

**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, March 20, 2019**

**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 a quorum with the following Councilmembers present:

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

1. Briefing by the San Antonio Metropolitan Health District on next steps to reach ozone attainment including an outline of the Ozone Attainment Master Plan. [Colleen M. Bridger, MPH, PhD, Interim Assistant City Manager; Jennifer Herriott, MPH, Interim Director, Health]

Dr. Colleen Bridger stated that the Ozone Attainment Master Plan (Master Plan) was a targeted intervention whereas the Climate Action and Adaptation Plan (CAAP) contained mid to long-terms goals for climate change. She noted that in September 2018, San Antonio was designated as being in marginal non-attainment. She stated that the Master Plan called for decreasing ozone levels to 70 parts per billion (ppb) by December 2020. She stated that ground-level or “bad” ozone was created by chemical reactions between oxides of nitrogen (NOx) and volatile organic compounds (VOCs) in the presence of heat and sunlight. She noted that emissions from industrial facilities and electric utilities, motor vehicle exhaust,

gasoline vapors, and chemical solvents were some of the major sources of NO<sub>x</sub> and VOC. She stated that reducing ozone was important to public health because it was harmful to the lungs and to people who were at risk for asthma, chronic obstructive pulmonary disease (COPD), and other respiratory problems. She noted that if the City's ozone level failed to decrease to 70 ppb; Federal Regulations would be imposed upon the City that could cause: 1) Loss of Gross Regional Product (GRP); 2) Road construction/project delays; and 3) Lost manufacturing expansion.

Dr. Bridger noted that Metro Health formed the "Getting to 70" Committee with Subcommittees focused on targeted communications, Volkswagen (VW) Settlement, best practices, identification of point sources and mitigation, business community, and policy, advocacy, and funding. She reviewed the progress to date on the communications strategy to include Breathe Today, SA Tomorrow, SA Climate Ready, Ozone Action Day plans, and Clean Air for Kids. She stated that the Texas Commission on Environmental Quality (TCEQ) had not released the applications for the VW Settlement but the City was preparing in advance for same. She stated that VW Trust Programs included City of San Antonio (CoSA) fleet replacement, light-duty zero emission vehicles and infrastructure, and the School Bus Alternative Fuel Program. She noted that staff reviewed best practices of other cities and noted the following current internal operations of CoSA: 1) Alternative transportation encouragement for CoSA Employees; 2) Fleet alternative fuels vehicle and emissions testing; 3) Anti-idling Administrative Directive; 4) Ozone Action Day Plans; and 5) Solar projects.

Dr. Bridger stated that the Business Registration Program required businesses with a certain level of emissions to register with Metro Health and over 1,000 businesses had registered. She noted that employees and their supervisors would be encouraged to utilize telecommuting and flexible work schedules. She stated that the Master Plan would promote the use of: 1) Bus and Van-Pool Programs; 2) Community-wide education; and 3) CoSA/VIA Mass-Transit collaboration. She noted that the City contracted with Dr. Harvey Jeffries, one of the nation's foremost experts in ozone formation, to conduct an analysis of how ozone was formed. She stated that Dr. Jeffries' research and findings indicated that the point sources for NO<sub>x</sub> and VOCs were fairly close to the monitors. She noted that staff would seek to identify said point sources and partner with them to decrease emissions. She stated that TCEQ data would be compiled utilizing Geographic Information System (GIS) mapping. She noted that a Request for Information (RFI) was issued to obtain information on the best way to identify the location of point sources. She stated that five responses were received for the RFI and a Request for Proposals (RFPs) was issued and would be posted for six weeks. She noted that the RFP seeks a consultant who can utilize methods in response to the RFI to identify point sources. She mentioned that the Information Technology Services Department (ITSD) would update the GIS mapping which could analyze and assist in understanding what is occurring close to the monitors.

Dr. Bridger highlighted some of the larger meetings held with businesses and stated that Dr. Jeffries assisted in the meetings by empowering them to come together and take action. She stated that the Alamo Area Council of Governments (AACOG) met and identified the following six selected control strategies for AACOG Photochemical Modeling: 1) Significant point source reduction on high ozone days; 2) VW funding for school buses; 3) Telecommuting; 4) Open burning restrictions; 5) VW funding for transit and shuttle buses; and 6) Anti-idling for diesel equipment vehicles. She noted that the Master Plan called for: 1) Expansion of the Business Stakeholder Ozone Attainment Meeting Group; 2) Education for employees about ozone; and 3) Pilot Program for anti-idling of diesel construction equipment. She reported that as part of the Master Plan, staff would: 1) Educate COSA Employees; 2) Increase participation in Business Registration Program; 3) Advocate for positive legislation against rollbacks; and 4) Research ongoing funding and local match dollars, specifically for the VW Settlement. She noted that staff would seek stakeholder input through the use of a Telephone Town Hall. She stated that the Master Plan would be brought before the full City Council for consideration at an "A" Session in May 2019. She noted that the final 2019 report to the City Council would be made at a "B" Session in November 2019 and a final report would be presented at the end of the 2020 ozone season.

Mayor Nirenberg asked if the number of deaths attributed to ozone was 19. Dr. Bridger replied that it was. Mayor Nirenberg asked of the source of this data. Dr. Bridger stated that said data was provided through the Enron Study conducted two years ago. Mayor Nirenberg referenced a study which attributed 52 deaths to ozone and asked when that study was conducted. Councilmember Sandoval stated that said study was conducted in 2016 by the American Thoracic Association and a school at Cornell University where a lower threshold was utilized for ozone exposure. Mayor Nirenberg stated that engagement from the City Council, the community, businesses, and stakeholders would occur before any action was taken.

Councilmember Gonzales stated that the Master Plan would immediately impact the health and the quality of life for constituents and called for its implementation.

Councilmember Sandoval noted that there were other air pollution control strategies which were not included in the Master Plan and asked Dr. Bridger to elaborate on same. Dr. Bridger stated that regulatory options available could not be implemented by December 2020. Councilmember Sandoval expressed support for additional monitors to be placed in all parts of the City.

Councilmember Perry asked if any of the three monitors have been in compliance. Dr. Bridger replied that the monitor on the southern side had been in compliance. Councilmember Perry asked which one of the monitors had the highest numbers. Dr.

Bridger replied that the monitor at Camp Bullis had the highest numbers and that staff hypothesized that there were multiple sources for the ozone levels such as gas stations, paint shops, and other small businesses. Councilmember Perry asked of the financial impact of the Master Plan to the Budget. Erik Walsh stated that the Conversion and Infrastructure Deployment Study would capture the financial impact of the Master Plan.

Mayor Nirenberg stated that the Cost of Non-attainment Study could be utilized with the Conversion and Infrastructure Deployment Study to develop a cost/benefit analysis.

Councilmember Treviño spoke of the benefits of highly reflective roofs and asked how placement of said roofs could be incorporated into the Master Plan strategies. Dr. Bridger stated that installing highly reflective roofs was one of the local control strategies. She noted that the photochemical analysis modeling would be utilized to quantify the effect of the White Roof Program in reducing NOx and VOCs.

Councilmember Pelaez asked if businesses were advocating for a decrease in the ozone level. Dr. Bridger replied that they were.

Councilmember Sandoval noted some of the costs of non-attainment and stated that ozone had a very real health impact.

Councilmember Courage asked if any mandates were included in the Master Plan. Dr. Bridger replied that only voluntary actions were included in the Master Plan.

Councilmember Viagran requested that dates when the current CoSA policies were enacted. Dr. Bridger stated that she would provide that information to the City Council.

Mayor Nirenberg thanked Dr. Bridger for the presentation.

### **EXECUTIVE SESSION**

Mayor Nirenberg recessed the meeting into Executive Session at 3:32 pm to discuss the following:

- A. Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B. The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).

- C. Legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues relating to Hayes Street Bridge Restoration Group v. City of San Antonio pursuant to Texas Government Code Section 551.071 (consultation with attorney).

### **RECONVENED**

Mayor Nirenberg reconvened the meeting at 5:44 pm and announced that no action was taken in Executive Session. He addressed the Ceremonial Items.

### **CEREMONIALS**

Mayor Nirenberg presented the Compassionate San Antonian Awards in honor of area residents who demonstrated San Antonio's #CompassionateSA Values. It was noted that the purpose of the awards are to recognize individuals or groups who serve our community through acts of kindness and compassion, making a difference in the lives of others.

Mayor Nirenberg recognized Alayah Benavidez, a proud San Antonio Native who was crowned Miss Texas USA 2019. He noted that Miss Benavidez will be representing Texas at the National Miss USA Pageant later this spring. He also noted that she is an avid reader, and loves writing, literature, and poetry. This passion helped her create her "Read The Way" Campaign, which encourages school children across the nation in reading, writing and goal setting.

Mayor Nirenberg presented a Proclamation in recognition of the 23rd Annual Cesar E. Chavez March for Justice that will be held on Saturday, March 30, 2019. It was noted that thousands of citizens will come together to celebrate the legacy of outstanding American, Cesar E. Chavez, who founded the National Farm Workers Association. He persevered to ensure that farmers received benefits, and that individuals would not have to live or work in undesirable conditions.

### **PUBLIC HEARING**

City Clerk Vacek read the caption for Item 2:

- 2. Public Hearing for Substantial Amendment #1 to the FY 2019 Action Plan and Budget to reprogram Community Development Block Grant (CDBG) Funds in an

amount not to exceed \$2,701,242.90 to the following eligible activities consistent with the Five Year Consolidated Plan; (a) up to \$1,300,000.00 for Zarzamora Service Center Environmental Remediation; (b) up to \$500,000.00 for the Air Conditioning Partnership for Public Housing Residents; (c) up to \$250,000.00 for House of Neighborly Services Facility Improvements; (d) up to \$200,000.00 for East Meadows Infrastructure Improvements; (e) up to \$200,000.00 for the Short-Term Emergency Rental Assistance Program; and (f) up to \$251,242.90 for Public Infrastructure Improvements Supplemental Funding. [Peter Zanon, Deputy City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Mayor Nirenberg opened the Public Hearing for Substantial Amendment #1 to the FY 2019 Action Plan and Budget to reprogram Community Development Block Grant Funds. He announced that there were no citizens registered to speak. Mayor Nirenberg declared the Public Hearing for Substantial Amendment #1 to the FY 2019 Action Plan and Budget to reprogram Community Development Block Grant Funds closed.

### **CITIZENS TO BE HEARD**

Mayor Nirenberg called upon the citizens registered to speak.

Archbishop Gustavo Garcia-Siller and Maria Tijerina representing COPS/Metro spoke of concerns regarding displacement. Archbishop Garcia-Siller applauded the actions of the City Council but noted that while he supports the expansion of UTSA Downtown; he was concerned with the displacement of those that live nearby. Ms. Tijerina added that she was concerned with the timeline for implementing the Risk Mitigation Study and asked that the City Council act now.

Ruben Sanchez expressed concern with the functionality of the 3-1-1 SA Mobile Application noting that he has tried submitting various reports and it has not worked.

The Climate Choir sang a song regarding Climate Change.

Beth Ibarra Baetz spoke of the need to address displacement and asked the City Council for assistance.

Kyle Kennedy spoke in support of the Climate Action Plan and noted the importance of protecting growth.

Artman Bland expressed concern with the City's Demolition Process and noted that his brother continues to be harassed.

Mark Perez expressed concern with businesses operating without the proper permits.

Henry Rodriguez spoke of the importance of addressing the issue of displacement. He requested that the City Council help Rose Lopez get a permit to continue selling goods along the Riverwalk.

Molly spoke of the issue of displacement and noted that she was currently homeless. She asked the City Council for assistance.

Brian Hughes spoke in support of the Climate Action Plan and provided annual and monthly high and low temperatures at the San Antonio International Airport.

Lissa Martinez spoke in support of the Climate Action Plan.

Angie Garcia representing LULAC spoke in support of the Risk Mitigation Plan and noted the importance of assisting displaced residents.

Meredith McGuire spoke in support of the Climate Action Plan and noted similar projects in other cities. She stated the importance of grassroots efforts in the planning and execution process.

Liz Franklin stated that she was supportive of COPS/Metro and noted that the Hays Street Bridge issue was challenging.

Amelia Adams, Sofia Lopez, Carol Rodriguez, and Jessica Guerrero representing the San Antonio Housing Oversight Coalition spoke in support of the Risk Mitigation Policy. They noted the importance of affordable housing and the need to assist displaced residents.

Lily Casura expressed concern with displacement due to development and asked the city to assist.

Maureen Galindo stated that she was a resident of the Soapworks Apartments and expressed concern with their displacement due to development.

Ellen Berky spoke of the need for more open and transparent dialogue regarding the SAWS Vista Ridge Project.

Raymond Zavala expressed concern with property taxes and limited parking in the Downtown Area.

**ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 7:52 pm.

APPROVED

RON NIRENBERG  
MAYOR

ATTEST:

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