

**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 Rosie
Castro, Dist. 7 | Manny Pelaez, Dist. 8
John Courage, Dist. 9 | Clayton Perry, Dist. 10

Thursday, May 4, 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 9:06 AM. 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, Castro, Pelaez, Courage, Perry

ABSENT: None

PROCEDURAL

1. Invocation

Lester J. Gillespie, Sr. Organizer and Pastor of the Greater Love Missionary Baptist Church and guest of Councilmember McKee-Rodriguez led the Invocation.

2. Pledge of Allegiance

Mayor Nirenberg led the assembly in the Pledge of Allegiance.

3. Approval of minutes for the City Council meetings of April 5, 2023, April 6, 2023, and April 12,

2023.

Councilmember Perry moved to Approve the minutes of the City Council meetings of April 5, 2023, April 6, 2023 and April 12, 2023. Councilmember Courage seconded the motion. The motion carried by the following vote:

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

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg recognized Community Health Workers. Councilmember Castro spoke in support of the Community Health Workers also known as Promotoras and the numerous educational institutions and nonprofit organizations that train and support them. Councilmembers Rocha Garcia and Castillo thanked Community Health Workers.

Mayor Nirenberg proclaimed the month of May 2023 to be National Bike Month and May 19, 2023 Bike to Work Day. Representatives from the Transportation Department, Parks, SAPD Bike Patrol, Office of Sustainability, Metro Health and cyclists were recognized. Councilmembers Pelaez, Viagran, and Cabello Havrda spoke in support of Bike Month and the cycling community. Councilmember Courage pledged to bike to work on May 19, 2023.

Mayor Nirenberg proclaimed the week of April 30, 2023 through May 6, 2023 to be Municipal Clerk Week and announced that the Office of the City Clerk was awarded the Texas Municipal Clerk's Association Award of Excellence and invited City Clerk Debbie Racca-Sittre to speak.

Councilmember Rocha Garcia announced the first annual Council District 4 Heroes 5K fun run, Fit Family Challenge hosted by the council district office and San Antonio Sports.

Councilmember Rocha Garcia recognized Council District 4 Intern Melanie Flores who was graduating from Our Lady of the Lake University.

Councilmember McKee-Rodriguez recognized May as Older American's Month and invited a group of seniors from the Council District 2 Senior Center to speak.

Councilmember Viagran announced a weekend 5k hosted by Girls on the Run Bexar County.

Councilmember Castillo announced that May was Mental Health Awareness Month and recognized local programs and partners such as the Mental Health Clubhouse. Councilmember Cabello Havrda, Chair of the Public Safety Committee, also spoke in support of Mental Health Awareness Month and pledged to work to reduce the stigma of mental illness and treatment.

Councilmember Perry recognized Faith Sosa, junior at McArthur High School, who won the 2023 Battle of Flowers poster art contest.

Councilmember Perry announced that May was Military Appreciation Month noting that Loyalty Day, Victory in Europe (VE) Day and Memorial Day all fell during the month of May.

ACTION ITEMS FOR STAFF BRIEFING

4. Resolution supporting the rights of tenants to live in safe, decent and quality housing; to live free of retaliation and discrimination, and to exercise their rights under local, state, and federal laws to ensure the health and safety of tenants in the City of San Antonio in furtherance of the goals of the City's Strategic Housing Implementation Plan; and approving revisions to the City's Notice of Tenants' Rights. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood & Housing Services Department]

Veronica Gonzalez, Assistant Director of the Neighborhood and Housing Services Department (NHSD) provided background on the Resolution and its support of the Strategic Housing Implementation Plan (SHIP). Gonzalez provided an overview of three elements of a Tenant's Rights Campaign which would begin with a Resolution, continue with the creation of simple educational materials and finally the formal Notice of Tenant's Rights.

Gonzalez reported that staff met with various stakeholder groups to develop the Resolution which consolidated and affirmed local, State, and Federal protections for tenants. Gonzalez provided a summary of the key themes included in the Resolution with updates to include the newly approved Proactive Apartment Inspection Ordinance and Title VI of the Civil Rights Act. Gonzalez listed the timeline for development of the Resolution and noted numerous community engagement events.

PUBLIC COMMENT:

Kevin LeMelle, James Hamilton, JoAnn Rolon, Sylvia Flores, Keisha Brown and Debra Watts with the Texas Organizing Project (TOP) spoke in support of the Item.

DISCUSSION:

Councilmember Pelaez spoke in support of community organization and the Resolution but expressed concern that the preemption bill proposed in the Texas Legislature could impact this Resolution. Assistant City Manager Jeff Coyle noted that the Texas Property Code was included in the preemption bill so it could impact this action. First Assistant City Attorney Elizabeth Provencio added that there were already City laws that could be impacted.

Councilmember Pelaez provided examples of tenants' rights local laws such as allowing service dogs to reside in apartments and incidents where landlords did not make repairs that had been funded by insurance claims which constituted insurance fraud. Councilmember Pelaez supported the City taking on the responsibility of teaching people about their rights.

Councilmember Rocha Garcia, Chair of the Planning and Community Development Committee (PCDC) mentioned that this was an initiative to inform people of their rights and thanked the City Manager's Office, City Attorney's Office and NHSD for finding a way forward that would meet legal challenges as well as the expectations of residents. Councilmember Rocha Garcia thanked all residents for coming to speak in both English and Spanish and thanked the members of the PCDC.

Councilmember McKee-Rodriguez thanked the organizations and residents who brought the issue to

City Council for consideration with courage and bravery to fight for social justice.

Councilmember McKee-Rodriguez spoke in support of the Item but noted that the efforts would need to continue to protect the most vulnerable to make housing a right and not a privilege.

Councilmember McKee-Rodriguez recommended an educational campaign targeting landlords as well as tenants. Gonzalez stated that the rental housing trade associations were a part of the stakeholder group to help create the Resolution and had committed to sharing information through their networks. Councilmember McKee-Rodriguez wanted to make sure that small landlords were also outreached. Gonzalez reported that the department planned to reach out directly to any landlord that had been provided funds through the Rental Assistance Program and partner relationships would be leveraged to ensure implementation.

Councilmember Viagran congratulated the residents that came today and declared victory and spoke in support of the Resolution. Councilmember Viagran thanked staff and the PCDC for their work and requested regular updates to PCDC to monitor progress and potential retaliation. She recommended expanded outreach through the website in multiple languages and expressed overall support for the Item.

Councilmember Castillo thanked the organizers for their advocacy and noted that San Antonio had over 600,000 renters. She highlighted the work of PCDC and the leadership of Chair Rocha Garcia to ensure the development of the Resolution and the Notice of Tenant's Rights in clear, understandable prose and in multiple languages. Councilmember Castillo expressed her support for the Item.

Councilmember Cabello Havrda wanted to ensure expanded language access in the documents and notices and that there was a phone number in addition to a QR Code. Veronica Garcia, Director of NHSD, clarified that the documents were translated in 10 different languages and a phone number was available to report retaliation or other issues. Councilmember Cabello Havrda spoke in support of the Resolution and noted how it tied to the goals of the SHIP. She encouraged residents to keep active and ensure that they were provided their rights and she told a story about the flood of 1998 impacting her apartment and her struggle to get her landlord to help.

Councilmember Castro provided a historical account of how change happened when residents fought for their rights and lauded the efforts of the organizing community, City Council and PCDC led by Councilmember Rocha Garcia to protect everyone's rights.

Councilmember Courage spoke in support of the Item and thanked representatives from tenants as well as property owners who worked together with City Council and staff to develop a product that would serve our community well. Councilmember Courage asked whether the resident's name was required on the Notice of Tenant's Rights document and not a signature and also recommended including the landlord's name. Gonzalez stated that the document would allow for flexibility in methods of delivery, including photo evidence of delivery, but the landlord's name could be added.

Councilmember McKee-Rodriguez commented that this first step was the easy one and he encouraged the organizers to take the win but hold City Council accountable to continue the effort even if it was not easy.

Mayor Nirenberg commented that the vision for the City was that every family would have a safe, quality and affordable place to live. However, he added, it only existed because of the political fortitude to make it happen as a City Council, staff and community effort, adding that the work was not easy. Mayor Nirenberg thanked the community for providing advocacy and input into the Resolution as well as voting in 2021 to allow the City to fund housing through the 2022 General Obligation Bond. Mayor Nirenberg predicted San Antonio would lead the way out of the national housing crisis with the SHIP.

Councilmember Rocha Garcia moved to Approve. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

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

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

5. 2023-05-04-0274

Ordinance approving a contract with Mechanical Technical Services, Inc., dba Mtech-Icon to provide preventative maintenance services on chiller systems at various City buildings for the Building and Equipment Services Department for an estimated annual cost of \$250,000, beginning upon award and ending March 31, 2026, with two one-year renewal options, for a total estimated cost of \$1,250,000. Funding is from the FY 2023 Facility Services Fund budget. 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 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, Castro, Pelaez, Courage, Perry

6. 2023-05-04-0275

Ordinance approving the following contracts and amendment establishing unit prices for goods and services for an estimated annual cost of \$4,699,950 included in the respective department's FY 2023 Adopted Budget: (A) Veritone, Inc., for redaction services; (B) OverDrive, Inc., for downloadable books and digital content access for the San Antonio Public Library; and (C) ARINC Incorporated for payment card industry attestation, licensing and support for Aviation's Common Use Passenger Processing System. [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

Capital Improvements

7. **2023-05-04-0276**

Ordinance awarding the FY 2023 Guardrail and Handrail Maintenance Task Order Contract Package 1 to Above All Contracting LLC in an amount not to exceed \$729,900. Funding is from the General Fund included in the FY 2023 Adopted Budget. [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, Castro, Pelaez, Courage, Perry

Acquisition, Sale or Lease of Real Property

8. **2023-05-04-0277**

Ordinance amending the lease with Hackberry Investors, Ltd. to extend the term through June 30, 2029 and to renovate a portion of the premises at the landlord's expense for use by Metro Health for clinic and office space at 512 E. Highland Boulevard for the monthly rental rate of \$44,152.53 and increasing to \$53,206.25 for the final year of the lease. Funding for the increase during the current year in the amount of \$9,926 is from the FY 2023 Adopted General Fund Budget, and \$2,799.64 is from the Medicaid Waiver for HIV-STD Prevention. Funding for future years is contingent upon City Council approval of the annual budget. [Roderick Sanchez, Assistant City Manager; Jorge A. Perez, Director, Building and Equipment 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, Castro, Pelaez, Courage, Perry

9. **2023-05-04-0278**

Ordinance amending the lease with Riverbend Garage LLC for a term ending August 31, 2027 and adding 5,318 square feet to the existing San Antonio Police Department's Bike Patrol Unit facility located at 412 East Commerce Street. Funding in the amount of \$135,153.70 is from the FY 2023 General Fund Budget consisting of \$60,153.70 for the facility lease and \$75,000 for tenant improvements. Funding for future years is contingent upon City Council approval of the annual budget. [Roderick Sanchez, Assistant City Manager, Jorge A. Perez, Director, Building and Equipment 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

Grant Applications and Awards

10. 2023-05-04-0279

Ordinance approving the acceptance of funds upon award in an amount up to \$3,632,572 from the Centers for Disease Control and Prevention, Office of Grants Services, for the Immunization and Vaccines for Children Program from July 1, 2023 through June 30, 2024; and authorizing a budget and personnel complement. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

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, Castro, Pelaez, Courage, Perry

Boards, Commissions and Committee Appointments

11. Approving the following At-Large Alternate Appointments to the Zoning Board of Adjustment: John Bonillas, Evelyn Brown, Celencia Hayes, and Razmin Riahi for the remainder of an unexpired term of office to expire May 31, 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, Castro, Pelaez, Courage, Perry

Miscellaneous

12. 2023-05-04-0015R

Resolution to explore the feasibility of creating a Martindale Heliport Hazard Overlay District (MHOD) in the area of Martindale Army Airfield Military Base. [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Director, Development 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, Castro, Pelaez, Courage, Perry

13. 2023-05-04-0280

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 three months, commencing on July 1, 2023, and ending on September 30, 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 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, Castro, Pelaez, Courage, Perry

14. 2023-05-04-0281

Ordinance authorizing the City Manager or his designee to execute a contract with NCR Payment Solutions, LLC to provide Merchant Banking Services to the City of San Antonio for a period of three years, commencing on July 1, 2023, and ending on June 30, 2026, with an option to renew for one additional two-year period, for an estimated annual cost of \$1.5 million and \$7.5 million for the five-year term of the contract; and authorizing actions incident and related thereto. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

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, Castro, Pelaez, Courage, Perry

15. 2023-05-04-0282

Ordinance approving Substantial Amendment #1 to the FY 2023 Annual Action Plan and Budget for the reprogramming of funds from the U.S. Department of Housing and Urban Development (HUD) including up to \$1,400,000 in Community Development Block Grant (CDBG) funds to the YWCA of San Antonio's Women's Live and Learn Campus (YWCA WLLC) and up to \$391,478.07 in HOME Investment Partnerships Program funds to the Owner-Occupied Rehab & Reconstruction Program; and authorizing staff to negotiate and execute funding agreements for the YWCA WLLC totaling up to \$2,320,000 to include up to \$1,400,000 from CDBG funds, a \$670,000 forgivable loan from the Inner City Incentive Fund, up to \$50,000 in City fee waivers, and up to \$200,000 in SAWS fee waivers. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services Department]

Councilmember Castillo pulled the Item from the Consent Agenda for individual consideration and spoke in support of the Item as it was a new facility that supported the goals of the SHIP in City Council District 5. Councilmember Castillo provided an overview of the services that would be provided through the Women's Live and Learn Center (WLLC).

Councilmember Rocha Garcia thanked the PCDC for their work and congratulated the YWCA.

Councilmember Viagran congratulated the YWCA and spoke in support of their efforts to curb domestic violence. Councilmember Viagran thanked the women of the City Council, male City Council allies and staff for making this possible.

Councilmember Pelaez spoke in support of the YWCA WLLC and their efforts to help vulnerable populations and fight domestic violence. Councilmember Pelaez noted that some residents of Council District 5 came to Councilmember Castillo with a "not in my backyard" attitude but commended the Councilmember for staying strong and bringing the project forward.

Mayor Nirenberg thanked YWCA for their work and also mentioned that it was important to stay strong to meet the goals of the SHIP and congratulated Councilmember Castillo for making this a reality.

Councilmember Castillo moved to Approve. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

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

16. 2023-05-04-0283

Ordinance approving the execution of a 0.0295-acre sanitary sewer easement, a 0.0351-acre variable width drainage easement and a 0.06-acre temporary construction easement with Santikos Roadrunner, LLC granting access to property owned and controlled by the City of San Antonio at Leon Creek Greenway near UTSA Boulevard. This ordinance also authorizes the acceptance of funds to be deposited in the Parks Donation and Contribution Fund in the amount of \$5,000 for improvements at Fox Park and 0.0533 acres of park land. [David W. McCary, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

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, Castro, Pelaez, Courage, Perry

17. 2023-05-04-0284

Ordinance approving the Workforce Solutions Alamo Local Plan 2021-2024 Modification. [Alejandra Lopez, Assistant City Manager; Michael Ramsey, Executive Director, Workforce Development Office]

Councilmember Viagran 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, Castro, Pelaez, Courage, Perry

18. 2023-05-04-0285

Ordinance amending an interlocal agreement with Southwest Texas Regional Advisory Council (STRAC) in the amount of \$835,556.20 to a total contract amount of \$3,643,232.20 to continue to provide and manage Mental Health Clinicians and data support for the San Antonio Metropolitan Health District. This amendment is funded by the Medicaid 1115 Waiver Reserve Fund and FY 2023 General Fund Budget. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

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, Castro, Pelaez, Courage, Perry

City Manager's Report

19. City Manager's Report

City Manager Erik Walsh provided statistics on the Volunteer Income Tax Assistance (VITA) Program which served approximately 22,000 individuals and saved them almost \$5 million that would remain in the San Antonio economy.

City Manager Walsh provided an update on the Cool Pavement Program being implemented by Public Works with a study by the University of Texas at San Antonio.

City Manager Walsh played an employee spotlight video showcasing SAPD Detective Ben Drew who had been a police officer in London before coming to San Antonio and stated that SAPD was one of the most advanced departments that he had seen.

Executive Session

No Executive Session was held.

ADJOURNMENT

There being no further discussion, the meeting was adjourned at 11:22 a.m.

Approved

Ron Nirenberg
Mayor

Debbie Racca-Sittre
City Clerk