

**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, April 15, 2021**

**9:00 AM**

**Videoconference**

The City Council convened in a Regular Meeting. Deputy City Clerk Aurora Perkins took the Roll Call noting a quorum with the following Councilmembers present:

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

1. The Invocation was delivered by Sister Pearl Ceasar, guest of Councilmember Gonzales, Council District 5.
2. Mayor Nirenberg led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes from the City Council Meetings of February 11, 2021, February 17, 2021, and February 18, 2021

Councilmember Andrews-Sullivan moved to approve the Minutes of February 11, 2021, February 17, 2021 and February 18, 2021. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

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

**CONSENT AGENDA ITEMS**

Mayor Nirenberg announced that Items 20, Z-7, and Z-13 were pulled for Individual Consideration.

### **POINT OF PERSONAL PRIVILEGE**

Mayor Nirenberg recognized Kiana Williams, a point guard from Stanford University who won the 2021 NCAA Women's Championship. Mayor Nirenberg stated that Ms. Williams was a graduate of Wagner High School and would be entering the WNBA draft and was predicted to be a Top 10 draft pick. He noted that Ms. Williams led the team in scoring with 14 points per game, 3.1 assists per game and averaged 32.3 minutes per game. Mayor Nirenberg noted that Ms. Williams finished her college career with 311 three-pointers and never missed a game during her career at Stanford.

Mayor Nirenberg noted that Ms. Williams basketball journey began at Wagner High School in the San Antonio area, went on to California to play at Stanford and then returned back to San Antonio to win an NCAA Championship. He stated that San Antonio was very proud to have her back in San Antonio and celebrate her accomplishments.

Mayor Nirenberg congratulated Ms. Williamson on leading the Stanford University Cardinals to capturing the NCAA Title and becoming the university's all-time three-point leader with a record 311. He wished her continued success for many more years to come.

Ms. Williams thanked the Mayor and City Council for recognizing her and inviting her and her family to the meeting. She stated that she was thankful that she was able to have played and represent her family and the City of San Antonio with pride.

Councilmember Andrews-Sullivan congratulated Ms. Williams on her basketball achievements and stated that her family had kept her up to date on her activities during the year. She commented on Ms. Williams ability to use her God given talents and being an uplifting example to young women.

Councilmember Rocha Garcia noted her pride of Ms. Williams basketball accomplishments and her majoring in Science at Stanford which was a shining example to young women. She congratulated Ms. Williams and wished her continued success.

Councilmember Viagran congratulated Ms. Williams and the rest of the Stanford Team on their winning of the NCAA Basketball Championship. She thanked Ms. Williams for coming back to San Antonio and allowing the City to recognize her.

Councilmember Cabello Havrda stated that she was starstruck of Ms. Williams and thanked her for being an inspiration to all young people, for women, for athletes and the City. She stated that she appreciated her dedication and hard work in reaching her accomplishments.

Councilmember Sandoval congratulated Ms. Williams on her accomplishments and stated that she was impressed that she majored in Science.

Councilmember Gonzales noted that San Antonio was enthusiastic and excited about Ms. Williams representing San Antonio in the NCAA Tournament. She added that she witnessed an incredible display of athleticism and the City celebrated her accomplishments. She wished her continued success in her basketball and life endeavors.

Mayor Nirenberg presented Ms. Williams with a City citation and invited the City Council to join him and Ms. Williams for a photo.

### **POINT OF PERSONAL PRIVILEGE**

Mayor Nirenberg congratulated Liz Ruiz with KTSA Radio Station who wrapped up a 40-year career on radio. He stated that he appreciated her insightful reporting on a variety of stories to include the coverage of Pope John Paul's historic trip to San Antonio. He noted that Ms. Ruiz was a member of the San Antonio Radio Hall of Fame, the San Antonio Women's Hall of Fame and was the recipient of the San Antonio Association of Hispanic Journalists Lifetime Achievement Award for Excellence in Journalism.

Mayor Nirenberg called upon the individuals registered to speak.

Jack M. Finger stated his concern on Items Z-1, Z-2 and Z-15 which increased the number of multi-unit development within Council District 5.

Councilmember Gonzales highlighted Item 23 which approved the adoption of monitoring standards for the Parks and Recreation Department's Summer Youth Program and other applicable recreation programs to comply with Texas Department of Health and Human Services regulations.

Homer Garcia, Director, Parks and Recreation Department, stated that Summer Youth Programs and City Swimming Pools were re-opening and would be rolling out new standards for Summer Food Programs. He noted that the ordinance provided the largest service remodel in over five decades.

Councilmember Gonzales noted that she wanted to highlight the item to thank Mr. Garcia and the Parks and Recreation Team. She noted that the City parks were one of her favorite things about the City and that she and her family enjoyed the City's park system on a regular basis. She thanked City staffers Sandy Jenkins, Veronica Rodriguez, Lynn Kinton, Sarah Sharp, Brenda Burton, and Hank Salinas for their continued work on Parks and Recreation projects and programs.

Mr. Garcia stated that he was fortunate to have inherited a great department with a great team and appreciated the support of the City Council. He noted that many parks had been improved to include Elmendorf Lake Park which was completely different than what it had been in the past.

Councilmember Treviño highlighted Item 17B which appointed Alberto "Beto" Altamirano to the Port Authority of San Antonio Board. He noted that Mr. Altamirano was the Chief Executive Officer and Co-founder of Iris, Inc. and was a former State Legislator who would provide insight and innovation to the Board.

Councilmember Sandoval highlighted Item 11 which related to the Huebner Creek Trailhead project. She acknowledged the efforts of former Councilmember Guajardo and Leon Valley Mayor Chris Riley. She stated that the park had a ribbon cutting ceremony recently that featured shade structures, a drinking fountain, and a bioswale that was in part funded by the San Antonio River Authority. She thanked the voters, taxpayers, the Public Works Department, the Parks and Recreation Department and the San Antonio River Authority for their work on the project.

Councilmember Viagran highlighted Item 13 that approved the assignment of a lease agreement with the San Antonio Riverwalk Association to Visit San Antonio. She noted that the assignment would align the City's promotion efforts on behalf of the Riverwalk Association and Visit San Antonio.

Councilmember Viagran highlighted Item 25 which amended the City's Master Plan by realigning a proposed segment of the Kelly Parkway. She stated that the amendment would assist to alleviate traffic related to economic development growth in the area.

Councilmember Pelaez highlighted Item Z-17 which established a new proton therapy facility in the City's Medical Center area. He noted that the proton therapy facility would address cancer treatment research and healthcare and expand medical services to the San Antonio area.

**2021-04-15-0233**

6. Ordinance approving a contract extension with Allied Universal Security Services to provide commissioned and non-commissioned security officers at various City facilities for one additional year in the estimated amount of \$7 million. Funding is available from departments' FY 2021 adopted budget approved by City Council. Funding for FY 2022 is contingent upon City Council approval of the annual budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Financial Officer]

**2021-04-15-0234**

7. Ordinance approving a contract with Kent Powersports to provide the San Antonio Police Department with 12 replacement police motorcycles for FY 2021 and FY 2022 for a total estimated cost of \$312,268.20. Funding in the amount of \$156,134.10 is available from the FY 2021 Equipment Renewal and Replacement Fund budget. Funding for FY 2022 is subject to City Council approval of annual budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2021-04-15-0235**

8. Ordinance approving a contract with Paradigm Traffic Systems, Inc., to provide the Public Works Department with communication equipment for school zones for a total cost of \$247,292.50. Funding is available from the FY 2021 Adopted General Fund Budget and the FY 2021 School Pedestrian Safety Project. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2021-04-15-0236**

9. Ordinance approving a contract with Santex Truck Center LTD, dba Kyrish Truck Center, to provide ten medium and heavy duty trucks for the Public Works Department for a total cost of \$1,372,350.00. Funding in the amount of \$1,372,350.00 is available from the FY 2021 Equipment Renewal and Replacement Fund budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2021-04-15-0237**

- 10.** Ordinance approving the following contracts establishing unit prices for goods and services for an estimated annual cost of \$60,000.00, included in the respective department's FY 2021 Adopted Budget:

(A) Bike World for bicycle repair parts and accessories for patrol officers; and

(B) Security Reconnaissance Team, Inc., for gate opening and closing services in City parks.

[Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2021-04-15-0238**

- 11.** Ordinance approving a construction contract with RCO Construction, L.L.C. in an amount not to exceed \$641,180.00 for the Huebner Creek Trailhead project at Crystal Hill, located in Council District 7. Funding in the amount of \$591,680.00 is available from the voter approved Sales Tax Venue funds and is part of the adopted FY 2021 – FY 2026 Capital Improvement Program. This ordinance also appropriates \$49,500.00 from the FY 2021 Tree Canopy Preservation and Mitigation Fund which will be used for tree plantings around the trailhead and supporting irrigation. [David W. McCary, CPM, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

**2021-04-15-0239**

- 12.** Ordinance approving a task order to a Job Order Contract with The Sabinal Group, LLC in an amount of \$396,126.66 for roof and interior improvements to the El Mercado building located in Council District 1. Funds are available from 2020 Tax Notes and are included in FY 2021 - FY 2026 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

**2021-04-15-0240**

- 13.** Ordinance approving the assignment of a license agreement with San Antonio River Walk Association to Visit San Antonio through March 31, 2024 for the purpose of promoting the River Walk and all of San Antonio. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations Department]

**2021-04-15-0241**

- 14.** Ordinance approving the submission of an application to the U.S. Department of Health and Human Services for the Early Head Start-Child Care Partnership Grant for the period August 1, 2021 to July 31, 2022, and acceptance upon award of up to \$2,982,243.00, a budget including an in-kind grant match of \$745,561.00, and personnel complement. [Lori Houston, Assistant City Manager; Melody Woosley, Director, Human Services]

**2021-04-15-0242**

15. Ordinance approving the acceptance of up to \$25,000.00 from the Cities for Financial Empowerment Fund for the Bank On Capacity Grant for the period April 15, 2021 to October 14, 2022 and authorizing a budget, including an in-kind match up to \$44,652.00. [Lori Houston, Assistant City Manager; Melody Woosley, Director, Human Services]

**2021-04-15-0243**

16. Ordinance approving the acceptance of funds up to \$1,214,140.08 from the Texas Department of Agriculture in support of the 2021 Summer Food Service Program operated by the Parks and Recreation Department for the period of June 7, 2021, through August 20, 2021. This action also approves the acceptance of any additional Texas Department of Agriculture funds for food service awarded during the term of this grant. [David W. McCary, CPM, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

**2021-04-15-0244**

17. Approving the following Board, Commission and Committee appointment for the remainder of unexpired term to expire May 31, 2021 or for the term shown below. [Tina J. Flores, City Clerk]

A) Ordinance appointing Steven Zumarán (District 5) to the Historic and Design Review Commission and waiving the City Code Chapter 2, Article V, and Chapter 35, Article VIII Archeology category.

B) Appointing Alberto "Beto" Altamirano (District 1) to the Port Authority of San Antonio Board of Directors.

C) Appointing Dustin Breithaupt (District 5) to the SA2020 Commission on Education.

D) Appointing Courtney Shudak (District 5) to the City Bond Oversight Commission.

18. Approving the following persons to the Hemisfair Park Area Redevelopment Corporation (HPARC) Board of Directors for the remainder of unexpired terms of office as shown below [Tina J. Flores, City Clerk]

A) Reappointing Corina Castillo-Johnson, Sue Ann Pemberton, and Cara DeAnda to terms expiring August 13, 2021;

B) Reappointing Steve Yndo to a term expiring August 13, 2022.

C) Appointing Martha Martinez-Flores and reappointing Melissa Chamrad and Tracy Hammer to terms expiring August 13, 2023.

D) Reappointing Cynthia Lee Caruso and Kristi Wyatt to terms expiring August 13, 2024.

**2021-04-15-0027R**

19. Resolution to initiate historic landmark designation for 828 Nevada Street and waive application fees. [Lori Houston, Assistant City Manager; Shanon Shea Miller, Director, Office of Historic Preservation].

**2021-04-15-0028R**

21. Resolution of No Objection for LIV Granada, L.P.'s application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the rehabilitation of the Granada Homes, a 265-unit affordable multi-family rental housing development, located at 311 South St. Mary's Street in Council District 1 [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

**2021-04-15-0029R**

22. Resolution of No Objection for Cohen-Esrey Development Group's application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the construction of the Loma Vista Lofts, a 196-unit affordable multi-family rental housing development, located at 363 North General McMullen Drive in Council District 5. [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

**2021-04-15-0245**

23. Ordinance approving the adoption of Self-Monitoring Standards for the Parks and Recreation Department's Summer Youth Program and other applicable recreation programs to comply with Texas Department of Health and Human Services regulations. [David W. McCary, CPM, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

**2021-04-15-0246**

24. Ordinance approving five On-Call Construction Inspection Services Agreements with Foster CM Group, Inc., LCCx, LLC, Maestas & Associates, LLC, Mendez Engineering, PLLC and Sunland Group, Inc. each in the amount not to exceed \$400,000.00 per contract term for as-needed construction inspection services related to construction projects citywide. Each agreement is for an initial term of one year, with an option to renew for up to one additional one-year term at the City's discretion in an amount not to exceed \$400,000.00 per contract term for a total amount not to exceed \$800,000.00 per contract. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

**2021-04-15-0247**

25. Ordinance amending the Major Thoroughfare Plan, a component of the City of San Antonio

Master Plan, by realigning a proposed segment of Kelly Parkway, a Super Arterial Type A requiring 200' – 250' feet of right-of-way, between existing US 281 and approximately 1.2 miles west of existing US 281. [Roderick Sanchez, Assistant City Manager; Tomika Monterville, Director, Transportation]

**2021-04-15-0248**

- Z-1.** ZONING CASE Z-2020-10700266 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3 NCD-1 AHOD" General Commercial South Presa Street and South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District to "IDZ-2 NCD-1 AHOD" Medium Intensity Infill Development Zone South Presa Street and South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and for ten (10) dwelling units on Lots 1 through 6, NCB 6857, located at 114 West Carolina Street. Staff and Zoning Commission recommend Approval. (Continued from April 1, 2021)

**2021-04-15-0249**

- Z-2.** ZONING CASE Z-2020-10700296 (Council District 1 and 5): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for six (6) dwelling units on Lots 11-13, Block 5, NCB 2263, located at 1611 West Travis Street, 1615 West Travis Street and 1617 West Travis Street. Staff and Zoning Commission recommend Approval.

**2021-04-15-0250**

- Z-3.** ZONING CASE Z-2020-10700304 (Council District 1): Ordinance amending the Zoning District Boundary from "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 11 and Lot 12, Block 16, NCB 2171, located at 903 North Hamilton Street. Staff and Zoning Commission recommend Approval.

**2021-04-15-0251**

- Z-4.** ZONING CASE Z-2021-10700008 CD (Council District 1): Ordinance amending the Zoning District Boundary from "RM-4 CD AHOD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for a Daycare to "RM-4 CD AHOD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for Caterers and Catering Shop (No On-Premises Food Services) on Lot 11, NCB 11690, located at 3838 West Avenue and 3900 West Avenue. Staff and Zoning Commission recommend Approval.



**2021-04-15-0252**

- Z-5.** ZONING CASE Z-2021-10700012 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units on Lot A7, NCB 1718, located at 339 East French Place. Staff and Zoning Commission recommend Approval.

**2021-04-15-0253**

- Z-6.** ZONING CASE Z-2021-10700015 HL (Council District 1): Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-3R HL AHOD" General Commercial Restrictive Alcoholic Sales Historic Landmark Airport Hazard Overlay District on the south 83.34 feet of Lots 11 and 12, Block 39, NCB 1865, located at 2602 North Flores Street. Staff and Zoning Commission recommend Approval.

**2021-04-15-0255**

- Z-8.** ZONING CASE Z-2020-10700308 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-6 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "R-6 CD MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Two (2) Dwelling Units on Lot 15, Block 5, NCB 12835, located at 1303 Norfleet Street. Staff and Zoning Commission recommend Approval.

**2021-04-15-0256**

- P-1.** PLAN AMENDMENT CASE PA-2021-11600004 (Council District 2): Ordinance amending the Arena District/ Eastside Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Parks Open Space" and "Mixed Use" to "Mixed Use" on 12.088 acres out of NCB 10578, located at 3623 East Commerce Street. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2021-10700021)

**2021-04-15-0257**

- Z-9.** ZONING CASE Z-2021-10700021 (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 EP-1 MLOD-3 MLR-1" Residential Single-Family Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "C-2 EP-1 MLOD-3 MLR-1" Commercial Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "IDZ-2 EP-1 MLOD-3 MLR-1" Medium Intensity Infill Development Zone Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with uses permitted in "MF-50" Multi-Family District on 12.088 acres out of NCB 10578, located at 3623 East Commerce Street. Staff and Zoning Commission recommend Approval, pending Plan

Amendment. (Associated Plan Amendment PA 2021-11600004)

**2021-04-15-0258**

- Z-10.** ZONING CASE Z-2020-10700256 (Council District 3): Ordinance amending the Zoning District Boundary from "R-4 RIO-4 AHOD" Residential Single-Family River Improvement Overlay Airport Hazard Overlay District to "IDZ-1 RIO-4 AHOD" Limited Intensity Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and four (4) dwelling units on 0.094 acres out of NCB A-9, located at 116 West Mitchell Street. Staff and Zoning Commission recommend Approval.

**2021-04-15-0259**

- P-2.** PLAN AMENDMENT PA-2020-11600082 (Council District 3): Ordinance amending the Eastern Triangle Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Urban Living", "Neighborhood Commercial", "Parks and Open Space" to "Low Density Residential" on 89.251 acres out of NCB 10780, located at 2714 South WW White Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700291)

**2021-04-15-0260**

- Z-11.** ZONING CASE Z-2020-10700291 (Council District 3): Ordinance amending the Zoning District Boundary from "R-5 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "R-4 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District on 89.251 acres out of NCB 10780, located at 2714 South WW White Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600082)

**2021-04-15-0261**

- Z-12.** ZONING CASE Z-2020-10700306 CD (Council District 3): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-6 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units on Lots 9-11, Block 100, NCB 9370, located at 611 Aaron Place. Staff and Zoning Commission recommend Approval.

**2021-04-15-0262**

- Z-14.** ZONING CASE Z-2021-10700004 (Council District 4): Ordinance amending the Zoning District Boundary from "NP-15 MLOD-2 MLR-2 AHOD" Neighborhood Preservation Lackland

Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 33.4225 acres out of CB 4295, generally located in the 12000 block of Somerset Road. Staff and Zoning Commission recommend Approval.

**2021-04-15-0263**

- Z-15.** ZONING CASE Z-2020-10700144 (Council District 5): Ordinance amending the Zoning District Boundary from "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-1 MLOD-2 MLR-2 AHOD" Low Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for fifteen (15) units on Lots 1 through 8, Block 10, NCB 6253, located at 611 Oriental Avenue. Staff and Zoning Commission recommend Approval.

**2021-04-15-0264**

- Z-16.** ZONING CASE Z-2021-10700009 CD (Council District 5): Ordinance amending the Zoning District Boundary from "C-3NA MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units on Lot 37 and Lot 38, Block 3, NCB 2425, located at 2203 El Paso Street. Staff and Zoning Commission recommend Approval.

**2021-04-15-0265**

- Z-17.** ZONING CASE Z-2021-10700013 (Council District 8): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 3.411 acres out of NCB 13663, generally located in the 8400 block of Floyd Curl Drive. Staff and Zoning Commission recommend Approval.

**2021-04-15-0266**

- Z-18.** ZONING CASE Z-2021-10700027 (Council District 8): Ordinance amending the Zoning District Boundary from "C-3 MLOD-1 MLR-1" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 District and "C-3 MLOD-1 MLR-1 AHOD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "MF-33 MLOD-1 MLR-1" Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 1 District and "MF-33 MLOD-1 MLR-1 AHOD" Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 1.093 acres out of NCB 15825, generally located in the 14000 Block of Vance Jackson Road. Staff and Zoning Commission recommend Approval.

**2021-04-15-0267**

- P-3.** PLAN AMENDMENT CASE PA-2021-11600007 (Council District 8): Ordinance amending the North Sector Plan, a component of the Comprehensive Master Plan for the City, by changing the future land use from “Country Tier” to “Suburban Tier” on Lot 2 and Lot 2A, Block D, NCB 35936, located at 20280 Carrie Louise Street. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2021-10700035)

**2021-04-15-0268**

- Z-19.** ZONING CASE Z-2021-10700035 CD (Council District 8): Ordinance amending the Zoning District Boundary from "R-20 GC-1 MLOD-1 MLR-1 AHOD" Residential Single-Family Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "R-20 MLOD-1 MLR-1 AHOD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 CD GC-1 MLOD-1 MLR-1 AHOD" Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Cabinet Shop and "C-2 CD MLOD-1 MLR-1 AHOD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Cabinet Shop (All Overlays Remain the Same) on Lot 2 and Lot 2A, Block D, NCB 35936, located at 20280 Carrie Louise Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2021-11600007)

**2021-04-15-0269**

- P-4.** PLAN AMENDMENT CASE PA-2021-11600001 (ETJ - Closest to Council District 8): Ordinance amending the Extraterritorial Jurisdiction Military Protection Area Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land from “Agricultural” to “Community Commercial” on CB 4612 P-3, P-4A ABS 653, located at 21880 Scenic Loop Road. Staff and Planning Commission recommend Approval.

**2021-04-15-0270**

- P-5.** PLAN AMENDMENT CASE PA-2021-11600002 (ETJ - Closest to Council District 8): Ordinance amending the Extraterritorial Jurisdiction Military Protection Area Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land from “Low Density Residential” to “Employment/Flex Mixed Use” on Lot 8, Block 1, CB 4704A, located at 25225 Boerne Stage Road. Staff and Planning Commission recommend Approval.

Councilmember Gonzales moved to approve the remaining Consent Agenda Items. 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

## **POINT OF PERSONAL PRIVILEGE**

Councilmember Perry noted that it was National Month of the Military Child and he wanted to recognize those children who are deployed all over the world with their families. He acknowledged the challenges that military children face in dealing with moving, changing schools, and changing cultures during their family's military career.

## **INDIVIDUAL ITEMS**

Deputy City Clerk Perkins read the caption for Item 4.

**2021-04-15-0232**

4. Ordinance approving the Amended and Restated Ground Lease and Operating Agreement between the City and General Land Office that incorporates and facilitates the implementation of the revised Alamo Plan. [Lori Houston, Assistant City Manager]

Mayor Nirenberg stated that Item topic had been in discussion for many years and that the Alamo was hallowed ground, the cradle of Texas liberty and that Texans agreed that the Alamo site should be a world class site that paid proper respect to the fallen. He indicated that the site should tell the story of the Battle of the Alamo, as well as the full history of the mission, and remain a public space for San Antonians and for all those who come from around the world to pay their respects.

Mayor Nirenberg stated that the Alamo Plan had not been entered into lightly. He noted that the Texas Historical Commission denied the movement of the Cenotaph which had an impact on the overall design of the project. He indicated that the overall design required a redesign as it impacted the ability to recapture the historic Mission Plaza and changes with the southern part of the Plaza.

Mayor Nirenberg stated that over the past couple of months, the City Council had several public meetings regarding the Alamo Plan that discussed whether or not to amend or unwind the lease agreement with the General Land Office (GLO). He added that the majority of the City Council supported the partnership with the GLO and recognized its benefits, provided that the vision and guiding principles remained the foundation of the Plan. He stated that he was confident that the modified Plan would bring dignity and respect to the site.

Mayor Nirenberg thanked City Attorney Andy Segovia and Councilmember Viagran for their work on the Management Committee and commended the work of the Alamo Advisory Committee members. He added his thanks to City staff to include Assistant City Manager Lori Houston.

Councilmember Viagran thanked her City Council colleagues for their insight and contributions to the lease agreement development. She added her thanks to Assistant City Manager Houston, Aaronetta Pierce, Sue Ann Pemberton for their work as tri-chairs of the Alamo Citizens Advisory Committee.

Assistant City Manager Houston acknowledged Hector Valle, GLO, and Kate Rogers, Executive Director, The Alamo Trust who were present at the meeting. She noted that the denial of the permit to relocate the Cenotaph jeopardized several components of the Alamo Plan that made it impossible to implement the Alamo Plan as initially approved. She stated that the City, GLO and Alamo Trust

remained committed to the Alamo Plan and wanted to amend the lease and operating agreement and the Alamo Plan.

Assistant City Manager Houston stated that the project partners agreed to revisit several components of the Alamo Plan:

- Continued commitment to the Vision and Guiding Principles
- Repurposing the historic Woolworth and Crockett buildings
- Flexibility on street closures
- Improving access to the Plaza

Assistant City Manager Houston provided an overview of the structure to provide oversight of the Alamo Plan:

- Executive Committee – City of San Antonio (Mayor Ron Nirenberg) and the Texas General Land Office (Commissioner George P. Bush)
- Management Committee
  - City of San Antonio - Councilmember Rebecca Viagran
  - City of San Antonio – City Attorney Andy Segovia
  - Alamo Endowment – Welcome Wilson
  - Alamo Endowment – Hope Andrade
  - General Land Office – Hector Valle
  - General Land Office – Jeff Gordon
- Alamo Citizens Advisory Committee
  - 10 members appointed by the Mayor
  - 10 members appointed by the City Council
  - 6 members appointed by the GLO
  - 4 technical advisors

Assistant City Manager Houston stated that the Alamo Citizens Advisory Committee (ACAC) was comprised of the following members representing various categories:

- Tri-Chair Category – Councilmember Viagran, Aaronetta Pierce, Sue Ann Pemberton, FAIA
- 1994 Alamo Plaza Study Category – Ann McGlone
- Tourism Category – Davis Phillips
- History/Archeology Category
  - Ramon Vasquez (American Indians in Texas), Dr. Sharon Skrobarcek, DRT, Dr. Carey Latimore (Trinity University)
- State of Texas Category
  - Forrest Byas, Aron Pena, Ernesto Rodriguez, Naomi Miller, Alan Huffines
- City Council Appointees
  - Roger Perez (D1), Anthony Edwards (D2), Patricia Mejia (D3), Rudolph F. Rodriguez (D4), George Cisneros (D5), Matt Duncan (D6), Vacant (D7), Melissa Killen (D8), Bill Brendel (D9), Wendell Hall (D10)
- Federal Government Category

- Christine Jacobs, National Parks Service
- Private Property Category
  - Frank Z. Ruttenberg
- Technical Advisors
  - Walter Serna, Fiesta Commission
  - Sharon Aguillen, San Antonio Visitor Alliance
  - Matt Brown, Centro San Antonio
  - Dave Krupinski, Visit San Antonio

Assistant City Manager Houston provided a synopsis of past Alamo Citizens Advisory Committee meetings:

- March 8, 2021 ACAC Public Meeting – Mayor addressed the ACAC members and discussed the charge and expectations
- March 15-19, 2021 – Listening sessions with Tri-Chairs and ACAC Members
- March 24, 2021 ACAC Workshop – Design Team presented revised concepts for feedback. The ACAC broke into small groups to discuss and provided feedback.
- March 29, 2021 ACAC Public Meeting – ACAC Presentation and discussion on draft recommendations to include public comments.
- March 31, 2021 ACAC Public Meeting – ACAC Presentation on final recommendation for approval.

Assistant City Manager Houston stated that if the City Council approved the amended plan and restated lease agreement, staff would move forward with the Alamo project. She noted that the project would utilize 2017 Bond funding and begin the design component of the project which would be completed by December 2021. She noted that staff would engage the ACAC over the next three months to make sure they understood the Interpretive Plan and what was to be told on the Plaza. She reiterated that the ACAC and staff would work with indigenous and Canary Islander groups to conduct an archival investigation of the property in order to ensure all guidelines were followed.

Assistant City Manager Houston stated that the ACAC and City staff would work closely with consultant group PGAC and Reed Hamilton on the Alamo Plaza design. She added that the Archaeology Advisory Committee would be comprised of 16 local organizations that would review the archival process and provide feedback. She introduced Erik Kramer with Reed Hamilton and John Cassman with PGAV in order to continue the presentation.

Mr. Cassman reviewed the guiding principles when determining the design component of the Alamo Plan. He stated that the 1836 Battle of the Alamo provided an opportunity to tell the entire history of the Alamo area. He reiterated that preservation and historical interpretation would be based on archaeological evidence from the site. He stated that the design would enhance connectivity and wayfinding to the river, neighborhoods, La Villita Historical Village, San Fernando Cathedral, and other plazas.

Mr. Cassman noted that there were five key elements of the Master Plan:

- Restore the Church and Long Barracks
- Delineate the historic footprint

- Recapture the historic mission plaza and create a sense of reverence and respect
- Create a world-class museum/visitor center
- Create a sense of arrival and enhance connectivity between site and other public spaces

Mr. Cassman reviewed the new parameters that were studied which included:

- Retain Cenotaph
- Do not lower the grade of the site
- Preserve Plaza access
- Retain Parade route options/phase street closure

Mr. Cassman reviewed the proposed items of the Plan:

- The Cenotaph would be repaired but not removed
- The mission footprint would be delineated by paving material changes
- The plaza would remain accessible to pedestrians, without railings
- The parades and key rituals would be accommodated
- Streets would be closed as planned and approved, with certain allowances for service, emergency, and public transit vehicles. Alamo Street, between Houston and Crockett, would be closed starting June 1, 2021 to allow for programming and traffic modeling.

Mr. Cassman stated that the team would concentrate on three different components of the study to include spatial definition, spatial strategies, and site design.

John Kramer stated that spatial definition took into consideration how design would be used to achieve the Plan goals. He noted that the design would reconcile the many layers of history and traditions that had evolved with a sense of coherence and reverence. He stated that the intention was to reveal the scale and proportion of the historic mission footprint as a way of providing context for a more telling of the Alamo history.

Mr. Kramer reviewed what spatial definition took into consideration:

- Assess current conditions
- Simplify the ground plane
- Delineate the Alamo footprint
- Define the district
- Evoke historic patterns
- Scale the Plaza
- Recapture the Mission – do not lower the site grade
- Highlight interpretive elements
- Enhance connectivity
- Create a sense of arrival
- Create a space of reverence
- Create a world-class experience with natural materials and plantings
- Materials considerations



Mr. Cassman stated that visitor experience key strategies looked to improve the legibility of the historic context of the Church and created a clear sense of arrival and orientation of the Alamo. He reviewed the components considered which related to the visitor experience:

- Define arrival into the District
- Define the five clear zones of the site
  - Plaza
  - Church and Long Barrack
  - Mission footprint and battlefield
  - Visitor Center and Museum
  - Garden
- Flexible management options
- Interpretive Plan: single secure perimeter with one secure entry point
- Revised approach: Two secure perimeters with two secure entry points
- Connect with other public spaces (River, La Villita, Travis Park, Hemisfair and Convention Center)
- Provide information access at every entry edge
- Direct visitors to orientation hubs

Mr. Kramer provided an overview of the interpretive elements of the plan which included the use of interpretive pavilions and signage/wayfinding that guided visitors through the site. He stressed the importance of building an emotional connection of visitors to the site and its history. He noted that the site provided a layered history and footprint that needed to be communicated to visitors. He reiterated that the layered history included the mission era, battle stories, and post battle activity. He added that the goal was to keep the interpretive content and the ability to celebrate each phase.

Mr. Kramer reiterated that the proposed changes to the Alamo Plan included: 1) Cenotaph would be repaired and not moved, 2) The plaza footprint would not be lowered, 3) The Plaza would remain accessible to visitors without railings, 4) Parades and rituals would be accommodated, and 5) Streets would be closed as planned and approved with certain allowances for emergency, and public transit vehicles (Alamo Street, between Houston and Crockett).

Assistant City Manager Houston stated that ACAC issued six statements of support for each proposed change in the amended plan. The statements supported the following:

- Repair and not movement of the Cenotaph
- Alamo Plaza would accommodate events such as traditional and pre-existing events, ceremonies and parades that aligned with the vision and guiding principles.
- Historic footprint would not be lowered to its living surface to delineate the footprint
- Managed access of the site would be limited to the Museum and Visitor Center, Church and Long Barrack, and the Gardens
- Street closures would be phased. Alamo Street from Houston to Crockett would occur every weekend between April 15<sup>th</sup> and May 30<sup>th</sup> until its permanent closure on June 1, 2021.
- The proposed changes described in statements 1-5 are still in alignment with the Vision and

Guiding Principles and the five key concepts approved in the Plan.

Assistant City Manager Houston reviewed the ground lease and operating agreement terms as follows:

- 50 year lease agreement with two 25-year extensions
- Long term lease to GLO for Parcel A would remain in place
- Alamo Street from Houston to Crockett would be permanently closed to vehicular traffic by June 1, 2021.
- Long term lease for Parcel B will go into effect when:
  - Design approval of a museum that repurposed the Crockett and Woolworth buildings
  - Funding for the museum and visitor center was identified
- If either of the conditions had not occurred by January 1, 2026, then the City shall have no further obligation to lease Parcel B

Assistant City Manager Houston reviewed the design changes related to the ground lease and operating agreement terms:

- The Cenotaph would not be moved but will be repaired.
- Alamo Plaza would be designed to accommodate events such as traditional and pre-existing events, ceremonies, and parades that have a cultural or historical tie to the site provided such activities provide the required reverence to the site.
- The Historic Mission Footprint would not be lowered to its living surface to delineate the footprint.
- Managed access of the site would be limited to the Museum and Visitor Center, Church and Long Barrack, and the Gardens. The Alamo Plaza and the remainder of the Historic Mission Footprint would be open to the public with unrestricted access.

Assistant City Manager Houston reviewed the allowed events component related to the ground lease and operating agreement terms:

- Battle of Flowers Parade
- Fiesta Flambeau Parade
- Tap Pilam Memorial Sunrise Service
- Alamo Defenders Descendants Association
- Remembrance Ceremony
- Army Military Day at the Alamo
- Pilgrimage to the Alamo
- Marine Military Day at the Alamo
- Navy Military Day at the Alamo
- Air Force Day at the Alamo
- Cavaliers Investiture Ceremony
- DRT Memorial Service for the Heroes of the Alamo
- Other Military ceremonies and events

Assistant City Manager Houston reviewed the allowed programming and events related to the ground

lease and operating agreement terms:

- An inventory of events would be developed and attached to the ground lease and operating agreement
  - The inventory would include the specific events, its date, and describe its relevance to the site.
- Events that were not produced by the GLO or the Alamo Trust would be considered by the Management Committee provided the event had wide community support and had a cultural and significant tie to the site.
- Programming and events must align with the vision and guiding principles of the Plan.

Assistant City Manager Houston reviewed the construction components related to the ground lease and operating agreement terms:

- The

Assistant City Manager Houston stated that the City of San had \$38 million for the Alamo Plan:

- \$1 million in 2012 General Obligation Bonds (\$1 million in Park Improvements)
- \$17 million in Certificate of Obligation (Issued in 2016 and 2017)
- \$21 million in 2017 General Obligation Bonds (\$13.7 million for Street Improvements, \$7.3 in Park Improvements)

Assistant City Manager Houston reviewed the total project funding and intent for funding for the Alamo Plan:

- State of Texas - \$106 million
  - Acquisition of historic buildings
  - Church and Long Barracks Restoration
  - Collections Building
- City of San Antonio - \$38 million
  - Crockett/Bonham Street improvements (\$15 million)
  - Alamo Plaza (\$23 million)
- Alamo Endowment – To be determined
  - Museum
  - Interpretive Elements on the Alamo Plaza

Assistant City Manager Houston reviewed the next steps of the Alamo Plan implementation if approved by City Council:

- Consideration of Amended and Reinstated Ground Lease and Operating Agreement by City Council and GLO in April 2021
- Alamo Plaza Schedule
  - Design: May – December 2021
  - Traffic Study: Summer 2021
  - HDRC Consideration: December 2021

- Construction Start with potential phasing: Early 2022
- Church and Long Barrack Preservation Plan: Currently underway
- Museum and Visitor Center: Due diligence and Conceptual design currently underway

Mayor Nirenberg called upon the individuals registered to speak on the Item.

Former Mayor Phil Hardberger stated his support of the Alamo Plan. He noted that the Alamo Plan had been talked about, discussed, and argued for about 11 years under Mayor Julian Castro's term of office. He stated that a fine plan had been developed and the leadership of Mayor Nirenberg and great efforts of City staff needed to be recognized. Mayor Hardberger recognized Assistant City Manager Houston for her outstanding work, determination, and imagination in the development of the Plan. He thanked Councilmember Treviño for all the initial work he did on the development of the Plan.

Mayor Hardberger noted that the challenge in moving the Alamo Plan forward was not that people did not love the Alamo, but that people loved the Alamo so much that every detail seemed to be the most important. He stated that it was important to get the Plan started and finished in order to honor the Alamo. Mayor Hardberger added that it was important to tell the history of San Antonio to include the events that occurred at the Woolworth Building related to racial segregation. He stated that he hoped that the City Council would move forward with the Alamo Plan.

County Judge Nelson Wolfe thanked the Mayor and City Council on their work and reconsideration of the Alamo Plan. He stated that he supported the proposed Plan which expanded and gave a greater opportunity for people to come together at the site. He noted that he was pleased that the historical significance of racial integration would be captured at the Woolworth Building. He added his support of the ACAC recommendations and acknowledged their hard work on the Plan.

ACAC Committee Member George Cisneros stated that the City needed to be careful about how it addressed the details of the Alamo Plan. He noted that it was important to credit the people who had gotten all the way to where they were now to include Councilmember Treviño. He added his thanks to the Tri-Chairs of the ACAC and Councilmember Viagran for their efforts on the Plan. He acknowledged the hard work of Assistant City Manager Houston and City staff on their consideration of all components of the Plan.

Mr. Cisneros asked that further consideration be put on Section 15 and Section 2.05 of the Plan that allowed for the sale of the property to the State. He added that the City should retain ownership of the Alamo Plaza in perpetuity.

Chairwoman Torres stated that she did not support the Alamo Plan and that the indigenous people were the sovereign, self-determined people that were decedents from the Alamo Mission. She noted that she was the diplomat representative of the Indigenous Working Committee and provided a formal notice for the City to cease and desist on moving forward with the Alamo Plan under the Intertribal Agreement Ordinance 79745.

Mary Jane Martinez stated her opposition of Item 4. She noted that she was a direct lineal descendent of the Mission People and was against the development of the site and disrespect for the Native American burial grounds.

Ronald Rocha spoke in opposition to Item 4. He spoke on behalf of the Native American people who wanted consideration and respect for the site's tribal burial graves at the site.

Jack M. Finger spoke in opposition of Item 4 due to the closure of vehicular traffic to the Alamo site.

Don Dixon stated that he opposed the street closure to vehicular traffic. He noted that by allowing the site to be only walkable limited the visibility of the site to many especially in the high heat during the summer months.

Councilmember Viagran stated that this was a moment of transition for the Alamo. She thanked the members of the ACAC and other individuals that had been part of the process. She thanked Mayor Nirenberg for the appointment to serve on the Committee and work on the collaboration with City staff and others. She stated that approving the Plan was a pivotal moment for the City and the State to build relationships and partnerships.

Councilmember Viagran stated that as a native San Antonian she took her role as Committee Chair very seriously. She reiterated that this project was a tremendous opportunity to tell the whole story of the Alamo while elevating a world-class experience for visitors and residents alike. She spoke of the importance of connecting the four other missions and other historical sites to the Alamo.

Councilmember Viagran acknowledged the community stakeholders that provided letters of support for the Plan and she committed to continue to work and collaborate on the execution of the Plan.

Councilmember Courage commended the efforts of the people that had worked on the Plan to include Councilmember Treviño. He added his thanks to Councilmember Viagran, the Management Committee, ACAC and the Design Team who put together a worthy Plan for the City Council to support. He noted that he strongly supported the Plan and believed that it honored the guiding principles which had been previously established which included the preservation of the Cenotaph. He asked that the City and GLO look into ways of raising private funds for the preservation efforts of the Cenotaph and not take funding away from the Alamo Trust Fund.

Councilmember Treviño stated that he supported the direction of the Plan design but had concerns about agreeing to a lease agreement for a term that could equal 100 years. He noted that this was the City's highest profile contractual agreement and that the City Council should have more time to properly review the lease agreement terms. He asked that more time be provided the City Council to review the breakdown of funds, associated improvements, and the impact to adjacent businesses.

Councilmember Treviño stated that he had concerns regarding the proposed traffic flow patterns for Losoya and Alamo Street and the need for additional funding to complete design and improvements. He addressed the need for private funding which he was not convinced could be raised to support the Plan objectives. He noted that there were too many unanswered questions regarding the lease and that it was not a good idea for the City Council to approve the proposed Plan at this time. He requested that the City Council take more time to review the red-line lease agreement and moved to delay the Item.

Councilmember Perry stated that he agreed that more time was needed to review the amended lease agreement.

Councilmember Viagran asked how many changes had been made to the original lease and the proposed lease agreement. City Attorney Andy Segovia stated that 70-80% of the proposed lease remained consistent to the original lease. He added that the proposed lease was not a complete revision but there were some items that were removed due to the fact that from a time standpoint no longer made sense.

Councilmember Viagran asked if there was a time certain component to the proposed lease. Mr. Segovia stated that the previous lease did have a time certain component to it, but the City had moved the time up and now tied dates to funding and design. He added that if the State did not meet the January 2026 timeframe, the City would not have a legal obligation to lease Parcel B to the State and would not trigger any payments from the City.

Councilmember Treviño asked if the City had received any communications regarding legal concerns from the Alamo Trust. Mr. Segovia stated that a concern had been raised on one of the provisions of the lease but that he did not think it was a substantial issue that needed to be addressed but could discuss with the City Council in Executive Session. Councilmember Treviño requested that the City Council be alerted of the concern.

Councilmember Sandoval stated that she supported the Item and asked that any concerns be addressed in Executive Session.

Mr. Segovia addressed the Alamo Trust concern in that it had to do with the listing of events that the City had to accommodate for certain groups. He noted that some of the groups had active litigations both with the City and with the Alamo Trust which the Alamo Trust litigation team felt would undermine a litigation position. He stated that the City kept the listing of events in an effort to accommodate versus taking a hard stance and language in the lease created an opportunity for resolution.

Councilmember Sandoval acknowledged that she had the opportunity to review the red-line version of the lease and had a discussion with Mr. Segovia related to questions she had. She asked Mr. Segovia to share points of their discussion. Mr. Segovia stated that he addressed that the Archival Committee was independent and not a City committee. He added that he provided clarification on funding by the GLO, the date certain component of the lease and the City provided security for City owned portions of the site.

Councilmember Courage noted that he had an opportunity to review the agreement but asked that clarification be provided on the possible \$50 million penalty to the City outlined in the lease. Mr. Segovia stated that the context of the provision was there to address the State's desire to own the property outright. He added that the City countered with a long-term lease option in order to make sure that the City had some avenue to assure that the obligations the State was taking on would be met. He noted that the State had a reasonable concern that a new City Council could unilaterally decide to change or terminate the lease without cause. He stated that the penalty provided some assurance or good faith to the State to meet intended obligations.

Councilmember Andrews-Sullivan noted that the concerns of residents regarding their ancestor's legacy

and heritage was not unfamiliar to the Black community. She stated that the City was prepared to move forward with an archeological understanding of what was found would be addressed as needed.

Councilmember Andrews-Sullivan stated that it was important to address the significance of events that occurred at the Woolworth Building related to integration of the lunch counters and other impacts to the African American community. She added that it was important to honor the history of the Cenotaph and continue to tell story of the names etched on it. She stated that it was important to move forward together and united in the mission of honoring and respecting the ancestors of the City of San Antonio.

Councilmember Gonzales stated that she had concerns about certain aspects of the proposed lease agreement but other components she liked. She noted that the Alamo had been and would continue to be a treasure of the City that many came from afar to see. She reiterated that the City needed to continue to invest in the Alamo and the stories of all associated with it.

Councilmember Gonzales asked that funding be dedicated to the City's Library system in order to tell the whole Texan and Alamo story. She thanked Councilmembers Treviño and Viagran and City staff for their hard work on the Plan.

Councilmember Cabello Havrda stated that she supported the Item and was grateful to the community for their input on the Plan. She noted that she was concerned that the plan would be a commercialization of the site but was pleased that it included preservation of the cultures representative of the land. She was pleased that the Woolworth Building was being preserved and that the story of the Alamo was being messaged properly at the site.

Councilmember Cabello Havrda asked how demonstration or public speaking engagements would be handled at the site. Assistant City Manager Houston stated that there would be certain areas that would allow for ceremonial and programming. Assistant City Manager Houston noted that there was a First Amendment area at the old Gazebo site and the Gardens would be used for receptions. She stated that First Amendment Rights activity would be allowed as long as it did not disturb programming.

Councilmember Perry noted that he had initially voted against the project for a number of reasons to include the movement of the Cenotaph and no accommodations for parades. He stated that he had reservations that the Plan was conceptual and included street closures but was excited about many other components of the Plan.

Councilmember Perry asked how elderly or disabled individuals would be accommodated in the design process. Assistant City Manager Houston stated that the Plan would make sure that the Plaza was completely accessible for wheelchairs, strollers, and other disability needs. She added that the traffic study would address close access by vehicles for drop off options.

Councilmember Perry asked about managed access to the Chapel, Long Barracks and back of the Alamo site. Assistant City Manager Houston stated that the GLO and Alamo Trust would still be looking at managed access items but that the Plaza would remain open to the public.

Councilmember Perry asked about the relocation of trees on the site. Assistant City Manager Houston stated that the Tree Ordinance would be followed, and the Development Services Department had been

engaged in the process.

Councilman Perry asked how the First Amendment and Plaza areas would be controlled for demonstrations and how people would be removed if needed. Assistant City Manager Houston stated that large scale events would need to be permitted for access but activities such Christmas caroling would not be. She noted that it was important to keep the reverence of the site and not disturb programming. City Attorney Segovia clarified that the First Amendment Right was broad and a constitutional right. He stated that it could be monitored and kept public safety in mind.

Councilmember Sandoval thanked all who worked hard on the Plan but noted that the work was not over. She agreed with Councilmember Perry that much work was still needed. She thanked all the people that came out to previous meetings to discuss their concerns, Councilmembers Treviño and Viagran for their leadership and passion and community stakeholders that provided input. She stated that keeping the parade routes and restoration of the Woolworth Building was important because they were a part of history that shaped San Antonio. She asked if the traditional Christmas tree installation would continue at the site. Assistant City Manager Houston stated that it was still to be determined but that discussions with the GLO and Alamo Trust would occur to discuss the installation.

Councilmember Pelaez acknowledged Assistant City Manager Houston on all her hard work and dedication on the Plan. He asked that the Spanish and Canary Islander history be included in the Plan.

Councilmember Viagran thanked her City Council colleagues for their conversation and comments related to the Plan. She added her thanks to City Staff and ACAC members for their work on the Plan. She stated that she hoped the City could move forward with a holistic telling of the City's story of the Alamo which belonged to the Americas.

Councilmember Viagran committed to work to elevate the telling of all stories and keep access to all people to include the tribal voices and to work toward healing and relationship building. She stated that it was time to take the next steps of the process and asked her colleagues for support of the Plan.

Mayor Nirenberg thanked his City Council colleagues and the public for the great deliberations that had occurred during the past years in this process. He noted that the decision to pass this Plan would be remembered for many years and had high impact to the City. He thanked Councilmember Treviño and City Manager Erik Walsh for their stewardship of the Management Committee for many years. He added his thanks to Councilmember Viagran and acknowledged her dedication to the process and development of the Plan.

Councilmember Treviño motioned to delay Item 4 to a later date. Councilmember Perry seconded the motion. The motion failed by the following vote.

**AYE:** 2 - Treviño and Perry

**NAY:** 9 - Mayor Nirenberg, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, and Courage

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



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

**NAY:** 1 - Treviño

Deputy City Clerk Perkins read the caption for Item 5.

5. Briefing and possible action on legislation filed in the 87th Regular State Legislative Session, an update on the status of proposed State legislation and its impact on the City of San Antonio. [Jeff Coyle, Assistant City Manager]

Assistant City Manager Jeff Coyle provided an update to the State legislative session. He noted that the following Senate and House Bills (SB/HB) were advancing in the legislature process.

- HB 1869 – As filed, tax rate calculation would only include voter-approved debt.
- Committee Amendments added to the Bill included:
  - Refunding/Refinancing existing debt
  - Self-supporting debt paid with non-property tax revenue
  - Debt issued for water, wastewater, flood control, and drainage
  - Debt issued for streets, roads and highways
- SB 10 – Public Funding Lobbying
  - Passed Local Government Committee 5-4
  - Placed on Senate Intent Calendar

Assistant City Manager Coyle reviewed bills that had been heard in Committee:

- SB 1992/HB 3519 – Release from ETJ by petition/election
  - City regulation prohibits for areas to be removed from ETJ
  - Any area that is removed from the ETJ would no longer be subject to the City's standards for:
    - Water quality
    - Water conservation
    - Stormwater/flood control
    - Tree preservation
    - Subdivision platting
    - Military base protections
- HB2365 – Military medical treatment facilities participation in Medicaid
- HB 3777 – Prohibiting public entities from using franchise tax credit for historic structure rehab

Assistant City Manager Coyle provided an update on bills associated with Police accountability and transparency:

- HB 1087 – Left pending in committee
- HB 1561 – Passed committee
- HB 1563 – Not set for hearing
- HB 1940 – Not set for hearing

Assistant City Manager provided an update on bills associated with transgender issues:

- Transgender student participation in Sports
  - HB 1458
  - SB 29/HB 4042
  - HB 4043
  - SB 373
- Prohibiting certain medical treatments and procedures to minors
  - SB 1646/HB 4014
  - SB 1311/HB 2693

Mayor Pro-Tem Courage called upon the individuals registered to speak on the Item.

Jack M. Finger stated his concerns with the City's lobbying efforts at the Legislature.

Councilmember Sandoval asked for an update on SB 1261. Assistant City Manager Coyle stated that he would provide her with an update.

Councilmember Pelaez asked that Assistant City Manager Houston provide information on the efforts of State Representative Trey Martinez Fletcher on behalf of the City. Mr. Coyle noted that Representative Martinez had provided support on the bill associated with debt and provided critical assistance in addressing concerns of fellow legislators.

Councilmember Pelaez asked what the Transgender Sports Bill could mean for the City in relation to future events. Assistant City Manager Coyle stated that a number of NCAA events would be occurring in the State in the coming years. He noted that the NCAA had stated very clearly that it would: 1) Defend the right for athletes to participate in events at all costs, and 2) NCAA would not hold any events in states that discriminated against student athletes to include transgendered. Assistant City Manager Coyle stated that the "bathroom bill" discussion would need to be continued and that the City needed to work with private sector partners to understand any position taken.

Councilmember Andrews-Sullivan asked how HB 10 related to Public Utility Commission (PUC) and ERCOT. Assistant City Manager Coyle noted that this was a State governance issue that expanded the PUC Board from three to five members. He stated that he would gather and provide further information on the bill.

Councilmember Andrews-Sullivan asked why the State of Texas was the only state that contributed as a donor State to the Federal Transportation and Highway Fund and if there were any bills that would change this. Assistant City Manager Coyle stated that he was not aware of any legislation that addressed this issue. Councilmember Andrews-Sullivan asked that the City consider starting the discussion of the issue at the legislature.

Councilmember Andrews-Sullivan asked for an update on HB 6 which related to election integrity. Assistant City Manager Coyle stated that the Senate's version of the bill (SB 6) had passed the Senate and had moved forward to the House. He noted that the City had been in continued conversations with Bexar County since the county oversaw the election process for the City. He added that the County was opposed to the bill and the City had supported the County's position.

Deputy City Clerk Perkins read the caption for Item 20.

MOVED TO SPECIAL MEETING ON APRIL 21, 2021

20. Ordinance establishing a Source of Income Anti-Discrimination Policy in connection with Housing Vouchers, providing for penalties and an effective date. [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

Councilmember Pelaez asked for clarification on the Housing Policy Framework and policy priorities. He noted that the policy did not address any enforcement mechanisms and would charge individuals with criminal offenses. Neighborhood and Housing Services Director Veronica Soto stated that the Housing Policy Framework provided specific policy priorities that addressed the issue. She noted that the policy addressed the use of housing vouchers and the creation of housing opportunities.

Councilmember Pelaez asked for further clarification on the policy and strategy proposing criminal offenses. Assistant City Manager Houston clarified that the Source of Income and Discrimination Ordinance only applied to those projects that received incentives from the City. She stated that the Ordinance made certain that incentivized projects participated in the Housing Program. She noted that the Strategic Housing Implementation Plan (SHIP) was underway and would implement additional strategies for the Housing Program.

Councilmember Pelaez asked if proposing a criminal offense was in line with the implementation of an outreach campaign. Assistant City Manager Houston stated that the Housing Policy Framework spoke to providing education and outreach to housing discrimination in general. She clarified that the projects receiving City incentives would be expected to not discriminate against someone's source of income.

Councilmember Courage asked if any existing housing projects were required to follow the Ordinance. Assistant City Manager Houston stated that they were not obligated to follow the Ordinance. City Manager Walsh reiterated the design of the policy was to provide guidelines to projects that received City incentives.

Councilmember Treviño stated his support of the Item. He indicated that staff and community partners had been thorough in the development of the policy. He noted that the Anti-Discriminatory Policy ensured that families of color, especially women and children, had access to quality housing across San Antonio.

Councilmember Perry stated that he did not support the Item at this time and that it could have been rescheduled to a B Session meeting to further discuss any concerns. He reiterated that the City needed to work with community partners in order to develop a proper policy. He concurred with the concerns brought up by Councilmember Pelaez and requested additional data on the policy.

Councilmember Sandoval thanked the Mayor's Housing Task Force and other committees that contributed to the development of the policy and stated her support of the Item. She asked how the Ordinance would play a role in the layered funding concept of housing. Ms. Soto stated that adopting the Ordinance would mean that future contracts receiving funding incentives would have the anti-discrimination language attached to them. She added that the City's funding would be one layer of funding on a project that received additional funding from other Federal, State, and local sources to include the Housing Trust.

Councilmember Sandoval asked what the funding source for housing vouchers was. Ms. Soto stated that most funding came from Federal programs such as the Housing Choice Voucher Program. She noted that other voucher programs focused on Veterans such as the American GI Forum Program.

Councilmember Sandoval asked if the Housing Trust policy on anti-discrimination included developers that had previous agreements with them. Ms. Soto stated that the Housing Trust had conversations with the developers and all but one had agreed to renegotiate their contracts to include the anti-discriminatory language. She added that the City had not yet considered applying this requirement to previous contracts but was open to discuss. Assistant City Manager Houston clarified that City projects that received Federal incentives had to meet Federal regulations associated with housing anti-discrimination but that the City would reach out to current projects and ask them to participate.

Councilmember Sandoval asked if the associated housing projects were considered Section 8 Housing. Ms. Soto stated that the housing units would not fall under the Section 8 Program. Councilmember Sandoval asked if there was a plan to address the need for affordable housing. Ms. Soto stated that SHIP would build in the framework and strategies related to affordable housing qualifications and implementation. Councilmember Sandoval suggested that the Community Health and Equity Committee be briefed on the housing strategies.

Councilmember Viagran stated that the San Antonio Housing Trust and Public Finance Corporation had voted and approved a Tenant Protection Policy that added previous contracts into the policy. She requested that the same be done for the City's policy.

Councilmember Pelaez asked if staff could cite any examples of discrimination against tenants that the Ordinance would solve. Ms. Soto stated that there was not. Assistant City Manager Houston stated that the City's partners in the Housing Authority could cite that since they had stated that many housing voucher holders could not find housing because multi-family projects were not accepting their vouchers. Councilmember Pelaez asked that the Item be delayed to a later meeting in May 2021 and that language be changed from a criminal offense to a civil offense.

Councilmember Courage asked what the difference was between a criminal and a civil offense. City Attorney Segovia stated that both would be an enforcement tool. He noted that the criminal element was covered under City Code, Chapter 1 which the general Discrimination Ordinance followed.

Councilmember Perry asked if SAHA issued housing vouchers. Assistant City Manager Houston stated that they did and that there was a waiting list of individuals waiting for housing. Councilmember Perry stated that funding for the voucher programs and available housing was needed.

Councilmember Gonzales reiterated that there was a need for additional affordable housing. She stated that she had several conversations with her constituents and area developers on the topic. She asked if the Housing Trust policy included the criminal component. City Attorney Segovia stated that the City's policy would be more specific when it came to legal protections.

Councilmember Sandoval asked if the general Non-Discrimination Ordinance had ever had any issues go to criminal prosecution. Mr. Segovia stated that there had been non-discrimination claims but that none had gone to actual criminal prosecution.

Councilmember Courage asked for clarification on the criminal component of the Ordinance. Deputy City Attorney Susan Guinn stated that Chapter 1 of the City Code had some general provisions on almost all violations of the City Code. She noted that due to State law there was a range of provisions but it could be prosecuted criminally. Councilmember Courage asked if there was a significant difference in prosecution if changed to a civil offense. Ms. Guinn stated that there was no difference other than the criminal aspect had a higher threshold from a burden of proof standpoint. She added that changing the civil component would require some additional language changes to the Ordinance.

Councilmember Sandoval asked if there was an advantage to have a criminal versus a civil offense. City Attorney Segovia stated that a civil offense would be easier to enforce but penalties would stay the same whether a civil or criminal offense with a \$500 minimum threshold.

Councilmember Sandoval asked if entities would possibly see the enforcement fees as costs of doing business related costs. Mr. Segovia stated that a difference between criminal and civil is that a criminal enforcement is deemed more serious penalty and would assist in compliance. He added that the enforcement would be issued for each violation occurrence.

Councilmember Cabello Havrda asked if a civil penalty would be considered a misdemeanor offense. Mr. Segovia stated that it would be Class A misdemeanor offense with maximum \$500 penalty.

Councilmember Cabello Havrda asked if the Ordinance passed as it stood, who would be charged with the criminal offense. Mr. Segovia stated that the individual who denied the lease application would be charged. Councilmember Cabello Havrda asked if that would be the apartment manager, management company or owner. Mr. Segovia stated that the charge would be determined by the fact pattern when claim was investigated. Councilmember Cabello Havrda stated that the Ordinance was too vague and asked for further clarification.

Councilmember Perry asked if either the criminal or civil prosecution needed to be included in the Ordinance. Mr. Segovia stated that an enforcement tool would be needed in the Ordinance in order to effectively enforce the policy. Councilmember Perry asked if a contract claw back component could be added to the Ordinance. City Manager Walsh confirmed that the Ordinance did provide for a claw back component after the criminal offense charge.

Mayor Nirenberg asked if the policy in any way changed the structure of current housing incentives. Assistant City Manager Houston stated that it did not and would be a policy that would be incorporated into contracts going forward.

Mayor Nirenberg suggested that the Item be brought back to Special Meeting for discussion on April 21, 2021. Councilmember Pelaez withdrew his motion to amend the Ordinance.

Councilmember Rocha Garcia asked for clarification on when the Item would be voted on. Mayor Nirenberg stated that the Item could be voted on at the next A Session meeting which was scheduled for April 29, 2021.

Councilmember Sandoval asked when the first unit under the Ordinance would be applied. Assistant

City Manager Houston stated that the Ordinance would be effective immediately once adopted and would be applied to any new contracts. City Manager Walsh stated that the pending incentive contracts would be briefed at the Special Meeting.

Councilmember Viagran stated that the expectations of the Ordinance would need to be placed on an agenda and then voted on in order to move forward.

Councilmember Viagran moved to Continue Item 20 until the May 2021 A Session Meeting. Councilmember Pelaez 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

Mayor Nirenberg called upon the individuals registered to speak on the Zoning Items.

Jeff Weiss spoke in opposition of Item P-4.

Samantha Elam spoke in opposition of Item P-4.

Melissa Ramirez, Assistant Director, Development Services Department, read the caption for Item Z-7 and stated that Staff recommended denial of the Item and that 12 notices were mailed and received zero in favor and zero opposed.

**2021-04-15-0254**

**Z-7.** ZONING CASE Z-2020-10700305 CD (Council District 2): Ordinance amending the Zoning District Boundary from "C-3 MLOD-3 MLR-1" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "C-3 CD MLOD-3 MLR-1" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with Conditional Use for a Construction Trades Contractor with Outside Storage on Lot 36 and Lot 39, NCB 10613, located at 146 North WW White Road. Staff recommends Denial. Zoning Commission recommends Approval.

Councilmember Andrews-Sullivan stated that the District Office had received a letter of support from the owner of the property. She added that area residents were contacted by her office and they expressed support of the Item.

Councilmember Andrews-Sullivan moved to approve Item Z-7. Councilmember Sandoval seconded the motion. The motion prevailed by the following vote:

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

Melissa Ramirez, Assistant Director, Development Services Department, read the caption for Item Z-13 and stated that Staff recommended approval of the Item and that five notices were mailed and received zero in favor and zero opposed.

CONTINUED UNTIL MAY 2021

**Z-13.** ZONING CASE Z-2021-10700023 (Council District 3): Ordinance amending the Zoning District Boundary from "C-3NA MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 0.0361 acres out of NCB 11155, located at 3822 Pleasanton Road. Staff and Zoning Commission recommend Approval.

Councilmember Viagran stated that she had some concerns with the Item related to traffic patterns and accidents at the location. She added that commercial growth in the area dramatically changed the residential and agricultural nature of the area which required further consideration. She asked for modifications to the zoning associated with the Item and motioned that the Item be continued to May 20, 2021.

Councilmember Viagran moved to continue Item Z-13 to May 20, 2021. Councilmember Sandoval seconded the motion. The motion prevailed by the following vote:

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

**City Manager's Report**

**26. City Manager's Report**

City Manager Walsh stated his report would be held over to the next A Session meeting.

Mayor Nirenberg announced that it was Councilmember Courage's birthday and the Dias wished him a happy birthday.

**EXECUTIVE SESSION**

Mayor Nirenberg recessed the meeting at 2:43 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 2:43 pm and announced that no action was taken.

**ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 2:43 pm.

**APPROVED**

**RON NIRENBERG**  
Mayor

Attest:

**TINA J. FLORES**  
City Clerk