services for the Early Head Start-Child Care Partnership Grant for the period August 1, 2022 to July 31, 2023, and acceptance upon award of up to \$3,017,836.00, a budget including an in-kind match of \$754,459.00, and a personnel complement. [Lori Houston, Assistant City Manager; Melody Woosley, Director, Human Services]

Councilmember Viagran 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

- 12.** 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. Appointing Jennifer Orellana (District 2) to the San Antonio Youth Commission
 - B. Appointing Eddie Rodrigues (District 4) to the Transportation Advisory Board
 - C. Appointing Michelle Lugalía-Hollon (Mayoral) to the Zoning Commission

Councilmember McKee-Rodriguez highlighted the Council District 2 appointee to the San Antonio Youth Commission, Jennifer Orellana.

Mayor Nirenberg highlighted Mayoral appointee Michelle Lugalía-Hllon to the Zoning Commission and thanked former appointee Gayle McNeil for her service.

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

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

- 13.** 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. Appointing Geraldine Garcia (District 5) to the Brooks Development Authority
 - B. Appointing Joredanne Carmack (District 10) to the City of San Antonio Commission on Strengthening Family Well-Being
 - C. Appointing Laura Lopez (District 6) to the Disability Access Advisory Committee
 - D. Appointing Yaritza Cruz-Villareal (District 6) to the San Antonio Youth Commission
 - E. Appointing Mark Spielman (District 1) to the Zoning Board of Adjustment

Councilmember Cabello Havrda highlighted Council District 6 appointees: Laura Lopez to the Disability Access Advisory Committee and Yaritza Cruz-Villareal to the San Antonio Youth Commission.

Councilmember Bravo highlighted Council District 1 appointee Mark Spielman to the Zoning Board of Adjustments.

Councilmember Castillo highlighted Council District 5 appointee Geraldine Garcia to the Brooks Development Authority Board.

Councilmember Perry highlighted Council District 10 appointee Joredanne Carmack to the San Antonio Commission on Strengthening Family Well-Being.

Councilmember Viagran 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

14. 2022-05-05-0302

Ordinance appointing Jay Franklin, Vincent Holman, Paul Drummond, Lillian Riviera, and Deborah Warner; and reappointing Karen Farias, Roy Lozano, and Jerry Broderick to the Citizen Action Advisory Board for a two-year term to expire on May 5, 2024. The Citizen Advisory Action Board (CAAB) is also commonly referred to as the Complaint and Administrative Review Board (CARB) [Debbie Racca-Sittre, Interim City Clerk]

Councilmember Viagran highlighted the appointment of civilians to the Board.

Councilmember Viagran 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

Miscellaneous

15. 2022-05-05-0303

Ordinance approving a one-year extension of the agreements with dockless vehicle operators Razor USA, LLC, and Bird Rides, Inc. Revenues collected from this ordinance will be deposited into the City's General Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations]

Councilmember Viagran 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. 2022-05-05-0304

Ordinance approving the settlement of litigation styled Diane Peppar, et al. v. The City of San Antonio, Texas et al., Cause No. 5:16-CV-00221-RCL (lead case) consolidated with Elena Scott, et al. v. City of San Antonio, et al., Cause No. 5:16-CV-00158-RCL in a total amount of \$450,000.00. [Andy Segovia, City Attorney]

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

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

17. 2022-05-05-0305

Ordinance approving a non-exclusive license agreement with Flint Hills Resources Corpus Christi,

LLC for use of the City's Right-of-Way for the purpose of relocating a 16-inch pipeline, due to a TxDOT project. The total revenue generated by this agreement is \$9,000.00 for the initial term, which will be deposited into the General Fund. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Viagran 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

18. 2022-05-05-0306

Ordinance approving an amendment to the Depository Banking Services and Lockbox Services Contract with Frost Bank to extend the term of the contract for an additional nine months, commencing on July 1, 2022, and ending on March 31, 2023, with the option to renew for three additional months under the same terms and conditions. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Councilmember Viagran 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. 2022-05-05-0307

Ordinance approving a contract amendment with JP Morgan Chase Bank, N.A. and Paymentech, LLC, for merchant banking (credit card) services to extend the term of the contract for an additional nine months, commencing on July 1, 2022, and ending on March 31, 2023, with an option to renew for three additional months under the same terms and conditions. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Councilmember Viagran 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. 2022-05-05-0308

Ordinance approving the issuance by the Las Varas Public Facility Corporation of its Multifamily Housing Revenue Bonds (River Trails Apartments) Series 2022 (the "Bonds") for purposes of Section 147 (f) of the Internal Revenue Code [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director of Finance]

Councilmember Viagran 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. EZDC 2022-05-05-0001R

Resolution of the City of San Antonio, Texas Empowerment Zone Development Corporation approving an Amended and Restated Indenture of Trust and a First Amendment to Loan Agreement relating to the outstanding City of San Antonio, Texas Empowerment Zone Development Corporation Contract Revenue Empowerment Zone Refunding Bonds (Drury Southwest Hotel Project), Series 2013A and Series 2013B, primarily for the purpose of modifying the interest rate formula related to such Bonds; providing for the transfer of ownership of such Bonds from U.S. Bank National Association to UMB Bank, N.A.; consenting to UMB Bank, N.A. to serve as the successor Trustee under the Indenture; and approving other related matters. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Councilmember Viagran 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. 2022-05-05-0027R

Resolution approving, for purposes of Section 147(f) of the Internal Revenue Code, an Amended and Restated Indenture of Trust relating to the outstanding City of San Antonio, Texas Empowerment Zone Development Corporation Contract Revenue Empowerment Zone Refunding Bonds (Drury Southwest Hotel Project), Series 2013A and Series 2013B, primarily for the purpose of modifying the interest rate formula related to such Bonds. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Councilmember Viagran 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

23. City Manager's Report

City Manager Erik Walsh congratulated 3-1-1 Staff for achieving an Award of Excellence and eight employees for placing in the annual national Solid Waste Association of America Equipment Rodeo. City Manager Walsh commemorated Public Service Recognition Week, thanked all City employees for their service and showed a video highlighting numerous employees including Jose Ruiz, Nicole San Martin of the McCreless Branch Library; David Salinas and Jaime Rodriguez of Traffic Engineering.

Executive Session

Mayor Nirenberg recessed the meeting into Executive Session at 10:20 AM to discuss the following items:

- 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 collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D.** Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E.** Legal issues relating to COVID-19 preparedness pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- F.** Discuss the 2022 evaluation timeline and process for the City Manager, City Auditor, City Clerk, and Presiding Municipal Judge and any related legal issues pursuant to Texas Government Code Section 551.074 (personnel matters) and Texas Government Code Section 551.071 (consultation with attorney).

ADJOURNMENT

Mayor Nirenberg reconvened the meeting in open session at 12:06 PM and announced that no official action was taken in Executive Session.

There being no further business, the meeting was adjourned at 12:06 PM.

Approved

**Ron Nirenberg
Mayor**

Attest:

**Debbie Racca-Sittre
Interim City Clerk**