

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



**Meeting Minutes
City Council Special Meeting**

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

Tuesday, August 2, 2022

1:00 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 1:17 PM. 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

ITEMS

1. Resolution of the City of San Antonio to Support Individual's Rights to Health Care

The City Clerk read the Resolution aloud. Mayor Nirenberg opened the floor to public comment:

Thirty-nine (39) members of the public spoke in support of the Item and forty-one (41) spoke in opposition to the Item.

The City Clerk provided the Mayor and City Council with a copy of written comments received before the start of the meeting as follows: 178 comments in support of the Item and 105 comments in opposition to the Item.

Mayor Nirenberg spoke in support of the Resolution and thanked Councilmember Castillo for spearheading the Resolution and all of the community members who provided comments.

Councilmember Castillo spoke in support of the Resolution, listed key points of the Resolution and thanked the Mayor and rest of the City Council for their support. At the request of Councilmember Castillo, City Attorney Andy Segovia provided information on the State Laws that were included in the Resolution. At the request of Councilmember Castillo, the City Manager clarified priority categories for enforcement by the San Antonio Police Department. Councilmember Castillo thanked the public and community organizations for their support.

Councilmember McKee-Rodriguez thanked the public for speaking out and telling their personal stories, Councilmember Castillo for leading the effort, and the groups who worked on the Resolution. Councilmember McKee-Rodriguez spoke in support of the Resolution on behalf of women and the transgender community.

Councilmember Cabello Havrda thanked the women who told their personal stories in public and spoke in support of the Resolution as a fundamental support for women's rights to control their own healthcare decisions. As the Chair of the Public Safety Committee, Councilmember Cabello Havrda stated that criminalizing women's choices was a waste of police resources that could better be spent on other duties that would keep residents safe.

Councilmember Courage stated that he supported the equality of women and the Resolution.

Councilmember Viagran thanked the efforts of those who worked on the Resolution and those who told their stories. Councilmember Viagran stated that the ability of women to have autonomy over their bodies was a human right and she supported the Resolution.

Councilmember Sandoval recognized Councilmember Castillo's leadership, thanked the Mayor for placing the Item on the Agenda, and all of the residents who spoke. Councilmember Sandoval clarified that it was more important to spend tax dollars to enforce other laws rather than criminalizing women's choices.

Councilmember Perry thanked the public for speaking. Councilmember Perry stated that his personal beliefs aligned more with the letter from Archbishop Garcia-Siller that encouraged the City Council to become more positive and life-affirming. Councilmember Perry stated that it was outside of the purview of the City Council to make a decision related to abortion, rather it was a decision to be made at the State level. Councilmember Perry read the Oath of Office which included upholding the laws of this State. Councilmember Perry warned against the potential for the State to bring a lawsuit against the City on this Resolution.

Councilmember Pelaez clarified that the Resolution did not direct the Police Department to do anything as it was not legal for City Council to do that. Councilmember Pelaez clarified that City Council did not have the authority to direct the District Attorney. City Attorney Segovia agreed that the City Council could not direct the District Attorney to do anything but that the District Attorney was able to use his discretion with regard to prosecution. City Attorney Segovia stated that no litigation was expected as a result of the Resolution because it was a non-binding Resolution.

Councilmember Pelaez clarified that the resolution did not decriminalize abortion in San Antonio and noted that he was committed to the rights of women but did not support the Resolution because it did nothing due to its non-binding nature.

Councilmember Bravo stated that, to him, pro-life meant helping immigrants fleeing their countries due to persecution, sensible gun policies, and climate action. Councilmember Bravo stated that he would support the Item, noting that men should not regulate women and their healthcare.

Councilmember Rocha Garcia asked if the phrase “pursuing a criminal investigation” would mean that family violence would not be investigated and how it would impact doctors that performed the Dilation & Curettage (D&C) since the surgical procedure, when translated into Spanish, was the same word as “abortion.” Councilmember Rocha Garcia stated that local government was the level of government most people trusted, and it was the City’s responsibility to affect change that residents wanted even if that meant taking a stand on issues at the level of the State or Federal Government.

Councilmember Pelaez stated that the Resolution would not decriminalize abortion.

Councilmember Viagran supported the Resolution and thanked Councilmember Castillo for her leadership.

Councilmember Sandoval requested clarification on the difference between a Resolution and an Ordinance. City Attorney Segovia stated that a Resolution expressed a policy recommendation or direction but did not change State Laws or the enforcement of any laws, while an Ordinance was a City law that became enforceable by the San Antonio Police Department and staff.

Councilmember McKee-Rodriguez stated that Resolutions made clear the City Council’s expectations for policy that staff would bring forward in the future including the Legislative Agenda that would be taken to the State and Federal level.

Councilmember Castillo requested that the Intergovernmental Relations Committee take this forward to the State and Federal level in the Legislative Agenda concluding that although it was non-binding, it mattered to women.

Councilmember Castillo 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
No: Havrda, Sandoval, Courage
Pelaez, Perry

EXECUTIVE SESSION

There was no executive session.

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 5:32 PM.

Approved

**Ron Nirenberg
Mayor**

**Debbie Racca-Sittre
City Clerk**