

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



**FINAL
Meeting Minutes
City Council A Session**

City Hall Complex
105 Main Plaza
San Antonio, Texas 78205

Thursday, January 10, 2019

9:00 AM

Municipal Plaza Building

The City Council convened in a Regular Meeting. City Clerk Leticia Vacek took the Roll Call noting the following Councilmembers present:

PRESENT: 10 - Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

1. The Invocation was delivered by Pastor Warren Beemer, The Dream Center, guest of Councilmember Shirley Gonzales, District 5.
2. Mayor Nirenberg led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes of the Regular City Council Meetings of November 28 - 29, 2018

Councilmember Saldaña moved to approve the Regular City Council Minutes of November 28-29, 2019. Councilmember Courage seconded the motion. The motion to approve prevailed by the following vote:

AYE: 9 - Mayor Nirenberg, Treviño, Viagran, Saldaña, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: 1 - Gonzales

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg recognized Councilmember William Cruz Shaw and presented him with a plaque in honor of his service to the City of San Antonio. Councilmember Shaw thanked Mayor Nirenberg and the City Council for the recognition. He also thanked the District 2 Staff, Community, and his wife Michelle for their support.

Mayor Nirenberg announced that Herb Keller, Founder of Southwest Airlines, passed away last week at the age of 87. He recognized Mr. Keller's many accomplishments stated that his legacy lived on in the ways that Southwest Airlines operated today.

Mayor Nirenberg recognized Walter Ague who also passed away last week. He noted that Mr. Ague was a public servant that had worked in multiple City Council Offices and was an Air Force Veteran.

Councilmember Treviño stated that his thoughts were with the City of McAllen as they were going through some unique challenges.

CONSENT AGENDA ITEMS

No items were pulled from the Consent Agenda. Councilmember Saldaña moved to approve the Consent Agenda Items. Councilmember Treviño seconded the motion.

Mayor Nirenberg called upon Mr. Jack M. Finger to speak.

Jack M. Finger spoke in opposition to the affordable housing units (Item 20) and asked how the funds would be utilized.

The motion to approve the Consent Agenda Items prevailed by the following vote:

AYE: 9 - Mayor Nirenberg, Treviño, Viagran, Saldaña, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: 1 - Gonzales

2019-01-10-0002

6. Ordinance approving a contract with GCOM Software, LLC, an Accela Certified Partner, for the implementation of Land Development, Plan Review, Inspections, and

Code Enforcement Management Software for the BuildSA Project in an amount not to exceed \$15,843,116.00 funded from the FY 2019 Development Services Fund, the FY 2019-2014 Capital Budget and amending the FY 2019 Adopted Budget and the FY 2019-2024 Six-Year Capital Improvement Plan to appropriate \$3,275,673.00 from the Development Services Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-01-10-0003

7. Ordinance approving a contract with J. Reynolds and Co., Inc. to provide a cement waterproof coating at Nelson W. Wolff Stadium for a total cost of \$488,073.00. Funding will be appropriated from the Wolff Stadium Capital Improvement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2018-01-10-0004

8. Ordinance approving a contract with SAT Radio Communications, LTD, dba Industrial Communications to provide the San Antonio Police Department with vehicle graphics; installation, removal and repair of police equipment; and emergency equipment parts for an estimated annual cost of \$1,250,000.00, funded from the FY 2019 General Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-01-10-0005

9. Ordinance approving the following contracts establishing unit prices for goods and services for an estimated annual cost of \$546,000.00, included and available in the Animal Care Services Department's FY 2019 Adopted General Fund Budget:
 - (A) B & R Estes Corp. dba Locke Hill Feed, Pet & Lawn Supply; C-Specialties, Inc.; and MWI Animal Health for pet supplies;
 - (B) Midwest Veterinary Supply, Inc.; MWI Animal Health; NAO Global Health LLC; and Patterson Vet Supply for veterinary supplies; and
 - (C) Intervet Inc., dba Merck Animal Health for feline and canine biologicals.[Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-01-10-0006

10. Ordinance awarding a construction contract in an amount not to exceed \$236,895.84 to Industrial Construction Co., for the Stablewood Farms Park Project, a 2017-2022 Bond project located in Council District 4. [Peter Zaroni, Deputy City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-01-10-0007

11. Ordinance approving the acquisition of a conservation easement over the Edwards Aquifer Recharge and Contributing Zones on a 1,066.72 acre tract of land known as the Pouncy Ranch located in Uvalde County, Texas from Howard and Beverly Pouncy, as trustees of the Howard and Beverly Pouncy 1997 Trust, at a cost of \$1,501,006.18. Funding for this ordinance is available from the 2015 Sales Tax Venue Fund included in the FY 2019 Capital Budget. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

2019-01-10-0008

12. Ordinance approving the closure, vacation, and abandonment of a portion of Peacock alley which is approximately 147.6 square feet of unimproved public right of way, located between the Kress Building and the St. Anthony Hotel, between Jefferson and Navarro Streets, as requested by Owner, GrayStreet Houston, L.L.C., for a fee of \$12,177.00, which will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget. [Peter Zaroni, Deputy City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-01-10-0009

13. Ordinance approving the closure, vacation and abandonment of a 0.4742 acre improved portion of Chavaneaux Road at the northeast corner of South Zarzamora Street and the Loop 410 access road, located in Council District 4, as requested by QuikTrip Corporation for a fee of \$23,433.00, which will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget. [Peter Zaroni, Deputy City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]
14. Approving the following Board, Commission and Committee appointments for the remainder of unexpired terms to expire May 31, 2019 or for other terms shown below. Appointments are effective immediately if eight affirmative votes received, or ten days after appointment if passed with less than eight affirmative votes. [Leticia M. Vacek, City Clerk] [Leticia M. Vacek, City Clerk]
- A) Appointing Celina Pena (Mayoral) to the San Antonio Housing Trust.
- B) Appointing Phillip Manna (District 7) to the Zoning Board of Adjustment.
- C) Appointing Robert M. Bettac (District 9) to the Parks and Recreation Board.

D) Reappointing Megan A. Garza-Oswald (Mayoral), Ramiro I. Gonzales (Mayoral), David Rodriguez (Mayoral); and Susan Wright (Mayoral) to the Office of Urban Redevelopment - OUR-SA and SAAH for the remainder of unexpired terms of office to expire December 18, 2020.

2019-01-10-0010

15. Ordinance approving a professional services agreement with Dr. Fretorry Rogers in an amount up to \$100,000.00 for in-house surgical services through September 30, 2019 with options to renew. [María Villagómez, Assistant City Manager; Heber Lefgren, Director, Animal Care Services]

2019-01-10-0011

16. Ordinance ordering the General City Election to be held on Saturday, May 4, 2019 and Run-off Election to be held on Saturday, June 8, 2019, if necessary. [Leticia M. Vacek, City Clerk]

2019-01-10-0012

17. Ordinance approving a Fourth Amendment to the Food Service Agreement for the Alamodome with Savor Black Tie Joint Venture through its majority partner, SMG Food and Beverage, LLC., revising the commission structure for food and beverage services. Revenues from this contract will be deposited into the Community & Visitors Facilities Fund in accordance with the Adopted Budget. [Carlos J. Contreras, Assistant City Manager; Patricia M. Cantor, Director, Convention & Sports Facilities]

2019-01-10-0013

18. Ordinance approving a Funding Agreement with the San Antonio Missions Baseball Club, Inc. and appropriation of funds for the design and construction of the Wolff Stadium Improvement Plan, in an amount not to exceed \$364,000.00, from the Wolff Stadium Capital Improvement Funds. [Carlos J. Contreras, Assistant City Manager; Patricia M. Cantor, Director, Convention & Sports Facilities]

2019-01-10-0001R

19. Resolution approving the issuance by the Daingerfield Cultural Education Facilities Finance Corporation of bonds, loans and/or other obligations for purposes of Section 147(f) of the Internal Revenue Code. An administrative fee of \$2,500.00, payable by the Clarity Child Guidance Center, will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

2019-01-10-0014

20. Ordinance awarding up to \$1,250,000.00 in FY 2019 HOME Investment Partnerships Program (HOME) funding and up to \$1,750,000.00 in FY 2019 Community

Development Block Grant (CDBG) funding as Homeownership Housing Development Gap Financing to Habitat for Humanity of San Antonio for the Watson Road Development, a 53 to 61 unit single-family development with affordable housing at or below 80% of area median income, and awarding up to \$53,500.00 to Habitat for Humanity of San Antonio and up to \$21,500.00 to Our Casas Resident Council in FY 2019 HOME Community Housing Development Organization Operating funding. [Peter Zanoni, Deputy City Manager; Veronica Soto, Director, Neighborhood and Housing Services]

2019-01-10-0002R

21. Resolution of No Objection for the Majestic SA Apartments application to the Texas Department of Housing and Community Affairs non-competitive 4% Housing Tax Credits program for the development of Majestic Ranch Apartments, a 288 unit affordable multi-family rental housing development, located at 4847 Callaghan Road in City Council District 7. [Peter Zanoni, Deputy City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2019-01-10-0003R

22. Resolution of No Objection for the LIH Wurzbach Manor application to the Texas Department of Housing and Community Affairs non-competitive 4% Housing Tax Credits program for the rehabilitation of Wurzbach Manor, a 161 unit affordable multi-family rental housing rehabilitation, located at 8730 Wurzbach Road in City Council District 8. [Peter Zanoni, Deputy City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2019-01-10-0004R

23. Resolution of No Objection for the TCD MCM application to the Texas Department of Housing and Community Affairs non-competitive 4% Housing Tax Credits program for the rehabilitation of McMullen Square Apartments, a 100 unit affordable multi-family rental housing rehabilitation project, located at 537 N General McMullen Drive in City Council District 5. [Peter Zanoni, Deputy City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

CONSENT ITEMS CONCLUDED

ACTION ITEMS FOR STAFF BRIEFING

City Clerk Vacek read the caption for Item 4:

2019-01-10-0001

4. Interviewing finalists for the District 2 City Council vacancy and appointing a

replacement City Councilmember. [Leticia M. Vacek, City Clerk]

Mayor Nirenberg announced that each of the three finalists for the District 2 City Council vacancy would have five minutes to provide a statement. He stated that the City Council would interview each of the candidates and then recess into Executive Session. He called upon Ms. Margo Scott-Bright to speak who registered to speak on said item.

Margo Scott-Bright spoke in support of the appointment of Jada Sullivan. She stated that she had known Ms. Sullivan for many years and knew her to be a faithful and dedicated individual.

Mayor Nirenberg and the City Council interviewed each of the following applicants in the order their application was submitted:

- 1) Jada Sullivan
- 2) Aubry Lewis
- 3) Art A. Hall

EXECUTIVE SESSION

Mayor Nirenberg recessed the meeting into Executive Session at 11:48 am to consult with the City Attorney's Office pursuant to Texas Government Code Section 551.071 (consultation with attorney) to deliberate or discuss the items posted but not finished yesterday, more specifically:

- Deliberate the appointment, evaluation and duties of the replacement District 2 City Councilmember and discuss legal issues pursuant to Texas Government Code Section 551.074 (personnel matters) and Texas Government Code Section 551.071 (consultation with attorney).

RECONVENED

Mayor Nirenberg reconvened the meeting at 12:31 pm and announced that no official action was taken in Executive Session. He continued with Item 4.

Councilmember Pelaez stated that this was a difficult decision for the City Council due to the excellent candidates that were presented. He noted that his focus was on appointing an individual that could hit the ground running and had subject matter expertise.

Councilmember Pelaez moved to adopt the Ordinance to appoint Art A. Hall as the District 2 Councilmember. Councilmember Gonzales seconded the motion.

Councilmember Treviño stated that he had been through the appointment process four years ago and thanked everyone that submitted their application. He noted that he was supportive

of the appointment of Jada Sullivan to represent District 2.

Councilmember Courage thanked all of the applicants and stated that he hoped they all remained involved in what was occurring in the city. He noted that he felt Art Hall had the qualifications and experience to perform the job over the next four and a half months.

Councilmember Viagran thanked all of the applicants and noted that District 2 shared many boundaries with District 3. She stated that she felt that Jada Sullivan was the best candidate to serve the residents of District 2.

Councilmember Brockhouse stated that although he greatly respected Art Hall; he was supportive of the appointment of Jada Sullivan. He expressed concern that Dereck Hillyer was not included in the short list.

Mayor Nirenberg stated that Jada Sullivan brought unique skills and energy to the city and hoped she would continue her work in District 2. He commended Aubry Lewis for his work in the District 2 Community noting that he was well-regarded by many. He stated that he had known Art Hall as a Councilmember and he had served honorably. He noted that Mr. Hall's experience and qualifications spoke for themselves and that residency issues had been addressed. He stated that it would be a disservice to the District 2 Residents to select a Councilmember and not allow them to begin serving immediately. He urged the City Council to move forward with the appointment of Art A. Hall.

The motion to approve Art A. Hall as the District 2 City Councilmember prevailed by the following vote:

AYE: 7 - Mayor Nirenberg, Saldaña, Gonzales, Sandoval, Pelaez, Courage, and Perry

NAY: 3 - Treviño, Viagran, and Brockhouse

Due to the lack of 8 or more votes; Art A. Hall would not be able to begin service for 10 days.

STATEMENT OF APPOINTED OFFICER/OATH OF OFFICE

City Clerk Leticia Vacek administered the Statement of Appointed Officer and Oath of Office to Councilmember Art A. Hall and announced that the effective date of the appointment would be January 20, 2019.

Mayor Nirenberg recessed the San Antonio City Council Meeting and convened the meeting of the Board of Directors for the City of San Antonio, Texas Empowerment Zone Development Corporation to consider Item 5.

City Clerk Vacek read the caption for Item 5:

EZDC 2019-01-10-0001R

5. Resolution by the City of San Antonio, Texas Empowerment Zone Development Corporation appointing U.S. Bank National Association to serve as the Market Agent relating to the outstanding City of San Antonio, Texas Empowerment Zone Development Corporation Contract Revenue Empowerment Zone Refunding Bonds (Drury Southwest Hotel Project), Series 2013A and Series 2013B, and approving and authorizing the execution of a related Market Agent Agreement. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Director Pelaez moved to approve the Resolution for Item 5. Director Treviño seconded the motion. The motion to approve prevailed by the following vote:

AYE: 9 - Mayor Nirenberg, Treviño, Viagran, Saldaña, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSENT: 1 - Gonzales

The meeting of the Board of Directors for the City of San Antonio, Texas Empowerment Zone Development Corporation was adjourned and the City Council Meeting was reconvened.

24. City Manager's Report

TEXAS ASSOCIATION OF CITY & COUNTY HEALTH OFFICIALS LOCAL HEALTH DEPARTMENT OF THE YEAR AWARD

Mrs. Sculley reported that Metro Health was awarded the 2019 Local Health Department of the Year Award from the Texas Association of City and County Health Officials. She stated that the Association was the premier member organization serving both Local Texas Public Health Officials and the Departments they lead in order to strengthen Public Health Practice in Texas. She noted that the goal of the Association was to improve the health of Texans and the communities where they live. She mentioned that the Local Health Department of the Year Award was established to honor the efforts performed by Local Health Departments in Texas. She highlighted Metro Health Department accomplishments that include Tobacco 21 Ordinance, Joint Opioid Overdose Prevention Task Force, and Stand Up SA. She congratulated Dr. Bridger and the Health Department for receiving the award.

INNOVATION ZONES UPDATE

Mrs. Sculley reported that as part of the City's Smart City Strategy "SmartSA" and in partnership with CPS Energy, SAWS, VIA, and San Antonio River Authority, the City of

San Antonio established three Innovation Zones at Brooks, Downtown, and the Medical Center that will serve as real-world testing grounds to pilot Smart City Technology aimed to address civic challenges. She stated that in order to ensure that technology solutions are addressing community priorities, the Office of Innovation and ITSD engaged San Antonio Residents that live, work, play, and visit the Innovation Zones to identify the challenges they are experiencing at these zones. She noted that the community engagement process included social media with three Facebook Live Sessions with Councilmembers Treviño, Viagran, and Pelaez and a fourth hosted by Assistant City Manager Maria Villagomez in Spanish. She mentioned that paper surveys were distributed at several pop-up events in each of the Innovation Zones, Neighborhood Presidents Meetings, Public Libraries, Senior Center, Community Centers, and Local Schools. She added that over 3,700 survey responses were received and input would be utilized moving forward to the all-day SmartSA Vendor Summit. She stated that the Summit was a one-day event that would be a unique substitution for a traditional Request for Information (RFI) that had not been done before. She noted that after the Summit, the vendors would have an opportunity to use what they learned to provide ideas, possible solutions, and experience through a customized questionnaire. She indicated the information gathered from the questionnaire, community outreach, and partners would be used to inform the Request for Proposals (RFP)/Request for Competitive Sealed Proposals (RFCSP) process that will be released in the spring. She added that they anticipated bringing to the City Council a recommendation on the projects to test in the Innovation Zones in June 2019.

HIGHWAY SAFETY IMPROVEMENT GRANT

Mrs. Sculley also reported that recently, the City's Transportation and Capital Improvements (TCI) Department submitted 37 potential qualifying roadway safety improvement projects to the Texas Department of Transportation (TxDOT) for consideration of funding in a new program. The program is TxDOT's Highway Safety Improvement Program which is federally funded and designed to create a significant reduction in traffic fatalities and serious injuries on public roads. She noted that project selection was based on TxDOT criteria for specific project types and crash history in continued support of the City's Vision Zero Program. She announced that TxDOT approved 26 of the 37 submitted projects located citywide that would replace signal equipment controller cabinets, signal poles, and street and pedestrian lighting. She mentioned that the Program would provide 90% of the funding while the City would be responsible for 10%. She added that more information would be provided by TxDOT and TCI in the coming months.

SALE OF GENERAL IMPROVEMENT REFUNDING BONDS

Mrs. Sculley reported that on January 8th, the City sold bonds in the amount of \$24.57 million to refinance a HUD 108 Loan. She stated that the true interest cost on the bond was 2.04% with the City realizing present value interest cost savings of \$3 million. She noted

that the bonds were well received by a diverse group of 14 Investors which generated total orders for the bond of just over \$45 million. She added that closing and delivery of the 2019 Refunding Bonds was anticipated to occur on January 22, 2019.

ADJOURNMENT

There being no further discussion, Mayor Nirenberg adjourned the meeting at 1:00 pm.

APPROVED

RON NIRENBERG
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/CMC/MMC
CITY CLERK