

State of Texas
County of Bexar
City of San Antonio



Meeting Minutes
City Council B 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

Wednesday, June 1, 2022

2:00 PM

Municipal Plaza Building

The City Council convened a regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at 2:19 PM. 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

ITEMS

1. Swearing in John Courage as Mayor Pro Tem for a term from June 1, 2022 through August 14, 2022.

City Clerk Debbie Racca-Sittre swore-in Mayor ProTem Courage.

2. Briefing on the implementation strategy and pre-solicitation briefing on the release of three solicitations for the mass selection of design consultants for the delivery of projects related to the City's voter-approved 2022 – 2027 Bond Program. [Roderick Sanchez, Assistant City Manager, Razi Hosseini, Director, Public Works]

City Manager Erik Walsh introduced the Item and Razi Hosseini, Director of Public Works, who provided an overview of the 2022 Bond Program, implementation process, project delivery methods and detailed the mass selection process and timeline planned to select design consultants for the Program. Hosseini stated that there would be three solicitations: 1) Civil Engineers, 2) Architects and 3) Landscape Architects.

Michael Sindon, Small Business Administrator with the Economic Development Department, provided historical utilization percentages in past bond programs and provided information on the Small Business Economic Development and Advocacy (SBEDA) Program requirements and the aspirational goals that were planned for subcontracting to Small, Minority and Women-owned businesses as well as requirements for some consultants to participate in the mentorship of small businesses.

Hosseini provided the types of representatives proposed to serve on the evaluation committees, the scoring matrix and the timeline for the process which was expected to result in contract awards in November 2022. Hosseini described partnerships with utilities, Bexar County, the State, and others as well as coordination with other departments, community engagement, transparency and posting of information on a website dashboard. Hosseini described the Citizen Bond Oversight Commission (CBOC) and requested appointment of members by the end of the year.

Veronica Garcia, Interim Director of the Neighborhood & Housing Services Department, provided an overview of the \$150 million Housing Bond Program planned to increase affordable housing in five categories: 1) Homeownership preservation and rehabilitation; 2) Rental housing acquisition, rehabilitation, and preservation; 3) Permanent supportive housing for people experiencing homelessness; 4) Rental housing production and acquisition; and 5) Homeownership production. Garcia stated that all projects should be accessible to low-income residents regardless of source of income or type of payment utilized. Garcia described the application solicitation process and timeline.

City Manager Walsh wrapped up the presentations noting the aggressive schedule.

Mayor Nirenberg stated that he was grateful to voters for approving the Bond Program so that the City could grow. Mayor Nirenberg noted that although the current economic climate was uncertain, the City had remained nimble by setting priorities and budgeted over the past two years. Mayor Nirenberg suggested that if the Bond funding fell short, that other sources of funding would need to be sought to ensure that the City met its priorities.

City Manager Walsh commented that bond programs were long term investments and the

process would take at least five years so the economy can be expected to change adding that assumptions needed to be flexible enough to ensure the schedule that was set was adhered to with adjustments made as needed in the projects.

Mayor Nirenberg suggested prioritizing shovel ready projects and those with leveraged funding to help adjust for inflation. City Manager Walsh agreed, noting that those with leveraged funding would be higher priority than shovel ready. Mayor Nirenberg stated that the 2022 Bond Program was also a jobs program providing work for residents and recommended that local contractors get their workforce prepared. Mayor Nirenberg listed climate change impacts and noted that there were excellent partners such as San Antonio River Authority that could help improve our resiliency. He stated that he was pleased to see the inclusion of experience with green infrastructure as an evaluating factor for the design consultants.

Councilmember Rocha Garcia asked if the 2017 Bond Program was on-time and on-budget. Hosseini stated that the program was 90% on time despite the pandemic. Councilmember Rocha Garcia requested a list of “F” streets for all City Council Districts and the scope of each project. Hosseini stated that he would brief each City Councilmember and review their streets included and the scope. Councilmember Rocha Garcia recommended close coordination with the utility companies. City Manager Walsh stated that coordination with the utilities should be improved.

Councilmember Rocha Garcia expressed support of creative solutions for housing such as leveraging use of Community Development Block Grant and other gap funding. City Manager Walsh noted that this was an important policy discussion that City Council would take up in the fall. Councilmember Rocha Garcia suggested more frequent outreach to small businesses and training to help them learn how to do business with the City.

Councilmember Cabello Havrda asked how local firms could prepare for the mass selection. Hosseini stated that a professional seminar was held before the selection to provide information on the projects. Assistant City Manager Rod Sanchez stated that a pre-solicitation conference was planned for next week. Councilmember Cabello Havrda requested information on advertisement and how Public Works planned for inflation. Hosseini provided a list of advertising media and stated that contingency funding was included in every project. City Manager Walsh stated that projects might need to be value-engineered on a case by case basis. Councilmember Cabello Havrda requested information on the work of the CBOC. Hosseini stated that the Commission would be briefed quarterly and recommended that some of the members of the Bond Committees be appointed to CBOC.

Councilmember Sandoval suggested ensuring that the San Antonio River Authority provided their expertise in promoting environmentally friendly processes and recommended adding the Green Building Council to the selection panel for Architects. Councilmember Sandoval requested an outreach plan for small minority and women-owned businesses as well as a list of existing small businesses. Sindon stated that he would provide the engagement plan and the list.

Councilmember Sandoval asked about usage of local preference points on contracts. Deputy Chief

Financial Officer Troy Elliot explained that State Law did not allow local preference points. Hosseini noted that the criteria of past experience and experience in San Antonio favorably benefitted local businesses. Councilmember Sandoval recommended consideration of an Ordinance to protect construction workers from heat or inclusion of a heat safety program in the bid packages.

Councilmember Courage asked how much of the Housing Bond was set aside for administrative costs. Garcia stated that 10% was set aside for approximately 10 staff mostly dedicated to the Owner-Occupied Rehabilitation Program. Councilmember Courage suggested that the Housing and Neighborhood Services Department had many programs already under its purview and with the Bond Program, was adding five more programs utilizing the San Antonio Housing Trust to assist with oversight and implementation of the Housing Bond Projects. Councilmember Courage requested a report on the success the SBEDA program had in developing subcontractors into prime contractors.

Councilmember McKee-Rodriguez expressed support for expediting projects in Council District 2 and requested more information on the recommendation to create a separate solicitation process for the Animal Care Hospital. Hosseini stated that due to the specialized nature of the project, it was not included in the mass selection process. Councilmember McKee-Rodriguez requested acceleration of construction on “F” Streets in neighborhoods that needed complete transformation. Hosseini stated that Public Works recommended a holistic neighborhood approach.

Councilmember McKee-Rodriguez suggested that members of the Housing Bond Committee serve on the housing evaluation selection panel. Councilmember McKee-Rodriguez asked if he could recommend individuals. Lori Houston, Assistant City Manager, stated that staff would look at categories of expertise but also needed to ensure there was no conflict of interest. City Manager Walsh suggested recommending categories of persons to serve on the different evaluation panels. Councilmember McKee-Rodriguez recommended having bidders commit to safe and fair treatment of workers.

Councilmember Perry asked for more information on the SBEDA goals and the mentorship program. Sindon explained that total availability was 31% for small, minority and women-owned businesses and that in the 2017 Bond Program four projects were included in the mentorship program and the 2022 Bond Program included seven projects in the mentorship program. Councilmember Perry requested clarification on the 10 points for experience with green infrastructure and sustainable practices. Councilmember Perry recommended making all proposals due on the same day for each type of firm. Councilmember Perry requested clarification on the need for affordable housing and wanted to know how many homes were expected to be created with the Bond Program. Houston stated that metrics would be developed but could be impacted by many factors such as other leveraged funding. Councilmember Perry asked if there were Federal requirements for worker conditions under the Occupational Safety and Health Administration (OSHA). Hosseini stated that there were Federal requirements. Councilmember

Perry requested a Gantt chart for Council District 10 project schedules.

Councilmember Viagran asked if the solicitations were low bid or best value. Hosseini stated that design consultants were required to be selected based on qualifications alone, but construction would include both low bid and best value bids. Councilmember Viagran spoke in support of partnership agreements for the Mitchell Lake Audubon Center and other projects but expressed concern that large partnerships might not utilize local businesses. Councilmember Viagran requested timelines for projects in Council District 3.

Councilmember Viagran asked of the use of SBEDA for the selection of prime consultants. Sindon clarified that State Law did not allow the use of SBEDA to select design Architects and Engineers, but SBEDA could be applied for prime contractors in construction contracts. Councilmember Viagran requested an analysis of delayed projects and the delivery method. Hosseini stated that Public Works evaluated its vendors with a scorecard. Councilmember Viagran recommended prioritizing improving the digital divide.

Councilmember Viagran requested clarification on the blackout period for contributions and communications. Councilmember Viagran recommended specific surveys for each project and recommended a 'focus on women heads of household' for assistance through the Housing Bond.

Councilmember Castillo expressed support for outreach to local, small, minority and women-owned businesses and providing education, braiding of funding and ensuring projects were intentional and included those sustainable design practices. Councilmember Castillo recommended that the full City Council be briefed on the Request for Proposals (RFP) for Housing. City Manager Walsh stated that the RFPs would be brought before the full City Council at a B Session. Councilmember Castillo supported integrating language into the solicitations that required water breaks for construction workers.

Councilmember Castillo recommended providing funding for each Council District in the Capital Improvement Program to help fill gaps in project funding and to help protect small contractors from inflation. Councilmember Castillo supporting moving some housing projects to the San Antonio Housing Trust and recommended outreach to homeowner applicants that were previously denied. Garcia replied that there would be a rolling application and those applications were still active. Councilmember Castillo recommended beginning projects as soon as possible and requested dates for when the community discussions about the Housing Bond could occur. City Manager Walsh stated that inflation would be addressed in the Budget Process at the level of the full bond but not for each council district. City Manager Walsh stated that the San Antonio Housing Trust might be a bidder and having them run the program might be a conflict, but agreed that they should be leveraged.

Councilmember Bravo requested clarification on the Brackenridge Park / Sunken Garden Theater Project. City Manager Walsh stated that the leveraged funding needed to be realized to move forward. Councilmember Bravo recommended that more points be allocated to vendors with

experience in green infrastructure and sustainable practices to encourage more vendors to participate in the practices and noted that these practices would save City funds in the long run with lower utilities, etc.

Councilmember Bravo requested that if supply chain, inflation and other shortfalls occurred, the sustainable components of the projects should not be sacrificed. Hosseini described current practices being followed for green building and sustainability including a partnership with the San Antonio River Authority. Councilmember Bravo recommended prioritizing consultants that had experience with multi-modal transportation and were forward thinking. Councilmember Bravo recommended development of a bonding assistance program for small businesses. Ana Bradshaw, Assistant Director of the Economic Development Department, stated that there was a pilot program for bonding assistance planned to be brought before the full City Council in August 2022.

Councilmember Sandoval clarified that OSHA regulated availability of water but not whether the worker was given time to go get water so that needed to be tightened within the contracts. Councilmember Sandoval recommended collecting feedback from current CBOC Members before establishing the new committee. Councilmember Sandoval noted that the entire Bond Program was large for CBOC oversight and suggested that the Parks Commission could review the Park projects noting that it was difficult to appoint 11 members with such varied expertise.

Councilmember Sandoval recommended more community engagement on projects, supported the 10 points for experience with green infrastructure and sustainable practices and recommended diversity within the evaluation panel.

Councilmember Rocha Garcia asked how the Bicycle Infrastructure Project funding would be allocated. Hosseini stated that he would provide the information.

Mayor Nirenberg expressed support for the Chief Housing Officer coordinating the Housing Bond Program.

City Manager Walsh noted that the Council Consideration Request (CCR) regarding worker safety needed to go through the full council process before it could be included in the solicitations.

EXECUTIVE SESSION

Mayor Nirenberg recessed the meeting at 4:24 PM to enter into Executive Session 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).

Mayor Nirenberg reconvened the meeting in Open Session at 4:57 PM and announced that no action was taken in Executive Session.

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 4:58 PM.

Approved

**Ron Nirenberg
Mayor**

Attest:

**Debbie Racca-Sittre
City Clerk**