

**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

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**Tuesday, November 1, 2022**

**2:00 PM**

**Municipal Plaza Building**

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The City Council convened a regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at 2:09 PM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

**PRESENT: 9** – Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Cabello Havrda, Sandoval, Courage, Perry

**ABSENT: 2** - Castillo, Pelaez

**ITEMS**

1. Approval to proceed with scheduling contracts for City Council consideration to provide the Public Works Department with Civil Engineering, Architecture and Landscape Architecture design services for the 2022 – 2027 Bond Program and other capital funded projects. [Roderick Sanchez, Assistant City Manager, Razi Hosseini, Director, Public Works]

City Manager Erik Walsh introduced the Item and provided background on the 2022 Bond Program and noted that City Council had received a pre-solicitation briefing on the mass selection

of the design consultants. City Manager Walsh provided a timeline on the selection process and thanked the staff of Public Works and Finance for their efforts.

Director of Public Works and City Engineer Razi Hosseini provided an overview of the 2022 Bond Program and the project delivery methods which included projects already under design or construction, those that would be Funding Agreements, use of on-call consultants and those selected through the mass selection process.

Hosseini presented a timeline of the mass selection process broken into three categories. Hosseini listed the evaluation criteria: Experience, Background, and Qualifications (35 points), Understanding of the Project (30 points), Familiarity and Experience in the San Antonio Region (25 points) and Sustainability/Green Building (10 points). Hosseini provided a list of departments represented on the Evaluation Team.

Michael Sindon, Small Business Administrator with the Economic Development Department (EDD) reported on the compliance with the Small Business Development Advocacy Program (SBEDA) including that all goals had either been met or exceeded and there were seven projects selected for participation in the City developed Mentorship Program.

Mayor Nirenberg expressed support for the mass selection process and was pleased that the SBEDA numbers were high. He asked how many firms were local and how many were new to doing business with the City. Hosseini reported that only three of the firms were from out of town and that they were new and the rest of the 134 were local firms and most had done business with the City previously.

Councilmember Courage requested the status of the contracts. Hosseini confirmed that for the mass selection, the contracts were not yet negotiated but the firms knew the proposed project scope and budgets and added that design costs were typically 10% of the total project cost. Councilmember Courage asked whether recent supply chain issues or inflation might cause the projects to go over budget. Hosseini stated that project budgets had been developed with a 5% year over year inflation rate and also included 10% contingency funds. Councilmember Courage suggested that any funds remaining from prior projects might be used to help offset costs. City Manager Walsh clarified that money left over from the 2017 Bond Program could be spent within the same Proposition.

Councilmember Rocha Garcia requested the criteria used to set the mentorship projects. Sindon stated that EDD worked with Public Works to identify meaningful opportunities. Councilmember Rocha Garcia asked what would happen if a contractor experienced rising costs and could not complete a project. Hosseini stated that the City would not pay a vendor more money simply due to inflation but would allow for change in materials or the contractor to walk away from the contract voluntarily.

Councilmember Rocha Garcia requested the plan for outreach and community engagement. Hosseini explained that the department would host community meetings for every project and collect information about who, how and when they wanted to receive updates and notices regarding the construction.

Councilmember Rocha Garcia mentioned a Pilot Program to assist local small businesses who experienced negative impacts related to City construction and requested an update on that program and asked if working at night could be a potential solution. Hosseini stated that overnight construction might seem on the surface to be a good idea, but materials such as asphalt and concrete were not available at night and many residents did not want nighttime construction to impact them. Councilmember Rocha Garcia commented that sometimes the construction detour signs were difficult to navigate in the evening and did not want nighttime businesses to be negatively impacted. Assistant City Manager Rod Sanchez stated that the lesson learned was to listen to the businesses and address their needs once we better understand them. Ana Bradshaw, Assistant Director of the Economic Development Department, provided an update and timeline for the Pilot Program.

Councilmember Perry requested an update on the status of the 2017 Bond Program. Hosseini stated that of the 180 Projects from the 2017 Bond Program, 94% were either under construction or complete with only nine in design and two in pre-design. City Manager Walsh clarified that when voters approved a new bond program, the prior program should be near completion and the mass selection process helped the City to meet that commitment to the voters.

Councilmember Perry asked why the City was not utilizing a Veteran-Owned Business Program. Sindon explained that there was a statutory limitation on these contracts. Councilmember Perry recommended including the issue in the State Legislative Agenda.

Councilmember Perry expressed concern that some of the local firms were only getting one project and they could handle more work. Hosseini explained that there were 140 contracts going to 97 firms, so some architectural and landscape architectural firms would get more than one project, particularly smaller projects, but the department planned to spread the work around to as many firms as possible. City Manager Walsh stated that because design was beginning at the same time on all projects, it made sense to distribute the workload.

Councilmember Viagran commented that two engineering firms had more than one project and requested more information about the non-local firms as they would be working in the neighborhoods since they were proposed for Park Projects. Councilmember Viagran supported spreading out the contracts to avoid delays and requested more information on the Mentorship Program goals and metrics. Councilmember Viagran supported the SBEDA goals but wanted more work for women-owned firms and recommended looking at women in executive positions or recognizing the work of women in male-owned firms.

Councilmember Sandoval referenced a memo on behalf of the 2022 Drainage Bond Committee which recommended an analysis of the use of green infrastructure to be applied to all bond projects and recommended integration of sustainable design in all projects. Hosseini stated that Public Works, with input from the Office of Sustainability, had hired a consultant to develop a sustainability standard. Robert Reyna, Interim Assistant Director of Public Works, reported that green infrastructure was planned to be incorporated into the design of 10 drainage projects. Councilmember Sandoval requested information for each firm on the 10 points for sustainability/green infrastructure within their proposals. Councilmember Sandoval requested a breakdown of SBEDA by contract type: Engineering, Architecture and Landscape Architecture. Councilmember Sandoval noted that almost all firms who applied were able to get contracts.

Hosseini clarified that 92% received contracts but there were not enough projects to give all proposers a contract. Councilmember Sandoval asked about the mentor recruitment process. Sindon stated that participation in the program was voluntary and that the mentor and protege were expected to meet monthly over a two-year period to establish and meet goals. Councilmember Sandoval requested the status of the reformation of the Bond Oversight Committee. City Clerk Debbie Racca-Sittre reported that a proposal would be brought before the Governance Committee in December 2022 related to the Bond Oversight Committee.

Councilmember Bravo supported the mass selection strategy and distribution of contracts to get started more quickly but requested clarification on the most common project delay. Hosseini replied that a delay could occur during design when acquiring real estate or permitting, or during construction.

Councilmember Perry requested information on the timeline and number of consultants selected for the 2017 Bond Program versus the 2022 Bond Program. Hosseini compared the number of design consultants for the two Programs. Councilmember Perry commented that most of the design and construction community were expecting more money and more projects since the Bond Program was so much larger this time, but they seemed to be about the same. Councilmember Perry recommended getting projects started quickly. City Manager Walsh stated that as soon as the City Council approved the contracts, staff could begin negotiation and execute the contracts so the projects could begin.

Councilmember Viagran asked when Public Art would be brought into the discussion. City Manager Walsh stated that he would follow up on a timeline.

Councilmember Courage asked that if the City designed the 180 projects more quickly, would there be enough capacity in the construction community to move the projects forward and requested a list of available contractors. Hosseini commented on the challenges related to labor and supply chain and offered to provide information on those constructors who had previously performed work with the City.

Councilmember Sandoval requested a breakdown of the Funding Agreements, the timeline, their SBEDA participation, and the oversight process. Hosseini stated that Public Works assigned a Project Manager to oversee every Funding Agreement and ensure payments were only made after commitments were fulfilled. City Manager Walsh noted that an update on the 11 Funding Agreements would be provided in early 2023 which would include matching funding and status of the project.

Assistant City Manager Rod Sanchez provided an update on the work related to a Council Consideration Request (CCR). Assistant City Manager Sanchez reported that staff had been working with the contractor community to develop a scorecard that would determine if a bidder was responsible. He noted that the program would also consider a time-out for bidders whose Bond had been called and would provide a scorecard for the contractors to provide input back to Public Works. Assistant City Manager Sanchez added that the proposed program would be brought before the Audit Committee in December 2022 and to the full City Council in January 2023.

Councilmember Cabello Havrda thanked staff for working on the CCR to help keep quality contractors.

## **EXECUTIVE SESSION**

Mayor Nirenberg recessed the meeting at 3:19 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 litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. 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 4:27 PM and announced that no action was taken in Executive Session.

## **ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 4:27 PM.

**Approved**

**Ron Nirenberg  
Mayor**

**Debbie Racca-Sittre  
City Clerk**