

**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
Manny Pelaez, Dist. 8 | John Courage, Dist. 9
Clayton Perry, Dist. 10

Thursday, February 16, 2023

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 9:08 AM. City Clerk Debbie Racca-Sittre took the Roll Call noting a quorum with the following Council Members present:

PRESENT: 10 – Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Pelaez, Courage, Perry

ABSENT: None

PROCEDURAL

1. Invocation

The invocation was delivered by Reverend Douglas Randle, Jr. of Bethany Missionary Baptist Church, guest of Councilmember Cabello Havrda, Council District 6.

2. Pledge of Allegiance

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

3. Approval of minutes for the City Council meetings of February 1, 2023 and February 2, 2023.

Councilmember Courage moved to Approve the minutes for the City Council meetings of February 1, 2023 and February 2, 2023. Councilmember Castillo seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Pelaez, Courage, Perry
Absent: None

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg led a moment of silence for the death of local Artist and Vietnam Veteran Jesse Trevino. Councilmember Castillo read a biography of Trevino and noted the numerous artworks by Trevino located on the West side of San Antonio. Councilmembers Cabello Havrda and Viagran spoke in honor of the life and contributions of Trevino.

Mayor Nirenberg invited children from Essence Preparatory Elementary School to perform a song in honor of Black History Month.

Mayor Nirenberg welcomed Congressman Greg Casar representing District 35 in the Texas House of Representatives.

Mayor Nirenberg proclaimed February 19-26, 2023 Texas Trail Roundup Walk Festival week in San Antonio and invited members of the International Volkssport Verband Olympiad and International Marching League to speak.

Councilmember Viagran recognized the Digital Inclusion Team.

Councilmember Rocha Garcia recognized the Ukrainian community in San Antonio and medical supply drives supporting the war in Ukraine and invited members of the community to a vigil honoring the lives lost. Members of the Ukrainian community in San Antonio spoke.

Mayor Nirenberg recognized the Japanese internments at Ft. Sam Houston that occurred during World War II in 1942 and read a proclamation in honor of Day of Remembrance of Japanese Incarceration February 19, 2023. Members of the Japan-American Society San Antonio spoke.

Executive Session

Mayor Nirenberg recessed the meeting into Executive Session at 9:55 a.m. to discuss and deliberate the following:

- 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 10:14 a.m. and announced that no official action had been taken in Executive Session.

STAFF BRIEFING

4. Certifying the results of the verification process of the San Antonio Justice Charter Amendment Petition. [Debbie Racca-Sittre, City Clerk]

City Clerk Debbie Racca-Sittre provided an overview and timeline of the petition process including relevant laws and requirements. Racca-Sittre stated that her office had completed review of the petition on February 8, 2023 which was 20 business days after it had been submitted. The process included a line-by-line review of each signature using the Bexar County Voter Elections Management and Compliance System.

Racca-Sittre reported that of the 36,776 signatures checked, 20,979 were valid. She noted that under the Texas Local Government Code, 20,000 valid signatures were required to place the item on the ballot. Racca-Sittre certified that the petition was sufficient and recommended that City Council perform its ministerial duty to order the charter amendment election for May 6, 2023.

No action was required for Item 4.

City Attorney Andy Segovia further clarified that the City Council was required under State law to order an election as a result of the petition being certified as sufficient.

PUBLIC COMMENT

Mayor Nirenberg called all members of the Public signed up to speak on Items 4 and 20 as both were related to the petition and no vote had been taken.

Fr. Henry Clay Hunt, Cesario Garcia, Michael Osbourn, Susan Bayne, Jack Finger, Ernest Salinas, Rose Hill, Jason Sanchez, Betty Eckert, Denise Gutierrez, Sandra Crocker, Ashley Sosa, John “Danny” Diaz (president of the San Antonio Police Officer’s Association) spoke in opposition to the SA Justice Charter Amendment. Patrick Von Dolen stated that the petition should be separated into separate ballot measures and he provided a letter from Attorney General Ken Paxton.

Ananda Tomas, Executive Director of Act 4 SA (representing the petitioner), Aaron Arguello, William Johnson, Lil Ost, Fernando Aguilar, Diana Flores Uriegas, Victoria Ramirez, Kelly Gonzalez, and Mohammad Rasool spoke in support of the SA Justice Charter Amendment and several persons commented that the ballot language was too long.

Debra Ponce commented that the voters needed to decide on the SA Justice Charter Amendment.

Mayor Nirenberg noted that the Item was for briefing only. There was no discussion by City Council.

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

5. 2023-02-16-0084

Ordinance approving a contract with Waukesha-Pearce Industries, LLC, in the amount of \$488,846 to replace two generators at the Public Safety Answering Point (PSAP) 911 Emergency Dispatch Center, an FY 2023 Deferred Maintenance Project. Funding is from Tax Notes and included in the FY 2023 - FY 2028 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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda

Absent: Pelaez, Courage, Perry

6. 2023-02-16-0085

Ordinance approving a contract with Doggett Freightliner of South Texas, LLC, to provide tractor trucks and rear ejection horizontal discharge trailers for the Solid Waste Management Department for a total cost of \$1,784,748. Funding is from the FY 2023 Equipment Renewal and Replacement Fund budget in the amount of \$1,314,142 and from the FY 2023 Solid Waste Operating and Management Fund budget in the amount of \$470,606. [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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda

Absent: Pelaez, Courage, Perry

7. 2023-02-16-0086

Ordinance approving a contract with Jimenez Motorsports, LLC, dba BMW Motorcycles of San Antonio, to provide the San Antonio Police Department with ten replacement motorcycles for a total cost of \$307,000. Funding is from the FY 2023 Equipment Renewal and Replacement Fund budget. [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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry

8. 2023-02-16-0087

Ordinance ratifying the purchase of 32 light duty trucks from Grapevine DCJ, LLC, for a total cost of \$1,239,231. Funding in the amount of \$906,665 is from the FY 2023 Equipment Renewal and Replacement Fund budget, \$294,072 is from the FY 2023 Development Services Fund budget, and \$38,494 is from the FY 2023 General Fund budget. [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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry

9. 2023-02-16-0088

Ordinance approving a contract with Pearson Education, Inc., for criminal investigation textbooks and e-books for the San Antonio Police Department for a total cost of \$69,011. Funding is from the FY 2023 General Fund budget. [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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry

Capital Improvements

10. 2023-02-16-0089

Ordinance approving a task order to a Job Order Contract with Amstar, Inc. in the amount of \$435,439.45 for the Pan American Branch Library HVAC Improvements project. Funding is from Certificates of Obligation and Tax Notes included in the FY 2023 – FY 2028 Capital Improvement Program. [Roderick Sanchez, 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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry

11. 2023-02-16-0090

Ordinance approving the 2023 Street Rehabilitation Task Order Contract Package 8 (Reconstruction) with Alamo City Constructors, Inc. in an amount not to exceed \$9,898,311, of which \$203,000 will be reimbursed by San Antonio Water System and \$63,000 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure. Funding is from the General Fund, Advanced Transportation District Fund, Right of Way, 2022 General Obligation Bond Program and debt proceeds included in the FY 2023 – FY 2028 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, 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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry

12. 2023-02-16-0091

Ordinance approving the 2023 Street Rehabilitation Task Order Contract Package 9 with H. L. Zumwalt Construction, Inc. in an amount not to exceed \$9,846,050.69, of which \$296,577.50 will be reimbursed by San Antonio Water System and \$4,500 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure. Funding is from the General Fund, Advanced Transportation District Fund, Right of Way, 2022 General Obligation Bond Program and debt proceeds included in the FY 2023 – FY 2028 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, 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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry

Grant Applications and Awards

13. 2023-02-16-0092

Ordinance accepting funds in an amount up to \$126,360 from the Office of the Governor, Public Safety Office, Criminal Justice Division, for the Bullet-Resistant Shield Grant Program to support law enforcement agencies responding to active shooter incidents. [Maria Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

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

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

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, 2023 [Debbie Racca-Sittre, City Clerk]
A. Approving the appointment of Tameka Pierce (District 1) to the Affirmative Action Advisory Committee
B. Approving the appointment of Alexandra Perez (Mayoral) to Small Business Advisory Commission

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

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

Miscellaneous

- 15.** **2023-02-16-0093**
Ordinance approving the greater:SATX (gSATX) 2023 Operations Plan. [Alejandra Lopez, Assistant City Manager; Brenda Hicks-Sorensen, Director, Economic Development 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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry
- 16.** **2023-02-16-0094**
Ordinance extending line-of-duty injury leave for San Antonio Fire Department Fire Engineer Richard Ortiz. [Maria Villagomez, Deputy City Manager; Charles N. Hood, Fire Chief]
Councilmember Rocha Garcia moved to Approve on the Consent Agenda. Councilmember Viagran seconded the motion. The motion carried by the following vote:
Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry
- 17.** **2023-02-16-0095**
Ordinance amending the Professional Services Agreement with Alpha Sleep Labs for an increased amount of \$22,995, totaling a contract amount of \$71,995 for a term ending June 30, 2023. Funding is from the FY 2023 Employee Benefits Insurance Fund. [Ben Gorzell, Chief Financial Officer, Renee Frieda, Director Human Resources]

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

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

18. 2023-02-16-0096

Ordinance amending the Funding Agreement among the Midtown #31 Board of Directors, the City of San Antonio, and The Witte Museum for an amount not to exceed \$570,000 for ADA improvements to The Witte Museum; appropriating funds and amending the 2023-2028 Capital Budget. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing 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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda
Absent: Pelaez, Courage, Perry

19. 2023-02-16-0097

Ordinance ordering the General City Election to be held on Saturday, May 6, 2023 and Run-off Election to be held on Saturday, June 10, 2023, if necessary. [Debbie Racca-Sittre, City Clerk]

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

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

20. 2023-02-16-0098

Ordinance ordering a City Charter Election to be held on Saturday, May 6, 2023. [Debbie Racca-Sittre, City Clerk]

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

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

City Attorney Andy Segovia advised that the action of ordering an election was ministerial in nature and City Council was obligated to order the charter election based on the City Clerk's certification of sufficient petition signatures.

21. 2023-02-16-0099

Ordinance approving a License Agreement with The Expedition School for non-motorized watercraft rentals at Elmendorf Lake Park and Woodlawn Lake Park. License fees generated by this agreement will be deposited into the General Fund. [David McCary, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

Councilmember Castillo 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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda

Absent: Pelaez, Courage, Perry

22. 2023-02-16-0100

Ordinance ratifying insurance procurements for the City of San Antonio's Commercial Property Insurance policy and Terrorism and Sabotage coverage allowing the City Manager or his designee to procure premiums for two vacant buildings to include the former Wood Federal Courthouse at 655 Cesar Chavez and Spears Judicial Training Center at 643 Cesar Chavez Boulevard for a total amount of \$111,291.86. Funding is from the Facility Services Fund. [Ben Gorzell Jr., CPA, Chief Financial Officer; Debra M. Ojo, MPA, Director, Office of Risk Management]

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

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda

Absent: Pelaez, Courage, Perry

23. 2023-02-16-0101

Ordinance approving a contract with CRI Electric Inc., for the Apache Creek Linear Park Lighting Upgrades Phase 2 – Re-Bid Project for a total cost of \$594,657. Funding is from the FY 2023 Energy Efficiency Fund Adopted Budget. [David McCary, Assistant City Manager; Douglas Melnick, Chief Sustainability Officer, Office of Sustainability]

Castillo 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, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda

Absent: Pelaez, Courage, Perry

City Manager's Report

24. City Manager's Report

City Manager Erik Walsh congratulated Assistant City Manager Rod Sanchez for 30 years with the City. City Manager Walsh played an employee spotlight video highlighting Erik Friedland, Assistant City Attorney who played in a local rock band and Carlos De La Garza, Carpenter with Parks & Recreation Department who played in a local Conjunto band.

ADJOURNMENT

There being no further discussion, Mayor Nirenberg adjourned the meeting at 11:55 a.m.

Approved

Ron Nirenberg
Mayor

Debbie Racca-Sittre
City Clerk