

# City of San Antonio



## City Council A Session

No in-person access for this meeting

**Thursday, September 17, 2020**

**9:00 AM**

**Videoconference**

The City Council convened in a Regular Meeting. 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 Pastor Josh Woods of Episcopal Church of Reconciliation, guest of Councilmember Perry, District 10.
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 June 11, 2020 and June 17, 2020

Councilmember Viagran moved to approve the Minutes of June 11, 2020 and June 17, 2020. Councilmember Courage seconded the motion. The motion prevailed by the following vote:

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

### **POINT OF PERSONAL PRIVILEGE**

Councilmember Andrews-Sullivan reported the recent increase in the killing of youths in San Antonio due to gun violence. She stated that too many young lives had been cut short without being able to fulfill their purpose. She announced that today was the day to stand united with all mothers to fight for children lost to gun violence. She asked residents to light their homes with a yellow bulb at 8:30 pm in remembrance of the lost youths and to symbolically light a path for a better future for all youths to take action against the pandemic called gun violence. She thanked the Mayor and City Staff for lighting downtown in yellow.

### **CONSENT AGENDA ITEMS**

Item 8, 18, 25, Z-1, P-2, Z-3, Z-9, P-4, Z-10, Z-13, Z-15, P-7, and Z-17 were pulled for Individual Consideration.

Mayor Nirenberg called upon the individuals registered to speak.

James McKnight spoke in favor of Item Z-12 and stated that the property owner received approval from the community and would like to move forward.

Councilmember Viagran highlighted Item 16 regarding the appointment of Ed Belmares to the South Sector for the San Antonio Water Systems (SAWS) Board of Trustees. She thanked the Governance Committee and Council Colleagues for moving this Item forward for consideration. She noted that District 3 had many projects such as Lift Stations, Stinson Park, Baseball Fields, and continued work regarding Economic Development and proper protections for Mitchell Lake. She added that Affordable Housing was continuing to grow with Single-Family Housing in the Southern Sector to include growth of sewer and water mains in the area.

Councilmember Perry 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

**2020-09-17-0648**

6. Ordinance approving a contract with CDSI, Inc., dba Champion Diversified Services, to provide commercial interior and exterior window cleaning services at various City facilities for an estimated annual cost of \$154,000.00 for a term beginning upon award through September 30, 2023 with two additional, one-year renewal options. Funding is available through the respective department's operating budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

**2020-09-17-0649**

7. Ordinance approving a Job Order Contract with Alpha Building Corporation in an amount not to exceed \$2 million through March 31, 2021, with three, one-year renewal options each in an amount not to exceed \$2 million annually, for a total amount not to exceed \$8 million. This contract will be utilized by City departments when federal funds are expended. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

**2020-09-17-0651**

9. Ordinance awarding a construction contract to Austin Bridge & Road, LP in the amount of \$6,380,445.79 of which \$729,394.48 will be reimbursed by San Antonio Water System and \$458,224.26 will be reimbursed by CPS Energy for the Bynum Avenue (West Gerald Avenue to Southwest Military Drive) project, a 2017 Bond funded project, located in Council District 4. Funds are available from the 2017 – 2022 General Obligation Bond Program and are included in the FY 2020 - FY 2025 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

**2020-09-17-0652**

10. Ordinance awarding a construction contract, which includes optional additional work included in

the original bid, to J. Sanchez Contracting, Inc. in the amount of \$2,215,163.82 for the 2017 Bond Program Pearsall Park project, located in Council District 4. Funds are available from the 2017 - 2022 General Obligation Bond Program and the Texas Parks and Wildlife Department for Urban Outdoor Recreation Grant and are included in the FY 2020 - FY 2025 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

**2020-09-17-0653**

11. Ordinance approving the acquisition of a conservation easement over the Edwards Aquifer Contributing Zone on a 1,181.19 acre tract of land known as the Monier Ranch in Bandera County and Medina County from Monier Ranch Ltd, at a cost of \$2,367,312.15, to be funded through the voter approved 2015 Sales Tax Proposition 1 Edwards Aquifer Protection Program included in the FY 2020 – FY 2025 Capital Improvement Program. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

**2020-09-17-0654**

12. Ordinance approving the Third Amendment to the River Walk Lease Agreement with Riverton Suites, Ltd., d/b/a Hotel Contessa, to extend lease term through November 30, 2025. Revenues from the lease agreement are deposited in the River Walk Capital Improvements Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations].

**2020-09-17-0655**

13. Ordinance accepting a grant award of \$69,295,052.00 for the period beginning October 1, 2020 through September 30, 2021; approving a full year budget in the amount of \$72,918,339.00 which includes program income of \$1,000 and an in-kind match of \$3,622,287.00 for the purpose of managing the Child Care Services program in the 13 County Alamo Workforce Development Area; approving a personnel complement of 70 positions; and accepting up to 20% additional funding if awarded and matching funds are available in the City's budget. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Melody Woosley, Director, Human Services]

**2020-09-17-0656**

14. Ordinance ratifying the submission of an application to and authorizing the acceptance of grant funds from the Department of State Health Services in an amount of \$849,771.00 annually for a period of five years for a total of \$4,248,855.00 for the Ending the HIV Epidemic grant to support the City of San Antonio's HIV program and approving a personnel compliment. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Interim Director, Health]

**2020-09-17-0042R**

15. Resolution appointing Gary Gold, CPS Energy Interim Chief Financial Officer, to the SA Energy Acquisition PFC Board of Directors for a term ending January 31, 2021. [Tina Flores, City Clerk]

**2020-09-17-0043R**

16. Resolution appointing Edward Belmares (South Sector) to the San Antonio Water System Board of Trustees, for the remainder of an unexpired term ending May 31, 2024. [Tina J. Flores, City Clerk]

**2020-09-17-0657**

17. Ordinance approving the City Auditor's Fiscal Year 2021 Annual Audit Plan. [Kevin Barthold, City Auditor]

**2020-09-17-0659**

19. Ordinance approving the new CPS Energy Resiliency Service Rider No. E21, which is designed to enable a cleaner and more economical alternative to diesel backup generators. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

**2020-09-17-0660**

20. Ordinance approving updates to the CPS Energy Wholesale Transmission Customer Primary Distribution Voltage Service Rider No. E14 to better reflect the cost of providing the service and renaming it the Wholesale Distribution Service (WDS) Rider E14. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

**2020-09-17-0661**

21. Ordinance approving an Investment Policy and Strategy for the City of San Antonio, Texas, in accordance with the requirements of the Texas Public Funds Investment Act (the "Act"), as amended, for City Council to annually review and approve the City's Investment Policy and Strategy; designating certain employees as Investment Officers for the City of San Antonio; and providing an effective date. [Ben Gorzell, Chief Financial Officer, Troy Elliott, Deputy Chief Financial Officer]

**2020-09-17-0662**

22. Ordinance approving an agreement with Communities in Schools of San Antonio to provide behavioral mental health counseling for teens for a term ending September 30, 2021 with the option to renew for one, one-year term for an amount up to \$362,000.00 inclusive of the renewal. [Colleen M. Bridger, MPH, PhD, Assistant City Manager, Interim Director, Health]

**2020-09-17-0663**

23. Ordinance approving a lease agreement with CPS Energy for the City's lease of 2,400 square feet of data center floor space in CPS Energy's Data Center. [Ben Gorzell, Chief Financial Officer; Craig Hopkins, Chief Information Officer, Information Technology Services]

**2020-09-17-0044R**

24. Resolution of No Objection for the Alamo Community Group's application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the construction of the Cattleman's Square Lofts, a 140 unit affordable multi-family rental housing development, located at 811 W. Houston Street in Council District 5; 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]

**2020-09-17-0665**

26. Ordinance approving the negotiation and execution of five On-Call Traffic Engineering Services Agreements with Kimley-Horn and Associates, Inc., Pape-Dawson Consulting Engineers, Inc.,

WSP USA, Inc., Civil Engineering Consultants and RPS Infrastructure Inc., each in the amount not to exceed \$500,000.00 annually to provide as needed professional traffic engineering consulting services. Each agreement is for a term of one year, with an option to renew for up to two additional one-year extensions under the same terms and conditions for a possible maximum contract total value not to exceed \$2,500,000.00 annually. [Roderick Sanchez, Assistant City Manager, Razi Hosseini, Director, Public Works]

**2020-09-17-0666**

27. Ordinance approving the negotiation and execution of eight On-Call Architectural Services Agreements with Beaty Palmer Architects, Inc., Debra J. Dockery Architects, H. Munoz & Company, Inc., Marmon Mok, LLP, Chesney Morales Partners, Inc., Douglas Architects, Inc., WestEast Design Group, LLC and Kaarisen Noonan Rittimann Garcia (KNRG) each in the amount not to exceed \$400,000.00 per contract year for as-needed Architectural services related to vertical construction projects citywide. Each agreement is for a term of one year, with an option to renew for up to one additional one-year extension at the City's discretion in an amount not to exceed \$400,000.00 per contract year for a total amount not to exceed \$800,000.00 per contract. [Roderick Sanchez, Assistant City Manager, Razi Hosseini, Director, Public Works]

**2020-09-17-0668**

- P-1. PLAN AMENDMENT CASE PA-2020-11600048 (Council District 1): Ordinance amending the Midtown Area Regional Center Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Light Industrial" to "Business/Innovation Mixed-Use" on 0.1458 acres out of NCB 6615, located at 102 Jon Ann. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700170)

**2020-09-17-0669**

- Z-2. ZONING CASE Z-2020-10700170 (Council District 1): Ordinance amending the Zoning District Boundary from "I-1 S AHOD" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for Metal Products-Fabrication to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 0.1458 acres out of NCB 6615, located at 102 Jon Ann Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600048)

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: 0.1458 acres out of NCB 6615. TO WIT: From "I-1 S AHOD" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for Metal Products-Fabrication to "C-3 AHOD" General Commercial Airport Hazard Overlay District

**2020-09-17-0670**

- Z-4. ZONING CASE Z-2020-10700155 (Council District 2): Ordinance amending the Zoning District Boundary from "O-2 NCD-9 AHOD" High-Rise Office Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District to "R-4 NCD-9 AHOD" Residential Single-Family Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District on Lot 5, NCB 6300, located at 326 Nika Street. 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 5, NCB 6300 TO WIT: From “O-2 NCD-9 AHOD” High-Rise Office Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District to “R-4 NCD-9 AHOD” Residential Single-Family Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District.

**2020-09-17-0671**

- Z-5. ZONING CASE Z-2020-10700156 CD (Council District 2): Ordinance amending the Zoning District Boundary from “R-5 MLOD-3 MLR-1” Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to “R-5 CD MLOD-3 MLR-1” Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with Conditional Use for four (4) dwelling units on Lot 38, Block 1, NCB 10733, located at 4419 North Hein 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 38, Block 1, NCB 10733. TO WIT: From “R-5 MLOD-3 MLR-1” Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to “R-5 CD MLOD-3 MLR-1” Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with Conditional Use for four (4) dwelling units.

**2020-09-17-0672**

- Z-6. ZONING CASE Z-2020-10700160 (Council District 2): Ordinance amending the Zoning District Boundary from “C-3R AHOD” General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to “R-2 AHOD” Residential Single-Family Airport Hazard Overlay District on the north 47 feet of Lot 31 and Lot 32, Block 53, NCB 1626, located at 1205 South Olive Street. 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: The north 47 feet of Lot 31 and Lot 32, Block 53, NCB 1626. TO WIT: From “C-3R AHOD” General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to “R-2 AHOD” Residential Single-Family Airport Hazard Overlay District

**2020-09-17-0673**

- Z-7. ZONING CASE Z-2020-10700162 (Council District 2): Ordinance amending the Zoning District Boundary from “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District to “R-2 AHOD” Residential Single-Family Airport Hazard Overlay District on the south 42.5 feet of Lot 9, Block 2, NCB 1028, located at 922 South Pine Street. 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: The south 42.5 feet of Lot

9, Block 2, NCB 1028. TO WIT: From “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District to “R-2 AHOD” Residential Single-Family Airport Hazard Overlay District

**2020-09-17-0674**

- P-3. PLAN AMENDMENT CASE PA-2020-11600047 (Council District 2): Ordinance amending the IH-10 East Corridor Perimeter Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from “Low Density Residential” to “High Density Residential” on 7.899 acres out of NCB 17983, generally located in the 4000 block of Woodlake Parkway. Staff and Planning Commission recommend Approval. (Associated Zoning Case 2020-10700167)

**2020-09-17-0675**

- Z-8. ZONING CASE Z-2020-10700167 (Council District 2): Ordinance amending the Zoning District Boundary from “I-1 MLOD-3 MLR-1 AHOD” General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to “MF-25 MLOD-3 MLR-1 AHOD” Low Density Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 7.899 acres out of NCB 17983, generally located in the 4000 block of Woodlake Parkway. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600047)

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: 7.899 acres out of NCB 17983. TO WIT: From “I-1 MLOD-3 MLR-1 AHOD” General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to “MF-25 MLOD-3 MLR-1 AHOD” Low Density Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District.

**2020-09-17-0679**

- Z-11. ZONING CASE Z-2020-10700165 (Council District 4): Ordinance amending the Zoning District Boundary from “DR MLOD-2 MLR-1 AHOD” Development Reserve 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 P-4C, Lot P-68, CB 430; Lot P-68, Lot P-4B, NCB 14493, generally located at 9300 Old Pearsall 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 P-4C, Lot P-68, CB 430; Lot P-68, Lot P-4B, NCB 14493. TO WIT: From “DR MLOD-2 MLR-1 AHOD” Development Reserve 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.

**2020-09-17-0680**

- P-5. PLAN AMENDMENT CASE PA-2020-11600046 (Council District 4): Ordinance amending the West/ Southwest Sector Plan, a component of the Comprehensive Master Plan of the City, by

changing the future land use from “Civic Center” to “General Urban Tier” on 2.178 acres out of NCB 13659, located at 8019 Interstate 35 South. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700166)

**2020-09-17-0681**

- Z-12. ZONING CASE Z-2020-10700166 (Council District 4): Ordinance amending the Zoning District Boundary from “I-2 MLOD-2 MLR-1 AHOD” Heavy Industrial 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 2.178 acres out of NCB 13659, generally located at 8019 Interstate Highway 35 South. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600046)

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: 2.178 acres out of NCB 13659. TO WIT: From “I-2 MLOD-2 MLR-1 AHOD” Heavy Industrial 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

**2020-09-17-0683**

- Z-14. ZONING CASE Z-2020-10700168 (Council District 5): 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 “IDZ-2 MLOD-2 MLR-2 AHOD” Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in “C-2” Commercial District, “MF-18” Limited Density Multi-Family District and Stone Fabrication on 0.389 acres out of NCB 2875, located at 316 Forrest 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: 0.389 acres out of NCB 2875. TO WIT: From “R-6 MLOD-2 MLR-2 AHOD” Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to “IDZ-2 MLOD-2 MLR-2 AHOD” Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in “C-2” Commercial District, “MF-18” Limited Density Multi-Family District and Stone Fabrication

**2020-09-17-0684**

- P-6. PLAN AMENDMENT CASE PA-2020-11600043 (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 “Rural Estate Tier” to “Suburban Tier” on Lot P-38E and Lot P-38F, NCB 18333, located at 20865 West Interstate 10. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700159)

**2020-09-17-0685**

- Z-16. ZONING CASE Z-2020-10700159 CD (Council District 8): Ordinance amending the Zoning



District Boundary from “C-2 GC-1 UC-1 MLOD-1 MLR-1” Commercial Hill Country Gateway Corridor IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 District to “C-2 CD GC-1 UC-1 MLOD-1 MLR-1” Commercial Hill Country Gateway Corridor IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for Motor Vehicle Sales (Full Service) on Lots P-38E and Lot P-38F, NCB 18333, located at 20865 West Interstate 10. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600043)

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: Lots P-38E and Lot P-38F, NCB 18333. TO WIT: From “C-2 GC-1 UC-1 MLOD-1 MLR-1” Commercial Hill Country Gateway Corridor IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 District to “C-2 CD GC-1 UC-1 MLOD-1 MLR-1” Commercial Hill Country Gateway Corridor IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for Motor Vehicle Sales (Full Service)

**2020-09-17-0688**

- Z-18. ZONING CASE Z-2020-10700135 ERZD (Council District 10): Ordinance amending the Zoning District Boundary from “C-3R ERZD AHOD” General Commercial Restrictive Alcoholic Edwards Recharge Zone Airport Hazard Overlay District to “C-2 ERZD AHOD” Commercial Edwards Recharge Zone Airport Hazard Overlay District on 1.461 acres out of NCB 17726, generally located in the 5000 block of North Loop 1604 East and the 17400 block of O’Connor 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: 1.461 acres out of NCB 17726. TO WIT: From “C-3R ERZD AHOD” General Commercial Restrictive Alcoholic Edwards Recharge Zone Airport Hazard Overlay District to “C-2 ERZD AHOD” Commercial Edwards Recharge Zone Airport Hazard Overlay District.

**CONSENT ITEMS CONCLUDED**

**ITEMS FOR INDIVIDUAL CONSIDERATION**

City Clerk Flores read the caption for Item 8.

**2020-09-17-0650**

8. Ordinance approving a construction contract with J. Sanchez Contracting, Inc. in an amount not to exceed \$458,244.81 for the Brazos St. Pocket Park Connection, located in Council District 5. Funding in the amount of \$330,775.02 is available from the voter-approved Sales Tax Venue funds included in the FY 2020 – FY 2025 Capital Improvement Program, \$101,292.29 is available from the Parks and Recreation Department General Fund FY 2020 Adopted Budget, and \$26,177.50 is available for supplemental trees and irrigation from the Tree Canopy Preservation and Mitigation Fund FY 2020 Adopted Budget. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

Homer Garcia reported that the Brazos St. pocket park connection would allow residents to safely access the trailway along Apache Creek on a 13-foot wide multi-use trail with paver bands designed for walking, running and biking. He noted that a multitude of funding would deliver the project and the Tree Mitigation Fund would subsidize large native trees along the walkway. He added that San Antonio was a Monarch Champion City and pollinator gardens would soften the hardscape concrete water channel that conveyed water through the Westside creeks. He stated that bilingual signage would provide information on the history of the area. He indicated that the natural element perspective would be further enhanced with public art sculptures surrounding a community pavilion made from ecologically friendly and locally sourced natural wood materials where residents could congregate along outdoor seating and make use of outdoor exercise equipment.

Councilmember Gonzales reported that funding of the Westside Creekway was a priority for the City and created connectivity to the Southside creeks and the Mission Reach Trailway. She noted that a part of the Creekway at Our Lady of the Lake University was still under construction due to a SAWS project. She stated that the City needed to ensure SAWS infrastructure projects on the Southside and Westside were completed timely and on budget because the community depended on the projects for connectivity and alternate transportation routes.

Councilmember Gonzales moved to approve the Item 8. 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

City Clerk Flores read the caption for Item 25.

**2020-09-17-0664**

25. Ordinance authorizing the execution of an interlocal agreement with Northside Independent School District for the disposition of 0.47 acres containing Meadowcliff Community Center and the acceptance of 4.231 acres of property located in the floodplain adjacent to Timberwilde Elementary School to serve as part of the Culebra Tributary Greenway Trail located in Council District 6. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Homer Garcia III, Director, Parks & Recreation]

Mayor Nirenberg announced that Item 25 was pulled for Recusal purposes.

Councilmember Viagran moved to approve the Item 25. Councilmember Pelaez seconded the motion. The motion prevailed by the following vote:

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

**RECUSE:** 1 – Cabello Havrda

City Clerk Flores read the caption for Item 4A.

4. Approving the following ordinances related to the Fiscal Year 2021 Operating and Capital Budget and Tax Year 2020: [Erik Walsh, City Manager; Scott Huizenga, Director, Management and Budget] NOTE: Items A, B, C, and D must be voted on individually and in the following

order as required by state statute and City Charter.

**2020-09-17-0641**

- 4A. Ordinance adopting the Annual Consolidated Operating and Capital Budgets for the City of San Antonio Fiscal Year 2021 that begins October 1; approving projects included in the FY 2021 to FY 2025 Five-Year Infrastructure Management Plan; approving the FY 2021 to FY 2026 Six-Year Capital Improvements Program for the City of San Antonio; approving certain contracts; providing for a one-time annuity increase for retirees and their beneficiaries and a revision to the City's contribution rate in connection with the Texas Municipal Retirement System; authorizing personnel complements; appropriating funds; and amending related ordinances.

City Manager Walsh presented the Proposed Budget which was balanced despite economic uncertainty and was only \$4 million lower than last year. He reported that \$1.28 billion was allocated to the General Fund; \$999 million was allocated to the Restricted Funds; and \$641 million was allocated to the Capital Budget Fund. He noted that a balanced FY 2021 Budget was achieved by adherence to two original guideposts: Maintaining City services and avoiding City employee layoffs. He cautioned that the City's financial situation needed continual, strong management and the Budget included \$49 million in planned reductions and furlough days for FY 2022. He indicated that elimination of FY 2022 furlough days and decreasing planned reductions was a top priority and could be adjusted through the monitoring of financial and revenue standpoints and quarterly updates to the City Council. He added that the Budget included strategic investments in public health, homelessness, housing, and mental health. He stated that the Budget resumed historic investments in street and sidewalks with \$102 million allocated to the street maintenance program.

City Manager Walsh reported that much work was to be done on the Police Budget and policing issues over the next six months that included police response for mental health cases, prohibitions on no-knock warrants, lateral vascular neck restraints, and cornerstone issues regarding accountability, public engagement, hiring, training, and promotions. He stated that the City would engage the entire community to receive feedback, set expectations, and work with partners on funded, alternative achievable responses. He noted that the City would continue to prepare for the upcoming Collective Bargaining Agreement (CBA) negotiations in January 2021. He emphasized that he, City staff, and SAPD Command Staff understood the importance of these structural issues to frame and build upon police service to the community.

Mayor Nirenberg called upon the individuals registered to speak.

Moureen Kaki stated that not enough was done to oppose the current CBA and noted that millions of dollars could be divested from the Police Budget to fund other programs. She added that if racism was a public health crisis, then racism was a systemic structural issue and the only solution was restructuring. She noted that the family of Darrell Zemault received no funds and the Police Officers involved in his shooting were afforded the most well-funded institution in the City. She stated that defunding the Police Budget would show that the needs of the most marginalized communities in the City were prioritized and the CBA should be broken.

Karen Munoz stated that budgets were moral documents and the Police Budget received the largest allocation. She urged Councilmembers to drive around the City to witness how much housing was needed and the many people who were suffering.

Antonio Diaz stated that the CBA would extend through FY 2026 and yet the current CBA would expire in September 2021. He stated that he had formed a community committee that asked to meet with Mayor Nirenberg to discuss the CBA and policing issues.

Lexy Garcia stated that divesting funds from the Police Budget was a starting point for healing and actual public safety. She noted that \$28 million in the Police Budget was not bound to the CBA and could be divested towards other community services. She stated that being Black should not be a death sentence. She noted that her sister was a school teacher that had to risk her life to return to the classroom during the COVID-19 Pandemic and had to purchase her own classroom supplies but Police Officers did not have to pay for their own equipment and supplies.

Isabella Briseño stated that SAPD had a budget larger than the entirety of community services. She noted that a survey of San Antonians showed that they believed public safety was not prioritized in the Budget. She added that it was the job of Councilmembers to vote for a Budget that supported the residents they represented and noted that many families lost their jobs, their homes and their loved ones and Councilmembers needed to prove they cared by defunding the Police Budget.

Willa Rubin stated that the Police Budget needed to be defunded and allocated to education, public health, human resources, and housing. She stated that she was a college advisor and that budget reductions eliminated some of the college readiness programs and workforce development partnerships that local students relied on. She noted that many of the career navigator programs were left behind.

Olivia Roybal stated that the Police Budget should be defunded as much as possible and city services should be funded fully. She noted that San Antonio elected officials referenced police brutality cases that occurred nationally but not locally. She added that more than half of the families in Bexar County were living in poverty or were a financial misstep away from poverty while SAPD received a disproportionate amount of the City Budget. She noted that the Budget removed \$47,500 from the San Antonio Food Bank and reallocating funding from SAPD was popularly supported by San Antonians.

Gina Cramer stated that nearly \$500 million was allocated to the Police Budget and millions of dollars were cut from workforce development, senior services and after school programs. She noted that the City continued to invest more money into policing than health, housing, education and human services combined. She noted that true public safety began with more affordable housing.

Anne Ferguson stated that the SA SpeakUp Survey indicated that 22,000 residents identified the Budget priorities to be public health, affordable housing, and senior and youth services. She noted that \$101 million of the Police Budget was not part of the CBA and could be reallocated. She added that the City Council passed a resolution declaring racism to be a public health crisis and advocating for racial justice was a core element of all policies, programs and procedures. She asked where racial justice was accounted for in the Budget.

Amador Salazar stated that the Budget displayed City Council's fundamental misunderstanding of what made our community safe and that a vote in favor of the Budget was a vote in favor of the continuance of police brutality and was not a people's budget. He stated that Black Lives Matter and requested the body camera footage be released to the Zemault Family.

Victoria Guerrero stated that the Police Budget should be defunded by at least \$20 million. She noted that the City was in the middle of the COVID-19 Pandemic that killed people daily. She added that City Council had little control over the Police Budget.

Ian Dill stated that he was deeply concerned about the prioritization of the Police Budget over community services and noted that Budget cuts included almost \$50,000 from the Food Bank at a time when demand for Food Bank services had skyrocketed due to COVID-19. He added that funding to local school districts was reduced by \$837,000 at a time when school resources were significantly strained and the schools had to keep up with the demands of personal protection equipment (PPE) and sanitization in classrooms. He stated that the funding for these items could easily be acquired from the proposed \$8 million increase to the \$479 million Public Safety Budget. He stated that it was time to put those funds into the hands of people most at risk.

Isabella Nieto stated her opposition to the proposed Budget. She added that the over-militarization of SAPD supported the racial oppression of minorities. She asked that partisan politics be put aside and called on Councilmember to reinvest in the residents that elected them and replace fear with hope in a call to action and a movement fighting for justice, equity and the community.

Yaneth Flores urged Councilmembers to listen to their constituents and reminded them that they worked for their residents and not campaign donors. She added that the Councilmembers hands were not tied and that the hands of African Americans were tied in San Antonio. She stated that lack of action facilitated the death of community members at the hands of law enforcement. She requested that funds from the Police Budget be divested to community care.

Teri Castillo stated that it was essential for City Officials to work for the people and divest from the Police Budget to community-led solutions with long lasting effects. She requested that City Officials prioritize and invest in community and public health services. She noted that San Antonio had 38 affordable housing units for every 100 families at 30% AMI and stated that the City must invest in affordable housing.

Michael Torres urged Councilmembers to defund the Police Budget and divest funds to the Black, Brown and Indigenous communities whose lives were at risk during the COVID-19 Pandemic. He noted that these vulnerable populations faced challenges within their low income communities. He added that funds should be reallocated to mental health, education, public health and housing resources. He stated that Police Officers were not trained nor skilled in de-escalation techniques and preventative measures.

Mario Montelongo stated his opposition to the proposed Budget and spoke in favor of transitioning some SAPD programs to other City Departments, such as transferring the Recovery Program to the Health and Human Services Department. He added that doing so would enhance the physical, psychological, and social well-being of the community.

Jennifer Falcon stated that defunding the Police Budget was hindered by the CBA and that voting for the CBA not only silenced the Black voices that spoke up at that time, but created an environment of denial for the deaths of Black people by police shootings. She added that the cycle of police response to crimes needed to be stopped and the causes of crimes must be addressed to actually reduce crime. She stated that Black Lives Matter.

Amanda Thompson stated that she supported the Budget proposal and noted that everyone had become victims of the media. She indicated that mass hysteria due to COVID-19 created a vehicle for police violence and propaganda. She noted that she was incredibly proud of SAPD and experienced their compassion when dealing with her family member that had mental health issues. She stated that it was a

great tragedy that citizens did not stand up for police and police had become targets of the media and culture today.

Celeste Brown stated that police violence was not propaganda according to her family that mourned the death of Darrell Zemault, Sr. She added that the Budget did not reflect that Black Lives mattered and school funding should not be reduced in order to give Police Officers raises. She noted that police reform could not have saved her stepfather from being shot in the back two days ago. She stated that she would never sleep well again and she hoped City Officials would not either.

Jessica Guerrero stated that the primary charge of the San Antonio Housing Commission (SAHC) was to serve as the public oversight board and to guide the implementation of the Mayor's Task Force recommendations. She added that the SAHC recommended an increased commitment to affordable housing programs and initiatives as part of the City's Budget proposal. She noted that the Commissioners were equally aware of the devastating impact of COVID-19 on the lowest wage residents which made the pressure on the most vulnerable populations exponentially worse. She stated that the housing system in San Antonio required continuous improvement and SAHC requested that the City continue to increase its overall investment in affordable housing programs and initiatives.

Marlon Davis stated that the Budget failed to reflect the people's priority of public health and the Budget should be the first item to prove the City's commitment to an approach that is not just business as usual. He added that it was time to defund the Police Budget and public safety reform was not enough. He urged the Councilmembers to take action consistent with what the people wanted.

Rick Trevino stated that some City Officials proposed changes to the Risk Mitigation Fund and the Rental Assistance Fund to include workforce training as a requirement. He added that any resident with an 81% AMI or higher would be barred from program and noted that 400 families that the program helped would no longer receive assistance. He urged Councilmembers to keep the program as it was and add more funding to it.

Graciela Sanchez stated that Esperanza Peace & Justice Center was committed to serving marginalized communities and preserving San Antonio's unique cultural heritage. She added that San Antonio was a city of low incomes, substandard living conditions, high levels of domestic violence and little opportunity for jobs outside of the service industry. She stated that by December 2021, the Center would open the doors of the first community museum that honored the culture and history of the Westside working class communities. She invited the public to attend their programs when the Center was back in session. She noted that the Center was deeply rooted in the community, and donated time and funding in collaboration with the City to assist low income families in securing emergency funding during COVID-19.

Jeril Bills stated that Councilmembers were going to vote for a proposed Budget that would increase funding to the Department involved in the shooting death of a Black individual. He noted that residents called for reductions to the Police Budget and investment in much-needed community services which would make communities safer. He added that investment in the Police Budget did not improve the economic conditions of residents and Police Officers ran the City. He called for defunding the Police Budget.

Karina Gonzalez stated that she had worked with immigrant rights for 10 years and voiced her opposition to the Proposed Budget. She demanded that the Police Budget be defunded and divested to community services and called for long-term solutions for social problems. She stated that lethal force

was not necessary in the shooting death of Darrell Zemault. She added that the people of San Antonio deserved to be the priority in the Budget.

Ananda Tomas stated that an immediate change was demanded in the Proposed Budget. She called for the release of body cam footage for all Police Officer involved shootings this year. She called for defunding the Police Budget with divested funds allocated to the community.

Josey Garcia called for the defunding of \$100 million of the Police Budget to be divested to heal the community. She requested the defunding of militarized police equipment. She urged the City Council to take note that heavy policing did not eliminate nor reduce crime.

Jolene Garcia stated that public safety was a complex concept that needed to be achieved through true economic justice. She added that living wages and paid sick leave were economic stabilizers. She stated that stability for many families could be achieved by defunding \$20 million from the Police Budget.

Mayor Nirenberg stated that FY 2020 had not been a normal nor easy fiscal year and it was difficult to imagine the City immersed in the COVID-19 way of life for over six months. He added that the adjustments San Antonians made during the pandemic were nothing short of remarkable and the community rose to meet every single challenge. He thanked the Councilmembers and City Staff for dropping everything to meet the needs of the community to address health, safety, security, food, essentials, and housing which had become the measures of success. He stated that the proposed Budget was reflective of a challenging and inspiring moment in the community and while it may not have reflected the exact changes some residents called for, it was reflective of the health, housing, education and workforce needs of the City.

Mayor Nirenberg voiced his gratitude for the empowered community residents who pushed to review and direct funding and held City Leaders accountable for the decision-making process. He noted that the City continued to grapple with racism and discrimination and the deaths of Black lives at the hands of Police Officers and shed a bright spotlight on the work to be done to improve policing and public safety. He acknowledged Councilmember Viagran and Councilmember Gonzales for their steadfast dedication during their last Budget in their last year of service.

Councilmember Rocha Garcia highlighted Council District 4 successes: 1,422 residents received housing and utility assistance; 1,500 backpacks filled with school supplies distributed; 500 food boxes distributed; 89 street lights installed; performance of vehicle impound facility relocation feasibility study; 600 emails received from Council District 4 residents and 26,000 residents engaged with the Council District 4 Budget Townhall meeting. She provided Council District 4 demographic data: 56% with a high school degree; 12.4% with a bachelor's degree or higher; 19.4% were uninsured, including 28.4% within the 18-64 year old age group. She reported that the highest number of deaths due to COVID-19 were in Council Districts 3, 4, and 5, and were due to uninsured and limited access to healthcare. She expressed her commitment to consistently assess issues and remain steadfast and supportive.

Councilmember Treviño stated that procedural changes and actions that mirrored the Resolution Declaring Racism a Public Health Crisis was the way to address systemic racism and violence that disproportionately harmed the African-American community. He added that the Budget could have better addressed disparity and noted that the Emergency Housing Assistance Program (EHAP) was able to protect and stabilize over 15,000 families with less than 1/10 of the Police Budget. He noted that

difficult conversations regarding the CBA and the FY 2022 Budget would continue. He requested that \$22,244 of remaining funds in the Budget be allocated to the Office of the City Clerk to expand the ID Recovery Program. He called for increased accessibility of the 3-1-1 Department, and he requested that the Court Investigator position be filled.

Councilmember Cabello Havrda reported that the City had the largest EHAP in the nation and that the City continued to seize upon opportunities like workforce development to elevate the quality of life in the community requested. She noted that investment in basic City services would resume under the proposed Budget and Council District 6 would have a new park, several park improvements, funding for the Food Bank, and funding for a local community kitchen.

Councilmember Andrews-Sullivan stated that the Budget represented the spirit of the City going forward. She requested that funding for National Night Out be reallocated into programs the community requested. She noted that the Budget was the first step in equality and inclusion and reflected the morals for all communities Citywide.

Councilmember Courage stated that work on the proposed Budget began a year ago to address poverty, housing, and healthcare more greatly than had ever been done before. He indicated that very difficult decisions and reductions to the Budget had to be made when the COVID-19 Pandemic occurred. He noted that an epidemic of the deaths of African-Americans was brought to the forefront and added to the challenges as the City moved forward. He stated that as a former Military Policeman, he recognized that reforms were needed in law enforcement.

Councilmember Pelaez stated that many residents wanted to defund the Police Budget and many stated they wanted a well-funded, robust safe Public Safety program with patrols in every neighborhood and all 9-1-1 calls answered. He recited names of San Antonio Police Officers that died in the line of duty and reminded residents that they were unjustifiably denied their right to live. He added that his job was to balance interests, to listen to everyone, and to make difficult choices.

Councilmember Gonzales stated that equity was infused into every City department and the Office of Equity was also reinstated during her term of office. She reported that in 2017, Council District 5 requested more public safety due to a higher crime in the community and received eight more Police Officers as a result of equitable funding in the Police Department. She noted that more proper funding was needed for delegate agencies that dealt with youth and domestic violence prevention. She asked of the amount of additional funding allocated to the Domestic Violence Prevention Program. Dr. Bridger reported that Metro Health created a new division focused on violence prevention and domestic violence was a large part of that division. Assistant City Manager Maria Villagómez reported that an additional \$1.3 million was added to the Metro Health Department budget to expand some of its programs. She added that the SAPD Crisis Response Team and 20 civilian positions were transferred to Metro Health to augment violence prevention efforts. She reported that a Federal grant award would fund 25 Police Officer positions within the newly created division to respond to domestic violence calls seven days a week, 24 hours a day.

Councilmember Perry stated that the most important role of the City Council was to develop and approve a City Budget. He indicated that the entire City revolved around the Proposed Budget and noted a \$2.9 million reduction from last year's Budget. He proposed that the Budget should be reduced every year without an increase in spending when there was an increase in revenue. He noted that the Proposed Budget was balanced and met the core requirements of the City Charter.



Councilmember Sandoval stated that the City's prioritized core values were at the forefront of Budget planning during the COVID-19 Pandemic and public health was a top priority. She noted that investments made in public health were investments in the future. She asked of paid sick leave goals for the coming fiscal year. She indicated that mental health services did not have adequate treatment funding and SAPD could not be expected to fill the gap. She requested a timeline for mental health program implementations in alignment with CBA negotiations. City Manager Walsh stated that staff positions within Metro Health that worked to promote paid sick leave to employers in San Antonio were deployed during COVID-19 and would resume the outreach program once they transitioned back to their original positions in October 2020. He reported that CBA negotiation strategy planning would begin in January 2021 and would continue through Fall 2021. He stated that the Public Safety Committee would develop a funding plan for the mental health program and added that public engagement would be included in the timeline.

Councilmember Treviño requested confirmation of \$22,244 that remained available in the Budget. He estimated that approximately 1,000 birth certificates could be issued through the ID Recovery Program with the available funds. Assistant City Manager Villagómez confirmed that funds allocated from the elimination of the Police Cadet hiring bonus and revenues from sales tax and SAWS were rounded up to \$4 million in yesterday's Budget presentation and the exact amount of \$3,977,875 was provided last night. City Manager Walsh recognized the need for ID Recovery funding and proposed that the ID Recovery Program be transitioned to the Human Services Department. He requested that a quarterly update of the ID Recovery Program be presented to the City Council in December 2020 and called for continued monitoring of revenue impact. He proposed that the Budget Amendment include the authorization for the City Manager or Chief Financial Officer to waive the \$23 fee for homeless individuals that needed a birth certificate.

Councilmember Treviño moved to include an Amendment in the FY 2021 Proposed Budget that authorized the City Manager or Chief Financial Officer to waive the \$23 Birth Certificate fee for homeless individuals and for the monitoring of that increment to determine the actual cost of the ID Recovery Program. 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

#### **2020-09-17-0641**

- 4A. Ordinance adopting the Annual Consolidated Operating and Capital Budgets for the City of San Antonio Fiscal Year 2021 that begins October 1; approving projects included in the FY 2021 to FY 2025 Five-Year Infrastructure Management Plan; approving the FY 2021 to FY 2026 Six-Year Capital Improvements Program for the City of San Antonio; approving certain contracts; providing for a one-time annuity increase for retirees and their beneficiaries and a revision to the City's contribution rate in connection with the Texas Municipal Retirement System; authorizing personnel complements; appropriating funds; and amending related ordinances.

Councilmember Gonzales moved to approve funding in the Budget for Bexar Appraisal District. Councilmember Viagran 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

**RECUSE:** 1 – Treviño

Councilmember Gonzales moved to approve funding in the Budget for Alamo Area Council of Governments. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Mayor Nirenberg, Andrews-Sullivan, Viagran, Gonzales, Cabello Havrda, Sandoval, Pelaez, and Courage

**RECUSE:** 3 – Treviño, Rocha Garcia, and Perry

Councilmember Gonzales moved to approve funding in the Budget for Visit San Antonio. Councilmember Rocha Garcia seconded the motion. The motion prevailed by the following vote:

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

**RECUSE:** 2 – Treviño and Viagran

Councilmember Gonzales moved to approve funding in the Budget for National League of Cities. Councilmember Rocha Garcia seconded the motion. The motion prevailed by the following vote:

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

**RECUSE:** 1 – Viagran

Councilmember Gonzales moved to approve funding in the Budget for Communities in Schools. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

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

**RECUSE:** 1 – Rocha Garcia

Councilmember Gonzales moved to approve funding in the Budget for Northside Independent School District After School Challenge. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

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

**RECUSE:** 1 – Cabello Havrda

Councilmember Gonzales moved to approve funding in the Budget for San Antonio Mobility Coalition. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda,

Pelaez, Courage, and Perry

**RECUSE:** 2 – Mayor Nirenberg and Sandoval

Councilmember Gonzales moved to approve funding in the Budget for Family Violence Prevention Services, Inc., and Child Advocates of San Antonio. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

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

**RECUSE:** 1 – Pelaez

Councilmember Gonzales moved to approve funding in the Budget for San Antonio Education Partnership. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Sandoval, Pelaez, and Perry

**RECUSE:** 2 – Cabello Havrda and Courage

Councilmember Gonzales moved to approve funding in the Budget for BioMedSA. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, and Perry

**RECUSE:** 2 – Mayor Nirenberg and Courage

Councilmember Gonzales moved to approve funding in the Budget for Northeast Corridor Enhancement Matching Grant Program. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

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

**RECUSE:** 1 – Perry

Councilmember Gonzales moved to approve funding in the Budget for HEB, CPS Energy, San Antonio Economic Development Corporation, San Antonio Economic Development Foundation, Project QUEST, Texas Municipal League, US Conference of Mayors, Anuja San Antonio, Musical Bridges Around the World, and Sister Cities International. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

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

**RECUSE:** 1 – Mayor Nirenberg

**2020-09-17-0641**

- 4A. Ordinance adopting the Annual Consolidated Operating and Capital Budgets for the City of San Antonio Fiscal Year 2021 that begins October 1; approving projects included in the FY 2021 to FY 2025 Five-Year Infrastructure Management Plan; approving the FY 2021 to FY 2026 Six-Year Capital Improvements Program for the City of San Antonio; approving certain contracts; providing for a one-time annuity increase for retirees and their beneficiaries and a revision to the City's contribution rate in connection with the Texas Municipal Retirement System; authorizing personnel complements; appropriating funds; and amending related ordinances.

Councilmember Viagran moved to approve the balance of the Budget, as amended today.  
Councilmember Gonzales seconded the motion. The motion prevailed by the following vote:

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

City Clerk Flores read the caption for Item 4B.

**2020-09-17-0642**

- 4B. Ordinance ratifying the adoption of the FY 2021 Budget that will require raising more revenue from property taxes than in the FY 2020 Budget.

Councilmember Gonzales moved to ratify the adoption of the Budget. 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

City Clerk Flores read the caption for Item 4C.

**2020-09-17-0643**

- 4C. Ordinance setting the Ad Valorem Tax Rate for Maintenance and Operation of the City of San Antonio at 34.677 cents per \$100 of taxable valuation for the Tax Year beginning on January 1, 2020 and ending on December 31, 2020.

Councilmember Viagran moved that Property Taxes be increased by the adoption of a maintenance and operation tax rate of 34.677 cents per \$100 of taxable valuation which is effectively a 1.79% increase in the tax rate. Councilmember Gonzales seconded the motion. The motion prevailed by the following vote:

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

City Clerk Flores read the caption for Item 4D.

**2020-09-17-0644**

- 4D. Ordinance setting the Ad Valorem City Property Tax Rate to pay the principal and interest on the funded debt of the City of San Antonio at 21.150 cents per \$100 of taxable valuation for the tax

year beginning on January 1, 2020 and ending on December 31, 2020.

Councilmember Gonzales moved that the taxes be increased by the adoption of the Debt Service Tax Rate of 21.150 cents per \$100 of taxable valuation which is effectively a 1.79% increase in the tax rate. 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

City Clerk Flores read the caption for Item 4E.

**2020-09-17-0645**

4E. Ordinance amending fees as included within the Fiscal Year 2021 Budget within the Development Services Fund and amending the City Code of San Antonio, Texas to reflect such changes.

Councilmember Viagran moved to approve the fee ordinance regarding Item 4E. Councilmember Gonzales seconded the motion. The motion prevailed by the following vote:

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

City Clerk Flores read the caption for Item 4F.

**2020-09-17-0646**

4F. Ordinance carrying forward certain FY 2020 Funds; amending prior appropriations; appropriating Funds for requirements in City projects and departments; authorizing the ratification of Grants, Emergency Contract and Purchases as a result of the impacts of COVID-19 on the community, approving certain contracts, and appropriating funds

Councilmember Gonzales moved to approve the Closing Ordinance regarding Item 4F. 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

City Clerk Flores read the caption for Items 5 and 5A.

5. Approving items related to the City's Edwards Aquifer Protection Program: [Ben Gorzell, Chief Financial Officer]

**2020-09-17-0647**

5A. Ordinance establishing continuation of the City's Edwards Aquifer Protection Program with a \$100 million funding commitment and approving a Programmatic and Finance Agreement with the Municipal Facilities Corporation to administer the continued Program.

Written testimony was submitted from Patti Zaiontz, President of the San Antonio Conservation Society in opposition of the proposed alternative funding source for the Edwards Aquifer Protection Program.

Homer Garcia, Director of Parks and Recreation, provided a presentation regarding the Edwards Aquifer Protection Program (EAPP) Funding Alternative. He noted that most of San Antonio's drinking water comes from the Edwards Aquifer which is a massive underground limestone formation which receives water from rainfall on the Edwards Plateau to the north and west of Bexar County. Mr. Garcia added that the mission of the Edwards Aquifer Protection Program focused on protecting the quality and quantity of water recharging into the Edwards Aquifer primarily through land purchases and conservation easements which exist in perpetuity.

Ben Gorzell, Chief Financial Officer, reported that in 2015, voters approved \$100 million from a 1/8¢ sales tax for the Edwards Aquifer Protection Program funding that would expire once that dollar threshold was reached, which was projected to occur in Spring 2021. He noted that once the sales tax expired in Spring 2021, there would be \$20 million that would have been collected, but not spent, which would extend program funding through FY 2022. He noted that the development of an alternative funding option that would keep the program under the administration of the City was needed for FY 2023. He noted that a future general obligation bond program was not possible due to language limitations in the City Charter and stated that utilizing one of the City's existing municipal facilities corporations would be an alternate funding option. He explained that the City would contract with the Municipal Facilities Corporation (MFC) to carry out the EAPP. He added that the Mayor and City Council were members of the Board of Directors of the MFC per City Ordinance and the MFC Articles of Incorporation.

Mr. Gorzell stated that under the proposal, the City's commitment for EAPP would be \$100 million for up to 10 years. He noted that the \$100 million would exclude interest, financing, and maintenance and support costs. He reported that the program objective was to preserve and protect the Edwards Aquifer watershed to include a recharge area or Recharge Feature Protection Project, a conservation easement, and an open space preservation program.

Mr. Gorzell reported that annual program funding would include approximately equal amounts (\$10 million) over the program term which could be adjusted based on EAPP needs, and the financial capacity of the City while taking into consideration other budget needs.

Mr. Gorzell stated that the Citizens Advisory Board (CAB) would continue to advise on the EAPP and the City would collaborate with the CAB on the needs for the EAPP in the next fiscal year. He added that Parks and Recreation staff would continue to support the EAPP.

Mr. Gorzell reported that the EAPP would be funded through the issuance of debt with short-term commercial paper (\$30 million capacity) and long-term fixed rate debt (20-25-year amortization). He noted that cash funding from other sources could be applied at the City's discretion and could be utilized to leverage grant funds. He added that any lawful available revenues could be used to pay for debt or cash fund.

Mr. Gorzell stated that the City would pledge a portion of the City payment from SAWS as security for the bonds with no approval or coordination from SAWS required. He indicated that this would provide security to bondholders and created the ability to issue debt for EAPP. He reported that the City would provide funding to the MFC to pay for debt service and to provide cash funding for the program. He added that the City would provide funding from the City Operating Budget for expenses such as monitoring or the SET model update.

Mr. Gorzell reported that the Parks and Recreation Department had partnerships to support the program

to include monitoring for compliance, and technical assistance. He indicated that costs could be allocated as program costs or expense based on type. He noted that a provision was included in the agreement whereby material change could not be made through the Budget process. He stated that the authorizing Ordinance and the financing agreement would have to be amended by City Council and would only occur after two public hearings were held at least 30 days apart.

Mr. Gorzell stated that the City would contract with MFC to carry out the program on behalf of the City. He noted that this provided the ability for the City to issue bonds to support the program. He indicated that bond proceeds would be utilized to fund the program and a portion of the City's payment (SAWS revenue) would be utilized to create security for bondholders. He reported that the City would be able to cash fund the program and repay the debt service on the bonds and the borrowing that would have occurred. He indicated that other financing documents to support the financing structure would be presented for approval in FY 2022 and program funding would begin in FY 2023. He noted that the preliminary finance plan would be updated at least once a year and that on August 26, 2020, the CAB passed a Resolution supporting this funding alternative to continue the City's EAPP.

Mayor Nirenberg called upon the individuals registered to speak.

Kathy Rhodes spoke on behalf of the San Antonio Conservation Society in opposition of the proposed alternative funding source. She noted that the Conservation Society had been dedicated to the conservation of architectural, natural, and cultural heritage for over 96 years. She added that the Edwards Aquifer and the San Antonio Greenways were more robust because of the Sales Tax fraction collected to protect the aquifer.

Jack M. Finger spoke in opposition of the proposed alternative funding for the Edwards Aquifer (EA). He added that the current funding solution that was approved by the voters worked and should not be changed.

Mayor Nirenberg thanked Councilmember Courage and acknowledged his work regarding the aquifer. He added that the EA was a unique treasure which had sustained San Antonio through the years and must be protected.

Councilmember Courage stated that there was no difference of opinion on protecting the aquifer and the only difference of opinion would be regarding alternate funding options. He noted that the only available funding option was to move forward with MFC, as there was no time to add an initiative to the November 2020 election, and to vote on a sales tax measure in over a year from today would not protect the aquifer. He emphasized that the time to decide on a safe, strong commitment to protect the EAPP was now.

Councilmember Cabello Havrda asked if the 160,000 acres procured was near the original goal. She voiced concerns of residents and asked if SAWS rates would increase as a result of the MFC option. Mr. Garcia reported that there was no set acreage goal, but more of a goal and shared vision to protect the aquifer. He explained that tracking annual acreage began in 2005 when the EAPP began expanding outside of Bexar County. Mr. Gorzell confirmed that there would be no increase in SAWS rates to cover the program and the current SAWS 4% payment to the City would continue in the future.

Councilmember Pelaez stated that the EAPP vote was a resiliency and crisis vote much in the same vein as the City's COVID-19 Community Recovery and Resiliency Plan. He added that he was confident that the program would remain in place, was safe, and could thrive simultaneously with the City's

## Workforce Development Plan.

Councilmember Rocha Garcia stated that she would focus her remarks on the March 10, 2020 Bexar County Commissioner's Court meeting which included a presentation from the San Antonio River Authority regarding the funding of the Westside Creek restoration project. She provided a recap of that meeting and highlighted the importance of leveraged partnerships, the positive economic and development impact borne out of the project, that a crisis helped realign budget priorities, and that the project actually financed itself, separate and apart from the Capital Budget exclusively. She added that City Council should not have to wait to publicly make a commitment to both the EAPP and to vulnerable residents.

Councilmember Rocha Garcia moved to call the question. Councilmember Courage seconded the motion. During the roll call vote, Councilmember Rocha Garcia withdrew the motion to call the question.

Councilmember Sandoval stated that Councilmembers were not trying to postpone the item, but wanted to go on record expressing their support. She thanked the CAB for their commitment to the MFC program. She addressed the concerns of the Conservation Society by requesting the earliest date that an EAPP alternate funding initiative could be placed on the ballot. City Attorney Segovia reported that because there was a sales tax proposal initiative on the ballot already, the next earliest available election date would be May 2022. Councilmember Sandoval stated that she did not want to take risks with the EAPP and that the City should select the funding solution available now. She asked if it was possible to consider a Charter Amendment in the future that would commit the City Council to protect the aquifer financially. City Attorney Segovia reported that such a Charter Amendment was possible and would require a review and recommendation by the Charter Review Commission.

Councilmember Sandoval requested clarification on property development requirements for land located over the recharge zone. Grant Ellis, Natural Resources Manager, Parks and Recreation Department, reported that a series of regulations and requirements prohibited a certain amount of developments on properties held under conservation easements. He added that restrictions were primarily limited to impermeable cover limitations that were  $\frac{1}{2}$  of 1% of the total square footage of the property. He indicated that each landowner would reserve a series of building envelopes that they were allowed to add to and build on within the boundaries of the conservation easement that were established away from very significant recharge features. He noted that property developments were monitored on an annual basis for adherence. Assistant City Manager Roderick Sanchez added that an Edwards Recharge Zone District (ERZD) overlay did not allow for certain heavy industrial uses, such as gas tanks, over the recharge zone within the City limits.

Councilmember Treviño stated that if there was more time to vote on the matter, there would be more time to learn more and answers many questions. He noted that the current EAPP was popular and would be funded through FY 2022 which would allow more time for the creation of a better strategic plan. He added that the future of the Greenway Trail System and the SAWs impact was uncertain. He noted that how the General Fund would be impacted without further diminishing the City's ability to provide basic services was critical.

Councilmember Perry stated that the current method of funding could be reinstituted in the event that any of the three initiatives on the ballot failed. He noted that the \$100 million borrowed would have to be paid back with interest that would double the amount of loan payments if spread over 30 years. He added that CEO Robert Puente, SAWS, confirmed that the MFC program would cause a SAWS rate



increase. He voiced his support for a vote to be delayed until after the November election and noted that EAPP funding would be in place until the next available election date of May 2022.

Councilmember Viagran stated that the Linear Creekway Program was well-utilized and was a popular City amenity which was supported by the Bexar County Judge and Commissioners. She noted that the Workforce and Education Development Initiative was a deliberate investment in the community that was placed on the ballot so that residents could have a voice.

Councilmember Sandoval stated that tightening regulations could be more cost effective than asking residents to pay a 1/8¢ sales tax or borrowing from the General Fund to protect the EA. She added that the timing was appropriate to ask the CAB to review its composition and provide City Council with its recommendations for modifications, if any. She noted that the Linear Creekways promoted development that sometimes increased housing costs which in turn could increase displacement of vulnerable residents.

Councilmember Treviño moved to continue Item 5A. 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 Courage moved to approve Item 5A. Councilmember Sandoval seconded the motion. The motion prevailed by the following vote:

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

**NAY:** 2 - Treviño and Perry

Mayor Nirenberg announced that the City Council of the City of San Antonio would recess and the Municipal Facilities Corporation would convene to consider Item 5B.

City Clerk Flores read the caption regarding Item 5B.

**2020-09-17-0001R**

5B. Resolution of the Municipal Facilities Corporation accepting assignment of responsibility for the City's Continued Edwards Aquifer Protection Program and approving a Programmatic and Finance Agreement with the City of San Antonio to administer the continued Program

Mayor Nirenberg announced that the Municipal Facilities Corporation Board was hereby convened to consider Item 5B.

Councilmember Courage moved to approve Item 5B. Councilmember Gonzales seconded the motion. The motion prevailed by the following vote:

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

Mayor Nirenberg announced that the Municipal Finance Corporation Board was adjourned, and the City Council of the City of San Antonio reconvened to consider the balance of the agenda.

City Clerk Flores read the caption for Item 18.

**2020-09-17-0658**

- 18.** Ordinance amending the Recovery and Resiliency Plan for the ongoing COVID-19 pandemic and supplemental initiatives to further the objectives of the plan. [Maria Villagómez, Deputy City Manager; Ana Bradshaw COVID-19 Financial and Performance Liaison]

Councilmember Treviño stated that the pandemic had affected residents across all income brackets. He noted that the proposed action was to extend or expand the Workforce Plan. He added that the Emergency Housing Assistance Program needed to last through the new year and required additional funding.

City Manager Walsh stated that in light of Councilmember Treviño's comments and B Session discussion the day prior, the recommendation was to grant two full months of rental assistance, provide cash assistance, and increase the graduated scale up to 80% AMI.

Councilmember Treviño stated that his motion was to make funds available but have further discussion about the programmatic changes from the original program.

City Attorney Andy Segovia clarified the Item before City Council was two full months of rental assistance with the recommendation that it might change after further discussion at the Committee level.

Councilmember Viagran requested to view the presentation slide that highlighted the City Staff recommendation.

Councilmember Treviño moved to approve Item 18 and direct the eligibility requirements to the Cultural and Neighborhood Services Council Committee. 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

Mayor Nirenberg addressed the Individual Zoning Items.

**2020-09-17-0667**

- Z-1.** ZONING CASE Z-2020-10700023 CD (Council District 1): 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 a Professional Office on Lot 9 and Lot 10, Block 7, NCB 2800, located at 116 Annie Street. Staff recommends Approval. Zoning Commission recommends Denial. (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 9 and Lot 10, Block 7,

NCB 2800. 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 Conditional Use for a Professional Office.

Melissa Ramirez, Assistant Director of Development Services noted that 16 notices were mailed, five returned in favor and zero opposed. She added that the Monte Vista Terrace Neighborhood was in support.

Mayor Nirenberg called upon the individuals registered to speak.

Mitsuko Ramos stated that she represented Reyes Limited which operated the small minority, family-owned restaurant Panchito’s. She added that the family was requesting conditional use within a residential structure located at 116 Annie Street which was across the street from Panchito’s. She indicated that the family met with the Monte Vista Terrace Association and reached an agreement on deed restrictions.

Councilmember Treviño moved to approve Item Z-1. 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

Mayor Nirenberg addressed Items P-2 and Z-3.

#### **CONTINUED**

**P-2.** PLAN AMENDMENT CASE PA-2020-11600028 (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 “Low Density Residential” to “Mixed Use” on Lots 1,2,3,4,7,8,9,10, Block 3, NCB 1178, located in the 2000 block of North Walters Street. Staff recommends Approval. Planning Commission recommends Denial with an Alternate Recommendation. (Associated Zoning Case Z-2020-10700113)

#### **CONTINUED**

**Z-3.** ZONING CASE Z-2020-10700113 (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 and “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 Multi-Family Dwellings not to exceed three units per acre or a total of 3 units to “C-2 MLOD-3 MLR-2” Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District on Lots 1,2,3,4,7,8,9,10, Block 3, NCB 1178, located in the 2000 block of North Walters Street. Staff recommends Approval, pending Plan Amendment. Zoning Commission recommends Denial. (Associated Plan Amendment PA-2020-11600028)

Melissa Ramirez, Assistant Director of Development Services, noted that 44 notices were mailed, 10 returned in favor and 17 opposed. She added that the Government Hill Alliance Neighborhood Association was in support and that 9 votes were required to approve since opposition exceeded 20%.

Mayor Nirenberg called upon the individuals registered to speak.

Staci Schwantz read from the City of San Antonio Fact Sheet entitled Zoning in the City of San

Antonio. She cited sections under the heading Deed Restrictions and Covenants, and noted that neither could be imposed by the City. She added that deeds defined the property boundaries and covenants were private agreements limiting use that can take place on the property which were part of property owners' right and obligation and not enforced by local government. She requested continuance of the item for additional discussions to take place.

D'Ette Cole stated that she resided within 200 feet from the property that was literally 24 feet across the street. She added that she was opposed to C-2 and requested continuance to work on compromise with the property owners and neighborhood residents. She noted that they had already compromised on C-1 but not C-2.

Dora Perez noted that she resided within 58 feet from the applicant's property and that the property was not located on a corner lot. She added that she reached out to the applicant several times to discuss a compromise, but the applicant was not interested. She stated that this was a blind rezoning request and asked City Council to deny C-2 or grant a continuance for further discussion.

Rose Hill, President, Government Hill Neighborhood Association (GHNA), spoke in support of the project. She noted that the GHNA had worked with the applicant and neighborhood for over a year. She added that delay was not necessary, and that the area needed economic development, restaurants, and jobs.

Steve Versteeg noted that he resided within 24 feet from the applicant and spoke in opposition of the proposed zoning change. He added that the area should remain a historical, cultural, residential neighborhood as originally built. He stated that building commercial property two blocks deep into the neighborhood was not wanted. He requested that the small streets and sidewalks be made safe for elementary school children without being subject to intense commercial development. He requested denial of C-2 but would be willing to compromise on the C-1 zoning change.

Randy Cole read a letter from County Commissioner Tommy Calvert in opposition of C-2 classification but keeping C-1 NA or residential. He noted that in 2002, he represented business owners in Government Hill and had been involved in trying to create a better gateway for Fort Sam Houston along New Braunfels and Walters Street. He added that Fort Sam Houston was home to the consolidation of military medicine for all Armed Forces. He stated that the consolidation of the military medicine at Fort Sam Houston was the largest economic development project in the history of Bexar County and the economic impact of those medical and teaching jobs was 2.5 times the economic impact of landing the Toyota Plant; however, Walters Street at Fort Sam Houston did not reflect the economic infusion and that neighborhood nearby had not shared in those benefits.

Liz Franklin thanked the Budget team for working on the tremendous budget process during the difficult time of COVID-19. She noted that this was the last City Budget Councilwoman Gonzales and Councilwoman Viagran would work on and thanked them for their service to their respective Council Districts. She requested that C-1 zoning change be approved and the proposed C-2 zoning be rejected.

Fernando Lozano noted that he resided within 200 feet from the applicant property and approved the C-2 zoning change as proposed. He added that the applicant was not a developer or millionaire, she was known as the grandmother of Government Hill and humbly asked for his help. He urged the City Council to approve the proposed C-2 zoning change.

Marlene Hawkins stated that she resided in Government Hill and was associated with the Government

Hill Community Association which was a registered organization with the City. She spoke in opposition of the proposed C-2 zoning change. She added that C-2 could bring in a gas station and cause more traffic which was not needed, citing safety concerns for an elementary school located two blocks away.

Matthew Badders, Attorney for the property owner, Ms. Martinez, stated that the proposed development was undertaken by the property owners directly and that property was comprised of two parcels. He described the property immediately South of Fort Sam Houston and the most important gate of Fort Sam Houston on Walters Street. He added that the property was located in Government Hill, but not within the historic district. He stated that the proposed project would combine 0.7 tract managed by Frost Bank as Trustee for the Jackson Trust and approximately 1.1-acre tract owned by Ms. Martinez before City Council today. He added that the parcels would be merged to create an overall 2.2-acre tract of which 1.8 being developed and 1.4 targeted for development on this project. He stated that the proposed project would build a Class A Modern Retail Improvement suitable for a ground lease. He noted that the property owners agreed to C-2 NA to prohibit the opening of a bar and noted there was no C-1 NA designation. He added that there was pposition to Gas Station and Gun Sales establishments and agreed to deed restrictions which were memorialized in writing.

Cynthia Spielman read a statement from nine Council District 1 neighborhood leaders which requested the denial of the plan amendment from low density residential to mixed use, and stated that a zoning change from R-6 to C-2 or C-2 NA was critical in order to maintain the quality of life for families surrounding the property. She stated that the group supported C-1 designation but not C-2.

Lorenzo Ortiz stated that he was a homeowner that resided within 200 feet of the property. He spoke in opposition of C-2 and added that he believed a compromise had been reached on C-1 designation. He noted that the City could not enforce deed restrictions and believed that Councilmember Andrews-Sullivan supported C-1 with stipulations.

Caleb James stated that a denial was needed as the developer had yet to meet with neighbors and had not budged on negotiations, and neighbors had a right to decide on the formation of their neighborhood. He noted that the Planning Commission and the Zoning Commission had twice recommended C-1 zoning or less and their recommendations were not considered. He requested a continuance and recommended the approval of C-1 zoning.

Councilmember Andrews-Sullivan thanked the community of Government Hill and the three neighborhood associations that participated in discussions and negotiations. She added that she was in the position of securing the best interest of the community she represented. She expressed support for C-1 designation and noted that deed restrictions could not be enforced by the City and which would leave the community vulnerable. She explained that service members needed economic development in the area that they utilized. She stated that it was a hard decision to make and moved to approve C-2 NA with low density mixed use.

Councilmember Sandoval stated that Councilmember Andrews-Sullivan made her decision on the basis of protecting the community from the sale and use of alcohol which the local residents were opposed to. She asked how many homes were in the proposed zoning area and if they were occupied. Mr. Badders confirmed there were seven homes in the area which were all unoccupied. He emphasized that not a single eviction was filed, all residents were informed their leases would not be renewed, and all residents were granted free rent for the months that followed to allow them time to find another suitable residence. He noted that each resident had a found new residences, as all had provided a forwarding address for the return of their security deposits.

Councilmember Courage stated that he understood the difficulty that Councilmember Andrews-Sullivan and the residents in Government Hill were facing as their historic neighborhood slowly became more commercialized. He added that he would be voting in opposition of the zoning request.

Councilmember Perry stated that he put neighborhoods first whenever there was opposition to a proposed development, and that he would be in support of the residents that had invested their time and money into their homes in the neighborhood they chose to live in. He noted that in such cases, that he would become personally involved and meet with all parties and asked if Councilmember Andrews-Sullivan had an opportunity to do so.

Councilmember Andrews-Sullivan reported that she had met with GHNA, Attorney Badders and the property owners, and residents that that lived within 200 feet of the proposed zoning area, and three neighborhood associations, and stated that not all of the parties were able to meet in the same room at the same time.

Councilmember Treviño reported that his Council District office had received letters from his residents regarding the zoning proposal and noted that there appeared to be a lot of confusion and opposition. He recommended a continuance in order to collaborate with Councilmember Andrews-Sullivan and achieve a better understanding.

Councilmember Sandoval noted that the COVID-19 Pandemic had an impact on outreach to the constituents of Council District 2 and made it difficult for the community and the parties involved to have an in-person dialogue and concurred with the recommendation for a continuance.

Councilmember Andrews-Sullivan moved to approve Items P-2 and Z-3. Councilmember Cabello Havrda seconded the motion. The motion prevailed by the following vote:

**AYE:** 7 - Mayor Nirenberg, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, and Pelaez

**NAY:** 2 - Treviño and Courage

**ABSTAIN:** 2 - Sandoval and Perry

Councilmember Andrews-Sullivan moved to continue Items P-2 and Z-3. 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 addressed Item Z-9.

#### **2020-09-17-0676**

**Z-9.** ZONING CASE Z-2020-10700169 (Council District 2): Ordinance amending the Zoning District Boundary from "C-2 RIO-1 UC-2 NCD-9 AHOD" Commercial River Improvement Overlay Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District to "IDZ-2 RIO-1 UC-2 NCD-9 AHOD" Medium Intensity Infill Development Zone River Improvement Overlay Broadway Urban Corridor Westfort Neighborhood Conservation Airport

Hazard Overlay District with uses permitted in "C-2" Commercial 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 0.7101 acres out of NCB 3594, located at 2600 Broadway Street. 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: 0.7101 acres out of NCB 3594. TO WIT: From "C-2 RIO-1 UC-2 NCD-9 AHOD" Commercial River Improvement Overlay Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District to "IDZ-2 RIO-1 UC-2 NCD-9 AHOD" Medium Intensity Infill Development Zone River Improvement Overlay Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial 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.

Melissa Ramirez, Assistant Director of Development Services, noted that 20 notices were mailed, one returned in favor and zero opposed.

Councilmember Andrews-Sullivan moved to approve Item Z-9 with conditions to include the allowance for a fence up to eight feet in height. 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 addressed Items P-4 and Z-10.

**2020-09-17-0677**

**P-4.** PLAN AMENDMENT CASE PA-2020-11600044 (Council District 4): Ordinance amending the Heritage South Sector Plan, a component of the Comprehensive Master Plan for the City, by changing the future land use from "Suburban Tier" to "General Urban Tier" on 18.042 acres out of CB 4295 and CB 4301, generally located in the 13000 block of Watson Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700161)

**2020-09-17-0678**

**Z-10.** ZONING CASE Z-2020-10700161 (Council District 4): 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 "MF-25 MLOD-2 MLR-2 AHOD" Low Density Multi-Family Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 18.042 acres out of CB 4295 and CB 4301, generally located in the 13000 block of Watson Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600044)

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: 17.422 acres out of CB 4295 and CB 430. TO WIT: From "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "MF-25 MLOD-2 MLR-2 AHOD"

Low Density Multi-Family Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

Melissa Ramirez, Assistant Director of Development Services, noted that 10 notices were mailed, one returned in favor and zero opposed. She added that the applicant had submitted an amendment to reduce the acreage from 18 acres to 17.4 acres.

Mayor Nirenberg called upon the individuals registered to speak.

Kevin DeAnda stated that he was the attorney representing the applicant and was available for questions.

Councilmember Rocha Garcia moved to approve Items P-4 and Z-10. 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

Mayor Nirenberg addressed Item Z-13.

**2020-09-17-0682**

**Z-13.** ZONING CASE Z-2020-10700118 (Council District 5): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for a Recycling Facility with Outside Storage and/or Processing (Excluding Metal Recycling Entity) on Lots 11,12,23 and 24, Block 8, NCB 2118, located at 1203 North Colorado Street and 1406 West Poplar Street. 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: Lots 11,12,23 and 24, Block 8, NCB 2118. TO WIT: From "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for a Recycling Facility with Outside Storage and/or Processing (Excluding Metal Recycling Entity).

Melissa Ramirez, Assistant Director of Development Services, noted that 28 notices were mailed, three returned in favor and nine opposed. She added that the Gardendale Neighborhood Association and West End Hope and Action were in opposition.

Councilmember Gonzales moved to approve Item Z-13 with conditions as read. 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 Item Z-15.



## **CONTINUED**

- Z-15.** ZONING CASE Z-2020-10700055 CD (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-2NA CD MLOD-2 MLR-1 AHOD" Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on Lot 2, Block 16, NCB 16526, located at 2206 Pinn Road. Staff and Zoning Commission recommend Approval, with Conditions. (Continued from August 20, 2020)

Melissa Ramirez, Assistant Director of Development Services, noted that staff and Zoning Commission recommended approval with conditions and hours of operation Monday through Friday 7:00 AM to 6:00 PM., Saturday 8:00 AM to 5:00 PM., and Sunday 8:00 AM to 3:00 PM. She stated that conditions included a 15-foot landscape buffer yard abutting residential uses, no temporary signage, no wind waivers or bandit signs. She noted that 25 notices were mailed, zero returned in favor and zero opposed. She added that the Cable Westwood Neighborhood Association was opposed.

Councilmember Cabello Havrda moved to continue Item Z-15 until October 15, 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

Mayor Nirenberg addressed Items P-7 and Z-15.

## **2020-09-17-0686**

- P-7.** PLAN AMENDMENT CASE PA-2020-11600013 (Council District 9): Ordinance amending the San Antonio International Airport Vicinity Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use classification from "Business Park" to "High Density Residential" on 1.973 acres out of NCB 12059, generally located in the 12000 block of San Pedro Avenue. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2020-10700054)

## **ORDINANCE 2020-09-17-0687**

- Z-17.** ZONING CASE Z-2020-10700054 (Council District 9): Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 1.973 acres out of NCB 12059, generally located in the 12000 block of San Pedro Avenue. Staff recommends Approval. Zoning Commission recommends Denial.

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: 1.973 acres out of NCB 12059. TO WIT: From "C-3 AHOD" General Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District.

Melissa Ramirez, Assistant Director of Development Services noted that nine notices were mailed, one returned in favor and zero opposed.

Mayor Nirenberg called upon the individuals registered to speak.

Cindi Munch spoke in opposition to both the planning and zoning changes proposed to allow the development of a high density apartment building along the US Highway 281 access road. She expressed concern regarding traffic and stated that pedestrians could not walk across the street to catch a bus as Highway 281 was a busy highway and they would have to walk at least one mile or more to access bus locations. She presented slides that depicted easements, setbacks, property lines, and the highway.

Olivia Travieso noted that she took great pride in contributing to economic and housing development in San Antonio along with development partner, Atlantic Community Shares, which shared the same commitment as a fourth generation, family-owned company with over 36,000 units across the United States. She added that the most recent development was the Legacy at Piedmont which was a high quality affordable residential community for seniors located in the Highland Park Neighborhood. She stated that the proposed property was ADA Accessible and had over 2,400 square feet of common area space. She requested that they were requesting an amendment and asked City Council for their support. She added that she was joined by the development partner, engineer, and land use attorney if the Councilmembers had questions.

Janice Van Cleave, Council District 9 resident and long-term member of Shearer Hills Baptist Church, which would be the neighbor to this project, spoke in support of the opportunity to minister to the new community, and children in particular. She added that the proposed property would be an ADA accessible, affordable housing unit that was needed and welcomed in Council District 9.

Councilmember Courage thanked the applicant in this case for taking the risk to bring this project forward. He noted that tax credits were sought and approved, as well as approval from the Zoning Commission. He added that he was a proponent for affordable housing in his Council District and throughout the City. He stated that since he took office, he had publicly supported three affordable multifamily projects providing 420 units at 60 percent below the average median income (AMI) and another 174 units at 80 percent below the AMI, for a total of 594 units.

Councilmember Courage stated that he was not longer convinced this site was appropriate for this multifamily zoning because of the land use. He noted that the site was less than two acres which would result in very dense multi-family project which provided very few options for amenities or green space; the property was adjacent to US Highway 281 which was heavily trafficked with little room for a buffer; the project was counter to the adopted community neighborhood plan which called for business park industrial uses that supported jobs; and was located under the flight pattern of the airport.

Councilmember Pelaez voiced his support for the zoning change and the need for housing close to multiple universities and moved to approve P-7 and Z-17.

Councilmember Sandoval called upon resident Olivia Travieso to discuss transit accessibility and how children would commute to and from school by public bus or school bus. Ms. Travieso reported that a VIA Bus stop was close to the proposed site and that she was working with TXDOT and the surrounding community to ensure additional supplements were available. Ms. Travieso added that they were focused on the inter-park and the primary egress and ingress for the development, to avoid accessing the frontage

road to enter the property. Ms. Travieso added that she was working with Harmony Hills Elementary School, the closest school in proximity, and Northeast ISD and stated that both provided a letter of support to TCDHA stating they would accommodate any new students and would provide a detailed improvement plan for Harmony Hills Elementary School. Ms. Travieso added that information was provided and used to support the award of the housing tax credit for the development.

Councilmember Treviño expressed his support for affordable housing all over San Antonio and described the need for affordable housing which was supported by the renter's assistance program. He added that San Antonio had pockets of poverty across the City and supported creating affordable and accessible housing.

Councilmember Courage moved to deny Items P-7 and Z-17. Councilmember Perry seconded the motion. The motion failed by the following vote:

**AYE:** 2 - Courage and Perry

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

Councilmember Pelaez moved to approve Items P-7 and Z-17. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

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

**ABSTAIN:** 2 - Courage and Perry

### **CITY MANAGER'S REPORT**

#### **28. City Manager's Report**

City Manager Walsh reported that Craig Hopkins, Chief Information Officer, and other partners worked on the updated City's Return to Work Plan which would be issued to Mayor and City Council tomorrow. He added that the COVID numbers continued to improve, health protocols were being followed, and City Facilities would begin to open or expand services.

City Manager Walsh reported that Governor Abbott issued a new Order related to the COVID response. Liz Provencio, First Assistant City Attorney, highlighted Governor Abbott's Order and noted that the Orders were contingent upon trauma service areas and provided hospital metrics.

### **EXECUTIVE SESSION**

Mayor Nirenberg recessed the meeting at 5:05 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 5:19 pm and announced that no action was taken.

#### **ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 5:19 pm.

**APPROVED**

**RON NIRENBERG**  
Mayor

Attest:

**TINA J. FLORES**  
City Clerk