

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



**DRAFT  
Meeting Minutes  
City Council B Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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**Wednesday, August 8, 2018**

**2:00 PM**

**Municipal Plaza Building**

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The City Council of San Antonio convened in the “B” Room of the Municipal Plaza Building. City Clerk Leticia Vacek took the Roll Call noting the following Councilmembers present:

**PRESENT:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

1. Briefing on the Strategic Planning Process for the San Antonio Symphony [Lori Houston, Assistant City Manager; Debbie Racca-Sittre, Director, Arts and Culture]

Michael Kaiser stated that the City-County Symphony Transformation Task Force investigated the role of the Arts in San Antonio. He noted that there were a large number of local arts organizations and that the Symphony Society of San Antonio was the largest performance-producing arts organization in the City. He reviewed arts organizations in similar Metropolitan Statistical Areas and highlighted that San Antonio’s expenditures were small in comparison to other cities due to a lack of individual donors. He stated that 34 cities had larger symphonies with longer seasons and most other major orchestras paid higher salaries. He noted that all national orchestras faced challenges in the arts world, challenges in the symphony world, and needed innovation to be successful. He stated that the Task Force examined different orchestra models and designed a plan to improve the Symphony’s health. He outlined strengths and weaknesses of the organization and noted the

importance of inclusivity and dynamic programming to improve the financial standing of the orchestra. He reviewed proposed changes and enhancements in programming, education, outreach, and staffing. He provided an overview of plans for implementation of the proposed Strategic Plan and presented a five-year financial forecast.

Mayor Nirenberg thanked the Task Force for their work and expressed the importance of equitable funding for the entire Arts Community. Councilmember Treviño noted the importance of using data to assist all arts organizations in San Antonio.

Councilmember Courage asked of the portion of the budget expected to be funded from ticket sales. Mr. Kaiser replied that it was approximately 40%. Councilmember Courage asked of the number of performance dates for the coming year. Mr. Kaiser replied that there were approximately 40 paid performances and 40 free performances by the full orchestra.

Councilmember Viagran asked how many Hispanic or Latino Programs were hosted by the Tobin Center annually. City Manager Sculley replied that staff would compile said information.

2. Briefing on implications and next steps regarding the Environmental Protection Agency's marginal nonattainment designation for ozone standards in Bexar County [Roderick Sanchez, Assistant City Manager; Douglas Melnick, Office of Sustainability; Erik Walsh, Deputy City Manager; Colleen Bridger, Director, Health]

City Manager Sculley stated that the Environmental Protection Agency (EPA) designated Bexar County in marginal nonattainment of federal ozone standards on July 18, 2018. She noted that the City, County, and other stakeholders would collaborate to pursue ozone attainment. She stated that the City was in the process of implementing an Air Quality Program.

Dr. Colleen Bridger stated that ozone is created from the combination of oxides of nitrogen (NO<sub>x</sub>), volatile organic compounds (VOCs), heat, and sunlight. She noted that emissions from vehicles and industrial facilities were the primary sources of NO<sub>x</sub> and VOC. She stated that the EPA Ozone Standard was 70 parts per billion (ppb) and Bexar County's three-year average was 74 ppb. She noted that the County had three years to meet the standard for attainment or would be designated in moderate nonattainment and subjected to more stringent regulatory requirements. She stated that there were four requirements for marginal nonattainment: (1) Baseline Emissions Inventory; (2) Transportation Conformity process; (3) Emissions statements for emissions greater than 100 tons per year; and (4) New Source Review for new business or expansions that increase emissions by more than 100 tons per year. She stated that economic development could be maintained despite

nonattainment status and requirements.

Dr. Bridger stated that ozone nonattainment was a public health issue and ozone exposure was known to cause increased mortality, cardiovascular disease, respiratory attacks, asthma attacks, and absenteeism. She noted that a study commissioned in 2016 found that Bexar County could see 19 additional deaths annually if air pollution continued to worsen and 24 deaths could be avoided for a savings of \$220 million if air quality improved to a level lower than the EPA standard. She stated that ozone was the most damaging air pollutant to plants and caused lower crop yields. She reviewed Texas Cities with success in improving their attainment status following nonattainment designation. She noted that San Antonio was trending in the right direction in terms of ozone levels and that nonattainment occurred because the EPA lowered the ppb standard.

Dr. Bridger outlined the following preliminary findings of a Local Ozone Formation Analysis: 1) Days with high ozone have slow morning winds; 2) One monitor is affected by winds from the north and another is affected by winds from the west; 3) Ox is coming from mobile sources including cars and trucks; 4) Reactive VOCs are necessary for ozone formation and may only be present during short episodes when releases occur; and 5) NOx sources are widespread but VOC sources are not. She stated that additional information was needed regarding VOC chemical data and wind at non-regulatory monitors. She noted that the next step was to develop an Ozone Attainment Action Plan by March 1, 2019 to address Transportation Conformity, partner roles, and Point Source identification and mitigation. She added that immediate action would be taken to convene an internal Ozone Attainment Working Group, identify partners for the Attainment Task Force, support the business community as they build an Attainment Business Coalition, and expand the “Breathe Today. SA Tomorrow” website to include attainment education and action.

Mayor Nirenberg asked how the goal for ppb would be determined. Dr. Bridger replied that the plan was built to meet the EPA’s attainment standard in three years. Mayor Nirenberg asked of expectations for City Council during the budget process. City Manager Sculley replied that funding would be recommended to continue development of the Attainment Plan. Mayor Nirenberg asked that metrics established in SA Tomorrow and SA2020 be included as Guiding Principles for the plan.

Councilmember Courage asked of integration with the Climate Action Plan. City Manager Sculley replied that the Attainment Plan would be a component of the Climate Action Plan.

Councilmember Viagran asked if funding would be requested at the State Level to support attainment efforts. Jeff Coyle confirmed that funding would be requested at the State and Federal Levels.

Councilmember Gonzales asked if high levels of street maintenance and construction negatively impacted air quality. Art Reinhardt replied that added capacity projects could impact air quality but there was little impact in terms of ozone. Councilmember Gonzales asked if studies existed to demonstrate the air quality impact of street construction projects. Dr. Bridger replied that they did not due to the placement of monitors but any impacts were likely temporary.

Councilmember Treviño spoke of the importance of collaborative data-sharing to address environmental issues and expressed support for City Programs that promote environmentally-friendly behaviors and construction.

Councilmember Pelaez spoke of innovations in manufacturing to reduce emissions and asked of long-term goals to reduce the impact of asthma on the community. Dr. Bridger replied that the South Texas Asthma Coalition was developing a pilot to reduce asthma hospitalizations but it was not currently included in the Health Department Budget.

Councilmember Perry asked of challenging the EPA's classification based on new data to reduce the impact to economic development. City Manager Sculley replied that staff was not currently considering a legal challenge to the classification. Mayor Nirenberg added that improving air quality was a local priority regardless of the EPA classification.

Councilmember Sandoval expressed support for data-gathering regarding costs and benefits of the Attainment Plan. She asked if achieving a value below 70 ppb was possible in three years without dedicated efforts. Dr. Bridger replied that it likely was not due in part to continuing growth in the region. Discussion ensued regarding legal challenges against the EPA and its regulatory powers.

Councilmember Courage asked if Toyota Texas Manufacturing and Calumet San Antonio Refining were subject to increased regulations if non-attainment progressed to the moderate level. Douglas Melnick replied that they were.

Councilmember Saldaña asked of the impact on the Alamo Area Metropolitan Planning Organization (MPO). Sid Martinez replied that EPA regulations had a direct impact on the MPO and they were prepared to meet the challenge.

Mayor Nirenberg thanked staff for the presentation.

### **RECESSED**

The Executive Session was not held. Mayor Nirenberg recessed the meeting at 4:12 pm and announced that the meeting would resume at 6:00 pm for the Public Hearing.

- 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).

**RECONVENED**

Mayor Nirenberg reconvened the meeting at 6:08 pm and addressed Item 3.

**PUBLIC HEARING**

City Clerk Vacek read the caption for Item 3:

- 3. Public Hearing to gather community input on the proposed paid sick leave ordinance.  
[Andy Segovia, City Attorney]

Mayor Nirenberg opened the Public Hearing to gather community input on the proposed paid sick leave ordinance.

City Attorney Andy Segovia presented the history and terms of the proposed paid sick leave ordinance. He stated that the ordinance would apply to all employers except governmental entities effective January 1, 2019. He noted that the requirements for paid sick leave would begin on August 1, 2019 for employers with more than five employees and on August 1, 2021 for those with five or less employees. He stated that the ordinance would require employers to provide one hour of earned sick leave for every 30 hours worked with a yearly cap of 64 hours for medium and large employers and 48 hours for small employers with 15 or fewer employees. He noted that earned paid sick leave would be available for use as soon as it was accrued. He stated that paid sick leave could be used for medical or mental health care for the employee or a family member, including care or services related to victimizations from domestic abuse, sexual assault, or stalking. He discussed employer requirements and enforcement by the Director of Metropolitan Health.

City Clerk Vacek read the proposed paid sick leave ordinance in its entirety.

Mayor Nirenberg called upon the citizens registered to speak.

Julián Castro spoke in favor of the paid sick leave ordinance.

Michelle Tremillo spoke in favor of the paid sick leave ordinance.

Madelein Santibañez spoke on behalf of Salena Santibañez in favor of the paid sick leave ordinance.

H. Drew Galloway spoke in favor of the paid sick leave ordinance.

Linda Chavez Thompson spoke in favor of the paid sick leave ordinance.

Mia Ibarra spoke in favor of the paid sick leave ordinance.

Mario Salas spoke in favor of the paid sick leave ordinance.

Petra Mata spoke in favor of the paid sick leave ordinance.

Patricia Castillo spoke in favor of the paid sick leave ordinance.

Yvonne Gutierrez spoke in favor of the paid sick leave ordinance.

Rosa Rosales spoke in favor of the paid sick leave ordinance.

Andrea Figueroa spoke in favor of the paid sick leave ordinance.

Ana Gonzalez spoke in favor of the paid sick leave ordinance.

Alex Birnel spoke in favor of the paid sick leave ordinance.

TC Calvert spoke in favor of the paid sick leave ordinance.

Ryan Cox spoke in favor of the paid sick leave ordinance.

Rebecca Flores spoke in favor of the paid sick leave ordinance.

Dr. Adelita Cantu spoke in favor of the paid sick leave ordinance.

Rosie Baca spoke in favor of the paid sick leave ordinance.

David Van Os spoke in favor of the paid sick leave ordinance.

Steven Kling spoke in favor of the paid sick leave ordinance.

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Rick Treviño spoke in favor of the paid sick leave ordinance.

Joleen Garcia spoke in favor of the paid sick leave ordinance.

Mohammed Alam spoke in favor of the paid sick leave ordinance.

Ricardo Briones spoke in favor of the paid sick leave ordinance.

Jessica Azua spoke in favor of the paid sick leave ordinance.

Lucas Valdez spoke in favor of the paid sick leave ordinance.

Dr. Susana Ramirez spoke in favor of the paid sick leave ordinance.

Angie Garcia spoke in favor of the paid sick leave ordinance.

Anita Fernandez spoke on behalf of Representative Diego Bernal in favor of the paid sick leave ordinance.

Johanna Briones spoke in favor of the paid sick leave ordinance.

Julio Lopez spoke in favor of the paid sick leave ordinance.

Josefa Moreno spoke in favor of the paid sick leave ordinance.

Xelina Flores spoke in favor of the paid sick leave ordinance.

Henry Rodriguez spoke in favor of the paid sick leave ordinance.

Luis Alonso spoke in favor of the paid sick leave ordinance.

Richard Hidalgo spoke in favor of the paid sick leave ordinance.

Gabriel Galloway spoke in favor of the paid sick leave ordinance.

Sofia Sepulveda spoke in favor of the paid sick leave ordinance.

Austin Dolan spoke in favor of the paid sick leave ordinance.

Kimberly Rendon spoke in favor of the paid sick leave ordinance.

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Raven Douglas spoke in favor of the paid sick leave ordinance.

Jesus Garcia spoke in favor of the paid sick leave ordinance.

Dina Serrano spoke in favor of the paid sick leave ordinance.

Meredith McGuire spoke in favor of the paid sick leave ordinance.

Mariluz Resendiz spoke in favor of the paid sick leave ordinance.

Dr. Lori Beth Rodriguez spoke in favor of the paid sick leave ordinance.

Cuauhtemoc Toren spoke in favor of the paid sick leave ordinance.

Liz Franklin spoke in favor of the paid sick leave ordinance.

Ramiro Cavazos spoke in opposition to the paid sick leave ordinance.

John Agather spoke in opposition to the paid sick leave ordinance.

Christian Olmeda spoke in favor of the paid sick leave ordinance.

Justice Lovin spoke in favor of the paid sick leave ordinance.

Marisa Gonzalez spoke in favor of the paid sick leave ordinance.

Sergio Cepeda spoke in favor of the paid sick leave ordinance.

Julissa Cantu spoke in favor of the paid sick leave ordinance.

Sofia Lopez spoke in favor of the paid sick leave ordinance.

Luke Amphlett spoke in favor of the paid sick leave ordinance.

Briauna Barrera spoke in favor of the paid sick leave ordinance.

Ernest Herrera spoke in favor of the paid sick leave ordinance.

Pedro Ruiz spoke in favor of the paid sick leave ordinance.

Yaneth Flores spoke on behalf of the Esperanza Peace and Justice Center in favor of the paid sick leave ordinance.

Antonio Diaz spoke in favor of the paid sick leave ordinance.

Diana Uriegas spoke in favor of the paid sick leave ordinance.

Pedro Araiza spoke in favor of the paid sick leave ordinance.

Turner Adams spoke in favor of the paid sick leave ordinance.

Chanel Deahn, Rick Burnett, and Kelly Hudson spoke on behalf of the American Staffing Association Texas Regional Council in opposition to the paid sick leave ordinance.

Mabel Diaz spoke in favor of the paid sick leave ordinance.

Isabel Ramos spoke in favor of the paid sick leave ordinance.

Rey Chavez spoke in opposition to the paid sick leave ordinance.

Dave Campbell spoke in opposition to the paid sick leave ordinance.

Patrick Garcia spoke in opposition to the paid sick leave ordinance.

Doug Carlberg spoke in opposition to the paid sick leave ordinance.

David Fry spoke in opposition to the paid sick leave ordinance.

Lauro DeLeon spoke in favor of the paid sick leave ordinance.

Noah Escamilla spoke in favor of the paid sick leave ordinance.

Louis Barrios spoke in opposition to the paid sick leave ordinance.

Sarah Donaldson spoke in favor of the paid sick leave ordinance.

Cecilia Castellano spoke in opposition to the paid sick leave ordinance.

Kaitlyn Brenner spoke in favor of the paid sick leave ordinance.

Monica Cruz spoke in favor of the paid sick leave ordinance.

Zane Nordquist spoke in favor of the paid sick leave ordinance.

Jessie Gloria spoke in favor of the paid sick leave ordinance.

Christopher Herring spoke in opposition to the paid sick leave ordinance.

Janie Gonzalez spoke in opposition to the paid sick leave ordinance.

Tony Villanueva spoke in favor of the paid sick leave ordinance.

Rodney Kidd spoke in favor of the paid sick leave ordinance.

Betty Eckert spoke in opposition to the paid sick leave ordinance.

Alicia Arredondo spoke in favor of the paid sick leave ordinance.

Ray Zavala spoke in favor of the paid sick leave ordinance.

Laquita Garcia spoke in favor of the paid sick leave ordinance.

City Clerk Vacek stated that written testimony was received from Senator Donna Campbell in opposition to the paid sick leave ordinance and from Rachel Tucker in favor of the paid sick leave ordinance.

There being no other citizens registered to speak, Mayor Nirenberg declared the public hearing closed.

#### **CITIZENS TO BE HEARD**

Mayor Nirenberg called upon the citizens registered to speak under Citizens to be Heard.

Paul Gescheidle expressed concern with the level of public engagement regarding Alamo Plaza.

Lee White asked that the Cenotaph remain in place.

Keri Hillyer expressed concern that the Cenotaph would be damaged if moved and that relocation would be costly.

Jo Ann Henry asked that the Cenotaph remain in place.

Lamar Henry asked that the Cenotaph remain in place.

Krystal Ross read a statement in support of leaving the Cenotaph in place to honor History.

Raylon Schlueder asked that the Cenotaph remain in place.

Corinne Schlueder asked that Alamo Plaza remain unchanged.

Arcelia Aguirre read submitted remarks asking that the Cenotaph remain in place.

Brandon Burkhardt read submitted remarks asking that the Cenotaph remain in place.

Lupe Rivera asked that the Cenotaph remain in place to honor History.

Antonio Diaz spoke of racism and Indigenous History in San Antonio.

Diana Uriegas spoke of racism and injustice in San Antonio.

Pedro Ruiz spoke in opposition to the intimidation of local activists protesting Immigration and Customs Enforcement.

A female spoke in opposition to the intimidation of local activists protesting Immigration and Customs Enforcement.

Lane Woods asked that the Cenotaph remain in place.

Raymond Zavala expressed concern with the cost of City Projects.

Anita Zavala spoke of affordable housing needs in San Antonio and asked that the Cenotaph remain in place to honor History.

Ramon Garza read submitted remarks asking that the Cenotaph remain in place.

Michael Garza noted support from around the world for the Cenotaph to remain in place.

James Sclafani asked that Alamo Plaza remain unchanged to honor History.

Christian Lee, Cody Crislip, and Dustin Seiler asked that the Alamo Plaza remain unchanged.

**ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 10:36 pm.

APPROVED

RON NIRENBERG  
MAYOR

ATTEST:

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