

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



**Meeting Minutes
City Council A Session**

City Hall Complex
105 Main Plaza
San Antonio, Texas 78205

Thursday, May 7, 2020

9:00 AM

Municipal Plaza Building

The City Council convened in a Regular Meeting. Acting 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

Mayor Nirenberg led the meeting with a moment of silence as the bells of the San Fernando Cathedral were ringing for those who were struggling around the world through the COVID-19 pandemic, including the many very talented and essential public health workers, nurses, doctors, front line workers, emergency personnel and family members keeping vigil over their loved ones who are fighting this disease and for all who have lost their lives.

1. The Invocation was delivered by Archbishop Gustavo Garcia-Siller, Archdiocese of San Antonio, 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 Meeting of March 26, 2020.

Councilmember Treviño moved to approve the Minutes of March 26, 2020. Councilmember Courage seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales,

CONSENT AGENDA ITEMS

Items 9A, 9B, 10, 11, 12, P-1, Z-1, and Z-2 were pulled for Individual Consideration.

Mayor Nirenberg called upon the individuals registered to speak.

Jack M. Finger spoke in opposition of Item 14, Resolution declaring the need for the Texas Housing Foundation to exercise its powers. He noted that the City should not help rehabilitate housing in San Antonio. Mr. Finger addressed Items P-1 and Z-1 stating that it was a bad idea to allow six units onto a property that was not intended for the proposed density.

Councilmember Viagran highlighted Item 14 which were two housing projects in District 3. She noted that one project was the San Jose Apartments which were approximately 40 years old and in need of rehabilitation. She added that the other property was the Whitefield Place Apartments which caught on fire and needed rehabilitation. Councilmember Viagran stated that both apartments would have affordable units and thanked SAHA and the Texas Housing Foundation for coming together and working on the projects.

Councilmember Courage moved to approve the remaining Consent Agenda Items. Councilmember Treviño 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

2020-05-07-0307

6. Ordinance approving a contract with Shade Structures, Inc. dba USA Shade for the purchase and installation of six shade structures at park facilities located at Monterrey Park for a cost of \$208,915.76. Funding is available from the 2017 General Obligation Bond Program and is included in the FY 2020 - FY 2025 Capital Improvements Program. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2020-05-07-0308

7. Ordinance approving the execution of an amendment in the increased amount not to exceed \$157,694.00 to the \$1,376,253.40 Civil Engineering Design Services Agreement with Lockwood, Andrews & Newman, Inc. for additional design services relating to the North Main Avenue and Soledad Street (Pecan Street to Navarro Street) Project, a 2017 Bond funded project located in Council District 1. Funding is included in the FY 2020 - FY 2025 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-05-07-0309

8. Ordinance approving the execution of an amendment in an increased amount not to exceed \$209,554.50 to the \$1,537,970.34 Civil Engineering Design Services Agreement with CP&Y, Inc. for additional design services in relation to the Downtown Streets Reconstruction:

Commerce Street (St. Mary's Street to Santa Rosa Street) Project, a previously authorized debt and 2017 Bond funded project. Funding is included in the FY 2020 - FY 2025 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager, Razi Hosseini, Director, Public Works]

2020-05-07-0316

- 13.** Ordinance accepting a contribution from the Southwest Texas Regional Advisory Council in an amount up to \$384,478.00 to the San Antonio Police Department for the Fusion Mental Health Unit to improve outpatient services of residents with mental illness who are repeatedly taken to local hospitals and approving a program budget. [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

2020-05-07-0029R

- 14.** Resolution declaring a need for the Texas Housing foundation to exercise its powers in the city of San Antonio, Texas; and authorizing a cooperation agreement for the purposes of rehabilitating Oaks on Clark Apartments (aka Whitefield Place), an 80 unit affordable multi-family rental housing development, located at 4622 Clark Avenue in Council District 3; San Jose Apartments, a 220 unit affordable multi-family rental housing development, located at 2914 Roosevelt Avenue in Council District 3; and, Ingram Square Apartments, a 120 unit affordable multi-family rental housing development, located at 5901 Flynn Drive in Council District 7. [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2020-05-07-0317

- 15.** Ordinance approving an amendment to the existing Intergovernmental Support Agreement (IGSA) between Joint Base San Antonio (JBSA) and City of San Antonio for the City of San Antonio to provide all-encompassing pavement and roadway repair work through City contracted forces for JBSA military installations for a five year period plus one (1) five year option period; and, authorizing the acceptance of federal funds from JBSA for the management and construction of pavement and roadway repair projects in an amount up to \$3,000,000 for each project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

CONSENT ITEMS CONCLUDED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Mayor Nirenberg addressed Items P-1 and Z-1.

2020-05-07-0318

- P-1.** PLAN AMENDMENT CASE PA-2019-11600090 (Council District 2): Ordinance amending the Dignowity Hill Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Low Density Residential" to "Low Density Mixed Use" on the north 92.5 feet of Lot 13 and Lot 14, Block 2, NCB 529, located at 909 North Hackberry Street. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700256)

2020-05-07-0319

Z-1. ZONING CASE Z-2019-10700256 (Council District 2): Ordinance amending the Zoning District Boundary from "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District to allow for three (3) Single-Family Homes to "IDZ-2 H AHOD" Medium Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District to allow for Six (6) Single-Family Homes on the north 92.5 feet of Lot 13 and Lot 14, Block 2, NCB 529, located at 909 North Hackberry Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600090)

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: the north 92.5 feet of Lot 13 and Lot 14, Block 2, NCB 529. TO WIT: From "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District to allow for three (3) Single-Family Homes to "IDZ-2 H AHOD" Medium Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District to allow for four (4) Single-Family Homes

Assistant City Manager Rod Sanchez stated that Staff and Zoning Commission recommend approval. He noted that 26 notices were mailed, seven returned in favor and three opposed. He added that eight notices were returned in favor and four opposed from outside the 200-foot area. Mr. Sanchez stated that the Dignowity Hill Neighborhood Association was in favor of the request amending down to four units. Mr. Sanchez added that the applicant was present to request the amendment of the Zoning Case to four units as opposed to six units.

Liz Franklin spoke in favor of Items P-1 and Z-1. She thanked Councilmember Andrews-Sullivan for working on the proposed Zoning amendment and added that the property owner had worked with neighbors and done everything he could to make it right for all involved.

Mike Garansuay, property owner requested that his original request of IDZ-2 six-units be changed to IDZ-2 four units. He added that he worked with the Dignowity Hill Neighborhood Association and they agree with his request to downsize his initial Zoning request.

Jack M. Finger spoke in opposition of Items P-1 and Z-1. He noted that three property owners were opposed to the proposed Zoning change and noted the density of the request.

Councilmember Andrews-Sullivan moved to approve Items P-1 and Z-1 with conditions of four units as amended by the applicant. Councilmember Courage seconded the motion. The motion prevailed by the following vote:

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

ABSENT: 1 - Gonzales

Mayor Nirenberg addressed Items Z-2.

CONTINUED TO JUNE 18, 2020

- Z-2.** ZONING CASE Z-2019-10700292 (Council District 10): Ordinance amending the Zoning District Boundary from "I-1 IH-1 AHOD" General Industrial Northeast Gateway Corridor Airport Hazard Overlay District to "C-3 IH-1 AHOD" General Commercial Northeast Gateway Corridor Airport Hazard Overlay District on Lot 4, Block 2, NCB 14952, located at 11407 Wayland Way. Staff and Zoning Commission recommend Approval. (Continued from April 2, 2020)

Assistant City Manager Rod Sanchez noted that eight notices were mailed, zero returned in favor and zero opposed.

Councilmember Perry moved to continue Z-2 to 9:00 A.M. on June 18, 2020. 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

Acting City Clerk Flores read the caption for Items 9A and 9B.

- 9.** Approving the following items related to the Multimodal Planning Study for Culebra Road from I-10 to Loop 1604 located in Council Districts 1, 5, 6, and 7: [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-05-07-0310

- 9A.** Ordinance approving a Advanced Funding Agreement with the Texas Department of Transportation, accepting grant reimbursement in the estimated amount of \$880,000.00 from TxDOT related to the planning costs and authorizing payment in the amount not to exceed \$6,160.00 to TxDOT for administrative oversight of federal funds for the Multimodal Planning Study for Culebra Road from I-10 to Loop 1604; and, amending the FY 2020 - 2025 Capital Improvement Program Budget. Funding in the total amount of \$400,000.00 has been previously authorized from FY 2019 & FY 2020 General Funds for this project.

2020-05-07-0311

- 9B.** Ordinance approving a Professional Services Agreement between WSP USA, INC. and the City of San Antonio, in an amount not to exceed \$979,400.00 to provide design planning concepts for the Multimodal Planning Study for Culebra Road from I-10 to Loop 1604.

Councilmember Sandoval recognized Razi Hosseini to provide a brief summary and description. Mr. Hosseini noted that the area included Culebra Road from 1604 to I-10, approximately 13 miles long located in Council Districts 1, 5, 6, and 7. He added that areas had wider cross-section which provided an opportunity to create protected bike lanes, wider sidewalks, and transit. Mr. Hosseini stated that the project will improve access and ADA conditions. He noted that four community meetings would be held to inform the public and seek input from each Council District impacted. He added that a similar project was completed in Council District 3 along Roosevelt.

Councilmember Sandoval asked how Culebra Road from 1604 to I-10 was selected for a Planning

Study. Mr. Hosseini noted that Culebra Road was a high crash corridor and was part of Vision Zero which runs through four Council Districts. Councilmember Sandoval asked if 80% of the funding was coming from Federal funds. Mr. Hosseini reported that was correct, funds came from TXDot and required 20% match from the City.

Councilmember Sandoval noted that this project was 13 miles long with high speed traffic and pedestrian fatalities. She added that drivers used this road as a highway and improvements were needed to slow down traffic and ensure the safety of the community. She noted that approximately 20% of people walk to work and walk to take the Bus System. She added that trees were needed for shade and additional infrastructure.

Councilmember Gonzales noted that Vision Zero was extensively studied over the years and asked why another study was needed. Mr. Hosseini reported that a detailed traffic study was completed but that a topographic survey was needed to identify land use and zoning issues. He added that Culebra Road was ideal for this type of project to create wider sidewalks, shade trees, low-impact development, and protected bike lanes. Mr. Hosseini reported that the project cost \$979,000 of which TXDot was paying \$880,000. He added that the project was scheduled to begin this month and be completed April 2021.

Councilmember Pelaez requested that this project include protected bike lanes to connect Leon Creek Greenway to the West Side Creek Trails.

Councilmember Sandoval moved to approve Items 9A and 9B. Councilmember Gonzales 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

Acting City Clerk Flores read the caption for Item 10.

CONTINUED TO MAY 21, 2020

- 10.** Ordinance, on behalf of SAWS, authorizing the acquisition through negotiation or condemnation, for project purpose of privately-owned real property located in County Block 4006 and declaring the project to be a public use project and a public necessity for the acquisition to construct a water treatment facility (wetlands) related to the Mitchell Lake Wetlands Water Quality Treatment Project located south of Mitchell Lake and east of Pleasanton Road in Council District 3. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Public Works]

Councilmember Viagran moved to continue Item 10 to May 21, 2020. Councilmember Pelaez seconded the motion to continue. 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

Acting City Clerk Flores read the caption for Item 11.

2020-05-07-0312

- 11.** Ordinance authorizing the acquisition, through negotiation or condemnation, of interests in land

sufficient for project purposes of two parcels totaling 0.506-acre (22,042 square feet) of privately-owned real property, located on Bulverde Road from Jung Road to north of Green Spring Drive within NCB 17365 P-1 in Council District 10, for the Bulverde Road Phase 1 (Butterleigh Drive to North of Quiet Meadow), a 2017 Bond Project; declaring it to be a public project and a public necessity. The fair market value for the two parcels is \$98,250.00 as determined by an independent appraisal. Funding is included in the FY 2020 - FY 2025 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager, Razi Hosseini, Director, Public Works.]

Councilmember Perry moved that the City of San Antonio authorize the use of the power of eminent domain to acquire privately-owned real property for a public use project for the Bulverde Road - Butterleigh to North Quiet Project, by acquiring the following property described by the City Clerk and incorporated as part of this motion. Councilmember Pelaez seconded the motion.

Acting City Clerk Flores read the following property description: The privately-owned property for a permanent easement interest located in San Antonio, Bexar County, Texas, City Council District 10, and is out of the following: Two parcels of land consisting of approximately 0.0506 acres (22,042 sq. feet) of real property in NCB 17365 P-1 located on Bulverde Road from Jung Road to north of Greenspring Drive. This property is depicted in the overall project drawing Map in Exhibit A-2 of the Ordinance attached and incorporated as part of this 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

Acting City Clerk Flores read the caption for Items 12A, 12B, and 12C.

- 12.** Approving the following Ordinances, on behalf of SAWS, authorizing the acquisition through negotiation or condemnation of interests in permanent and temporary parcels of land sufficient for project purposes of privately-owned real property and declaring the projects to be public use projects and a public necessity for the acquisitions. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

2020-05-07-0313

- 12A.** Ordinance approving the acquisition through negotiation or condemnation, of interests in land sufficient for project purposes, of privately owned real property and declaring the project to be for public use and a public necessity for the acquisitions related to the Helotes Creek Gravity Main and Lift Station #246 Elimination Project, generally located near Old Bandera Road, State Highway 16 (Bandera Road), Riggs Road, Iron Horse Way and FM 1560 in the City of Helotes.

2020-05-07-0314

- 12B.** Ordinance approving the acquisition through negotiation or condemnation, of interests in land sufficient for project purposes, of privately owned real property and declaring the project to be for public use and a public necessity for the acquisitions related to the Riebe Tract Sewer Main Extension Project, located near Bridgepoint Place, State Highway 16, and Newcroft Place in the Extraterritorial Jurisdiction of the City of Helotes.

2020-05-07-0315

- 12C.** Ordinance approving the acquisition through negotiation or condemnation, of interests in land sufficient for project purposes, of privately owned real property and declaring the project to be for public use and a public necessity for the acquisitions related to the Turtle Creek Water Transmission Main Project generally located between Fredericksburg Road and IH-10 and along Bluffdale Drive, Fairhaven Street and Datapoint Drive.

Councilmember Pelaez moved that the City of San Antonio authorize the use of the power of eminent domain to acquire privately owned real property for a public use project for the SAWS Water and Sewer Replacement Project, by acquiring the following properties described by the City Clerk and incorporated as part of the motion. Councilmember Treviño seconded the motion.

Acting City Clerk Flores read the following property description: The privately-owned properties for temporary and permanent interest located in San Antonio, Bexar County, Texas, City Council Districts 6 and 8 and are out of the following:

- A. City of Helotes – Approximately 13 parcels of property along approximately 2 ½ mile of sewer mains located along Old Bandera Road then along the westerly right-of-way of State Hwy 16 closest to Council District 6.
- B. City of Helotes – Riebe Tract Sewer Main Extension Project consists of the construction of approximately 150 feet of a sewer main, located in the Extraterritorial Jurisdiction of City of Helotes closest to Council District 6.
- C. Five thousand (5,000) feet of water transmission lines starting at 4641 Bluffdale Dr. (Turtle Creek Pump Station No. 3) to the intersection of Fairhaven Street, then southwesterly to the intersection of Datapoint Drive, the westerly and crossing Fredricksburg Road to a point at 8311 Fredericksburg Road (Medical Center Tank Site) located in Council District 8.

These properties are depicted in the Overall Project Drawing Map in Exhibit A-2 of each respective Ordinance attached and incorporated as part of 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

Acting City Clerk Flores read the caption for Item 4.

4. Briefing on the City's response and preparedness on COVID-19.

City Manager Walsh reported that this presentation was one of the most important presentations that the Council had received since the City started dealing with the pandemic. He noted that the City Council took quick action for the organization to keep the budget balanced by suspending spending and programs, implementing a hiring freeze, and taking all necessary action. He added that depending on what happens with COVID-19, he foresees major challenges for Fiscal Year 2021 as there was a great deal of uncertainty. City Manager Walsh outlined four objectives:

- Make sure ongoing COVID-19 response and expenses were taken care of both now and in future

- Align spending to the new fiscal year realities of Fiscal Year 2021
- The delivery of basic services
- Helping the community recover

Maria Villagomez, Deputy City Manager provided a presentation consisting of the FY 2021 Budget Calendar, Emergency Response Cost, and Federal Grants. She described the FY 2021 budget process and framework consisting of determining the cost of ongoing response, managing fiscal challenges, assessing the impact of City services, and assisting in community recovery.

Ms. Villagomez explained that the FY 2020 City revenue impact of approximately \$200 million was primarily due to the reduction in Hotel Occupancy Tax, Sales Tax, Airport, and other revenues. She added that measures were taken to keep the City budget balanced in the General Fund and Restricted Funds such as freezing vacant positions.

Ms. Villagomez provided a summary of FY 2020 Sales Tax Revenue:

FY 2020 (\$ in millions)	Budget	Projection	Variance
October to February	\$130.7	\$131.4	\$0.7
March to September	\$182.4	\$128.5	(\$53.9)
Total	\$313.1	\$259.9	(\$53.2)

Ms. Villagomez provided a summary of FY 2020 HOT Revenues:

FY 2020 (\$ in millions)	Budget	Projection	Variance
October to February	\$35.2	\$35.7	\$0.5
March to September	\$60.9	\$20.3	(\$40.6)
Total	\$96.1	\$56.0	(\$40.1)

Ms. Villagomez outlined the Emergency Response Expenses through April 26, 2020 as \$16.5 million, which breakout to personnel cost of \$7.7 million and non-personnel cost of \$8.8 million.

Ms. Villagomez provided an overview of the Coronavirus Relief Fund as follows:

- CARES Act established \$150 billion Coronavirus Relief Fund
- Local Governments eligible for direct funding from the U.S. Treasury
- The City of San Antonio was awarded \$270 million

Ms. Villagomez described the CARES Act uses for the Coronavirus Relief Funds and outlined that payments from the Fund may only be used to cover costs that:

- Are necessary expenditures incurred due to the public health emergency with respect to COVID-19
- Were not accounted for in the budget most recently approved
- Were incurred between March 1 and December 30, 2020
- Public Safety and Health Personnel Cost
- Quarantine and Isolation Facilities
- Protective Equipment and Supplies
- Emergency Recovery Planning
- Testing and Contact Tracing

- Food Distribution to Seniors and other vulnerable populations

Ms. Villagomez described eligible uses regarding the community as follows:

- Housing Security
 - Rental Assistance
 - Homeless Housing
- Digital Divide
 - Improvements to facilitate distance learning
- Small Business
 - Small Business support
 - Business interruption grants
- Workforce Development
- Planning for and supporting community resilience

Ms. Villagomez described other Federal Funding Sources as follows:

- Airport Grants - \$39.7 million
- Health Grants - \$3.5 million
- Housing Related Grants \$11.9 million
- Police Grant - \$2.7 million
- FEMA Disaster Relief Fund

Ms. Villagomez reported that forthcoming Grants were Community Development Block Grants (CDBG), Community Service Block Grant (CSBG), Child Care and Development Block Grant, and Assistance to Fire Fighters.

Ms. Villagomez recommended that the Coronavirus Relief Fund Plan include COSA response, City Recovery, and Community Resiliency. She added that Community Resiliency would be impactful to better prepare the community, lead with equity as all individuals were impacted differently, and be timely with short and long-term actions.

Ms. Villagomez concluded by noting the following dates of May 14 for the Health Implementation Plan; May 28 for the Mid-Year Budget Review; and June 3 for the Community Resilience Presentation.

Lori Houston, Assistant City Manager provided a presentation of the Eviction Overview, Tenant Protections, Education and Outreach, and Notice of Tenants Rights. She provided a summary of the eviction process which was triggered by failure to pay rent, violation of the lease agreement, or illegal activity or unsafe behavior. She added that the landlord must provide a three day notice to vacate or quit; forcible entry and detainer suit filed within 21 days in the JP Court; eviction hearing conducted in JP Court; five day appeal period for tenant; and writ of possession.

Ms. Houston provided a summary of the CARES Act and temporary moratorium on eviction filings:

- 120-day moratorium on evictions for any residential property that receives federal housing funds beginning March 27, 2020 and ending on July 24th, 2020. Landlord is prohibited from:
 - making, or causing to be made, any filing with the court of jurisdiction to initiate a legal action to recover possession of a rental unit from the tenant for nonpayment of rent or other fees or charges; or
 - charging fees, penalties, or other charges related to such nonpayment of rent.

- A landlord also:
 - may not issue a notice to vacate until after July 24th, 2020 unless the moratorium period has been extended by the federal government; and
 - must still provide the federally-required 30-day notice to vacate whenever the landlord begins eviction actions once the CARES Act moratorium expires.
- 50% (approximately 130k) of all city rental properties are protected under the CARES Act.

Ms. Houston outlined the State of Texas and Bexar County Temporary Moratorium on Eviction Proceedings. She added that the Texas Supreme Court and Bexar County have suspended eviction proceedings until May 18, 2020 and June 1, 2020. She noted that statutory pre-eviction steps can and are continuing, e.g., landlords issuing “notices to vacate.” She stated that the Texas Property Code prohibits landlords from illegally denying access to tenants through lockouts and prohibits property owners from shutting off utilities for nonpayment of rent.

Ms. Houston provided Tenant and Landlord Resources as follows:

- Fair Housing Website and Hotline
- Counseling services for tenants that may experience evictions, repairs, security deposits, utilities billing and termination, code violations, lease disputes, occupancy standards and other related issues.
- Right to Counsel Program
- COVID 19 Emergency Housing Assistance Program
 - Mirrors Risk Mitigation Fund that was adopted in October 2018
 - Adopted by City Council on April 23rd
- Bexar County Housing Authority Rental Assistance Program
- Non-Profit Community
 - Catholic Charities
 - SAMM
 - St. Vincent de Paul

Ms. Houston described the Tenant Protections Letter as follows:

- Co-Signed by City and County Manager
 - Federal, State, and Local Protections
 - Penalties for Violations
 - City and County Rental Assistance Programs
 - HUD FAQ’s
- Mailed
 - CARES Act Properties
 - San Antonio Apartment Association Data Base
 - Property owners that filed an eviction in the last 12 months
 - Absentee Landlord Database
 - Small landlord inventory
- Emailed
 - San Antonio Apartment Association Membership
 - San Antonio Board of Realtors Membership
- Press Release

Ms. Houston outlined Targeted Outreach for Tenants as follows:

- Tenants' Rights and Housing Assistance
 - Flyers to properties that are frequently the subject of an eviction filing
 - These properties were identified through the For Everyone Home Initiative.
 - TRLA, our Right to Counsel contractor, will target invitations to “know your rights” trainings to sites where known or suspected violations are taking place
 - The Community Health Team is distributing flyers in areas with a low equity score.
 - Partnership Organizations
 - COPS/Metro
 - SA Stand
 - Affordable housing providers (for profit or not for profit)
 - Catholic Charities

Ms. Houston outlined Targeted Outreach for Landlords as follows:

- Landlord/Property Owners
 - Outreach to frequent users of the eviction process to educate them on tenants' rights and rental assistance programs.
 - Partnership Organizations
 - San Antonio Apartment Association Membership
 - SABOR Membership
 - Real Estate Council
 - National Association of Real Estate Property Managers
- Stakeholder Outreach
 - Risk Mitigation Fund Stakeholder Group
 - Right to Counsel Stakeholder Group

Ms. Houston described other needs as follows:

- Need for tenants' understanding of their rights
- Need to target those tenants with resources that were in crisis
- Need to affect the period in which a tenant may catch up on rent
- Need for a remedy beyond the emergency period
- Need for a layperson's understanding of the eviction process
- Need for relief now

Ms. Houston stated that the Notice of Tenant's Rights emphasizes that a Notice to Vacate does not require tenant to leave the premises; advises payment plan with landlord; provides City emergency resources such as calling 311, Catholic Charities', or Guadalupe Community Center; outlines eviction process; and provides link to self-help information packet with advocacy information.

Ms. Houston described the Mandatory Notification Process During the COVID-19 State of Emergency – A Notice to Vacate for Non-payment of Rent:

- Tenant received a Notice to Vacate for Non-Payment of Rent (“Notice to Vacate”) because tenant did not timely pay the rent due under their Lease.
- The Notice to Vacate is only the first step in the eviction process and does not mean tenant must move out immediately. Tenant still has time to resolve the payment of rent due. If tenant needs assistance with making a rental payment the City of San Antonio's Emergency Housing

Assistance Program may be able to help. Please call 3-1-1, contact the Guadalupe Community Center at 210-226-6178, or visit www.sanantonio.gov/nhsd/programs/fairhousing

- Tenant should immediately contact their landlord and try to work out a mutually agreeable payment arrangement; which should be in writing and signed by both tenant and landlord.
- After the Notice to Vacate has been delivered, the landlord may file an Eviction Suit in a Justice Court. The Justice Court will set a date for the eviction hearing, which is usually within 21 days of the filing, and notify you in writing of the date you must appear. If you can work out an agreement with your landlord before the eviction hearing begins, then the payment arrangement should be presented to the Court in an Agreed Order. If the landlord accepts payment of all amounts due before the court date and the only reason for eviction is non-payment of rent, the landlord will usually dismiss the eviction case.
- You may appear at the hearing and defend your rights. If you do not appear, a judge may conclude that you do not oppose the eviction and issue judgment for the landlord. The court will hear the case and issue a decision.
- If you do not move or file an appeal within five days after a decision in favor of the landlord, then the landlord can request a Writ of Possession from the Court. A 24-hour advance notice will be posted on your door before the Writ of Possession is served.
- You are strongly encouraged to communicate with your landlord during the entire process to work out an agreement and to see if there are City, County, or community services that can provide help or resources.

Ms. Houston provided an explanation of the Self-Help Legal Information Packet:

- When an Eviction Case Has Been Filed Against You
- Self-Help Legal Information Packets are provided for the benefit of justice courts and individuals seeking access to justice through the court system. They do not constitute legal advice, and the court is not responsible for the accuracy of the information contained in the packet.

Ms. Houston described the Notice of Tenant's Rights:

- Enacted through Ordinance
- Applies beyond the emergency period
- Applies to all landlords
- Fines of \$500 –may be issued multiple citations
 - Tenant reports failure to provide Notice of Rights, the tenant can submit a complaint to the City for investigation
 - If the investigator finds that the landlord failed to provide a Notice, a case will be filed in Municipal Court
 - Administrative Hearing Officer will conduct a hearing and can assess penalty up to \$500
 - Subsequent reports could lead to additional violations

Ms. Houston reported that ongoing Stakeholder Input was gathered from the following:

- Tenants
 - Fair Housing Hotline
 - Emergency Housing Applicants
 - Housing Providers
 - Risk Mitigation Fund Stakeholder Group
 - Right to Counsel Stakeholder Group
- Property Owners/Landlords

- San Antonio Apartment Association
- San Antonio Board of Realtors
- Real Estate Council
- National Association of Real Estate Property Managers
- Community
 - COPS/Metro
 - Catholic Charities

Ms. Houston outlined the next steps to continue Outreach and Education, gather more Stakeholder Input, and City Council Consideration on May 14, 2020.

Andy Segovia, City Attorney provided a COVID-19 update regarding the Governor's Executive Order 21 and Expanded Reopening of services as follows:

- Maintains framework of essential, non-essential, and reopened services
- Gatherings still limited to household (except for essential or reopened services)
- Essential Services remain the same
- More non-Essential services now in category of "Reopened Services"

Mr. Segovia described reopened services as follows:

- Previously permitted to reopen with 25% occupancy restriction:
 - dine-in restaurants, retail stores, movie theaters, restaurants, malls (food courts, play areas still closed), museums and libraries
 - Occupancy limits do not apply to outdoor areas of restaurants, however, must follow social distancing and DSHS protocols
- Wedding venues and services opened immediately:
 - Indoor weddings not inside of a church, congregation, or house of worship must limit occupancy to 25%
 - Wedding reception facilities must limit their occupancy to 25% of the total listed occupancy

Mr. Segovia outlined reopened services as of May 8, 2020:

- Cosmetology salons, hair salons, barber shops, nail salons, and tanning salons
 - Appointment only
 - Those waiting must maintain social distancing
 - 6 ft distance between workstations
 - Wearing of masks by provider and customer highly encouraged
- Swimming pools
 - Indoor pools may operate at 25% of total listed occupancy
 - Outdoor pools may operate at 25% of normal operating limits as determined by pool operator
 - Local public pools may operate only if permitted by the local government

Mr. Segovia outlined reopened services as of May 18, 2020:

- Office buildings
 - The greater of 5 individuals or 25% of total office workforce
 - Social distancing must be maintained

- Non-essential manufacturing services may operate at 25% of listed occupancy
 - DSHS protocols include staggered shifts and maintaining social distancing
- Gyms and exercise facilities and classes may operate at 25% of listed occupancy
 - Locker rooms and shower facilities must remain closed
 - Limit does not apply to outdoor classes where social distancing must be maintained
 - DSHS protocols include disinfecting equipment between uses and customers wearing gloves that cover whole hand and fingers

Mr. Segovia described reopened services as follows:

- Staff members are not included in determining operating levels
 - Exception is non-essential manufacturing
- All individuals, businesses, organizations and any other legal entity providing or obtaining essential or reopened services should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS
- Businesses may require a customer to follow additional hygiene measures such as wearing a face covering

Mr. Segovia outlined closed businesses as follows:

- Bars
- Massage establishments
- Tattoo studios
- Piercing studios
- Sexually oriented businesses
- Interactive amusement venues such as bowling alleys, video arcades, amusement parks, water parks, or splash pads

Mr. Segovia outlined graduation ceremonies as follows:

- Schools may conduct graduation ceremonies consistent with the minimum standard health protocols found in guidance issued by the TEA
- Completely virtual ceremonies that take place entirely online, with the use of videoconference or other technologies.
- Hybrid ceremonies, which consist of a compilation of videos of students being recognized in person as they celebrate graduation in small groups.
- Vehicle ceremonies, in which students and their families wait in their cars while other graduates are recognized one at time with their families alongside them.
- In-person, outdoor ceremonies, may take place in any Texas county on or after June 1.

Mr. Segovia outlined the Governor's Executive Order 21:

- Prohibition on visitation in nursing homes
 - Minimize the movement of staff between facilities
 - Governor discretion to impose restrictions in a county if a spike occurs
 - Highly encourages the use of face coverings
 - Prohibits local entities from imposing a civil or criminal penalty for failure to wear a face covering
 - Order supersedes only to the extent a local order conflict
 - Businesses may require a customer to wear face covering

Mr. Segovia summarized the Governor's Surge Response Teams:

- Governor Abbott announced the creation of Surge Response Teams to combat flare ups in Texas
- Teams will serve facilities such as nursing homes, prisons, and packing plants that experience COVID-19 flare ups
- Will provide resources to get area under containment
 - Providing PPE, testing supplies, onsite staffing and assessment assistance
 - Working with local officials to establish health and social distancing standards to contain flare ups

Mayor Nirenberg called upon the individuals registered to speak.

Diana Uriegas spoke in support of providing rental assistance to individuals that were unemployed or impacted by COVID-19. She expressed condolences to everyone that had lost a loved one to the virus. Ms. Uriegas congratulated all the Graduates of 2020 and expressed concern for them as most ceremonial graduation celebrations were cancelled.

Jack M. Finger provided statistics of research he conducted on individuals dying from heart disease, cancer, respiratory disease, motor vehicle accidents, and self-harm; all of which were higher rates of death than COVID-19. He felt that restrictions on requiring individuals to wear face coverings or social distancing were too restrictive.

Paula Hilliard stated that regarding COVID-19, there had been research conducted recently indicating the success of Vitamin D. She noted that those with significant levels of Vitamin D had lowered risk of being infected with the disease and fared better as opposed to those with lower levels of Vitamin D. She added that Vitamin D had been known to protect against acute respiratory infections. She encouraged everyone to stay home, read a book, sit outside, and enjoy healthy sunshine.

Celine Williams, Past President of the San Antonio Apartment Association and manager of over 6,000 rental units spoke in opposition of the 60-day right to cure prior to a Notice to Vacate. She noted that there were better solutions and the City did not have the authority to impose the 60-day right to cure. She added that the Texas Property Code established a statewide standard for all landlords and tenant duties which did not include an opportunity to cure. Ms. Williams stated that approval of the proposed Ordinance would encourage renters not to pay their rent and have unintended consequences for renters.

Kim Bragman, Chairman of the 2020 San Antonio Board of Realtors thanked the Mayor and Council for establishing an Emergency Housing Assistance Program and for their leadership and dedication to Public Service during this unprecedented time. She recognized that shelter was a real need whether rented or owned and was critical for residents especially during a pandemic. She added that many landlords and property managers throughout San Antonio were stepping up and operating in good faith to work with tenants offering to waive late fees and payment arrangements or utilizing funding resources provided by the Emergency Housing Assistance Program. She urged the Council to reconsider and fully explore the potential impact of such measures of a 60-day notice to cure Ordinance

Mindi Stange noted that she and her husband cashed out their IRA savings to invest in real estate. She added that the 60-day notice to cure proposed Ordinance was a burden on mom and pop landlords during this time. She stated that the blanket moratorium and new layers added hurt their business because her current tenant quit paying the rent and cannot be evicted.

Teri Bilby, Executive Director for the San Antonio Apartment Association spoke in opposition of the 60-day notice to cure Ordinance. She added that the Emergency Housing Plan was critical and needed additional funding to assist residents that were impacted by COVID-19. She stated that individuals impacted by the virus also needed help with utilities, groceries, gas and medicine. She added that many property owners waived late fees, made payment plans, restructured leases, provided discounts, and held off filing evictions. Ms. Bilby noted that many property owners helped residents apply for unemployment and other assistance including the food pantry among other things. She added that the 60-day notice to cure proposed Ordinance would force property owners to choose to protect their rental property business instead of choosing to help residents. She urged the Council to reconsider other options in lieu of the 60-day notice to cure proposed Ordinance.

Brett Finley commended the Council for working seven days per week due to COVID-19 and conducting Meetings weekly Tuesday's and Thursday's via WebEx and partnering with the Food Bank to provide food. He noted that he understood the gravity the Council was faced with and difficult challenges trying to solve multiple problems during this unprecedented time. He added there may be unintended consequences and adverse impacts to landlords regarding the 60-day notice to cure proposed Ordinance. He noted that landlords still must pay their mortgages, utilities, and taxes while their tenants do not pay their rent. He stated that many landlords were working in good faith waiving fees and creating payment plans to assist tenants.

Jeanne Fuller stated that she and her spouse were small mom and pop apartment owners that take struggling Class D and Class F properties and turn them into safe and welcoming properties for families to live and flourish. She stated that she understands the need for Council to find solutions that impact tenants and landlords during the COVID crisis, but she opposed the 60-day notice to cure proposed Ordinance.

Karen Fischer stated that she was a business owner and minority disabled veteran and served as a Registered Nurse in the Air Force. She expressed opposition of the 60-day notice to cure proposed Ordinance. She noted that she was working with residents to utilize the Risk Mitigation Program. She added that rental income was her only source of income and this was affecting her business, employees, and her family.

Sonia Rodriguez with COPS/METRO submitted written testimony in support of an Emergency Housing Assistance Program utilizing the \$270 million CARES Act funds.

Mayor Nirenberg thanked City Staff and those that came out to speak and participate in the process. He noted that what the Council heard today foretells serious conversations that were needed to be held. He added that the COVID-19 pandemic was the biggest economic and public health crisis of our lives. He stated that he was grateful and honored that the entire community has come together working as a team to protect and keep safe our colleagues, neighbors, parents, partners, spouses, and children.

Mayor Nirenberg stated that the digital divide and digital inclusion must be addressed and that the Internet must be viewed as a Utility and essential like water and electricity. He added that many households with children did not have internet access for their children to work on homework. He stated that Food and Housing were a necessity and that no one should go hungry or lose their home due to the COVID crisis. He added that Workforce Development and Job Training were essential to ensure that local businesses providing jobs in San Antonio could flourish.

Mayor Nirenberg stated that the Council must collectively consider \$270 million that the City of San Antonio received through the CARES Act as a generational opportunity to be bold and follow through on what needs to be done and that the funds available for recovery efforts must be targeted at Universal Internet Access, Workforce Development, Housing Security, and Small Business Support.

Councilmember Viagran asked Lori Houston Assistant City Manager to confirm that there were 260,000 rental units in San Antonio and that 50% were covered by the CARES Act. Ms. Houston confirmed that was correct which included apartments and single-family units. Councilmember Viagran requested that radio stations run Public Service Announcements regarding CARES Act funding and assistance for renters.

Councilmember Viagran asked if six people within the same household could sit at the same table at a restaurant. Mr. Segovia reported that the Governor did not make that distinction in his Order. She asked if there was a specific mention of wedding receptions. Mr. Segovia reported that the Governor was very specific regarding wedding receptions which could be held indoors at 25% capacity of occupancy, not including staff, and tables must be six-feet apart with no more than six people per table. Mr. Segovia added that was essentially the same requirement imposed on restaurants. Mr. Segovia added that wedding receptions held outside did not have the same 25% of occupancy requirement but must maintain six-feet distance and six people per table.

Councilmember Viagran asked of requirements for Cosmetology, Nail Salons, and Hair Salons. Mr. Segovia reported that appointments could only be one individual at a time per stylist and one person at a time per service provider with individuals maintaining six-feet social distancing in the waiting area.

Councilmember Viagran stated that she looked forward to the Federal Advocacy aspect and requested that Infrastructure be included in any potential Bill in the future. She asked what was meant by quarantine and isolation facilities during the presentation. Ms. Villagomez reported that would apply to hotels that the City leased for employees, the general population, and Haven for Hope.

Councilmember Viagran requested a report of demographics such as race, ethnicity, and gender of all City Employees that were furloughed. She asked if the furloughed employees received their first unemployment check yet. Ms. Villagomez reported that she will gather and report that data to Council.

Councilmember Gonzales noted that a constituent visited her District Office requesting help because he did not have a lease but lived in a home for years and the homeowner passed away. She added that the home was sold, and the new owner wanted him to sign a lease, but he was concerned or did not understand the terms of the lease. Councilmember Gonzales stated that her staff was able to connect the tenant with Habitat for Humanity and he was able to purchase his first home. She shares the story as an example of individuals residing in rental units without a lease, that this is a success story, and an example of what the City can do to help stabilization. She added that the number one commonality her office saw was that people that were being evicted, did not have a lease or a stable home to begin with.

Councilmember Gonzales noted that there were many burdens on the front end to get into an apartment. She added that a partnership with the Apartment Association and landlords was important. She expressed the importance of focusing on issues related to homelessness, affordable housing, stabilizing existing housing, and safe housing options. She requested that the issues of the Digital Divide, Housing, Small Business, Workforce Development, and Community Resiliency be addressed in their

respective Council Committees.

Councilmember Sandoval agreed that the Council Committees needed to reconvene soon as there was a lot of work to do. She added that the City must be mindful of recovery efforts and revenue resources, specifically the Hotel Occupancy Tax. She added that consumer confidence was a concern as customers may now be scared to have another interruption like COVID. She predicted a change in consumer spending and consumer behavior that might affect tax revenues.

Councilmember Sandoval stated that carpenters, construction workers, and apprentices were always needed and contributed to a circular economy. She added that the City should invest in educational opportunities such as certifications in industries that provide good-paying jobs. She noted that the City adopted the Property Assess Clean Energy (PACE) Program recently and there was Water and Energy Efficiency Programs available with financing and the money would be paid back with the savings from water or energy costs.

Councilmember Sandoval stated that the City should make a concerted investment in digital infrastructure. She noted that individuals without a computer would need to learn about how to use the computer, anti-virus software, how to download, etc. She added that this was another educational opportunity that was needed. She noted that there was a nursing shortage and suggested that Workforce Development address the shortage.

Councilmember Andrews-Sullivan asked if the Risk Mitigation Fund could be increased and if those funds could be used for rehabbing homes within a pilot program. Ms. Villagomez reported that the funding applies to all uses of the Corona Virus Relief Fund but that all expenses must be tied to COVID-19. Ms. Villagomez stated that she did not think that the funding could be used for small home repairs, but she will ask the U.S. Treasury if that was an eligible expense and report back to Council. Councilmember Andrews-Sullivan asked if additional funds could be added to the Risk Mitigation Fund. Ms. Villagomez reported yes if that was the consensus of the Council.

Councilmember Andrews-Sullivan asked if the Small Business Grants included the PPE Program or if that was outside of the Grant. Ms. Villagomez reported that was in addition to the Small Business Grants. Councilmember Andrews-Sullivan asked if the City could help open up businesses that lost everything and completely closed due to COVID-19. Ms. Villagomez reported that she would look into that particular situation and report back to Council.

Councilmember Andrews-Sullivan asked if Small Business Funds could be utilized for on-the-job training for those that had been displaced due to closures from COVID-19. Mr. Carlos Contreras, Assistant City Manager reported that the Small Business Funds could be used for workforce training, including on-the-job training.

Councilmember Andrews-Sullivan questioned when the moratorium on Evictions would be lifted by Bexar County. Ms. Houston reported that the moratorium would expire on June 1, 2020 pending potential extension. Councilmember Andrews-Sullivan asked if individuals serving in the Military were contacted regarding potential evictions and if landlords had conducted outreach. Ms. Houston stated that she would verify and report back to Council.

Councilmember Pelaez asked what three conditions were placed on the \$270 million CARES Act funding. Ms. Villagomez reported that 1) Expenses were necessary expenditures incurred to respond

the COVID-19 pandemic; 2) the costs could not be accounted for in the Budget most recently approved; 3) costs must be incurred between March and December. Councilmember Pelaez noted the tight restrictions placed on funding. He added that Council and City Staff needed to be careful not to set false expectations in the minds of the public based on the tight restrictions imposed by the Federal Government.

Councilmember Pelaez asked how much the City had in the General Fund Reserve Account and how long it would last. Ms. Villagomez reported that the City had the equivalent of less than three months which was approximately \$300 million. Councilmember Pelaez stated that the \$270 million CARES Act funding was not a panacea nor the silver bullet to cure those ills. He added that he was optimistic and wanted to spend the funds on things that would be impactful and help the community. He noted that no prior precedent existed for what San Antonio was facing regarding COVID-19.

Councilmember Cabello Havrda commended the City regarding the measures that will inform both landlords and tenants of their rights or obligations and the avenues to assist both parties. She asked if the Federal Government issued the 120-day moratorium on evictions. Ms. Houston confirmed that was correct, which expired July 24, 2020 and applied to properties that received Federal Funding, which was approximately 50% of San Antonio's properties.

Councilmember Cabello Havrda asked the difference between the Federal CARES Act Moratorium and the proposed 60-day Moratorium, other than the time frame. Mr. Segovia reported that the notice requirement under the CARES Act was specifically aimed at Federally-Funded Housing. He added that federal notice requirement overrides state notice requirements. He noted that there was a direct tie and direct federal interest to the properties that required notice. He stated that the 60-day proposed moratorium would apply to all rental properties either commercial or residential depending how the Ordinance was written. Councilmember Cabello Havrda stated that the 60-day proposed moratorium would fill the gaps of the other 50% and viewed it as an extension of what the Federal Government was doing, noting it is similar in terms of the days of notice, but the legal structure would be different.

Councilmember Cabello Havrda asked what would trigger the Governor to impose restrictions on the County or the City when and if another spike were to occur. Mr. Segovia reported that the Governor was considering three criteria: 1) Continuous days of more recovered cases than active cases; 2) Continued decline of the positivity rate; meaning percentage of positive tests compared to the number of tests run that day; 3) Hospitalization rate, which was the number of individuals hospitalized as compared to total active cases.

Councilmember Cabello Havrda asked whose responsibility it was to notify the Governor, if that spike occurred. Mr. Segovia reported that the Health Department used data maintained by them to indicate a surge of cases which would be reported in a timely manner to the Governor's Office.

Councilmember Courage stated that he was not in favor of opening as quickly as the Governor had imposed on San Antonio. He understood that restarting or reopening businesses in the community that supplied jobs was important and that jobs provide income to spend on rent, food, and utilities, which generate sales tax. He stated that individuals that were out of work from businesses that would not reopen needed to be retrained and have workforce development to allow for employment in other business sectors.

Councilmember Courage supported the Mayor regarding narrowing the digital divide within the

community and recognized the adverse impacts many San Antonio residents are experiencing. He noted that he had served on the Social Services Committee which was charged with trying to advance better communication available to the public. He added that was very difficult when many parts of the City did not have access to the internet to connect with school, work from home, interact with the government, apply for unemployment, or understand what's going on in the City. He noted that COVID-19 had proven the significance of people without access to the internet, particularly tens of thousands of students.

Councilmember Courage stated that the most concerning to him was housing and the potential problems that people face as they become unemployed or impacted by COVID-19. He added that the Apartment Association reported approximately 260,000 apartment units in San Antonio of which half were protected by the Federal Government resulting in approximately 130,000 units without protections. He stated that the City established a \$25 million program to pay up to three months' rent for individuals that are behind or falling behind on rent including assistance with food, utilities, and transportation.

Councilmember Courage asked of the regulations for neighborhood swimming pools, HOAs, and private communities pools. Mr. Segovia reported that according to the Governor's Order, indoor or outdoor swimming pools could operate at 25% capacity. Councilmember Courage asked if playgrounds remained closed. Mr. Segovia reported that was correct.

Councilmember Rocha Garcia noted that there were frequently asked questions on the U.S. Treasury Webpage that outlined eligible expenditures from the CARES Act. She added that education was crucial to break the cycle of generational poverty and stated that workforce development was a great investment for individuals that have been impacted or unemployed due to COVID-19.

Councilmember Rocha Garcia stated that she was working on an Economic Bill of Rights that could potentially guide policy discussion and ordinances in the future. She noted items of consideration were the right to access food; right to affordable housing; right to access affordable healthcare; right to access quality education; right to internet connectivity; right to affordable transportation; right to recreation; right to safe neighborhoods; and the right to high wage and quality jobs.

Councilmember Perry questioned whether the City had any conflicts with the Governor's COVID-19 Orders. Mr. Segovia reported that there were no conflicts that he was aware of and that the City would comply with the Governor's Order.

Councilmember Perry asked if City Staff was able to analyze eligible expenses that can be reimbursed from the \$270 million CARES Act funding. Ms. Villagomez reported that the presentation provided today consisted of the analysis that was conducting with the U.S. Treasury guidance on allowable expenses that the City has incurred or will incur until December 30, 2020. Ms. Villagomez added that the City received \$270 million from the CARES Act which the City sought guidance on how to allocate those funds to comply with the grant which will be audited by the Inspector General.

Councilmember Perry expressed his support for the Notification Process and Renters Rights that Ms. Houston worked out with COPS/Metro and other Stakeholders. He added that renters should be informed of their rights and that all stakeholders and organizations impacted should be included in the process before government implements policy to prevent unintended consequences.

Councilmember Treviño stated that Public Health and Safety was his number one priority and that

COVID-19 had pressure tested all our systems and exposed potential weaknesses regarding small businesses. He noted that small businesses needed relief and were heavily impacted and many may not survive. He requested that City Staff look into what the City can do to help small businesses, remove barriers, and avoid extra expenses.

Councilmember Treviño supported investment in narrowing the Digital Divide facing San Antonio residents. He commented on the Risk Mitigation Fund of \$25 million being the largest in the Country or in Texas but stressed that it was not enough to help everyone in need. He recognized that the Federal Government was not doing enough to help those in need thus, the need for the Fund.

Councilmember Treviño spoke of the Right to Cure and that 50% of rental properties were protected under the CARES Act which provides 120 day moratorium on evictions leaving 50% without protection. He added that renters needed protections from evictions during this crisis, including the Right to Cure.

Councilmember Sandoval asked if landlords could approach City Staff and say they have a tenant that has not paid their rent because they were impacted by the pandemic. Ms. Houston reported yes, that was occurring now, the landlord could apply for funding for the tenant. Ms. Houston added that City Staff has held training sessions for landlords on how to access and use the system.

Mayor Nirenberg thanked the Councilmembers and City Staff and the public for their participation in the process. He noted that this was not a silver bullet and would not cure all of what ails those in need. He added that this pandemic had forced us into a period of self-reflection to understand priorities and adjust accordingly. Mayor Nirenberg stated that the working groups would be finishing up their charge by the end of the month and would then be presented to the Council Committees. He added that no action was needed for this item, as it was a briefing.

Acting City Clerk Flores read the Resolution for Item 5.

2020-05-07-0028R

5. Resolution affirming the City's commitment to the safety and well-being of all community members and combating hate-speech.

Mayor Nirenberg called upon Jack M. Finger who was registered to speak.

Jack M. Finger spoke in opposition of the proposed Resolution. He stated that he should be able to say how he felt in public.

Mayor Nirenberg stated that the City of San Antonio had always stood united especially during a crisis. He added that there was no room for discrimination or hate and when we see it, we shout it out collectively as a community and will not tolerate hate.

Councilmember Pelaez stated that was the right thing to do and the right time to do it. He noted that the United States had a long history of xenophobia, which was in our DNA. He added that was more dangerous and more contagious than the virus. Councilmember Pelaez stated that thankfully there was a vaccine which was light; bring it to light. He added that the vaccine was drawing a line in the sand and saying we will not tolerate this.

Councilmember Pelaez stated that the proposed Resolution resoundingly combats hate in San Antonio

and that we stand shoulder to shoulder with our Asian and Jewish brothers and sisters. He added that we stand and declare ourselves not against anything but in favor of love and dignity and respect and that we resoundingly reject prejudice and prosecution of any person because of their color, ethnicity, or national origin.

Councilmember Sandoval expressed support and stated that she wants to see how this philosophy permeates through everything the City does in our COVID-19 response. She added that unity of purpose and protecting our neighbors was important.

Councilmember Andrews-Sullivan expressed support and wants to see more done for those that are vulnerable to hate-crimes.

Councilmember Perry expressed support for the proposed Resolution and support for the community.

Councilmember Pelaez moved to approve the Resolution. Councilmember Treviño 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

16. City Manager's Report

City Manager Erik Walsh reported that the PPE that was given away to small businesses were sourced locally. He added that the only exception was thermometers.

City Manager Walsh reported that this week marked the 36th Annual Public Service Recognition Week. He added that since 1985 the Federal Government had established this week to recognize Federal, State, and Local Government Employees that serve the community. He provided a video of City Staff connecting with employees.

EXECUTIVE SESSION

Mayor Nirenberg recessed the meeting at 1:45 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.** Discuss legal issues relating to COVID-19 preparedness pursuant to Texas Government Code Section 551.071 (consultation with attorney].

Mayor Nirenberg reconvened the meeting at 3:42 pm and announced that no action was taken. There being no further discussion, Mayor Nirenberg adjourned the meeting.

APPROVED

RON NIRENBERG
Mayor

Attest:

TINA J. FLORES
Acting City Clerk