

# City of San Antonio



## City Council A Session

No in-person access for this meeting

**Thursday, September 3, 2020**

**9:00 AM**

**Videoconference**

### **ROLL CALL**

The City Council convened in a Regular Meeting. Acting City Clerk Tina J. Flores took the Roll Call noting a quorum with the following Councilmembers present:

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

1. The Invocation was delivered by Dr. Jerry William Dailey of Macedonia Missionary Baptist Church, guest of Councilmember Cabello Havrda, District 6.
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 May 28, 2020 and June 3, 2020

Councilmember Courage moved to approve the Minutes of May 28, 2020 and June 3, 2020.

Councilmember Rocha Garcia 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**

Mayor Nirenberg recognized the Consul General of Mexico, Ruben Minutti Zanatta and welcomed him to San Antonio. He acknowledged that the Consul General had multiple connections to Texas, as he received his law degree from the University of Texas at Austin and earned his Ph.D. from the National Autonomous University of Mexico (UNAM) which is an extension campus located in Hemisfair Park in San Antonio. Mayor Nirenberg stated that the Consul General has had a distinguished career as an academic in Mexico in constitutional and administrative law, had authored several works, and advised parliamentary groups and committees of the Mexican Congress. He noted that the Consul General had served for over 15 years as the Magistrate at the Administrative Court of Mexico City.

Consul General Minutti Zanatta joined the meeting virtually and thanked the Mayor and City Council and recognized the extraordinary response from the City of San Antonio to the COVID-19 crisis. He noted that the San Antonio leadership and day-to-day decisions had been crucial for the community. He

added that he worked tirelessly to consolidate and deepen the friendship and mutual understanding between our societies with the goal to promote political dialogue and boost cooperation with Mexico and San Antonio.

Councilmember Sandoval stated that the Consul General had produced a translation of the U.S. Constitution into Spanish. She highlighted Item 7 which was the approval of a five-year lease with the Instituto Cultural de Mexico located in Hemisfair Park effective March 1, 2021 through February 28, 2026. She thanked the Consul General for his participation in the City Council meeting.

Councilmember Treviño stated that he was elated to welcome the Consul General. He noted that City Council recently supported a two-year, \$500,000 Planning Grant for the National Institute of Mexican American History of Civil Rights. Councilmember Treviño added that it would be a natural partnership to work with the Cultural Institute. He added that he was very proud that District 1 was the home of UNAM, San Antonio which added vibrancy, culture, and value to Downtown San Antonio.

Councilmember Courage welcomed the Consul General and stated that the previous Consul General was very well received in San Antonio. He stated that he looked forward to personally visiting with the Consul General at the earliest possible time.

Councilmember Gonzales noted that 97% of the residents in her district were of Mexican descent. She mentioned that she worked with the previous Consul General on educational programs and revived some cultural celebrations, such as Posadas. She welcomed the Consul General and stated she looked forward to working with him.

Councilmember Rocha Garcia congratulated the Consul General and was excited to note that the he was a fellow Longhorn. She stated that she was interested in working with him on a virtual Día de los Muertos celebration.

Councilmember Perry stated that he looked forward to meeting the Consul General personally to discuss his vision and what he would like to accomplish while assigned to this position.

Mayor Nirenberg stated that on behalf of the entire City Council they very much looked forward to his service and working with him. Consul General Minutti Zanatta thanked the Mayor and City Council for their warm welcome and noted that he was ready to work together in anything for the community.

John Peterek, Assistant to the City Manager read the caption for Item 4.

#### **2020-09-03-0592**

4. Ordinance confirming the appointment of Tina Flores as City Clerk for the City of San Antonio. [Ben Gorzell, Chief Financial Officer; Lori Steward, Director, Human Resources]

Mayor Nirenberg stated that in February 2020, he appointed an Ad-Hoc City Clerk Search Committee to fill the City Clerk vacancy left by Leticia M. Vacek. He mentioned that the Ad-Hoc Committee consisted of Chairwoman Andrews-Sullivan, Councilwoman Rocha Garcia, Councilwoman Sandoval, and Councilmember Courage. He noted that the committee met on March 6, 2020 to review the recruitment timeline and outreach plan. He noted that the search for the City Clerk officially began on March 18, 2020 and that a total of 32 qualified candidates had applied for the position. He stated that six candidates participated in interviews with the Ad-Hoc Committee and of those six, a final three were invited to participate in a more extensive interview with the full City Council during an Executive

Session on August 14, 2020.

Mayor Nirenberg stated that it gave him great pleasure to announce that Tina J. Flores was selected to be appointed as the City Clerk for the City of San Antonio. He stated that City Clerk Flores had been with the City for almost 19 years in various leadership roles. He noted that her tenure began in 2001 as an Office Assistant with the Convention & Sports Facilities Department and then joined the Office of the City Clerk in 2004. He mentioned that City Clerk Flores worked in the Office of the City Auditor for approximately three years, was appointed as Deputy City Clerk in January 2020, and was serving as Acting City Clerk since March 2020. He stated that City Clerk Flores had a Bachelor of Art in Business Administration, Master's Degree in Business Administration, and Master's Degree in Jurisprudence.

Mayor Nirenberg thanked City Clerk Flores for all her hard work during the pandemic and noted that she put her heart and soul into serving the City of San Antonio. He stated he looked forward to making her the official City Clerk.

Councilmember Andrews-Sullivan thanked Mayor Nirenberg for the opportunity to serve as the Chair of the Ad-Hoc Committee. She mentioned that the process began during the uncertainty of the pandemic, but it was her goal to make sure that even in the midst of the unknown, the process was fair and that they had the most qualified applicants. She noted that they looked for candidates who would work well with the City infrastructure, City Manager, and City Council. She stated that they had found such a person in City Clerk Flores who had already been doing the job with her whole heart and unwavering confidence.

Councilmember Viagran thanked her fellow colleagues who served on the Ad-Hoc Committee and thanked City Clerk Flores for her work and dedication to the City team, community, Office of the City Clerk, and the Mayor and City Council. She also thanked City Clerk Flores for her dedication, perseverance, and continued inspiration to be a role model.

Councilmember Rocha Garcia noted her excitement with this selection and stated that she had worked with City Clerk Flores for many years in her capacity as Chair of the Ethics Review Board. She noted that she witnessed first-hand her strong compassion and resiliency and commitment to the City. She stated that one of the main reasons that City Clerk Flores was the best choice was her attention to those people who are in need within the most vulnerable communities. She stated her appreciation that a strong woman was taking this position and congratulated City Clerk Flores.

Councilmember Treviño congratulated City Clerk Flores and stated that her interview was the most impressive interview he had ever seen. He noted her enthusiasm, strength, and compassion. He noted that City Clerk Flores had already been very collaborative with his office regarding the ID Recovery Program and he looked forward to working more with her and the Office of the City Clerk.

Councilmember Gonzales congratulated City Clerk Flores and noted her impressive interview. She stated that many people do not realize all that the Office of the City Clerk does such as, archives, passports, meeting minutes, etc. She noted all the many services that are done behind the scenes that make City Council life much easier.

Councilmember Pelaez noted his admiration for City Clerk Flores and stated that she had a story to tell and he was happy to be a footnote in the next chapter of her life.

Councilmember Sandoval stated that City Clerk Flores did a wonderful job in the interview process and presented herself with knowledge, confidence, and determination. She thanked City Clerk Flores for

always taking her requests seriously specifically regarding Boards and Commissions as well as public participation. She stated that she looked forward to working with City Clerk Flores.

Councilmember Courage noted his confidence in City Clerk Flores' abilities to continue the department functioning at a high level as the department is so important to City Council and the City government.

Councilmember Cabello Havrda noted that she was inspired by City Clerk Flores' story of independence, determination, and faith. She offered her congratulations and stated that she looked forward to working with City Clerk Flores and watching the department grow.

Councilmember Perry stated that he looked forward to working with City Clerk Flores and acknowledged the excellent staff that he had personally relied upon within the department.

City Manager Walsh offered his congratulations to City Clerk Flores and noted that he looked forward to continuing their partnership and making sure she is successful in all that she wants to do.

Mayor Nirenberg noted that the City Clerk position is an extraordinarily historic one for the City. He stated that there was a long history of strong female City Clerks and he was proud to continue that legacy with City Clerk Flores appointment.

City Clerk Flores thanked the Mayor and City Councilmembers for their support on her appointment. She stated that it was an honor to serve them and the City of San Antonio. She stated that she looked forward to working with City staff and the Mayor and City Council.

Councilmember Andrews-Sullivan moved to approve Item 4. 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

### **CONSENT AGENDA ITEMS**

Item 13, Z-3, Z-6, Z-11, and P-4 were pulled for Individual Consideration.

Mayor Nirenberg called upon the individuals registered to speak.

Antonio Diaz noted that as an indigenous person there were many burial sites not given the recognition they deserved and noted one such issue near Milam Park.

Gavin Rogers spoke in favor of funding in support of CENTRO. He noted all the good work done by CENTRO and its staff especially during the pandemic.

Edward Romero, Vice President of Public Improvement District Operations & Community Engagement, spoke in favor of funding in support of CENTRO. He thanked the Mayor and City Council for their support of the funding that would go towards many amazing programs CENTRO offers.

Councilmember Viagran highlighted item 10, the underpass Infrastructure Project for the World Heritage Trail and acknowledged AARP for the grant to fund the project as part of a larger Public Art Project. She highlighted Zoning Item Z-5 and thanked the Highland Hills Neighborhood Association

and the developer for coming to an agreement.

Councilmember Treviño acknowledged the partnership and great work from CENTRO. He noted that he looked forward to the expansion of their outreach program and their assistance with the mobile shower unit which will be owned by the City as part of a larger holistic homeless strategy.

Councilmember Rocha Garcia thanked CENTRO for all their great work and especially for their assistance to the homeless during the pandemic. She noted her appreciation of CENTRO for placing white ribbons along the River Walk in remembrance of women gaining the right to vote in 1920.

Mayor Nirenberg echoed the sentiments on his colleagues and thanked CENTRO for all their hard work and continued partnership. He highlighted Item 15, the Airline Use Agreement for the San Antonio International Airport and noted that this was the culmination of 24 months of negotiation between the City and the airlines. He recognized Denise McElroy who was unable to but had planned to speak in favor of the item as a representative of Southwest Airlines since January 2006.

Councilmember Courage moved to approve the remaining Consent Agenda Items. 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

**2020-09-03-0593**

5. Ordinance approving a contract with Dynatest US, Inc., for an all-in-one runway friction tester and annual calibration and preventive maintenance services for a total cost of \$221,171.14, for a term beginning upon award through September 30, 2023 with two additional one-year renewal options. Funding in the amount of \$182,303.14 is available from the FY 2020 Adopted Airport Operations & Maintenance Fund Budget. Funding for the remaining \$38,868.00 will be subject to City Council approval of subsequent annual budgets. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2020-09-03-0594**

6. Ordinance approving the following contracts establishing unit prices for goods and services for an estimated annual cost of \$136,000.00, included in the respective department's FY 2020 Adopted Budget: (A) Ostos, LLC dba Proforma Diversified Corporate Solutions, for violation notice forms; (B) DG Investment Intermediate Holdings 2 Inc., dba Convergent Technologies LLC, to maintain the electronic locking system at the San Antonio International Airport; (C) Asset Management Technologies, LLC, for an interim computerized maintenance management system solution license for the San Antonio Airport System; and (D) ProQuest, LLC for the ProQuest master license for publication subscriptions. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2020-09-03-0595**

7. Ordinance approving a five-year agreement with the Instituto Cultural de México for lease of 16,667 square feet located in Hemisfair effective March 1, 2021 through February 28, 2026. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations Department]

**2020-09-03-0596**

8. Ordinance approving the acceptance of grant funds in an amount not to exceed \$250,000.00 from the Office of the Governor, Criminal Justice Division for the Edward Byrne Memorial Justice Assistance Grant (Special Invitation) for the purchase of an acquisition workstation for participation in the Bureau of Alcohol, Tobacco and Firearms National Integrated Ballistic Information Network program. [María Villagómez, Deputy City Manager; William P. McManus, Chief, Police]

**2020-09-03-0597**

9. Ordinance approving the acceptance of grant funds in an amount up to \$291,972.00 from the U.S. Department of Justice to support the Child Welfare Strategic Alliance Program and authorizing an interlocal agreement with Bexar County regarding the distribution of grant funds and the designation of Bexar County as the grant fiscal agent. [Maria Villagomez, Deputy City Manager; William P. McManus, Chief of Police]
10. Approving the following three Ordinances related to the World Heritage Underpass Art Infrastructure Project along the World Heritage Trail in District 5: [Roderick Sanchez, Assistant City Manager; Colleen Swain, Director, World Heritage Office]

**2020-09-03-0598**

- 10A. Ordinance approving the acceptance of a 2020 AARP Community Challenge Grant in the amount of \$30,000.00 for the U.S. Highway 90 Underpass Beautification Project, a project that activates a new public space and improves the intersection underneath U.S. Highway 90 at Mission Road and Steves Avenue.

**2020-09-03-0599**

- 10B. Ordinance approving a Memorandum of Understanding with AARP, a social welfare organization and nonprofit that helps communities nationwide become livable places for people of all ages, for the U.S. Highway 90 Underpass Beautification Project underneath U.S. Highway 90 at Mission Road and Steves Avenue.

**2020-09-03-0600**

- 10C. Ordinance amending the General Obligation Capital Project budget for the World Heritage Underpass Art Infrastructure Project of \$800,000.00 and increasing it by \$30,000.00 with funds from a 2020 AARP Community Challenge Grant for a total project amount of \$830,000.00.

**2020-09-03-0601**

11. Ordinance approving an amendment to Chapter 10, Building Related Codes, of the City Code of San Antonio, Texas, by adopting the 2018 Edition of the International Code Council, Inc., International Swimming Pool and Spa Code, and providing for local amendments, penalties and publication. [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

**2020-09-03-0602**

12. Ordinance confirming the temporary appointment of former Councilmember Ray Lopez as the voting alternate for Councilmember Ana Sandoval for the August 24, 2020 Alamo Area Metropolitan Planning Organization Transportation Policy Board Meeting. [Tina Flores, Acting City Clerk]

14. Approving the following Board, Commission and Committee appointments for the remainder of unexpired terms to expire May 31, 2021 or for the terms shown below: [Tina Flores, Acting City Clerk]  
A) Appointing Amin Tohmaz (Mayor) to the Animal Care Services Advisory Board  
B) Reappointing Francine Prosser-Johnson to the Firefighters' and Police Officers' Civil Service Commission for a term to expire December 19, 2021

**2020-09-03-0604**

15. Ordinance authorizing the Airline Operating Agreement and Terminal Building Lease, also known as the Airline Use and Lease Agreement, for the San Antonio International Airport, which governs the airport/airline business relationship and specifies the terms and conditions for use of airfield and terminal facilities. The agreement has an initial one-year term with the option to extend for two additional periods for a potential total term of seven years and is anticipated to generate annual revenue of \$39,621,679.00 for the Airport Operating and Maintenance Fund. This ordinance will also authorize revisions to the Airport Operating Permit. [Carlos Contreras, Assistant City Manager; Jesus Saenz, Director, Aviation]

**2020-09-03-0605**

16. Public Hearing and consideration of an Ordinance approving the levy of a Special Assessment for the Downtown Public Improvement District; levying an assessment rate for the Fiscal Year 2021 at \$0.15 per \$100.00 value of real property in the Downtown Public Improvement District and \$0.09 per \$100.00 value of residential condominiums; approving the Fiscal Year 2021 Service and Assessment Plan for the Downtown Public Improvement District; and approving the Third Amended and Restated Contract for improvements and/or services in the Downtown Public Improvement District to include River Walk level services with the Centro Public Improvement District for the period ending September 30, 2023. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]

**2020-09-03-0606**

17. Ordinance approving five professional services agreements with Ancira Strategies, The Texas Lobby Group, Blackridge, Focused Advocacy, LLC, and Marc A. Rodriguez each in the amount not to exceed \$90,000.00 per contract year. Each agreement is for a term of up to one year with an option to renew each agreement for up to two additional one-year extensions at an amount not to exceed \$90,000.00 per contract year at City's discretion, for a total amount not to exceed \$270,000 per contract. [Carlos Contreras III, Assistant City Manager; Jeff Coyle, Director, Government & Public Affairs]

**2020-09-03-0607**

18. Ordinance approving a network services agreement with CPS Energy for the installation, maintenance and operations of a communications network that will transport radio voice calls between radio tower sites in support of the Alamo Area Regional Radio System. The estimated construction cost for the seven fiber projects is \$309,540. Annual recurring fees of \$350,760 for the circuits will be billed to the City on a quarterly basis. The total cost for the 15-year term of the agreement is a total cost not to exceed \$5,814,511.25. [Ben Gorzell, Chief Financial Officer; Craig Hopkins, Chief Information Officer, Information Technology Services]

**2020-09-03-0608**

19. Ordinance approving a interlocal agreement granting VIA Metropolitan Transit continued access to the City-owned lattice tower located in Southside Lions Park at 150 Arrid Road, to construct,

operate, control, and maintain an automated vehicle location system. [Ben Gorzell, Chief Financial Officer; Craig Hopkins, Chief Information Officer, Information Technology Services]

**2020-09-03-0037R**

20. Resolution of No Objection for the NRP Group's application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the construction of the Watson Road Apartments, a 348 unit affordable multi-family rental housing development, located at the northeast corner of Watson and Somerset Road in Council District 4 and acknowledging the development will result in more than 20% of total housing units in the proposed census tract being supported by Housing Tax Credits. [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

**2020-09-03-0038R**

21. Resolution of No Objection for the Pedcor's application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the construction of The Crosswinds formally known as The Crosswinds at Bulverde, a 312-unit affordable multi-family rental housing development, located at approximately 4000 N Loop 1604 East in Council District 10. [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

**2020-09-03-0039R**

22. Resolution of No Objection for the NRP Group's application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the construction of the Copernicus Apartments, a 330 unit affordable multi-family rental housing development, located at 439 SE Loop 410 in Council District 2; allowing the construction of the development to be located within one linear mile or less from another development; acknowledging the development will result in more than 20% of total housing units in the proposed census tract being supported by Housing Tax Credits; and acknowledging the high poverty rate in the census tract the proposed development will be located in and authorizing the development to move forward. [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

**2020-09-03-0040R**

23. Resolution of No Objection for the Integrated Realty Group's application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the construction of the Horizon Pointe Apartments, a 312-unit affordable multi-family rental housing development, located at the Northwest Corner of Woodlake Parkway and IH-10 Frontage Road in Council District 2. [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

**2020-09-03-0609**

24. ALCOHOL VARIANCE # AV2020-003 (Council District 1): Ordinance waiving the application requirements of City Code 4-6 and granting a variance authorizing the sale of alcoholic beverages to Houston Carpenter for a Restaurant on Lot 1, Block 3, NCB 744, located at 1001 South Alamo Street for on-premise consumption within three-hundred (300) feet of Bonham Academy, a public education institution in San Antonio Independent School District. [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]



**2020-09-03-0041R**

25. Resolution initiating a Plan Amendment and Rezoning of approximately 612.8 acres of land within Westwood Square, generally located between Castroville Road, U.S. Highway 90 and S.W. 19th Street to land use and zoning consistent with the existing development and use of the property, in Council District 5. [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

**2020-09-03-0610**

- P-1. PLAN AMENDMENT CASE PA-2020-11600042 (Council District 1): Ordinance amending the Greater Dellview Area Community Plan, a component of the Comprehensive Master Plan for the City, by changing the future land use from "Low Density Residential" to "Neighborhood Commercial" on Lot 14, Block 159, NCB 8817, located 1815 Thorain Boulevard. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700140)

**2020-09-03-0611**

- Z-1. ZONING CASE Z-2020-10700140 (Council District 1): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lot 14, Block 159, NCB 8817, located at 1815 Thorain Boulevard. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA 2020-11600042)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 14, Block 159, NCB 8817. TO WIT: From "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District.

**2020-09-03-0612**

- P-2. PLAN AMENDMENT CASE PA-2020-11600038 (Council District 2): Ordinance amending the Government Hill Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "High Density Residential" to "Community Commercial" on Lot 3, Block 1, NCB 12839, located at 909 Runnels Avenue. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700150)

**2020-09-03-0613**

- Z-2. ZONING CASE Z-2020-10700150 CD (Council District 2): Ordinance amending the Zoning District Boundary from "MF-33 EP-1 MLOD-3 MLR-2" Multi-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "C-2 CD EP-1 MLOD-3 MLR-2" Commercial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Auto, Boat, and Recreational Vehicle Storage (Outside Permitted) on Lot 3, Block 1, NCB 12839, located at 909 Runnels Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600038)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 3, Block 1, NCB 12839. TO WIT: From "MF-33 EP-1 MLOD-3 MLR-2" Multi-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2

District to "C-2 CD EP-1 MLOD-3 MLR-2" Commercial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Auto, Boat, and Recreational Vehicle Storage (Outside Permitted).

**2020-09-03-0615**

- Z-4. ZONING CASE Z-2020-10700110 CD (Council District 3): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for four (4) dwelling units on Lot 19 and Lot 20, Block 1, NCB 3206, located at 123 Fairview Avenue. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 19 and Lot 20, Block 1, NCB 3206. TO WIT: From "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units.

**2020-09-03-0616**

- Z-5. ZONING CASE Z-2020-10700123 (Council District 3): Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 1.596 acres out of NCB 10979, located at 2819 Southeast Military Drive. Staff and Zoning Commission recommend Approval. (Continued from August 20, 2020)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.596 acres out of NCB 10979. TO WIT: From "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District.

**2020-09-03-0617**

- Z-6. ZONING CASE Z-2020-10700148 (Council District 3): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on 27.75 acres out of NCB 11166, located at 12100 South US Highway 281. Staff recommends Denial. Zoning Commission recommends Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 27.75 acres out of NCB 11166. TO WIT: From "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District.

**2020-09-03-0618**

- Z-7. ZONING CASE Z-2020-10700101 CD (Council District 4): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "R-6

CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for two (2) dwelling units on Lot 21, Block 3, NCB 12492, located at 1971 Rayburn Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 21, Block 3, NCB 12492. TO WIT: From "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "R-6 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units.

**2020-09-03-0619**

- Z-8. ZONING CASE Z-2020-10700147 S (Council District 4): Ordinance amending the Zoning District Boundary from "MI-1 AHOD" Mixed Light Industrial Airport Hazard Overlay District to "MI-1 S AHOD" Mixed Light Industrial Airport Hazard Overlay District with a Specific Use Authorization for Motor Vehicle Sales on 0.50 acres out of CB 4005A, located at 2455 Walsh Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.50 acres out of CB 4005A. TO WIT: From "MI-1 AHOD" Mixed Light Industrial Airport Hazard Overlay District to "MI-1 S AHOD" Mixed Light Industrial Airport Hazard Overlay District with a Specific Use Authorization for Motor Vehicle Sales.

**2020-09-03-0620**

- P-3. PLAN AMENDMENT CASE PA-2020-11600039 (Council District 4): Ordinance amending the United Southwest Communities Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Regional Commercial" to "Mixed Use" on 42.029 acres out of NCB 14491, located at 9326 Southwest Loop 410. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700149)

**2020-09-03-0621**

- Z-9. ZONING CASE Z-2020-10700149 (Council District 4): Ordinance amending the Zoning District Boundary from "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "MXD MLOD-2 MLR-1 AHOD" Mixed Use Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 42.0290 acres out of NCB 14491, located at 9326 Southwest Loop 410. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA 2020-11600039)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 42.0290 acres out of NCB 14491. TO WIT: From "C-3R MLOD-2 MLR-1 AHOD" General

Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "MXD MLOD-2 MLR-1 AHOD" Mixed Use Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District.

**2020-09-03-0622**

- Z-10. ZONING CASE Z-2020-10700143 (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot 42 and Lot 43, Block 21, NCB 16531, located at 6545 Enrique M. Barrera Parkway. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 42 and Lot 43, Block 21, NCB 16531. TO WIT: From "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-1 AHOD" Commercial Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District.

**2020-09-03-0625**

- Z-12. ZONING CASE Z-2020-10700095 CD ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "R-6 MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for an Assisted Living Facility for up to 12 Residents on Lot 21, Block 12, NCB 14752, located at 7023 West Hausman Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 21, Block 12, NCB 14752. TO WIT: From "R-6 MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for an Assisted Living Facility up to 12 Residents.

**CONSENT ITEMS CONCLUDED**

**ITEMS FOR INDIVIDUAL CONSIDERATION**

City Clerk Flores read the caption for Item 13.

**2020-09-03-0603**

13. Ordinance reappointing Joseph Tartell and Leon Coe and appointing Brenda Wingert as Commissioners and Valerie Sprague as Alternate Commissioner to the Municipal Civil Service

Commission for the remainder of unexpired terms of office to expire May 31, 2021. [Tina J. Flores, Acting City Clerk].

Human Resources Director Lori Steward stated that the City Charter provided for the establishment of the Municipal Civil Service Commission to hear disciplinary appeals for suspensions, demotions, and terminations, and to make recommendations to the City Manager. She noted that the Commission received approximately 10 to 15 appeals per year, with some hearings lasting up to eight hours. She stated that the Commission consisted of three regular members and three alternate members appointed by the City Council.

Ms. Steward stated that the current item was for the nomination of the two current members to be reappointed, the Chair, Joseph Tartell, and Leon Coe to be reappointed as regular Commissioners. She stated that Brenda Wingert had been recommended for appointment as the third regular Commissioner and noted some of Ms. Wingert's qualifications. She also stated that Valerie Sprague had been recommended for appointment as an alternate Commissioner. She noted that there were two additional vacancies for alternate commissioners and outreach would begin soon to fill those positions.

Councilmember Sandoval noted that there was a backlog of HR cases to be heard by the Commission due to the pandemic and inquired how many cases were backlogged. Ms. Steward stated that there were 11 cases pending a hearing and noted that these appointments were crucial to begin scheduling those cases to be heard as soon as possible. Councilmember Sandoval inquired of the time commitment required of someone serving on the Commission. Ms. Steward responded that normally suspension cases take a half-day and termination cases take a full-day.

Councilmember Sandoval inquired of the recruitment process. Ms. Steward stated that they utilize the outreach conducted through the Office of the City Clerk such as advertisements and press releases. She noted that HR reaches out to other large employers such as SAWS and CPS. She mentioned that HR was in the process of creating an outreach brochure for the Commission to fill the remaining vacancies. Councilmember Sandoval requested that a discussion be taken up in the Governance Council Committee regarding the outreach process and length of time members may serve.

Councilmember Perry noted the difficulty in filling vacancies on all Boards and Commissions due to potential candidates working full-time jobs, those who have children, etc. He noted his support for a discussion at the Governance Council Committee and suggested that an examination, reduction, or combination of Boards and Commissions would be prudent.

Councilmember Rocha Garcia echoed the support of her colleagues for a more in-depth discussion at the Governance Council Committee and noted that she is interested in more targeted outreach and how attendance could be improved to avoid loss of quorum issues.

City Manager Walsh stated that the Commission was very important as a means for employees to have the ability to appeal any disciplinary actions that it was crucial to have HR professionals that understood large organizations and HR principles with the understanding of both the employer and the employee.

Councilmember Sandoval moved to approve Item 13. Councilmember Perry 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

## **EXECUTIVE SESSION**

Mayor Nirenberg recessed the meeting at 10:33 am 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).

## **RECONVENED**

Mayor Nirenberg reconvened the meeting at 11:43 am and announced that no action was taken in Executive Session.

## **INDIVIDUAL ZONING ITEMS**

Mayor Nirenberg addressed Item Z-3.

### **2020-09-03-0614**

- Z-3. ZONING CASE Z-2020-10700066 (Council District 3): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 IDZ AHOD" Commercial Infill Development Zone Airport Hazard Overlay District on Lot 12 and Lot 13, Block 79, NCB 3347, located at 103 Bailey Avenue and 107 Bailey Avenue. Staff and Zoning Commission recommend Approval. (Continued from August 20, 2020.)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 12 and Lot 13, Block 79, NCB 3347. TO WIT: From "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2NA IDZ AHOD" Commercial Nonalcoholic Sales Infill Development Zone Airport Hazard Overlay District.

Melissa Ramirez, Assistant Director of the Development Services Department, noted that 35 notices were mailed, six were returned in favor and one opposed.

Mayor Nirenberg called upon Richard Medellin who was registered to speak but noted that he was unable to connect via telephone.

Councilmember Viagran stated for the record that Mr. Medellin stood in opposition of the zoning case. She noted that the Highland Park Neighborhood Association requested that the zoning case be postponed twice to allow more dialogue between the Association and the applicant. She noted that the applicant revised the site plan and alleviated the Associations concerns regarding parking for the church.

Councilmember Viagran moved to approve Item Z-3 with amended site plan. Councilmember Cabello Havrda 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 addressed Item Z-6.

**2020-09-03-0617**

Z-6. ZONING CASE Z-2020-10700148 (Council District 3): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on 27.75 acres out of NCB 11166, located at 12100 South US Highway 281. Staff recommends Denial. Zoning Commission recommends Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 27.75 acres out of NCB 11166. TO WIT: From "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District.

Ms. Ramirez noted that 82 notices were mailed, one was returned in favor and zero opposed.

Mayor Nirenberg called upon the individuals registered to speak.

James McKnight representing the applicant, stated that he was there to answer any questions.

Councilmember Viagran noted that the Mission del Lago Homeowners Association was in support of the rezoning and that the residential single-family housing was in accordance with many of the housing policies implemented and would facilitate individuals' opportunities to live closer to where they work.

Councilmember Viagran moved to approve Item Z-6. Councilmember Rocha Garcia 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 addressed Items P-4 and Z-11.

**2020-09-03-0623**

P-4. PLAN AMENDMENT CASE PA-2019-11600010 (Council District 8): Ordinance amending the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Suburban Tier" to "General Urban Tier" on Lot 1, NCB 17462; Lot 4,

NCB 14614; and 0.353 acres out of CB 4528, located at 12400 South Hausman Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700042)  
(Continued from August 20, 2020)

**2020-09-03-0624**

Z-11. ZONING CASE Z-2020-10700042 ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "MXD ERZD" Mixed Use Edwards Recharge Zone District, and allowing a fence up to eight (8) feet in height in accordance with Section 35-514 (c)(2)(D) of the Unified Development Code, on Lot 1, NCB 17462; Lot 4, NCB 14614; and 0.353 acres out of CB 4528, located at 12400 South Hausman Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600010) (Continued from August 20,2020)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lot 1, NCB 17462; Lot 4, NCB 14614; and 0.353 acres out of CB 4528. TO WIT: From "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "MXD ERZD" Mixed Use Edwards Recharge Zone District and allowing a fence up to eight (8) feet in height in accordance with Section 35-514 (c)(2)(D) of the Unified Development Code.

Ms. Ramirez noted that 33 notices were mailed, two were returned in favor and twelve opposed.

Mayor Nirenberg called upon the individuals registered to speak.

James McKnight representing the developer, stated that he was there to answer any questions and noted that they worked hard to negotiate with the neighborhood and made many concessions to create a set of covenants that would satisfy all parties involved.

Mayor Nirenberg called upon Dale Menn who was registered to speak but noted that he was unable to connect via telephone.

Councilmember Pelaez noted that this case had been a unique and challenging case as he had heard opposition from many of the neighbors uncomfortable with a four-story apartment complex being built in their backyard and concerns regarding increased traffic as a result of such a dense project. He noted that in response to the concerns, the developer reduced the density, and this satisfied the neighbors and was an adequate compromise.

Councilmember Pelaez moved to approve Items P-4 and Z-11 with conditions for fence height allowance. Councilmember Andrews-Sullivan 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 that the Mayor and City Councilmembers received the 2019 Annual Report for the San Antonio Fire Department (SAFD). He noted that SAFD had earned accreditation from the Commission of Fire Accreditation. He stated that accredited Fire Departments are described as community-focused, data driven, and organized. He recognized that SAFD encompassed all those things and was one of four cities in the USA and Canada that was accredited and held an Insurance Service Rating of one. He noted that the other three were Houston, Charlotte, and Vancouver, Canada.

City Manager Walsh stated that the Hero Like Her Program was award-winning and received notoriety this year and they planned to continue that program. He noted that the Whole Blood Initiative facilitated by the EMS Division of SAFD was the recipient of several awards this year. He also noted that Fire Chief Hood was recognized as the Metro Fire Chief of the Year. He stated that SAFD had been critical to the community response to the pandemic and had been responsible for a majority of the testing done at Senior/Retired Living Facilities. He commended them for their hard work and dedication.

City Manager Walsh stated that City Attorney Segovia had shared an email with the Mayor and City Councilmembers regarding the recent CDC order concerning evictions. City Attorney Segovia provided background and stated that the CARES Act expired on July 24, 2020 which provided a 120-day moratorium on eviction filings and applied to properties and/or tenants receiving federal housing assistance. He noted that President Trump issued an Executive Order on August 8, 2020 directing the CDC to consider temporarily halting residential evictions to prevent further spread of COVID-19.

City Attorney Segovia stated that the CDC issued the order to be effective on September 4, 2020 through December 31, 2020. He noted that the order was applicable in Texas and subject to state law. He stated that the order applied to all landlords, owners of residential property, and other persons with a legal right to evict. He stated that the order applied to any property leased for residential purposes including any house, building, mobile-home or land in a mobile-home park, or any similar dwelling. He noted that the order did not apply to any hotel, motel, or any other guest house rented on a temporary or seasonal basis.

City Attorney Segovia stated that tenants using the moratorium must submit a declaration to their landlord stating that they are covered by the order. He noted that there was income requirements that the individual must meet to be eligible: (1) the individual earned or is expected to earn \$99,000 or less in annual income; (2) the individual filed joint tax returns and is expected to earn \$198,000 or less in annual income; (3) the individual is not required to report income under the Income Tax Laws; or (4) the individual has received a stimulus check from the CARES Act. He noted an additional requirement that the individual must have the inability to pay their full rent or house payment because of a substantial loss of income, loss of hours, loss of job, or extraordinary medical expenses. He stated that the individual must also declare that they have used their best efforts to make timely payments. He noted that the individual must also declare that if they are evicted they will either be homeless or placed in a congregant setting with many people that would increase the risk of spreading COVID-19. He stated that the CDC had issued a form for tenants to fill-out and take advantage of this moratorium.

City Attorney Segovia stated that this did not relieve the tenant of the obligation to pay rent or comply with any other lease obligations. He noted that some evictions were permitted in cases where a tenant had conducted criminal activity or destruction of property. He stated that the Department of Justice may bring criminal charges and coordinate with local authorities to enforce the CDC order. He noted that plans regarding how local authorities could assist in enforcing the moratorium would be forthcoming.

Councilmember Rocha Garcia offered her congratulations to Chief Hood and SAFD for their video and marketing. She thanked the 30-plus firefighters that assisted her in delivering food in conjunction with the San Antonio Food Bank to a neighborhood in need. She noted that another event was scheduled for September 11, 2020 where more firefighters volunteered to deliver more food to those in need. She stated that the SAFD support of their community did not go unnoticed and recognized women firefighters and the Hero Like Her Program that was scheduled to hold an event in conjunction with Girls Empowerment Summit that was cancelled due to the pandemic.

Councilmember Courage asked if the CDC's order would stop any evictions currently in process or those that have received judgments against them for eviction but have not yet been moved out of their homes. City Attorney Segovia stated that the CDC order was not retroactive, that it would apply to those who have not had a hearing or judgement against them yet.

Councilmember Treviño inquired if the CDC declaration form was available in Spanish. City Attorney Segovia stated that the form was currently only in English but that they could work on a Spanish translation and that if the content was the same, it should have the same legal application. Councilmember Treviño suggested that the Right to Counsel Program be consulted and that the information be provided to them to assist in the work they are conducting with evictions. Lori Houston stated that another mail outreach effort was underway that would include information regarding the new CDC order and targeted areas that have high eviction ratings. Councilmember Treviño asked that his office be kept in the loop on this subject and offered his thanks to SAFD for all their hard work.

Fire Chief Hood thanked the Mayor and City Councilmembers for their appreciation of the video presented and he thanked the SAFD videographer Albert Pedroza who had been all over the world on battlefields shooting a lot of video footage. He thanked his staff and the many firefighters that continue to volunteer within the community. He noted that today would be the first graduation class during the pandemic and that these fine young individuals would begin serving their community tomorrow.

Mayor Nirenberg echoed the sentiments of his colleagues regarding the SAFD video and noted that the video highlighted the extraordinary work of the department and he thanked all firefighters for all that they do on a daily basis.

## **ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 12:14 pm.

**APPROVED**

**RON NIRENBERG**  
Mayor

Attest:

**TINA J. FLORES**  
City Clerk