

**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 18, 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 9:12 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**

The invocation was delivered by Father Ryan Carnecer-Zamora from Divine Providence Catholic Church, guest of Councilmember Rocha Garcia, Council District 4.

**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 13, 2023, May 3, 2023 and May 4, 2023.

Councilmember Perry moved to Approve the minutes of the City Council meetings of April 13, 2023, May 3, 2023 and May 4, 2023. Councilmember Castillo 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 led a moment of silence in honor of the one year anniversary of the mass shooting at Robb Elementary School in Uvalde, Texas.

Councilmember Rocha Garcia announced that San Antonio would host the IPW Travel & Tourism Industry Convention on May 20-24, 2023 and invited Marc Anderson, President and Chief Executive Officer of Visit San Antonio (VSA) to speak and show a brief video of events. Shannon Miller, Director of the Office of Historic Preservation spoke regarding the work of city staff to prepare for the event. City Manager Erik Walsh thanked staff for their work. Councilmember Pelaez spoke in support of IPW to showcase our unique city and its people. Mayor Nirenberg thanked VSA for their work.

Mayor Nirenberg recognized the Asian American Pacific Islander (AAPI) Community and proclaimed the month of May to be AAPI Heritage Month. Members of the San Antonio AAPI Community spoke.

Mayor Nirenberg proclaimed May 26, 2023 to be Peace Officer Memorial Day in San Antonio and asked Deputy Chief Karen Falk to speak on behalf of National Police Week which was May 14-20, 2023 and Peace Officer's Memorial Day.

Mayor Nirenberg proclaimed May 20, 2023 to be Teen's Day SA and invited members of the San Antonio Youth Commission and Project Worth Teen Ambassadors to speak.

Mayor Nirenberg and San Antonio Fire Department Chief Charles Hood honored the life of Firefighter Scott Deem who died fighting a warehouse fire six years ago.

Mayor Nirenberg read a memorial dedication to award-winning artist, culturalist, community activist and founder of Centro Cultural Atzlan, Ramon Vasquez Y Sanchez who passed away on May 15, 2023. Councilmember Viagran honored the memory of Vasquez Y Sanchez and invited members of his family to speak.

Councilmember Viagran announced that Confluence Park was recognized by the American Institute of Architects (AIA) with the COTA Top Ten Award for Sustainability and invited representatives of the San Antonio River Foundation to speak.

Councilmember McKee-Rodriguez recognized MLK Scholarship recipients and presented the awards. Chair of the MLK Commission Dwayne Robinson reported that the Commission awarded \$189,000 worth of Scholarships.

Mayor Nirenberg officially congratulated the CAST Med High School DEPOT Team for winning first place at the Speak Up Speak Out Civics Fair in Austin, Texas with their program to raise diabetes awareness. Members of the Team spoke about their experience.

Councilmember Pelaez recognized the Clark High School Cougar girls varsity basketball team for winning the 2023 University Interscholastic League Class 6A State Championship.

Councilmember Castillo recognized two seniors Minnie and Frank Castañeda in honor of Older Americans Month who regularly attended programs at the Normoyle Senior Center.

Councilmember Perry announced that a Memorial Day Commemoration would be hosted on Friday May 26, 2023 at the Council District 10 Field Office.

Councilmember Cabello Havrda congratulated those receiving scholarships and awards today but noted that foster children often did not have the same opportunities and recognized May as National Foster Care Month.

Mayor Nirenberg recognized that this would be the last A Session meeting for Councilmember Perry and asked him to speak. Councilmember Perry spoke about his time on the City Council and thanked his colleagues for being professional and personal friends. Councilmembers McKee-Rodriguez, Courage, Cabello Havrda, Rocha Garcia, Pelaez, Viagran, Castillo, Bravo, and Mayor Nirenberg thanked Councilmember Perry for his service.

#### **ACTION ITEMS FOR STAFF BRIEFING**

4. Briefing and possible action on legislation filed in the 88th State Legislative Session, the status of proposed legislation and its impact on the City of San Antonio. [Jeff Coyle, Assistant City Manager; Sally Basurto, Director, Government Affairs]

Sally Basurto, Director of the Department of Government Affairs, provided the 88th State Legislative Session general update as well as tracking of bills of interest. Basurto reported that the City was tracking 1,750 bills and there were only 11 days left in the session which would end May 29, 2023.

Basurto reported that two bills opposed by the City and the Texas Municipal League continued to advance toward approval as they had passed both the House and Senate and were sitting on the Governor's desk: HB 2127 (Burrows) also known as the "Preemption Bill" would prevent cities from adopting or enforcing local Ordinances related to the following codes: agriculture, business and commerce, finance, insurance, labor, local government, natural resources, occupations and property code. The other bill HB 2266 (Leach) also called the "Occupations Licensing Bill" would

create a cause of action against municipal licensing if more stringent than State Law.

Basurto stated that HB 2239 (Troxclair) prohibited municipal regulation of the removal of Ashe juniper trees which had been negotiated by General Juan Ayala, Director of Military Affairs, to be restricted only to residential properties. HB 2649 (Allison) and its companion bill SB 1207 (Menendez) relating to local fire and police officer pensions had been sent to the Governor.

HB 567 (Bowers) known as the Texas CROWN Act to ensure protection for Texans who wear their hair in natural styles was sent to the Governor. SB 175 (Middleton) which would prohibit Taxpayer Funded Lobbying had passed the Senate and was referred to the House State Affairs Committee April 13th. SB 2038 (Bettencourt) which would allow areas to be released from the Extraterritorial Jurisdiction (ETJ) by petition had been sent to the Governor with changes secured by General Ayala exempting military bases. SB 2220 (Menendez) added San Antonio to have a 3-mile zone centered on a convention center or arena in which the increment in State hotel taxes would be rebated back to the facilities over a 30-year period was advancing through both the Senate and House.

Related to property taxes, HB 2 (Meyer) which would reduce the limit on annual appraisal increases from 10% to 5% passed the House and was referred to the Senate Local Government Committee. SB 3 (Bettencourt) increased the residential homestead exemption for school districts from \$40,000 to \$70,000 passed the Senate and was set on the Major House Calendar for May 18, 2023.

HB4759 (Campos) Dangerous Dog bill which was supported by the City and the Animal Care Services (ACS) Department had passed the House and was referred to the Senate Criminal Justice Committee. SB 780 (Hughes) Safe Haven Baby Box bill would add fire department and law enforcement agencies to the list of emergency infant care providers who would be required to take possession of abandoned children. SB 1325 (Alvarado) was signed by the Governor and required the Health and Human Services Commission to develop a standard notice and list of services for victims of domestic violence.

SB 1238 (Nichols) Broadband expansion and funding had passed the House and Senate. HB 2230 (Canales) and its companion bill SCR 2 (Nichols) expanding transportation funding passed both the House and Senate.

#### PUBLIC COMMENT:

Jack Finger spoke on bills associated with pro-life rights and taxation.

#### DISCUSSION:

Mayor Nirenberg thanked Basurto for her work and recognized Councilmember Pelaez, Chair of the Intergovernmental Relations Committee to speak. Councilmember Pelaez asked Assistant City Manager Jeff Coyle how the City Council could help. Assistant City Manager Coyle stated that Councilmembers could still go to Austin and testify. Councilmember Pelaez requested talking

points for Councilmembers to attend hearings.

Councilmember Courage expressed concern related to bills limiting the rights of cities to govern themselves and thanked General Ayala for his testimony to help protect our military interests as well as the staff's work on dangerous animals. Councilmember Courage thanked Senator Menendez and Representative Martinez Fischer for supporting the Safe Baby Box Bills.

Councilmember Rocha Garcia thanked staff for the work but was concerned that the Preemption Bill would jeopardize tenants' rights, responsible bidder Ordinance, construction worker heat related illness, and proactive apartment inspections. Councilmember Rocha Garcia supported legislation related to Police & Fire pension, restricting Dangerous Dogs, funding for the Convention Center and the Alamodome, and the Baby Box Bill but asked if San Antonio was included in the broadband bill. Assistant City Manager Coyle stated that there were definitions in the broadband bill related to underserved areas but not a map.

Councilmember Castillo thanked staff for their work but was extremely frustrated that the Preemption Bill was anti-democratic, anti-worker, anti-tenant and prioritized property over people. Councilmember Castillo commended Councilmember Courage for his work on the Baby Box Bill and thanked General Ayala for his testimony and ACS for their advocacy related to dangerous dogs.

Councilmember Perry asked Basurto if she thought the legislative session would be extended. Basurto reported that budget discussions and education vouchers might be the issues which the Governor would call a special session. Councilmember Perry asked why the State Legislature was proposing the Preemption Bills. Basurto stated that the author of the bills had communicated that the business community wanted consistency across the State. Councilmember Perry commented that the City would need to comply with whatever bills were approved at the State Legislature and the way to change the vision of the legislature was to elect new representatives.

Councilmember Perry asked about the change to the juniper trees bill. Nadia Islam with the Government Affairs Department reported that staff proposed an amendment that would limit the bill to only single lots and not large developments. Councilmember Perry thanked General Ayala for his testimony.

Councilmember McKee-Rodriguez committed to continue opposition to the legislation that the City opposed and expressed disappointment that our local Chambers of Commerce supported the Preemption bill. He recommended inviting community organizers and labor unions to testify. Councilmember McKee-Rodriguez thanked young women in the community for organizing and promoting the Crown Act. Councilmember McKee-Rodriguez commented that voter suppression and gerrymandering had led to a State Legislature that was not representative of certain groups so to simply "vote them out" was a hollow message.

Mayor Nirenberg expressed concern with the preemption bill but pledged to move forward.

Councilmember Viagran stated that a representative from Lubbock was not to determine what

voices could be heard in San Antonio as a result of the preemption bill.

Councilmember Bravo noted that there were no campaign contribution limits at the State level which resulted in advancement of specific interests.

## **CONSENT AGENDA**

### **Purchase of Services, Supplies and Equipment**

**5. 2023-05-18-0315**

Ordinance approving a contract with Kilgore Industries, L.P., to replace the existing lift station pumps at the loading docks at the Alamodome for a total cost of \$133,563 for the Convention and Sports Facilities Department. Funding is from the Alamodome Improvement and Contingency Fund FY 2023 Adopted 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. 2023-05-18-0316**

This ordinance authorizes a contract with Motorola Solutions, Inc. to provide portable radios and accessories to the San Antonio Fire Department for an initial cost of \$9,666,428.39 and an estimated \$372,000.00 annually thereafter. Funding for the initial cost of this contract is available from Certificates of Obligation, this item will appropriate funds and amend the FY 2023 Capital Budget. Funding for subsequent years, in the estimated amount of \$372,000.00 annually, is contingent upon City Council approval of the annual budget. [Ben Gorzell Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

#### **PUBLIC COMMENT:**

CJ Hijazi, Don Griffis, Sylvia Leighton and Todd Perdieu, representing unsuccessful bidder Harris/Daily Wells, spoke in opposition to the contract.

#### **DISCUSSION:**

Councilmember Pelaez pulled the Item from the Consent Agenda for Individual Consideration and read a letter sent to the City Council by Harris/Daily Wells' Attorney which alleged that Motorola did not meet the specification and San Antonio Fire Department (SAFD) had tampered with the Harris radio samples provided by Daily Wells. City Manager Walsh stood behind the testing and evaluation conducted by SAFD and stated that the department was given authority to select the

best radio for their needs.

Deputy City Manager Maria Villagomez stated that the City was using Daily Wells' radios at the San Antonio Police Department (SAPD) and were happy with the partnership. She stated that the testing was performed by 324 Firefighters in a consistent and transparent manner. Chief Hood stated that many of those listed requirements were "nice to have" items for the product and not a "requirement."

Councilmember Pelaez wanted to ensure that the same stress tests were performed on both radios and asked if the lengthy delivery period and cost differentials were worth it. Hood stated that there was no price on the life of a Firefighter. Deputy Chief Financial Officer Troy Elliot stated that the original offer was for fewer radios so there might be a price difference when the City went back to negotiate with Motorola but ultimately the Motorola radios cost more. Councilmember Pelaez supported the work of SAFD and the Firefighter's testing along with their recommendation but requested City leadership work on the relationship with Daily Wells, a local small business.

Councilmember Bravo commented that the Firefighters were the experts and he trusted their evaluation and selection.

Councilmember Viagran thanked City Manager Walsh for defending the Firefighters and supported the Firefighters' recommendation as experts that the Motorola was the best equipment for them.

Councilmember McKee-Rodriguez acknowledged that it was difficult to lose a bid but was disappointed in the accusation that our Firefighters somehow tampered with the radios or fixed the bid so he supported the recommended contract.

Councilmember Cabello Havrda asked if the solicitation process followed consistent procurement practices and whether the vendor provided an opportunity to inspect the radios before they were tested. Deputy City Manager Villagomez stated that the process began several years ago and the RFP stated that the Firefighters would choose the radio, so they performed the evaluation after the vendor provided the radios which they had inspected.

Councilmember Cabello Havrda expressed concern with potential tampering with the radios. Deputy City Manager Villagomez categorically denied that any Firefighter tampered with the Harris radios. Councilmember Cabello Havrda supported the choice of Motorola made by the Firefighters to provide the best product for their needs.

Councilmember Courage noted that two radios were being considered as a part of upgrading the entire radio system and recalled that the Firefighters were always given responsibility to select the radios they would use since their circumstances were different than the needs of the Police Department.

Councilmember Courage suggested that Harris had time to develop a radio that would meet the needs of SAFD. Deputy City Manager Villagomez confirmed that Harris had time and was given an extension. Councilmember Courage asked if the radios were being used elsewhere. Deputy

City Manager Villagomez replied that Motorola served most large cities such as Houston and Chicago and the Harris Radio was being used by small cities such as Helotes, Texas. She noted that Bexar County, CPS Energy and SAPD all use Harris Radios. Deputy Fire Chief Norris clarified that the Motorola Models being recommended would make San Antonio the largest city using these new models which would take 22 weeks, while Harris would have a shorter turnaround, but training materials needed to be developed during those 22 weeks.

Councilmember Courage requested clarification on the terms of the Daily Wells contract. Deputy City Manager Villagomez explained that Daily Wells had a 50-year contract for communication services.

Councilmember Castillo commented that Firefighters risked their health and their lives and deserved the equipment that over 300 Firefighters felt would allow them to best serve the community and keep themselves safe. She thanked the local Firefighter's Union for their work and dedication.

Councilmember Perry expressed concern that there had been allegations of intentional tampering. City Manager Walsh stated that his office reviewed the information provided and there was no evidence of tampering. Councilmember Perry asked if both radios passed the minimum criteria. Deputy City Manager Villagomez explained that the solicitation was a request for offer and both radios were put through the same evolutionary tests, and Motorola performed better in all cases. Norris stated that the Harris radios had a catastrophic failure that outweighed the lapel microphone adhesion issue on the Motorola product which was easily corrected. Councilmember Perry suggested that a catastrophic failure should have simply eliminated the Harris radio.

Councilmember Perry asked why Motorola was selected even though they cost more and had a longer delivery time. Norris stated that Motorola performance was superior to the Harris so the cost and delivery time was not a consideration of the Firefighters. Councilmember Perry recommended that SAFD provide a debrief to Harris/Daily Wells.

Mayor Nirenberg suggested that City Council should have given the City Manager the authority to administratively approve emergency equipment since City Council had already approved a process that allowed the Firefighters to select the equipment.

Councilmember Viagran moved to Approve. Councilmember Bravo seconded the motion. The motion carried by the following vote:

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

## **Capital Improvements**

### **7. 2023-05-18-0317**

Ordinance awarding a construction contract of \$1,870,700 to Cram Roofing Company, Inc. for the Terminal A Roof Recover project at the San Antonio International Airport. Funding is from



Interim Airport Financing and included in the FY 2023 - FY 2028 Capital Improvement Program.  
[Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

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

**8. 2023-05-18-0318**

Ordinance approving a construction contract including two additive alternates with D&H United Fueling Solutions, Inc., in the amount of \$904,500 for the Patrol East Underground Fuel Storage Tank Replacement project. Funding is from the General Fund and included in the FY 2023 – FY 2028 Capital Improvement Program. [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. 2023-05-18-0319**

Ordinance awarding the 2023 Street Rehabilitation Task Order Contract Package 10 to Clark Construction of Texas, Inc. in an amount not to exceed \$4,488,597.70, of which \$126,235 will be reimbursed by San Antonio Water System and \$5,625 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, debt proceeds and other funding sources 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, Castro, Pelaez, Courage, Perry

**10. 2023-05-18-0320**

Ordinance approving a task order to a Job Order Contract with Con-Cor, Inc. in the amount of \$692,074.84 for roof repairs to the San Antonio Police Department Property and Evidence Room facility. Funding is from the General Fund and insurance proceeds 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, Castro, Pelaez, Courage, Perry

**11. 2023-05-18-0321**

Ordinance approving a task order to a Job Order Contract with Con-Cor, Inc. in the amount of \$536,001.67 payable to Con-Cor, Inc. for roof repairs to the Development Services Department One Stop facility. Funding in the amount of \$344,250 is from the Development Services Fund and funding in the amount of \$191,751 is from insurance proceeds and are 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, Castro, Pelaez, Courage, Perry

**12. 2023-05-18-0322**

Ordinance authorizing the negotiation and execution of three Professional Services Agreements with Maestas & Associates, LLC, RPS Infrastructure, Inc., and Gonzalez, Kypuros and White, Inc., for as-needed on-call Civil Engineering Services for the Infrastructure Management Program and Neighborhood Access Mobility Program projects citywide. Each agreement will have an estimated value of \$950,000 per year for an initial three-year term with two additional one-year extensions at the City's discretion in an estimated value of \$4,750,000 per contract totaling an estimated value of \$14,250,000. [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

**13. 2023-05-18-0323**

Ordinance approving an Advanced Funding Agreement between the City of San Antonio and the Texas Department of Transportation (TxDOT), accepting reimbursement in an amount not to exceed \$3,600,000 from TxDOT for construction-related expenses and authorizing payment in the amount not to exceed \$61,699 to TxDOT for administrative oversight of federal funds for the Zarzamora Pedestrian Improvements (Sidewalk and Bicycle Lanes) project, a General Obligation Bond and federally funded project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Rocha Garcia 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

## **Grant Applications and Awards**

### **14. 2023-05-18-0324**

Ordinance approving the submission of a grant application and acceptance of funds, upon award, not to exceed \$7,500 from the Conservation Society of San Antonio to develop an educational exhibit on San Antonio's African American Heritage. [Lori Houston, Assistant City Manager; Shanon Shea Miller, Director, Office of Historic Preservation].

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. 2023-05-18-0325**

Ordinance accepting funds from the U.S. Department of Treasury, Emergency Rental Assistance (ERA) Program in an amount totaling \$5,214,822.97 from ERA-2 Reallocated Funds, Round 3 paid directly to the City to provide rental assistance to eligible San Antonio residents. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services Department].

Jack Finger spoke in opposition to the Item.

Councilmember Rocha Garcia 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

### **16. 2023-05-18-0326**

Ordinance authorizing the acceptance of grant funds, not to exceed \$35,000, from the Texas Department of Transportation and an in-kind match not to exceed \$8,750 for the Click It Or Ticket Selective Traffic Enforcement Program grant program and establishing a budget for the grant which will run from May 19, 2023, through June 7, 2023. [Maria Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

Councilmember Cabello Havrda 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

**17. 2023-05-18-0327**

Ordinance authorizing the acceptance of grant funds, not to exceed \$35,000, from the Texas Department of Transportation and an in-kind match not to exceed \$8,750 for the Operation Slowdown grant program and establishing a budget for the grant which will run from July 14, 2023, through July 30, 2023. [Maria Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

Councilmember Cabello Havrda 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

**Boards, Commissions and Committee Appointments**

**18. Approving the following Board, Commission and Committee appointments for a term beginning June 1, 2023 and expiring May 31, 2025 [Debbie Racca-Sittre, City Clerk]**

- A. Reappointing Dr. Erlinda Lopez-Rodriguez (District 4) to the Building Standards Board
- B. Appointing Karen Burgard (District 3) to the Historic and Design Review Commission Technical Advisory Board
- C. Appointing Eduardo “Eddie” Reyes (District 4) to the Streets, Bridges and Sidewalks Advisory Board
- D. Appointing Eduardo “Eddie” Reyes (District 4) to the Zoning Commission

Councilmember Rocha Garcia highlighted her support for the Council District 4 appointees.

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

**19. 2023-05-18-0328**

Ordinance reappointing Julia Stotts (District 4) to the Disability Access Advisory Committee for a term commencing June 1, 2023 and expiring May 31, 2025, and waiving the residency requirements. [Debbie Racca-Sittre, City Clerk]

Councilmember Rocha Garcia 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

## **Miscellaneous**

### **20. 2023-05-18-0329**

Ordinance approving an agreement with Spay-Neuter Assistance Program, Inc. to manage and operate the Brooks Veterinary Clinic for an amount not to exceed \$311,000 to provide a minimum of 6,500 spay and neuter surgeries annually for pets in the community for a three-year term beginning on June 1, 2023, through September 30, 2026, with the option to renew for two additional one-year terms. Funding in the amount of \$137,000 with \$50,000 towards the upfront capital cost, \$50,000 for operational support, and \$37,000 for reimbursement of up to 300 free surgeries for San Antonio residents is from the FY 2023 Adopted General Fund Budget. Funding for subsequent years is contingent upon City Council approval of the annual budget. [David W. McCary, Assistant City Manager; Shannon Sims, Director, Animal Care Services]

Chair ProTem Viagran requested a presentation noting that she had pulled the Item from the Consent Agenda so that it could be discussed. Shannon Sims, Director of ACS, provided a summary of the contract with Spay-Neuter Assistance Program, Inc. (SNAP) to operate the Brooks Veterinary Clinic.

Chair ProTem Viagran asked how many surgeries could be performed daily and what would happen when the 300 free surgeries were used. Sims stated that the operations would be four days a week and there would be 50 surgeries performed daily and it was expected that SNAP would work with the community and provide other wellness services such as flea/tick prevention and vaccinations.

Chair ProTem Viagran asserted that spay/neuter of pets was the answer to the overpopulation of animals in San Antonio.

Councilmember Castillo commended ACS and SNAP for their work.

Councilmember Bravo commented that this was a good use of taxpayer funding.

Councilmember Viagran moved to Approve. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

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

**21. 2023-05-18-0330**

Ordinance approving agreements with San Antonio Wellness Spay and Neuter Clinic, Spay-Neuter Assistance Program, Inc., and Spay Neuter Network to provide community spay and neuter services for a three-year term with two, one-year options to renew, for a contract amount not to exceed \$495,000 in Year 1 and \$420,000 in subsequent years with a total contract amount of \$1,335,000. Funding in the amount of \$215,000 is from the FY 2023 Adopted General Fund Budget. Funding for subsequent years is contingent upon City Council approval of the annual budget. [David W. McCary, Assistant City Manager; Shannon Sims, Director, Animal Care Services]

William White, former Chair of the ACS Board spoke in support of the Item.

Councilmember Cabello Havrda 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

**22. 2023-05-18-0331**

Ordinance amending the three-year Lease Agreement with Spay Neuter Network (SNN) for the operation and management of the Brackenridge Veterinary Clinic located at 210 Tuleta. The amendment increases the lease agreement by \$ 201,000 from \$130,000 to \$331,000 for the lease agreement ending September 30, 2025. Year one funding increases by \$87,000, of which \$50,000 will be used for operational support, and \$37,000 for reimbursement of up to 300 free surgeries for San Antonio residents for a total amount of \$157,000. Funding for subsequent years of the agreement will increase by \$57,000 from \$30,000 to \$87,000, for a new total contract amount of \$331,000 ending September 30, 2025. Funding in the amount of \$157,000 is from the FY 2023 General Fund Budget. Funding for subsequent years is contingent upon City Council approval of the annual budget. In addition, this amendment removes the term requiring SNN to complete 250 free spay-neuter operations at their own cost. [David W. McCary, Assistant City Manager; Shannon Sims, Director, Animal Care Services]

William White, former Chair of the ACS Board spoke in support of the Item.

Councilmember Cabello Havrda 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

**23. 2023-05-18-0332**

Ordinance amending the Air Service Incentive Program to increase international air service at the San Antonio International Airport. Funding of \$950,000 is from the FY 2023 Airport Operating and Maintenance Fund for this program. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

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

**24. 2023-05-18-0333**

Ordinance approving a two-year funding agreement and authorizing payment in the amount not to exceed \$21,479,035 to the San Antonio Airline Consortium for modernization upgrades to the outbound baggage handling system lower level controls at the San Antonio International Airport. Funding of \$4,595,998.25 for FY 2023 is from Interim Airport Financing within the Baggage Handling System Expansion project and included in the FY 2023 – FY 2028 Capital Improvement Program. Funding for future years is contingent upon City Council approval of the annual budget. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

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

**25. 2023-05-18-0334**

Ordinance authorizing the City Manager or designee to negotiate and execute a Design-Build services contract with Hensel Phelps Construction Co. in a not-to-exceed amount of \$61,700,000 for the new Terminal A Ground Loading Facility and Relocation of Vehicle Gate 20 project which accepts the additive alternate for Phase 1 of the Remain Overnight Parking project. This ordinance also authorizes the use of funds not to exceed \$9,600,000 for contingency and other work such as material testing, inspections, environmental remediation, and construction administration which will be performed by on-call consultants. Funding in the amount of \$911,000 is available from the Airport Improvement & Contingency Fund, \$949,000 is available from Unissued Interim Financing, and \$1,612,000 is available from the Passenger Facility Charge Fund and is included in the FY 2023 to FY 2028 Capital Improvement program. This action will also accept and appropriate funding from a grant award in the amount of \$20,000,000 from the Bipartisan Infrastructure Law (BIL) Airport Terminals Program; appropriate Passenger Facility Charge revenues in the amount of \$31,032,920; appropriate \$15,126,857 in Unissued Interim Financing; and appropriate \$1,668,223 from the Airport Improvement & Contingency Fund. This action will amend the FY 2023 – 2028 Capital Improvement Program. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

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

**26. 2023-05-18-0335**

Ordinance delegating authority to the City Manager or designee to approve individual change orders and amendments for contracts related to the Strategic Development Plan in an amount up to and including the percent of contingency established at the award of the contract and limited to the contracts procured under Chapter 2269 or Chapter 2254 of the Texas Government Code. [Jeff Coyle, Assistant City Manager; Jesus Saenz, Director, Aviation]

Councilmember Courage pulled the Item from the Consent Agenda for individual consideration as he had concern with some of the verbiage, however, he noted that the verbiage had been corrected and he was supportive.

Jack Finger spoke in opposition to the Item.

Councilmember Courage 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, Courage, Perry

**Absent:** Pelaez

**27. 2023-05-18-0336**

Ordinance approving the acceptance of additional funds by the San Antonio Metropolitan Health District reimbursed by Texas Health and Human Services Commission for Year 1 of the Public Health Provider Charity Care Program, authorized under the Medicaid 1115 Waiver, for an amount up to \$22,792.94 and ratifying the execution of department's charity care policy. [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

**28. 2023-05-18-0337**

Ordinance amending the FY 2023 Annual Operating and Capital Budget based on actual revenues and expenditures for the first six months of FY 2023 (October 2022 to March 2023) and projections for the remaining six months of FY 2023 (April 2023 to September 2023) in the General Fund and various Restricted Funds; authorizing budget adjustments in operating funds;



amending the Capital Budget; and authorizing certain personnel complements. [María Villagómez, Deputy City Manager, Justina Tate, Director, Management and Budget]

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

**29. 2023-05-18-0017R**

Resolution of No Objection for Palladium San Antonio, Ltd.'s application for 2023 Non-Competitive 4% Housing Tax Credits (HTC) from the Texas Department of Housing and Community Affairs (TDHCA) for the construction of a 288-unit affordable multi-family rental housing development named Palladium San Antonio, located at 4770 Military Drive West in Council District 4. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services]

Avis Chaisson, representing the developer, spoke in support of 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

**30. 2023-05-18-0018R**

Resolution of No Objection for Palladium San Antonio II, Ltd.'s application for 2023 Non-Competitive 4% Housing Tax Credits (HTC) from the Texas Department of Housing and Community Affairs (TDHCA) for the construction of a 271-unit affordable multi-family rental housing development named Palladium Crestway, located at 5319 Crestway Drive in Council District 2. [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, Castro, Pelaez, Courage, Perry

**31. 2023-05-18-0338**

Ordinance approving a Funding Agreement between the Midtown Tax Increment Reinvestment Zone #31 and the City's Office of Historic Preservation in an amount up to \$225,000 to reconcile all of the existing plans related to Brackenridge Park as well as the necessary support staff to facilitate the effort. Funding is from the Midtown TIRZ Fund. [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, Castro, Pelaez, Courage, Perry

**32. 2023-05-18-0339**

Ordinance approving the Pre-K 4 SA FY 2024 Budget for the fiscal year beginning July 1, 2023 and ending on June 30, 2024 in the amount of \$59,100,241, and personnel complement as adopted by the San Antonio Early Childhood Education Municipal Development Corporation Board of Directors on May 9, 2023. [Alejandra Lopez, Assistant City Manager; Sarah Baray, Ph.D., Pre-K 4 SA CEO]

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

**33. 2023-05-18-0340**

Ordinance approving the SA: Ready to Work (RTW) Fiscal Year 2024 Budget for the fiscal year beginning July 1, 2023, and ending on June 30, 2024, in the amount of \$35,192,498, and personnel complement as adopted by the San Antonio Early Childhood Education Municipal Development Corporation Board of Directors on May 9, 2023; and approving a Professional Services Agreement with Social Finance, Inc. in the amount of \$150,000 in connection with the Pay It Forward Internship Program. [Alejandra Lopez, Assistant City Manager; Michael Ramsey, Executive Director, Workforce Development]

Jack Finger expressed concern that the RtW Budget was being adopted by the San Antonio Early Childhood Education Municipal Development Corporation Board.

**DISCUSSION:**

Councilmember Castro pulled the Item from the Consent Agenda for discussion regarding how to increase participation particularly related to sustainable and green energy jobs. Mike Ramsey, Director of Ready to Work, stated that they were participating in training programs for sustainable and green energy jobs. Councilmember Castro recommended the creation of a sustainable jobs target industry related to weatherization of residences and an incentive for employers that participated and hired participants. City Manager Walsh stated that staff was reviewing the opportunity under the procurement guidelines.

Councilmember Perry asked about the cost of the total staff noting that the Budget included the addition of one staff member. Ramsey stated that the annual personnel Budget was approximately \$1.5 million. Councilmember Perry requested information on the number of placements. Ramsey stated that 121 individuals had been placed in jobs to date and by the end of FY 2024 the

projection was to place more than 2,000 as there were almost 2,500 already enrolled in training and would be completing and entering the workforce over time.

Mayor Nirenberg recommended looking at the numbers and looking at them as people, not just widgets, which exponentially impacted our community and provided generational wealth. Mayor Nirenberg requested that City Attorney Andy Segovia clarify the role of the San Antonio Early Childhood Education Municipal Development Corporation Board. Segovia stated that under statutory authority to use sales tax money for PreK4SA and RtW was under the same authority we were able to use the same Local Government Corporation even though it was named originally for PreK4SA.

Mayor Nirenberg noted that the circular economy presented a huge opportunity for economically mobile and high wage careers.

Councilmember Castro moved to Approve. Councilmember McKee-Rodriguez seconded the motion. The motion carried by the following vote:

<b>Aye:</b>	Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Castro, Courage
<b>No:</b>	Perry
<b>Absent:</b>	Pelaez

**34. 2023-05-18-0341**

Ordinance authorizing an agreement with CompuCycle, Inc., to provide electronic waste recycling services for the Solid Waste Management Department, in an estimated total value of \$80,000 annually for an initial three-year term, with two, one-year options to renew. Funding is from the Solid Waste Operating and Maintenance Fund. [David W. McCary, Assistant City Manager; David Newman, Director, Solid Waste Management]

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

<b>Aye:</b>	Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Castro, Pelaez, Courage, Perry
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**City Manager's Report**

**35. City Manager's Report**

City Manager Erik Walsh thanked the Office of Historic Preservation for their work on the Amazing Preservation Race. City Manager Walsh played an Employee Spotlight Video highlighting the work of Development Services Department Sr. Electrical Inspector Michael Bennett.

## **Executive Session**

Mayor Nirenberg recessed the meeting into Executive Session at 1:34 p.m. to deliberate and discuss 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).

Mayor Nirenberg reconvened the meeting in Open Session at 2:32 p.m. and announced that no official action had been taken in Executive Session.

## **ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 2:32 p.m.

**Approved**

**Ron Nirenberg  
Mayor**

**Debbie Racca-Sittre  
City Clerk**