

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



**FINAL  
Meeting Minutes  
City Council B Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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**Wednesday, October 4, 2017**

**2:00 PM**

**Municipal Plaza Building**

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

**PRESENT:** 9 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, and Courage

**ABSENT:** 2 - Pelaez, and Perry

Mrs. Vacek announced that Councilmember Pelaez was attending a funeral out of town while Councilmember Perry was attending the Texas Municipal League Conference in Houston.

1. A Briefing on the San Antonio area Air Quality/Non-Attainment status. [Roderick Sanchez, Assistant City Manager; Douglas Melnick, Chief Sustainability Officer]

Douglas Melnick stated that staff was awaiting a decision on the non-attainment status for the City of San Antonio. He noted that San Antonio was the largest city in the country which was not designated as a non-attainment community. He stated that ozone was formed when nitrous oxide and volatile organic compounds (VOCs) combine and are exposed to heat and light. He noted that VOCs came from central sources such as electric utilities, motor vehicle exhaust, gasoline vapors, and chemical solvents. He stated that the Alamo Area Council of

Governments (AACOG) projected that 68% of our ozone came from transport sources outside of our region with 27% coming from foreign sources. He described the location of the regulatory monitors noting that they were operated by AACOG through CPS Energy.

Mr. Melnick reported that the city's air quality was improving. He noted that the 2015 standard was 70 parts per billion (ppb) and since then; the population had increased by 65%. He mentioned that the 2016 standard was 73 ppb. He stated that the EPA could: 1) Issue a designation of attainment; 2) Designate the city as unclassifiable; or 3) Designate the city as non-attainable of which there were five classifications. He mentioned that if the city were designated as non-attainable, it would likely be classified as marginal. He noted that once that designation was received; the city would have three years to come into compliance and attainment. He stated that if after three years the city was not in attainment, it would advance into the next classification which would incur inspection and maintenance programs.

Dr. Colleen Bridger stated that breathing high amounts of ozone affected the respiratory system. She noted that ozone was mostly harmful to children whose lungs were developing and to people who have asthma and other respiratory diseases. She stated that a study conducted by Metro Health demonstrated that if ozone were increased by 2.2%; 19 additional deaths would occur in the city. She noted that these were statistical predictions but a small change in ozone levels could make a significant change in public health.

Mr. Melnick stated that the city would move forward aggressively to address air quality through public awareness. He stated that funding would be made available through the Budget for an Ozone Formation Study to be overseen by Metro Health. He noted that city staff would review ordinances and policies to evaluate their potential for implementation such as commuter benefits, promotion of non-motorized travel, and review of internal and external energy policies.

Mayor Nirenberg asked of the status of the Commuter Benefit Program. Mr. Melnick stated that it had not been addressed but could be done so at the discretion of the City Council. Mayor Nirenberg noted that it could be discussed at the Air Quality Summit next week. He asked of beginning discussions on the Property Assessed Clean Energy (PACE) Program. Mr. Melnick stated that it would be preferable to have that conversation with Bexar County. Mayor Nirenberg asked how the city could make its government carbon neutral in accordance with the Paris Climate Agreement. Mr. Melnick replied that this could be achieved by expanding solar deployment on city properties.

Councilmember Sandoval spoke of the populations which need protection such as children and the elderly and stated that the city should be proactive and maintain local control. She asked what criteria the EPA were looking at. Mr. Melnick replied that it was unknown at this time. Diane Rath stated that the EPA was interested in reviewing background ozone

including foreign transport. She noted that it was important to continue voluntary measures to limit ozone. Councilmember Sandoval spoke in support of a carbon neutral strategy.

Councilmember Treviño asked if staff was working with school districts to track impacts to school children. Dr. Bridger replied that impacts were not tracked in school districts noting that it was difficult to have all school districts respond to the impacts in the same way.

Councilmember Courage encouraged long-range plans for addressing background ozone. Mr. Melnick spoke of identifying emitters within a three-mile radius.

Councilmember Brockhouse stated that the message to constituents should be based on facts.

Mayor Nirenberg asked if the Cost of Non-Attainment Study and public health cost studies had been shared with the City Council. Mr. Melnick replied that it had been distributed.

Councilmember Viagran asked of enforcement of air pollution ordinances. Mr. Melnick stated that the Texas Commission on Environmental Quality (TCEQ) was responsible for enforcement of same. Councilmember Viagran requested data on Asthma in Seniors. Dr. Bridger stated that the data could come from hospitals. Mayor Nirenberg thanked staff for the presentation.

### **EXECUTIVE SESSION**

Mayor Nirenberg recessed the meeting into Executive Session at 3:29 pm to discuss the following:

- A. Economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B. The purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- C. The appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee and any related legal issues pursuant to Texas Government Code Section 551.074 (personnel matters) and Texas Government Code Section 551.071 (consultation with attorney).

- D. Legal issues related to a settlement offers in litigation against the City by Milton and Gleason pursuant to Texas Government Code Section 551.071 (consultation with attorney).

### **RECONVENED**

In the absence of Mayor Nirenberg, Councilmember Saldaña presided. He reconvened the meeting at 6:02 pm and announced that no action was taken in Executive Session.

### **CITIZENS TO BE HEARD**

Councilmember Saldaña called upon the citizens registered to speak.

John Bachman asked the City Council to examine performance by Animal Care Services (ACS) and allow the department to be evaluated by national organizations.

Mark Perez noted public safety concerns with business operating without the proper permits.

Daniel Torres spoke of dog bite incidents for Letter Carriers and asked the City Council to vote in favor of the City Code revisions in support of the ACS Strategic Plan.

Homer Hernandez, Vice President of the National Association of Letter Carriers Branch 421, spoke of dog attacks of their members. He asked the City Council to support a reduction of dog bite incidents. Kathy Ruffo spoke of her experiences as a Letter Carrier being attacked by dogs and voiced her support for Chapter 5 revisions in support of the Animal Care Services Strategic Plan. Erin McLaughlin discussed her interactions with letter carriers bitten by dogs and asked the City Council to support the proposed Chapter 5 revisions. Jillian Salazar stated that she had been attacked by an unrestrained dog and that she supported the proposed revisions to Chapter 5.

Antonio Diaz thanked the City Council for their participation in Indigenous Peoples Day and asked that the Proclamation be presented during Ceremonials. He asked that the Christopher Columbus Statue be removed and the park be renamed.

Diana Saenz described the impact of the Ella Austin Community Center on the community and presented letters and artwork from constituents impacted by the center. They asked that a lease for the center go before the full City Council as soon as possible.

Lafayette Ricks commended the City Council for their vote regarding the Travis Park Monument and asked them to continue taking action against injustices in San Antonio.



Nazirite Ruben Flores Perez spoke of the raises approved for Bexar County Employees and asked that the City of San Antonio do the same. He expressed concern with political conflict in Southeast Asia.

Fidel Castillo asked that the indigenous community be included in determining the guiding principles for redeveloping The Alamo in order to preserve and honor local indigenous history.

Rhett Smith spoke in support of the First Amendment and Indigenous Peoples Day.

Hector Garcia asked the City Council to release taxi permits to drivers and asked that Chapter 33 be removed from the City Code.

Matthew Lormeus spoke of his negative experiences working for a taxicab company.

Fausto Patino described his experiences as a Taxicab Driver and noted how many fees were remitted to taxi companies.

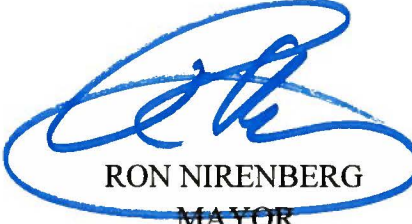
Maria Texeira spoke of her financial struggles as a Taxicab Driver.

Faris Hodge, Jr. submitted written testimony to include newspaper articles regarding Legislative Tax Cuts, Honoring Sgt. William J. Bordelon, Border Security, Removal of Confederate Monument, and Immigration.

### **RECESSED**

Councilmember Saldaña announced that the Executive Session would continue the next day after the business portion of the City Council Meeting. There being no further discussion, Councilmember Saldaña recessed the meeting at 7:05 pm.

APPROVED



RON NIRENBERG  
MAYOR

ATTEST:



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