

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



**Meeting Minutes
City Council A Session**

No in-person access to this meeting

Thursday, December 10, 2020

9:00 AM

Videoconference

The City Council convened in a Regular Meeting. City Clerk Tina J. Flores took the Roll Call noting a quorum with the following Councilmembers present:

PRESENT: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

1. The Invocation was delivered by Roberto Guerra, guest of Mayor Nirenberg.
2. Mayor Nirenberg led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes from the City Council Meetings of September 2, 2020, September 3, 2020, September 8, 2020, September 9, 2020, and September 10, 2020.

Councilmember Courage moved to approve the Minutes of September 2, 2020, September 3, 2020, September 8, 2020, September 9, 2020, and September 10, 2020. Councilmember Cabello Havrda seconded the motion. The motion to prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Perry and Courage

CONSENT AGENDA ITEMS

Item 4, 24, 30, 34 and Z-1 were pulled for Individual Consideration.

Mayor Nirenberg called upon the individuals registered to speak.

Jack M. Finger spoke of the necessity for City Council meetings to return to in-person format due to difficulty for citizens to participate due to technology issues. He spoke in opposition of Items 23 and 35. He noted that Items 23, 31 and 35 should be pulled and considered individually.

Mitsuko Ramos with the Government Group of Texas representing RNA Garcia Properties of Lufkin, LLC spoke in support of Councilmember Viagran and City Staff for agreement related to item 26 on the Mission Drive-In Tax Increment Reinvestment Zone (TIRZ) and the Nicha's Comida Mexican Project.

Avanas Bhakta, President of the Hospitality and Vice President of the San Antonio Tourist Public Improvement District (TPID) spoke in support of Item 23.

Councilmember Viagran highlighted Item 26 and its support for small business development in Mission Drive-In Tax Increment Reinvestment Zone (TIRZ) and the Nicha's Comida Mexican Project and importance to economic development of the Roosevelt Avenue Corridor.

Councilmember Andrews-Sullivan highlighted Item 28 related to appointment of Donna Watts Lewis to the Disability Access Advisory Committee for District 2. On Item 33, she recognized Assistant City Manager David McCary, City Manager Erik Walsh and City staff on providing solid waste services to the outside annexed communities of Glen North and South, Candlewood, and Camelot One.

Councilmember Courage highlighted Item 14 related to new District 9 Senior Center which will be the first senior center for the District. He congratulated the Public Works, Department of Human Services and Parks Departments on their efforts on this project.

Councilmember Sandoval highlighted Items 11 and 31 in support of projects. For Item 31, she spoke of the importance of completing the evaluation associated with the Community Rating System (CRS) and addressing the fiscal impact to individuals with flood insurance. She recognized the Public Works Stormwater Division for their efforts in moving this forward. For Item 11, Councilmember Sandoval spoke in support of the French Creek Project in the Greenway Trail System and the connectivity to current park trail system. She thanked the Stanley Spiegle Family for their donation of 8.763 acres to the City of San Antonio that expanded the boundaries of Nani Falcone Park. She recognized Parks and Recreation Director Homer Garcia who spoke of the importance and benefits of expanding Nani Falcone Park.

Councilmember Gonzales addressed concerns on Item 17 related to community sidewalks and the Neighborhood Access Mobility Program and fatalities associated with high traffic infrastructure.

Councilmember Andrews-Sullivan moved, seconded by Councilmember Rocha Garcia, to

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

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

2020-12-10-0878

5. Ordinance approving a contract with HJD Capital Electric, Inc., for Olmos Dam drain repairs at the Olmos Dam Gate House, for the Public Works Department for a total cost of \$74,535.06. Funding is available through the FY 2021 - FY 2026 Capital Improvement Program. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2020-12-10-0879

6. Ordinance approving contracts with Ewald Kubota, Inc., to provide the Public Works Department with one, replacement 4x4 utility tractor and three, replacement 15-foot flex wing rotary cutters for a total cost of \$107,839.30. Funding is available from the FY 2021 Equipment Renewal and Replacement Fund Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2020-12-10-0880

7. Ordinance approving contracts with Safeware, Inc., and Con10gency Consulting, LLC, to provide 30 Self-Contained Breathing Apparatus masks and components for the San Antonio Police Department for a total cost of \$288,860.40. Funding is available from the U.S. Department of Justice, Bureau of Justice Assistance, FY 2020 Coronavirus Emergency Supplemental Funding Program Grant. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2020-12-10-0881

8. Ordinance approving a contract with Siddons-Martin Emergency Group to provide the San Antonio Fire Department with one, add on hose tender vehicle for a total cost of \$355,121.00. Funding is available from the Adopted Capital Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2020-12-10-0882

9. Ordinance approving a contract with Cordico, Inc., to provide mobile application software to enhance the behavioral health and well-being services provided to San Antonio Fire Department employees and their families in the amount of \$49,500.00 annually for a three-year term with the option to renew for two, additional one-year periods. The initial subscription-based services, implementation costs and on-going subscription costs of \$49,500.00 is available from the FY 2021 General Fund Budget with funding for future fiscal years subject to City Council approval of the annual budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2020-12-10-0883

10. Ordinance approving an agreement with Facility Solutions Group, Inc. for labor, material, and equipment to perform lighting retrofits at Apache Creek Linear Park for a total cost of

\$451,097.25. Funding for this contract is available through the Office of Sustainability's Energy Efficiency Fund. [David McCary, Assistant City Manager; Doug Melnick, Chief Sustainability Officer, Sustainability]

2020-12-10-0884

11. Ordinance approving a construction contract with Crownhill Builders, Inc. in an amount not to exceed \$1,540,870.00 for the French Creek (Leon Creek Greenway to Nani Falcone Park) Project, located in Council District 7. Funding in the amount of \$1,540,870.00 is available from the voter approved Sales Tax Venue funds included in the FY 2021 – FY 2026 Capital Improvement Program. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

2020-12-10-0885

12. Ordinance approving a task order to a Job Order Contract with Amstar, Inc. in an amount of \$137,985.00 for ceiling painting improvements to the Lila Cockrell Theater located in Council District 1. Funds are available from the Community and Visitor Facilities Fund and are included in the FY 2021 Convention and Sports Facilities Operating Adopted Budget. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-12-10-0886

13. Ordinance awarding a construction contract to All in Construction, LLC in the amount of \$519,068.58, of which \$415,254.86 will be funded by the Texas Department of Transportation and the required match in the amount of \$103,813.72 will be funded by the City for the San Pedro Sidewalk and Pedestrian Infrastructure project, a District 1 Pedestrian Mobility & Streets the 2017 Bond and federally funded project. Funding is available from the 2017 - 2022 General Obligation Bond Program and is included in the FY 2021 - 2026 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-12-10-0887

14. Ordinance approving a construction contract to F.A. Nunnally Company in an amount not to exceed \$8,975,000.00 for the 2017 Bond District 9 Senior Center project. Funds are available from the 2017 - 2022 General Obligation Bond Program and are included in the FY 2021 - FY 2026 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-12-10-0888

15. Ordinance approving a City requested change order in the increased amount of \$228,960.00 and authorizing payment to ASD Consultants, Inc. to install trees and irrigation related to the San Pedro Springs Park project, a 2017 Bond funded project, located in Council District 1; and authorizing the appropriation and amending of the FY 2021 - FY 2026 Capital Improvement Program with funds in the amount of \$228,960.00 from the Tree Canopy Preservation and Mitigation Fund to the San Pedro Springs Park project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-12-10-0889

16. Ordinance approving a design-build services contract in an amount not to exceed \$10,550,000.00 to F.A. Nunnelly Company for the design and construction of the Police Station at St. Mary's, a 2017 Bond project. Funds are available from the 2017-2022 General Obligation Bond Program and Certificates of Obligation; and are included in the FY 2021 - FY 2026 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]
17. Approving the following four construction contracts totaling \$6,151,065.92 to complete sidewalk repairs associated with the Neighborhood Access and Mobility Program (NAMP) and Infrastructure Management Program (IMP): [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-12-10-0890

- 17A. Ordinance awarding the FY 2021 Wheelchair Ramp Installation Task Order Contract Package 1 to Garren Construction, LLC in an amount not to exceed \$524,096.22.

2020-12-10-0891

- 17B. Ordinance awarding the FY 2021 Flatwork and Street Improvements Task Order Contract Package 1 to San Antonio Concepts Construction, LLC in an amount not to exceed \$2,809,877.10 with reimbursement from CPS Energy and San Antonio Water System in an amount consistent with necessary adjustments to their existing infrastructure.

2020-12-10-0892

- 17C. Ordinance awarding the FY 2021 Flatwork and Street Improvements Task Order Contract Package 2 to NBM Development, Inc. in an amount not to exceed \$1,411,919.10 with reimbursement from CPS Energy and San Antonio Water System in an amount consistent with necessary adjustments to their existing infrastructure.

2020-12-10-0893

- 17D. Ordinance awarding the FY 2021 Flatwork and Street Improvements Task Order Contract Package 3 to NBM Development, Inc. in an amount not to exceed \$1,405,173.50 with reimbursement from CPS Energy and San Antonio Water System in an amount consistent with necessary adjustments to their existing infrastructure.

2020-12-10-0894

18. Ordinance accepting a donation of an 8.763-acre tract of land from El Centro Mall, Ltd. located at the 8200 block of Guilbeau Road for an expansion of Nani Falcone Park. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

2020-12-10-0895

19. Ordinance approving a lease agreement with Imperial Aviation, LLC, dba Gateone for Hangar 7 and ground space located at 8523 Mission Road at Stinson Municipal Airport. The initial three year lease will commence December 1, 2020 with an option to extend for two, one-year terms and is expected to generate \$10,352.15 in annual revenue for the

Airport Operating and Maintenance Fund. [Carlos Contreras, Assistant City Manager; Jesus Saenz, Director, Aviation]

20. Appointing the following Board, Commission and Committee appointees for the remainder of an unexpired term of office to expire May 31, 2021 or as otherwise listed below. [Tina J. Flores, City Clerk]
- A) Appointing Donna Watts Lewis (District 2) to the Disability Access Advisory Commission.
 - B) Appointing Rudy Garza (District 9) to the Brooks Development Authority Board of Directors.
 - C) Reappointing Leland Wingert to the Fire Fighters' and Police Officers' Civil Service Commission for a term of office to expire December 19, 2023.

2020-12-10-0896

21. Ordinance approving the settlement of a lawsuit styled Claudia M. Trevino v. City of San Antonio, Cause Number 2019-CI-04364 pending in the 150th District County, Bexar County, Texas, in an amount of \$105,000.00 funded from the Self Insured Liability Fund. [Andy Segovia, City Attorney]

2020-12-10-0897

22. Ordinance approving the settlement of a lawsuit styled Alex Garcia v. City of San Antonio, Cause Number 2018-CI-15095 pending in the 57th District County, Bexar County, Texas, in an amount of \$215,000.00 payable from the Self Insured Liability Fund. [Andy Segovia, City Attorney]

2020-12-10-0898

23. Ordinance approving the 2021 Service and Assessment Plan, the 2021 Assessment Roll, and maintaining the Assessment Rate for 2021 at 1.25% of the gross hotel room revenue subject to local hotel tax that is derived from an individual room rental of qualified rooms, for the San Antonio Tourism Public Improvement District. [Carlos Contreras, Assistant City Manager; Patricia Muzquiz Cantor, Executive Director, Convention and Sports Facilities]

2020-12-10-0055R

24. Resolution to nominate Avanzar Interior Technologies GP LLC, headquartered at 1 Lone Star Pass Building 41, as a Texas Enterprise Project. [Carlos Contreras; Assistant City Manager; Alejandra Lopez, Director, Economic Development]

2020-12-10-0899

25. Ordinance approving an agreement and authorizing the acceptance of funds from the Southwest Texas Regional Advisory Council for Trauma up to the amount of \$1,910,179.00. Funds will be used for services provided by the Mobile Integrated Healthcare unit of the EMS division of the San Antonio Fire Department. [Maria

Villagomez, Deputy City Manager; Charles Hood, Fire Chief]

2020-12-10-0900

26. Ordinance approving a Development Agreement with R&A Garcia Properties of Lufkin, LLC, City of San Antonio, and Mission Drive-In TIRZ Board of Directors for eligible public improvements for an amount not to exceed \$600,000.00 for the Nicha's Comida Mexicana Project located at 3331 Roosevelt Ave. (parcels 1 & 2). [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

2020-12-10-0901

27. Ordinance approving a First Amendment to the Development Agreement between 114 Main Plaza, LLC, City of San Antonio, and Houston Street TIRZ Board of Directors to revise the project commencement and completion dates for the 114 Main Plaza Project. [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

2020-12-10-0902

28. Ordinance approving on-call professional services agreements with Bain Medina Bain, Inc. in an amount not to exceed \$800,000.00; Terra Design Group, Inc. in an amount not to exceed \$600,000.00; and 6S Engineering, Inc. in an amount not to exceed \$600,000.00 for architectural and engineering design services for the Howard W. Peak Greenway Trails System for a period of three years from the date of execution, with an option to extend the agreements for an additional two years. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

2020-12-10-0903

29. Ordinance approving the release of 141.5 acres, generally located to north of Lookout Road, east of Evans Road, south of Nacogdoches Road-FM 2252, and west of Doerr Lane in Comal County, from the City of San Antonio Extraterritorial Jurisdiction to the City of Schertz and an associated agreement. [Roderick Sanchez, Assistant City Manager; Bridgett White, Director, Planning].

2020-12-10-0905

31. Ordinance approving an on-call Professional Services Agreement with Lockwood, Andrews & Newnam, Inc. in an amount not to exceed \$250,000.00, to provide civil engineering services for the Community Rating System (CRS) with funding available from the FY 2021 Storm Water Regional Facilities Funds. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-12-10-0906

32. Ordinance approving a Professional Services Agreement with RJN Group, Inc., in an amount not to exceed \$1,416,667.00 annually for the Underground Storm Drain Video Inspection Program for a term of one year, with an option to renew for up to two additional one-year extensions at the City's discretion for a possible maximum contract total value not to exceed \$4,250,001.00. with funds available from the FY 2021 Storm

Water Operating Fund Adopted Budget and funding for subsequent optional contract extensions subject to City Council approval of future annual budgets. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-12-10-0907

- 33.** Ordinance approving the renewal of a cooperative agreement with Bexar County which allows the County to provide mandatory residential Solid Waste collection and disposal services and for the City to continue providing the services through June 30, 2021 for Bexar County's Camelot II neighborhood located within the City's extraterritorial jurisdiction. [David W. McCary, CPM, Assistant City Manager; David Newman, Director, Solid Waste Management]
- 35.** Approving the following three items relating to the Travis Garage Rehabilitation Project located at 711 Navarro and 123 East Travis Street in Council District 1: [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2020-12-10-0908

- 35A.** Ordinance approving an Assignment of Rights and Obligations between GrayStreet Travis Garage, LLC, GrayStreet Travis Office, LLC and TPP EPA, LLC for the Travis Garage Rehabilitation Project located at 213 East Travis and 711 Navarro Street.

2020-12-10-0909

- 35B.** Ordinance approving a First Amendment to the Development Agreement between TPP EPA, LLC, Houston Street TIRZ Board of Directors, and City of San Antonio to revise the project completion date and project costs eligible for reimbursement for the Travis Garage Rehabilitation Project located at 213 East Travis and 711 Navarro Street.

2020-12-10-0910

- 35C.** Ordinance approving the assignment of the Chapter 380 Economic Development Loan Agreement from GrayStreet Travis Office, LLC to TPP EPA, LLC, for the property located at 711 Navarro Street and 213 East Travis Street and funded by the Inner City Incentive Fund (ICIF).

CONSENT ITEMS CONCLUDED

POINT OF PERSONAL PRIVILEGE

Councilmember Viagran recognized Mr. Ramon Quintero who celebrated her 100th birthday and reflected on increased number of Covid-19 deaths.

ITEMS FOR INDIVIDUAL CONSIDERATION

City Clerk Flores read the caption for Items 4A and 4B.

2020-12-10-0876

- 4A.** Ordinance approving agreements to enable the San Antonio Fire Department to participate in the Medicare Emergency Treatment, Triage, and Transport (ET3) project established by Centers for Medicare and Medicaid Services (CMS) for Medicare beneficiaries. Included are the Participation Agreement with the Centers for Medicare and Medicaid Services, Treatment in Place program agreement with UT Health, and Alternative Destination agreements with WellMed, Texas Med Clinic, CareNow, ExpressMed, MedPost, and STRAC. This ordinance also authorizes the SAFD to be reimbursed for services provided under these contracts.

2020-12-10-0877

- 4B.** Ordinance ratifying a contract with GoodSAM in the amount of \$149,000.00 annually to provide the San Antonio Fire Department with a web-based telemedicine triage system. The initial subscription-based service term is through October 18, 2021 and funded through the FY 2021 SAFD Adopted General Fund Operating Budget. Funding for the four optional one-year renewal options is subject to future City Council Budget appropriations.

Maria Villagomez, Deputy City Manager provided a brief presentation regarding Item 4 and requested approval for agreement for the San Antonio Fire Department to participate in National Program of Medicare Emergency Treatment and Transport Project and secondly, the approval of a Telemedicine Application.

Fire Chief Charles Hood stated that the new Medicare Emergency, Treatment, Triage, and Transport (ET3) System would enhance the current EMS system. He noted that the agreement would need to be approved to meet December 15, 2021 upload deadline and the system would then be implemented by January 11, 2022.

Assistant Chief Norris provided a briefing on the ET3 system and the current operations of EMS services related to patient care and response times. He noted the new enhancements and options that the new system provided to current operations and patient options for care and services to include emergency room transportation or transportation to other facilities based on assessments.

Fire Chief Hood provided a briefing on the ratification of contract with GoodSAM to provide telemedicine services to the public to better identify needed EMS resources and response times for critical care. Chief Hood presented a video on the GoodSAM services to illustrate the application benefits.

Councilmember Andrews-Sullivan stated that this program addressed many of her concerns related to EMS assistance to senior residents and asked if information on the program had been shared with senior platform channels and related marketing of services. Chief McManus stated that current channels of GPA communication were used, and staff would continue to work on different communication channels.

Councilmember Sandoval congratulated City Staff on the work associated with these items. She asked for clarification as it related to Medicare benefits and insurance fees which Chief Hood

provided. She discussed funding sources for the program which were to be covered under City's General Fund and other cost neutrality benefits to the City. Councilmember Sandoval expressed desire to expand discussion with legislative team for Medicare expansion of services. She also discussed benefit of services to senior residents to include those in her district.

Councilmember Cabello Havrda spoke of the need to utilize all communications to seniors on the programs due to technology barriers. She stated that many senior residents in her district had difficulties or challenges working with technology and would need to provide attention and assistance in this area. It will be important to assess the need for EMS services and related requests of EMS dispatch.

Councilmember Rocha-Garcia acknowledged the benefits of the program and further expansion into her district. She stated her experience and issues family members experienced and discussed language challenges many face in seeking medical emergency services to include her family. She addressed questions on alternative destinations for services and how they were identified to provide services. Chief Hood described the alternative destinations through existing CMS agreement. She expressed concern for bilingual services availability. Chief Hood clarified that the GoodSAM app already provided services in 100 different languages. Councilmember Rocha Garcia questioned dispatcher availability and how calls were to be addressed. Chief Hood outlined the procedures followed for incoming calls which utilized all dispatchers and followed current protocols.

Councilmember Perry acknowledged that he saw the benefit of program but had questions related to ambulance response times and Cares Act funding. Deputy City Manager Villagomez addressed funding sources and the ability to cover related costs under the Act. He asked when the system would be purchased and when available for usage. He questioned if any other systems were available or considered. Deputy City Manager Villagomez clarified that this was a sole source selection. Councilmember Perry addressed concerns on this which City Manager Erik Walsh asked City Attorney to provide guidance to Councilmember as it related to emergency authority under procurement rules and policies. Councilman Perry stated concerns of ratification process which City Attorney Segovia addressed.

City Manager Erik Walsh stated the use of a sole source was related to health and safety exemptions on purchases and within the authority of the administrative staff. He assured the City Council that established processes were followed for this item.

Councilmember Courage stated that he was impressed with the outline of the program but wanted to ensure that data would be collected on response and dispatch of services. He asked for clarification on cost of program which Deputy City Manager provided.

Councilmember Gonzales asked how the City could respond to request by of constituents for in-person meetings associated with services. She stated that she wanted residents to have options and their needs to be met within the new system which may include in-person care. Chief Hood replied that there will be continuous surveying of individuals and what data was provided to adjust services.

Councilmember Andrews-Sullivan readdressed Chief Hood on issue of number of clinical dispatch personnel and how missed calls were addressed. Chief Hood reviewed the number of total dispatch personnel available and the process for all calls to be serviced which is the current practice. She in addition asked clarification on the Taxi Voucher Program (TVP) for use in these instances. Chief Hood clarified that the TVP was available in these instances.

Councilmember Andrews-Sullivan moved to approve Items 4A and 4B. Councilmember Cabello Havrda seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

City Clerk Flores read the caption for Item 30.

2020-12-10-0904

30. Ordinance approving an Interagency Cooperation Contract between Texas State University and the San Antonio Police Department for the participation in the Tobacco Enforcement Program. The agreement will reimburse the Police Department up to \$100,000. [Maria Villagomez, Deputy City Manager; William P. McManus, Chief of Police]

Police Chief McManus provided a brief presentation on the Inner Agency Cooperative contract between Texas State University and the San Antonio Police Department for the participation in the Tobacco Enforcement Program. The program would reimburse the City up to \$100,000. The Chief briefed that the City had participated in this program since 2011 and provided an enforcement only tool for tobacco purchases of individuals under the age of 21. Businesses are ticketed when underage purchases are made. The Chief stated that the 640 buy operations were conducted with 43 citations issued. Chief McManus added that funding was provided by Texas School Safety Center at Texas State University and funding is utilized throughout the City.

Councilmember Sandoval asked for clarification of the tobacco enforcement operations and what it entailed. Chief McManus provided examples of personnel used for the program and further clarification during discussion. Personnel included San Antonio Police and the Youth Public Safety Corps. Councilmember Sandoval addressed and asked Dr. Colleen Bridger for any additions to presentation and Dr. Bridger stated that she had no additional comment but did support endorsement. Councilmember Sandoval stated her concern on adequate enforcement coverage in all districts to include hers. She requested tobacco retailer statistics which City Manager Walsh said staff would provide in form of memo to her office.

Councilmember Sandoval moved to approve Item 30. Councilmember Courage seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

City Clerk Flores read the caption for Item 34.

CONTINUED UNTIL JANUARY 2021

- 34.** Ordinance approving an agreement with Blink Charging Company to install, own and operate publicly accessible electric vehicle charging infrastructure on City property at no cost to the City. [David McCary, Assistant City Manager; Douglas Melnick, Chief Sustainability Officer]

Mayor Nirenberg called upon the individuals registered to speak.

Allen Garza stated his company had a more comprehensive system for electric vehicle charging services and asked for consideration for this contract rather than selected vendor. He stated that he was a local resident from the Southside and able to build strong relationships within the community. Mr. Garza added that he wanted to make the Council aware of the selected vendor's Blink investigation for shareholder fraud of the company and CEO.

Doug Melnick, Chief Sustainability Officer briefed on the current electric vehicle infrastructure with the City of San Antonio and the recommendation of staff to award contract to Blink Charging. He stated that Mr. Anthony Orlando with Blink was available to provide clarification on related services. Mr. Melnick briefed that there were currently 4,400 registered electric vehicles (EV) in the CPS service area and projected expansion of EVs to 50,000 by 2030. He briefed on current need for EV infrastructure based on EV users lack of access to garages or personal areas for charging structures. He reviewed the solicitation process used for the requested EV charge services which was issued in July 2020. Proposals were asked to be cost neutral to the City and the provider would be required to install, service and maintain EV charge station infrastructure. He added a synopsis of the procurement and solicitation review processes followed which included participation from City departments to include Sustainability, Public Works, Center City Development and Operations, Finance and CPS Energy. He stated the term of the contract if for one year with four, one-year renewal options.

Mr. Melnick added that Blink had been selected to install Level 2 and DC Fast Charge Stations and would be responsible for all EV infrastructures. He stated that Blink would utilize the Volkswagen Mitigation Program Grant under the Texas Commission of Environmental Quality (TCEQ) to cover associated costs on related EV station installation which had \$10.4 million in grant funds available to be used statewide. Blink would apply on behalf of the City for available grant funding. Mr. Melnick stated that potential locations would include surface lots, Libraries, Pre-K for SA facilities, some park locations, and City-owned garages. Mr. Melnick added that the review process took into consideration and wanted to make sure equity in terms of locations and in terms of accessibility to potential users. He stated that if City Council approved this Item, the City and Blink would immediately begin with internal and external stakeholder engagement to identify 50 charger sites with installation in February 2021. The second round of funding would potentially be available in March 2021 for an additional 50 stations.

Mr. Melnick added that under the agreement Blink would provide, install, operate, own, and maintain all equipment. In addition, Blink would manage associated software, marketing, and customer service interface under this agreement at no cost to the City. Mr. Melnick stated that

Blink would utilize rebates and incentives to cover their costs and would pay the City a 50/50 profit share once all initial installation and operation costs were met. The funding would be deposited into a special sustainability fund with funds being put back into other electric vehicle initiatives or other sustainability programs.

Councilmember Rocha Garcia requested clarification of due diligence of interviewed and selected vendors. Mr. Melnick briefed procurement and background review processes followed by City staff in these solicitations. He also briefed the Council Committee review logic and actions.

Councilmember Perry expressed support with procurement process and asked clarification related to City Public Service Energy (CPS-Energy) participation on the installation of the new devices. Mr. Melnick stated that CPS would work with the selected vendor Blink but the vendor would be responsible for installation and work within CPS-Energy structure. Councilman Perry requested clarification on profit sharing benefits and revenue. Assistant City Manager David McCary and City Attorney Andy Segovia provided response to Councilmember Perry related to due diligence of procurement process was followed.

Councilmember Pelaez stated he was not in support of this item due to concerns for number of EV chargers within the City and of items addressed of selected vendor Blink and ongoing investigation. He stated he was comfortable addressing in January after Council had more time to review.

Councilmember Sandoval stated her support of the electric vehicle infrastructure and innovation steps taken by City. She requested consideration of the Mayor and City Manager to post on agendas when and what Council Committees were briefed on items which would provide additional background to Council related to procedure and vetting. City Manager Walsh agreed with request.

Councilmember Courage stated that based on Councilmember Pelaez concerns, he felt that the item should have been reviewed by Innovation Committee. He requested clarification on system membership by users and any related usage discounts. The vendor representative Mr. Orlando provided clarifications on membership. He asked for clarification from staff on whether Mr. Garza's company could be considered if reviewed at later date. Assistant City Manager David McCary stated that there were 5 respondents to the RFP and those would be re-vetted if needed.

Mayor Nirenberg stated that he was disappointed that this item would be delayed. He felt that staff followed process and had concerns of questions to processes.

City Manager Walsh stated that he suggested the Item go back through the High-Profile Committee and staff re-brief the committee on process and any additional steps needed before brought back to Council for consideration. Mayor Nirenberg agreed and addressed staff and thanked for their hard work on item.

Councilmember Pelaez moved to continue Item 34. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

City Clerk Flores read the caption for Item 36.

2020-12-10-0911

- 36.** Ordinance extending the City limits by full purpose annexation of approximately 392.3 acres of land, as consented to by the property owners, which are contiguous to the city limits and located within the City of San Antonio's Extraterritorial Jurisdiction in south Bexar County, and establishing an effective date of December 31, 2020, near City Council Districts 3 and 4. [Roderick Sanchez, Assistant City Manager; Bridgett White, Director, Planning]

Councilmember Viagran asked if parcels being annexed were being annexed due to violation of terms in their non-development agreements which Assistant City Manager Dr. Colleen Bridger confirmed. Dr. Bridger also confirmed that fireworks sales establishments would not be grandfathered into the City boundaries.

Councilmember Rocha Garcia stated her thanks to staff and all who worked on this item. She also requested the Planning Department further evaluate and bring forward an updated zoning plan for properties on provided map, Exhibit No. 4, 5 and 6. She then made motion to approve item.

2020-12-10-0912

- Z-1.** ZONING CASE #Z2020-10700244 (Council Districts 3 & 4): Assigning zoning to property generally bound by Southwest Loop 410 to the north, Corpus Christi and Old Corpus Christi Highway to the east, South Loop 1604 and IH-37 South to the south and Somerset Road to the west, currently located Outside the City Limits by applying zoning overlay districts "AHOD" Airport Hazard Overlay District, "MLOD-2" Lackland Military Lighting Overlay District and "MLR-2" Lackland Military Lighting Region-2 as applicable and "DR" Development Reserve District on P-29 & P-29C, CB 4204; W IRR 2240.49' of TR-8 ARB P-25 MH REFER 80700-001-3385, CB 4002-1; P-328 ABS: 11, CB 4007; LOT P-327 12.150, NCB 16623; P-327 AB 11 84.769 (SALADO/DOS RIOS #2 ANNEXTN), CB 4007-6; P-232 ABS 11, CB 4007; LOT 11, Block 1, CB 4167A and "FR" Farm and Ranch District on P-8C ABS 421, CB 4298 and "NP-15" Neighborhood Preservation District on P-5 (31.52) & P-5C (4) ABS 421, CB 4298; P-5G ABS 421, CB 4298; P-9 ABS 374 (12.59), CB 4296; P-5E (19.21) ABS 421, CB 4298. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: P-29 & P-29C, CB 4204; W IRR 2240.49' of TR-8 ARB P-25 MH REFER 80700-001-3385, CB 4002-1; P-328 ABS: 11, CB 4007; LOT P-327 12.150, NCB 16623; P-327 AB 11 84.769 (SALADO/DOS RIOS #2 ANNEXTN), CB 4007-6; P-232 ABS 11, CB 4007; LOT 11, Block 1, CB 4167A; P-8C ABS 421, CB 4298; P-5 (31.52) & P-5C (4) ABS 421, CB 4298; P-5G ABS 421, CB 4298; P-9 ABS 374 (12.59), CB 4296; and P-5E (19.21) ABS 421, CB 4298. TO WIT: Assigning zoning to property generally bound by Southwest Loop 410 to the north, Corpus

Christi and Old Corpus Christi Highway to the east, South Loop 1604 and IH-37 South to the south and Somerset Road to the west, currently located Outside the City Limits by applying zoning overlay districts “AHOD” Airport Hazard Overlay District, “MLOD-2” Lackland Military Lighting Overlay District, “MLR-1” Lackland Military Lighting Region-1 and “MLR-2” Lackland Military Lighting Region-2 as applicable and “DR” Development Reserve District on P-29 & P-29C, CB 4204; W IRR 2240.49' of TR-8 ARB P-25 MH REFER 80700-001-3385, CB 4002-1; P-328 ABS: 11, CB 4007; LOT P-327 12.150, NCB 16623; P-327 AB 11 84.769 (SALADO/DOS RIOS #2 ANNEXTN), CB 4007-6; P-232 ABS 11, CB 4007; LOT 11, Block 1, CB 4167A and “FR” Farm and Ranch District on P-8C ABS 421, CB 4298 and “NP-15” Neighborhood Preservation District on P-5 (31.52) & P-5C (4) ABS 421, CB 4298; P-5G ABS 421, CB 4298; P-9 ABS 374 (12.59), CB 4296; P-5E (19.21) ABS 421, CB 4298

Councilmember Viagran asked if parcels being annexed were being annexed due to violation of terms in their non-development agreements. Assistant City Manager Dr. Colleen Bridger confirmed that this was correct. Dr. Bridger confirmed that fireworks sales establishments would not be grandfathered into the City limits.

Councilmember Rocha Garcia thanked staff and all who worked on this Item. She also requested the Planning Department evaluate and bring forward an updated Zoning Plan for properties on Exhibit No. 4, 5 and 6.

Councilmember Rocha Garcia moved to approve Items 36 and Z-1. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

CITY MANAGER'S REPORT

37. City Manager's Report

City Manager Walsh reported two items to include a COVID update which would be expanded in the coming week. He stated that there was an increase in cases and current seven-day rolling average was over 1,000 cases per day (1,004) and update numbers daily. He provided hospitalizations and positivity rates. He added that ten hospitals would receive 24,000 doses of Pfizer vaccine once approved by the FDA. City Manager Walsh invited Council questions related to COVID and noted that Dr Bridger was available to answer questions.

Councilmember Sandoval asked for clarification of the additional tools used by the City in addressing an increase in COVID cases. Dr. Bridger stated that all policy options had been utilized. Councilmember Sandoval stressed public awareness of curfews, face coverings and social distancing. She added that City staff needed to continue to wear face coverings and practice social distancing. Dr. Bridger added that she would challenge anybody to find another city who was testing as much as the City of San Antonio. Councilmember Sandoval expressed concern of increase in cases, need for curfews and assurance that companies and staff utilize these guidelines. She stated she observed contractors for public works projects not adhering to these policies and noted her concerns.

City Manager Walsh stated that the City's Public Works Department followed these guidelines and safety of staff is important. Mr. Walsh updated Council on City staff that tested positive to COVID or quarantined due to close contact. The City organization is also showing increases that mirrored the community numbers.

Councilmember Courage supported recommendations related to COVID need to be followed by schools and remote learning. He also echoed need for curfew enforcement and social distancing needed to continue.

Councilmember Rocha Garcia thanked staff on timely updates on COVID numbers and associated challenges in getting information. She stated need for increased testing facilities within Council District 4 and make sure that resources are communicated to the public.

City Attorney Andrew Segovia reminded the Council that this is the City Manager's Report and specific questions be addressed to City Manager be placed on agenda.

Councilmember Andrews-Sullivan stated wanting clarification on COVID vs Flu related cases. Dr. Bridger stated that the City only reports COVID cases and not other flu instances. The Councilmember asked for clarification of cases since there was confusion in the community.

Councilmember Perry stated that he yielded his comments related to curfews based on City Attorney's suggestion.

Councilmember Pelaez commented on the importance of communication to community on the work being conducted by the City and medical community.

Councilmember Viagran asked for clarification for numbers of City employees that tested positive for COVID which Mr. Walsh stated 23 in Fire Department, 42 in Police Department, 18 uniform and Solid Waste was in mid-twenties. Dr. Bridger provided additional information on re-infection possibilities and other COVID items.

City Manager Walsh ended his report with highlight video on school crossing program and services.

EXECUTIVE SESSION

Mayor Nirenberg recessed the meeting at 12:39 PM to discuss the following items:

- A. Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B. The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C. Legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).

- D. Legal issues related to litigation involving the City pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E. Legal issues relating to COVID-19 preparedness pursuant to Texas Government Code Section 551.071 (consultation with attorney)].
- F. Legal issues related to City facilities pursuant to Texas Government Code Section 551.071 (consultation with attorney)

Mayor Nirenberg reconvened the meeting at 2:03 PM and announced that no action was taken.

ADJOURNMENT

There being no further discussion, Mayor Nirenberg adjourned the meeting at 2:06 PM.

APPROVED

RON NIRENBERG
Mayor

Attest:

TINA J. FLORES
City Clerk