

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



**Meeting Minutes
City Council A Session**

No in-person access to this meeting

Thursday, February 11, 2021

9:00 AM

Videoconference

ROLL CALL

The City Council convened in a Regular Meeting. City Clerk Tina 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 Will Davis of Wayside Chapel, Stone Oak campus, guest of Councilmember Courage.
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 November 12, 2020, November 16, 2020, and December 2, 2020

Councilmember Rocha Garcia moved to approve the November 12, 2020, November 16, 2020, December 2, 2020 Minutes. Councilmember Sandoval 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

POINT OF PERSONAL PRIVILEGE

Councilmember Rocha Garcia announced that the Girls Empowerment Summit would be held on March 11-12, 2021. She stated that girls aged 13-18 could register online and the summit would be televised on multiple channels. She indicated that the summit would focus on professional development, understanding social media, self-care, and healthy relationships. She thanked her Council Colleagues for their support.

Councilmember Pelaez reported that the City of San Antonio was designated as one of three new Bird Cities in Texas. He stated that this was a very important designation to ensure the enactment of habitat improvements, address threat assessments, and grow community engagement.

Councilmember Courage thanked Will Davis, Pastor of Wayside Chapel, for making their facilities available for community meetings.

Mayor Nirenberg spoke in support of Item 13 which was a Resolution nominating KCI USA as a Texas Enterprise Project. He stated that the nomination supported KCI's investment in San Antonio and its over 1,200 well paying jobs for the community.

CONSENT AGENDA ITEMS

Item 4, 9, 21, and 22 were pulled for Individual Consideration.

Councilmember Sandoval moved to approve the remaining Consent Agenda Items. Councilmember Rocha Garcia 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

5. Ordinance approving a contract with Due Amicis, Inc., dba Green Landscaping, for an estimated cost of \$143,880.00 annually to provide landscaping services and monthly preventative maintenance and repair services for irrigation systems at various locations throughout the City. No funds will be encumbered by this ordinance. Funding is available from the respective department's operating budget adopted by City Council. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2021-02-11-0091

6. Ordinance approving the following contracts establishing unit prices for goods and services for an estimated annual cost of \$507,000.00, included in the respective department's FY 2021 Adopted Budget:(A) Alamo Distribution LLC, dba Alamo Iron Works, and HD Supply Construction Supply, LTD, for reinforced steel and wire mesh; (B) Samuels Glass Company for building glass maintenance, repair and replacement services for various City locations; and (C) Helena Agri Enterprises, LLC, for herbicides. [Ben Gorzell, Chief Financial Officer; Troy

Elliott, Deputy Chief Financial Officer, Finance]

2021-02-11-0092

7. Ordinance awarding the FY 2021 Pavement Preservation Package 4 - Onyx Seal Task Order Contract to Intermountain Slurry Seal, Inc. in an amount not to exceed \$903,797.50 to complete street maintenance pavement preservation projects identified in the Infrastructure Management Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2021-02-11-0093

8. Ordinance approving a task order to a Job Order Contract with Jamail & Smith Construction, LP in the amount of \$210,643.25 for energy efficient upgrades to Carver Facilities located in Council District 2. Funding is available through the Office of Sustainability's Energy Efficiency Fund. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2021-02-11-0095

10. Ordinance approving the submission of a Child Care Services Quality Initiative Grant application and acceptance of \$1,204,793.00, if awarded, for the period of March 1, 2021 to February 28, 2022 with up to four one-year extensions;; and approving a personnel complement of an additional 10 positions for a revised personnel complement of 80 positions for the Department of Human Services. [Lori Houston, Assistant City Manager; Melody Woosley, Director, Human Services]

2021-02-11-0096

11. Ordinance appointing Richard Delgado and Skylar Camarena to the Citizen Advisory Action Board, commonly referred to as the Complaint and Administrative Review Board, for terms to expire on February 11, 2023. [Tina J. Flores, City Clerk]
12. Approving the following Board, Commission and Committee appointments for the remainder of unexpired terms to expire May 31, 2021 or for the terms shown below. [Tina J. Flores, City Clerk]

A) Appointing Sydney Knowles (District 6) to the Ethics Review Board for a term of office to end April 25, 2022.

2021-02-11-0006R

13. Resolution nominating KCI USA, Inc. as a Texas Enterprise Project. [Carlos Contreras, Assistant City Manager; Alejandra Lopez, Director, Economic Development]

2021-02-11-0097

14. Ordinance approving a Funding Agreement between the Westside Development Corporation, Westside TIRZ Board of Directors, and the City of San Antonio for an amount not to exceed \$110,000.00 for the Westside Development Corporation's Strategic Plan in Council Districts 1 and 5. [Lori Houston, Assistant City Manager;

Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

2021-02-11-0098

15. Ordinance approving a Professional Services Agreement with Priority Title & Escrow, LLC to perform real estate title services in an amount up to \$125,000.00 for the City's U.S. Department of Housing and Urban Development funded affordable housing programs for four years, with options to renew. [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2021-02-11-0099

16. Ordinance approving a Professional Services Agreement with BBG Consulting, Inc. to provide on-call residential rehabilitation inspection services in an amount up to \$190,000.00 per year for the City's U.S. Department of Housing and Urban Development funded affordable housing programs for four years, with an option to renew. [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2021-02-11-0100

17. Ordinance approving a Professional Services Agreement with HNX Enterprises, LLC to conduct on-call real estate services in an amount up to \$60,000.00 per year for the City's U.S. Department of Housing and Urban Development funded affordable housing programs for four years, with an option to renew. [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2021-02-11-0101

18. Ordinance approving a Professional Services Agreement with Veteran Home Inspections, PLLC to conduct on-call residential inspection services in an amount up to \$150,000.00 for the City's U.S. Department of Housing and Urban Development funded Homeownership Incentive Program activities for four years, with an option to renew. [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2021-02-11-0007R

19. Amended Resolution of No Objection for Atlantic Pacific Communities' application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the construction of the Villas at Echo East, a 192-unit multi-family rental housing development, located at west of the intersection of Spriggsdale Avenue and Como Street in Council District 2. [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2021-02-11-0102

20. Ordinance approving a Sports License Agreement with Karma Youth Empowered, Inc. d/b/a Brooks Inner City Sports for operations, maintenance and programming of the designated sports fields at Pytel Park in Council District 3. There is no fiscal impact associated with this ordinance. [David W. McCary, CPM, Assistant City

Manager; Homer Garcia III, Director, Parks and Recreation]

CONSENT ITEMS CONCLUDED

ITEMS FOR INDIVIDUAL CONSIDERATION

City Clerk Flores read the caption for Item 4A.

4. Consideration of the following items relating to the May 1, 2021 uniform election date:

2021-02-11-0087

- 4A. Ordinance ordering the General City Election to be held on Saturday, May 1, 2021 and Run-off Election to be held on Saturday, June 5, 2021, if necessary. [Tina Flores, City Clerk]

City Clerk Tina Flores stated that the proposed Ordinance would officially order the General Election to be held on Saturday, May 1, 2021 for the purpose of electing the Mayor and 10 Councilmembers. She reported that the drawing for the order of places on the ballot would be held on February 15, 2021 and would be held via Web-Ex. She indicated that the names of the applicants were listed on the Office of the City Clerk website. She noted that April 1, 2021 was the last day residents could register to vote, and early voting would begin on April 19, 2021 and end on April 27, 2021. She added that the deadline for application for a ballot to vote by mail was April 20, 2021, and election day was May 1, 2021 from 7:00 am to 7:00 pm.

Ms. Flores reported that if a run-off election was necessary, May 6, 2021 would be the last day for residents to register to vote. She stated that early voting for the run-off election would be held from May 24, 2021 through June 1, 2021 and the run-off election would be held on June 5, 2021. She noted that the City contracted with Bexar County to provide election services and the cost for elections was included the FY 2021 Municipal Elections Budget.

Ms. Flores stated that the General Election was ordered and conducted in accordance with the Voting Rights Act, Texas Election Code, Government Code, Local Government Code, City Charter, and any other applicable law. She indicated that the proposed Ordinance was coordinated with the Office of the City Attorney, and the Bexar County Elections Office.

Councilmember Viagran asked which locations would be utilized for early voting. Ms. Flores stated that Bexar County Elections Administrator Jackie Callanen indicated that the Memorial Branch Library and Crossroads Mall would be utilized for immunizations and might interfere in the election. She stated that she was working with Assistant City Manager Lori Houston to see if the locations normally utilized on election day could be utilized. Councilmember Viagran asked if the same number of locations used in the past would be used this time. Ms. Flores replied that they would which was her goal.

Councilmember Sandoval asked what precautions would be taken at voting sites. Ms. Flores stated

social distancing would be ensured at the voting sites and face masks would be required at City facilities, and hand sanitizer would be available.

Councilmember Gonzales reported that the Memorial Branch Library was under construction as part of the 2017 Bond Program and staff partnered with Edgewood to find an alternative site.

Mayor Nirenberg called upon the individual registered to speak.

Reinette King spoke on behalf of the SAWS Act PAC and stated that the expensive and unethical attack on SAWS' attorneys on the petition was a waste and abuse of rate payer funds.

Councilmember Viagran moved to approve Item 4A. Councilmember Andrews-Sullivan 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 4B.

2021-02-11-0088

4B. Ordinance ordering an election for May 1, 2021 to amend the City Charter to allow the City to issue bonds for permanent public improvements or any other public purpose including affordable housing projects. [Andy Segovia, City Attorney]

City Attorney Andy Segovia stated that the proposed Ordinance would order an election on May 1, 2021 to amend the City Charter to allow the City to issue bonds for permanent public improvements or any other public purpose including affordable housing projects. He indicated that the Charter Review Commission (CRC) was charged by the Mayor to set the scope and different items for recommending changes to the City Charter. He noted that it was a robust process to develop recommended changes with City Council and staff input, through community outreach, stakeholder input, and consultation with experts. He reported that the CRC recommendations would be submitted to the City Council and the City Council would select the changes to the City Charter. He added that the community would vote on the proposed changes.

City Attorney Segovia stated that in May 1997, there was a change to Section 98 which limited the parameters under which the City could develop bond projects pertaining to public works. He noted that based on the needs of the community, it was recognized that the change to limit bond projects to public works was hindering the City's ability to develop bond projects that address other key needs in the community, such as affordable housing. He reported that in 2016, 2017, and in 2018, the Charter Review Commissions reviewed proposed language amending the City Charter, Section 98, to allow more flexibility. He added that the proposed amendment language would augment the 2016, 2017, and 2018 language to align with local bond authority allowed under State Law.

City Attorney Segovia presented the current and proposed ballot language and noted that housing was included in the 2017-2022 Bond Program. He stated that this required the City to utilize the Urban Renewal Act which presented the following constraints:

- Required an adopted Urban Renewal Plan designating areas where funding could be used.
- Designated areas were harder to develop (blight and slum criteria) and/or had high land value.
- Sites were limited and must find willing sellers to negotiate acquisition.
- Limited use of funds to site readiness activities (horizontal improvements, not vertical).
- Urban Renewal Plan required single-family for homeownership to be sold to an individual/family or at below 80% AMI (HUD) and have a 30-year restrictive covenant.
- Competitive bidding process of individual sites would add at least 6-12 months to the project timeline.
- Pre-development costs were considered ineligible until City Council approval of a project.

City Attorney Segovia stated that the language initially proposed was edited to include public purpose with a focus on affordable housing. He provided examples from other Texas cities of their ballot language and bond projects. He stated that the proposed language in the City's Ordinance would permit:

- Land acquisition
- New construction gap financing
- Texas Displacement Tool Kit
- Preservation of existing housing stock
- AMI targeting
- Priority locations

City Attorney Segovia stated that the change was driven by the need for affordable housing and staff wished to align the City with other Texas cities which would provide flexibility with other issues that would arise such as economic development. He stressed that anything included in a bond program would require approval by the City Council and the voters.

City Attorney Segovia spoke of the ability to partner with the San Antonio Housing Authority (SAHA). He stated that work with SAHA was limited by the public works language and language in Section 3 of the City Charter which stated that if the City transferred property it must include a covenant that prevents such land from being sold or used by a public housing agency. He reported that the proposed language gave the City the opportunity to work with SAHA on projects where property would not be transferred or the City's property would not be used for public housing agencies.

City Attorney Segovia provided the timeline for the 2022 Bond Program. He stated that staff recommended that the City align itself with other Texas cities and gain flexibility that was allowed under State Law.

Councilmember Gonzales asked if a project for Brownfield development could be included in a bond project under the proposed changes to the City Charter. City Attorney Segovia stated that it could so long as it was tied to a legitimate public purpose.

Councilmember Sandoval asked if there were other funding sources that could be used for affordable housing. City Attorney Segovia stated that there were and the proposed language gave the City

another tool to fund affordable housing projects.

Councilmember Andrews-Sullivan stated that the next bond program could revitalize, uplift, and leverage what could be accomplished in the community as a result of the proposed change to the City Charter. She expressed support for the proposed changes.

Councilmember Treviño stated that he was approached with concerns that economic development projects under this change to the City Charter could alter the intended goal of affordable housing creation and retention. He asked if any other cities created City Charter language that restricted or limited the types of economic development projects that could be proposed without violating State Law or that would hamper the City's ability to create and protect affordable housing. City Attorney Segovia replied that other cities had not and had adopted the broader language.

Councilmember Perry stated that bond projects should support streets, drainage, parks, and libraries. He spoke of the lack of community input and the absence of a process and of the unintended consequences related to utilization of broader language in the City Charter.

Councilmember Courage asked of the effect of a bond program on taxpayers. City Manager Walsh stated that he would recommend that the City develop bond program projections which were within the existing tax rate. He stated that it would be up to the voters to decide what to include in upcoming bond programs.

Councilmember Rocha Garcia spoke of the need for affordable housing and the increased unemployment rate in Council District 4. She expressed her support for the proposed changes to the City Charter.

Councilmember Pelaez stated that City Council had a responsibility to give voters as many choices as possible for bond projects. He noted that he trusted the voters and expressed support for the item.

Councilmember Sandoval expressed concern regarding the vetting process. She stated that housing was part of the City's core function and noted that she would support the proposed changes to the City Charter.

Mayor Nirenberg stated that the community should have more flexibility in bond programs and the proposed changes would allow for smart, responsible, and flexible growth as the population continued to increase. He noted that he supported the recommendation by staff.

Councilmember Gonzales moved to approve Item 4B. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, and Courage

NAY: 1 - Perry

City Clerk Flores read the caption for Item 4C.

2021-02-11-0089

- 4C. Certification of the sufficiency of the signatures of the petition submitted regarding the repeal of the adoption of Texas Local Government Code, Chapter 174 that provides for Collective Bargaining for San Antonio Police Officers, and ordering a special election on May 1, 2021 for the registered voters of the City of San Antonio to consider the matter. [Tina J. Flores, City Clerk]

City Clerk Tina Flores reported that on Friday, January 8, 2021, the Office of the City Clerk received a petition which stated “Petition to repeal Chapter 174 of the Texas Local Government Code, which would eliminate collective bargaining applicable to the City of San Antonio’s Police Officers, pursuant to Chapter 174.053 of the Texas Local Government Code. This petition requested the City Council to conduct an election of registered voters to determine whether Chapter 174 shall be repealed in its entirety”.

City Clerk Flores stated that the Office of the City Clerk utilized the Bexar County Elections Office’s Voter Elections Management and Compliance System (VEMACS). She noted that VEMACS was programmed in accordance with provisions outlined in Chapter 277 of the Texas Election Code and allowed users to search and verify by voter identification number, name, address, or date of birth as well as providing for signature verification.

City Clerk Flores reported that the following numbers represented the signatures verified for the petition:

RULE DESCRIPTION	TOTAL
Valid	20,282
Not registered	1,541
Valid duplicate on petition	428
Voter cancelled	234
Signature questionable	1
Signed prior to voter registration	61
Signing date invalid	225
Voter status not registered	22
District invalid (out of City)	2,922
Unchecked line	2,744
Signature rejected	386
Address rejected	4
No circulator on page	10
Neither VUID or DOB	1
GRAND TOTAL	28,861

City Clerk Flores reported that the pages numbered 6001-6916 were not verified as they were not needed to reach the statutory requirement. She stated that the pages numbered 6717-6916 did not meet the statutory requirement of a circulator statement.

City Clerk Flores stated that she determined that each verified page of the petition had a proper

statement of the circulator and was signed by a sufficient number of qualified electors, per Section 37 of the City Charter and Section 9.004 of the Local Government Code. She certified the results of the examination of the petition submitted as valid. She reported that certification was hereby declared, and action was required. She added that the City Council must order an election on the matter and noted that February 12, 2021 was the last day to call the election.

City Attorney Segovia asked the City Council not to discuss the merits of the petition.

Councilmember Pelaez congratulated the citizens that collected all of the signatures.

Councilmember Treviño commended the citizens who collected the signatures for their commitment to the democratic process. He asked how the proposed language differed from the language that the voters initially approved in 1974. City Attorney Segovia stated that Chapter 173 allowed for a community to repeal it after adoption.

Councilmember Viagran moved to approve Item 4C. Councilmember Sandoval 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 9.

2021-02-11-0094

9. Ordinance approving: 1) the acquisition of .95 acres of land located at 419 San Pedro Avenue and 425 San Pedro Avenue, by the City of San Antonio, by and through the Urban Renewal Agency of the City of San Antonio, doing business as the Office of Urban Redevelopment San Antonio (OUR SA), from Mireles Properties LLC and Marquee Investments LLC for an amount not to exceed \$2,000,000.00; 2) authorizing the sale of said .95 acres of land to Franklin Development Properties, Ltd. by the City of San Antonio, by and through the OUR SA for a sales price of \$500,000.00 payable to the City as program income for the 2017-2022 Neighborhood Improvements Bond Program; and 3) authorizing the City to reimburse eligible expenses to Franklin Development Properties, Ltd in accordance with the Urban Renewal Plan in an amount not-to-exceed \$2,650,000.00 which includes a \$350,000.00 contingency for additional authorize expenses; a Neighborhood Improvement Bond Program Project funded by the 2017-2022 General Obligation Bond, located in Council District 1. [Lori Houston, Assistant City Manager; Veronica R. Soto, Director, Neighborhood & Housing Services]

Councilmember Viagran requested a presentation for the Item.

Neighborhood and Housing Services Department Director Veronica Soto reported that the 2017 Neighborhood Improvement Bond was \$20 million and the Urban Renewal Agency was utilized to implement the Program. She stated that three projects were approved by the City Council and had received appropriations. She noted that the City could operate in 12 improvement areas and the projects proposed would include 512 housing units. She indicated that the property was located in

Council District 1 and the two adjoining properties at 419 San Pedro Avenue and 425 San Pedro Avenue were priced at \$2 million.

Ms. Soto stated that a Request for Proposals (RFP) was released on October 12, 2020, responses were due on November 18, 2020, and the selected developer was Franklin Development Properties, Ltd. She noted that the developer would construct a multifamily development to include 80 family-sized units at 60% AMI or below. She indicated that of the units, four would be two bedroom/two bath at 858 square feet; and 39 units would be three bedroom/two bathroom at 1,093 square feet. She reported that onsite amenities included:

- Resident support services
- Controlled gate access/podium parking
- Business, fitness and community center
- Children's playscape, dog park and laundry room

Ms. Soto stated that staff proposed approval of the Ordinance to: 1) Acquire .95 acres located at 419 San Pedro Avenue and 425 San Pedro Avenue from owners for an amount not to exceed \$2,000,000; 2) Approve a contract for sale of land to Franklin Development Properties, Ltd. for \$500,000 payable to the Affordable Housing Fund; and 3) Authorize a contribution to Franklin Development Properties, Ltd. in a total amount not to exceed \$2,650,000 which included a \$350,00 contingency for eligible expenses.

Ms. Soto reported that OUR SA would sell the two (2) lots to Franklin Development Properties, Ltd. for \$500,000 payable to the Affordable Housing Fund as program income.

Ms. Soto stated that a pre-solicitation briefing was presented to the Audit and Accountability Committee on October 20, 2020; a Neighborhood Improvement Bond briefing was presented to the Planning and Land Development Committee on November 9, 2020; and a post-solicitation briefing was presented to the Audit and Accountability Committee on January 19, 2021. She noted that the Office of Urban Renewal approved the project on January 19, 2021 and a presentation on Low Income Housing Tax Credit (LIHTC) projects was presented to the Planning and Land Development Committee on February 8, 2021. She added that the project was seeking 9% LIHTC.

Ms. Soto indicated that the project was in line with regulations of the Housing Bond Program.

Councilmember Viagran asked if the project would be coming back to the City Council on any other item such as zoning. Ms. Soto stated that the project would be brought back before City Council for zoning and a Resolution of support seeking 2021 Competitive 9% Housing Tax Credits from TDHCA would be brought before the City Council today.

Mayor Nirenberg called upon the individual registered to speak.

Ryan Wilson thanked Mayor Nirenberg and the City Council for their leadership to address the affordable housing crisis with the creation of Neighborhood Improvement Bond Program. He stated that Franklin Development Properties, Ltd. was excited to partner with the City in providing high quality workforce housing in Council District 1 near transit, schools and job centers. He thanked the

City Council for their support.

Councilmember Treviño thanked the public for recognizing the need to revitalize important blighted areas with new affordable housing and other amenities by approving the Neighborhood Improvement Bond Program in 2017. He stated that the project met the housing goals and the expectations of the public. He requested continued communications between the neighborhoods, the staff and the developer.

Councilmember Sandoval asked for the number of parking spaces per unit. Mr. Wilson replied that there was one parking space per unit. Councilmember Sandoval asked if the rent would be fixed based on income and if the rent would increase based on the AMI. Ms. Houston reported that tenant rent could not be more than 30% of their income.

Councilmember Gonzales asked if the three projects noted had been approved. Ms. Soto replied that they had.

Councilmember Viagran thanked Councilmember Sandoval for her questions and stated that they would be discussed at a Public Safety Committee meeting.

Councilmember Treviño moved to approve Item 9. 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

2021-02-11-0103

- 21.** Ordinance approving an agreement with TXC Texas Creative, Ltd. to develop and implement the SA Climate Ready Public Engagement & Communications Initiative with an initial term of one year with the option to extend for two additional one-year terms at a cost of \$195,000.00 per term for a total not to exceed \$585,000.00. Twenty percent, or \$39,000 will be made available year-one, with the option to increase to 40% in subsequent years, through sub-contracts to grassroots organizations for equity-based engagement with vulnerable populations most impacted by climate change. Funding is available in the Office of Sustainability FY21 Budget.

[David McCary, Assistant City Manager; Douglas Melnick, Chief Sustainability Officer]

Chief Sustainability Officer Douglas Melnick reported that on June 22, 2017, the City Council passed a Resolution in support of the Paris Climate Agreement and directed staff to develop a plan to help San Antonio meet the objectives of the agreement. He stated that approximately two years later, the City Council adopted the Climate Action and Adaptation Plan (CAAP). He noted that the CAAP positioned San Antonio to benefit from the funding stream of the Executive Order by President Biden to bring the United States back into the Paris Climate Agreement which would become effective on February 19, 2021.

Mr. Melnick stated that San Antonio was one of 20 cities selected to participate in the American Cities Climate Challenge which provided \$215,000 in direct support for local initiatives, access to nationally

renowned consultants in transportation and energy efficiency, two climate advisors for two years, and research and data analysis assistance.

Mr. Melnick reported that climate projections indicated that there would be hotter days, less precipitation, and extreme weather which had direct social and economic impacts. He indicated that one of the most important categories of the CAAP highlighted the need for increased awareness and education related to climate impacts.

Mr. Melnick stated that one of the main pillars of the CAAP was to educate and empower. He noted that with climate equity as the foundation, the City needed to acknowledge what was important to residents and businesses such as clean air, public health, water quality and conservation, economic competitiveness and good jobs, transportation choices, clean and secure energy, and emergency preparedness.

Mr. Melnick reported that to engage the community, the Office of Sustainability implemented the Public Engagement and Communications Initiative. He indicated that this would allow for a two-way dialogue across all sectors of San Antonio. He stated that the strategies of the initiative included: 1) Communications and Engagement Channels; 2) Graphic design services; 3) Targeted stakeholder engagement; and 4) Identify and track campaign key performance indicators.

Mr. Melnick stated that in order to prioritize climate justice:

- 20% of funding would be allocated for grassroots organizations to work with the traditionally underserved, considered “hard to reach,” and those most impacted by climate change
- Convene Climate Equity Advisory Committee and the Office of Equity to identify priority communities
- Identify potential organizations and select recommended subcontractors to be approved by CoSA
- Consult with the SA Climate Ready Advisory Committee on the detailed scope and implementation

Mr. Melnick reported that Texas Creative, Ltd. (TXC) would develop and implement the Initiative and was a locally owned and operated, women-owned small business with a diverse portfolio focused on motivating behavior change for the public good.

Mr. Melnick stated that the fiscal impact of the agreement was \$195,000, with an option of two, one-year renewal options at a cost of \$195,000 per term. He noted that 20%, or \$39,000 per year would be made available through subcontracts to grassroots organizations for equity-focused outreach. He indicated that the funding was approved in support of the CAAP as part of the Office of Sustainability FY 2021 Budget which was supported by the Solid Waste Fund.

Assistant City Manager David McCary stated that the Climate Equity Advisory Committee was not part of the Request for Proposals (RFP) process nor was it ever the intent for them to be a part of the RFP process. He indicated that the Climate Equity Advisory Committee was part of the designed interaction between TXC and the advisory group. He noted that a business should never be lost due to the CAAP.

Councilmember Sandoval thanked David McCary, Douglas Melnick, and Julia Murphy for their work on the process. She stated that the team had spent many hours fine tuning the proposal and its arrangements and speaking with community members.

Councilmember Andrews-Sullivan stated that education was key in making sure the community had the resources and the information to advocate for what they would like to see in their city.

Councilmember Pelaez asked if the contract increased or decreased the CAAP initiatives. Mr. Melnick replied that it did not.

Councilmember Perry asked what the balance in the Solid Waste Fund was. City Manager Walsh stated that he would provide an update on the Solid Waste Fund balance. Councilmember Perry expressed concern that the initiative was supported by the Solid Waste Fund and paying for an advertising campaign to educate people on the CAAP. He noted that the funds would be better spent for those that were struggling to pay their monthly bills. He stated that he did not support funding for the initiative.

Councilmember Rocha Garcia asked for the specific uses that enterprise funds could support. Mr. McCary stated that enterprise funds could be utilized to support household hazardous waste, dead animal collections, drop-off locations, illegal dumping, the environment, and sustainability. He stated that he would provide a full list of acceptable uses for enterprise funds. Councilmember Rocha Garcia expressed her support for the contract.

Councilmember Treviño thanked Councilmember Sandoval for her leadership on the item. He stated that this would provide the opportunity to learn how to better engage vulnerable organizations through grassroots organizations. He expressed his support for the item.

Councilmember Sandoval stated that the City Council committed to this when the CAAP was adopted.

Councilmember Perry asked if there were any goals or metrics associated with the contract. Mr. Melnick stated that if the City Council approved the contract, the Advisory Committees would be convened with the Office of Equity and Government and Public Affairs to define the goals and metrics. Councilmember Perry stated that he did not agree with setting goals and metrics after the contract was approved and added that normally, the goals and metrics were stated as part of the RFP process. He indicated that the Advisory Committee had not met regarding the contract. Mr. Melnick stated that the Advisory Committees were briefed on this project in November 2020, briefed on the scope of work in December 2020, and in January 2021 staff requested feedback.

Councilmember Viagran thanked Mr. Melnick and Mr. McCary for presenting the facts and Councilmember Sandoval for her efforts.

Mayor Nirenberg stated that he looked forward to hearing about the metrics and the evaluation process and hearing from the Community Health and Equity Committee.

Councilmember Sandoval moved to approve Item 21. Councilmember Pelaez seconded the motion.

The motion prevailed by the following vote:

AYE: 10 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, and Courage

NAY: 1 - Perry

City Clerk Flores read the caption for Item 22.

22. Resolutions of Support for the following multifamily rental housing development projects seeking 2021 Competitive 9% Housing Tax Credits from the Texas Department of Housing and Community Affairs: [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

Mayor Nirenberg called upon the individuals registered to speak.

Ryan Wilson stated that the S. San Pedro Project was on a transit corridor and a VIA bus stop would be incorporated. He noted that the project included amenities and units which were specific to families and would provide 20% of its units at 30% Area Median Income (AMI). He indicated that the City Council should consider awarding Concerted Revitalization Plan (CRP) points to the development. He added that given the current census tract scoring criteria, if other developments in Council District 1 were awarded 9% credits it would prevent the San Pedro development from being competitive in the San Antonio region.

Brad McMurray spoke of the amenities at the Village at Perrin Beitel. He stated that not following staff's recommendation for approval could financially cripple a local non-profit affordable housing provider.

Nicholas Walsh stated that the goal of the 9% Housing Tax Credit Program was to add to the affordable housing stock in San Antonio. He noted that in accordance with the City's adopted Affordable Housing Policy, he urged the City Council to support the staff recommendation for the Fiesta Trails and the Ada Street Apartments.

Lorraine Robles spoke in support of the Snowden Apartments in Council District 7 and noted that the San Antonio Housing Authority (SAHA) believed that it was an opportunity to bring more affordable housing to the Medical Center and the City of San Antonio. She indicated that of the 135 units, 100% were affordable at 60% AMI or below.

Mitch Meyer stated that he was the owner of the Aurora Apartments which was getting expensive to manage due to the mandate from the City to install sprinkler systems. He asked if he could build a new building for his residents according to City Code with a sprinkler system installed.

Councilmember Gonzales asked if a delay for 22H would disqualify this project. Veronica Soto stated that the full application from the developers was due on March 1, 2021.

Councilmember Sandoval stated that staff would take the extra week to ensure that the previous

concerns were addressed.

City Clerk Flores read the caption for Item 22A-22H.

2021-02-11-0008R

22A. Cosmopolitan Apartments at 311 West Laurel St in Council District 1

Councilmember Pelaez asked Mr. Meyer what he was asking the City Council to do. Mr. Meyers stated that he was requesting a Resolution stating that he would be the only one receiving support for contributing to a Revitalization Plan.

Councilmember Gonzales urged her colleagues to approve the recommendations by staff.

Councilmember Treviño asked if staff would recommend that only one or a few projects be considered as contributing to a community revitalization designation. Ms. Soto replied that staff would not recommend that and if the City Council chose to select one above the others, there were impacts for what the City as a whole may obtain in housing tax credits and staff would ensure that projects that met the criteria were competitive. She indicated that it was difficult to gauge the scoring system at the Texas Department of Housing and Community Affairs (TDHCA). She noted that the deadline was March 1, 2021 but the awards were not dispersed until July 2021 and in that time, there were many things that the State considered. She stated that if the City Council took this action, the City may only have two projects left. She urged the City Council to approve the staff recommendation because it followed the City's adopted policy. Councilmember Treviño stated that he believed that the City had a good process which had to be adhered to and stated that he did not support the motion.

Councilmember Perry stated that he would like to have more discussion on the motion. He discussed the advantages and disadvantages of the motion if approved.

Councilmember Andrews-Sullivan asked what resources were available to developers. Ms. Soto stated that they could apply for the 4% tax credit and seek subsidies and partnerships. She noted that they could also pursue HUD Entitlement grant funds and the San Antonio Housing Trust could offer support. Councilmember Andrews-Sullivan expressed concern that individuals could be displaced. She stated that she wanted to ensure preservation of the safety for families. She asked Mr. Meyers how to prevent evictions. Mr. Meyer stated that evictions could be prevented by approval of his project.

Councilmember Rocha Garcia stated that the City Council could not pick and choose when the process should be followed. She asked of the permitting process regarding sprinkler systems. Assistant City Manager Rod Sanchez stated that City Code dictated when a sprinkler system was required and it was up to the developer to complete or renovate their development while meeting all building codes. Councilmember Rocha Garcia stated that she would listen to what her colleagues said and then make her decision.

Councilmember Treviño asked City Manager Walsh to review what precipitated the requirement for sprinklers. City Manager Walsh stated that after the fire in the Wedgewood Building, the requirement of sprinkler systems in high-rise buildings was discussed at the Public Safety Committee, the ensuing

legislative session, and at City Council. He indicated that there were some older buildings that did not have a sprinkler system and the Aurora Apartments fell into that category. He noted the long lead time for owners to retrofit those facilities.

Councilmember Pelaez highlighted the Fiesta Trails project in Council District 8 which had support of the neighbors. He thanked NRP for working with the neighborhoods and managing everyone's expectations.

Councilmember Pelaez moved approve Item 22A. Councilmember Perry seconded the motion. The motion failed by the following vote:

AYE: 1 - Pelaez

NAY: 10 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

2021-02-11-0009R

22B. Four25 San Pedro at 419 San Pedro and 425 San Pedro in Council District 1

2021-02-11-0010R

22C. Denver Heights Senior Village at the intersection of Martin Luther King Dr & Roberson Ave in Council District 2

2021-02-11-0011R

22D. Village at Boyer at 1510 Hoefgen Ave in Council District 2

2021-02-11-0012R

22E. Ada Street Apartments at 3618 S New Braunfels in Council District 3

2021-02-11-0013R

22F. Fish Pond at Prospect Hill at 1601 Buena Vista Street and 1615 Buena Vista Street in Council District 5

2021-02-11-0014R

22G. Village at Medical Senior Apartments at 5318 Medical Dr and 5326 Medical Dr in Council District 7

CONTINUED UNTIL 2/18/2021

22H. Snowden Apartments at 7223 Snowden Road in Council District 7

2021-02-11-0015R

22I. Fiesta Trails in 12485 W Interstate 10 in Council District 8

2021-02-11-0016R

22J. Vista Med at 4932 Research in Council District 8

2021-02-11-0017R

22K. Village at Perrin Beitel at 2611 NE Loop 410 in Council District 10

Councilmember Sandoval moved to continue Item 22H until February 18, 2021. 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

Councilmember Sandoval moved to approve Items 22A through 22K with the exception of Item 22H. 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

The City Council sang happy birthday to Councilmember Pelaez.

City Manager's Report

23. City Manager's Report

City Manager Walsh recognized Aurora Perkins as the new Deputy City Clerk. He recognized her work as the Parking Administrator. He reminded the City Council that the first collective bargaining Session with SAPOA would be held on February 12, 2021. He reported that Animal Care Services (ACS) was working on the rollout of an adoption program. He played a video highlighting Rolando Lopez and Kaitlan Helton and the very important work that they did in ACS.

Councilmember Viagran congratulated Aurora Perkins and thanked ACS for all of the work that they had done.

Councilmember Courage asked if the collective bargaining negotiations would be televised on TVSA for the public to view. Deputy City Manager Maria Villagomez reported that they would be live-streamed on the City's website and on the City's Facebook page. She noted that they would not be televised on TVSA due to a conflict. City Manager Walsh indicated that staff would update the website to include proposals presented to SAPOA.

Councilmember Treviño asked City Manager Walsh to inform the public about what the City was doing for the unsheltered population. City Manager Walsh stated that staff of the Human Services Department and the City's partners at Haven for Hope provided outreach at homeless encampments. He noted that the City had set aside additional hotel room space for individuals to get out of the weather over the next four days. He indicated that Haven for Hope had made a significant amount of space available and was halting several of its policies for entry. He added that there was an explosive device or bomb threat at Haven for Hope and he would send an email to the City Council regarding the outcome.

ADJOURNMENT

There being no further discussion or Executive Session, Mayor Nirenberg adjourned the meeting at 1:23 PM.

APPROVED

RON NIRENBERG
Mayor

Attest:

TINA J. FLORES
City Clerk

DRAFT