

CAUSE No.

STATE OF TEXAS,
Plaintiff,

v.

CITY OF SAN ANTONIO; RON
NIRENBERG, in his official capacity as
Mayor of the City of San Antonio; ERIK
WALSH, in his official capacity as City
Manager of the City of San Antonio,
Defendants.

IN THE DISTRICT COURT

BEXAR COUNTY, TEXAS

___ JUDICIAL DISTRICT

**PETITION AND APPLICATION FOR TEMPORARY RESTRAINING ORDER AND
INJUNCTIVE RELIEF**

The City of San Antonio is using taxpayer dollars to fund an illegal abortion-procurement scheme. The City of San Antonio has appropriated \$100,000 to its Reproductive Justice Fund specifically to pay for pregnant women to travel for out-of-state abortions. Exhibit 1 at 4-6. The State of Texas brings this suit to require the City of San Antonio to follow state law and ensure that public dollars aren't used to illegally fund abortions.

I. DISCOVERY CONTROL PLAN

1. Texas intends to conduct discovery under Level 3 of Rule 190 of the Texas Rules of Civil Procedure.

II. PARTIES

2. Plaintiff the State of Texas is a sovereign state.

3. Defendant City of San Antonio is a local government entity as defined in Texas Government Code § 554.001. It may be served with citation by serving Mayor Ron

Nirenberg through the City of San Antonio, Texas, 100 Military Plaza, San Antonio, Texas 78205.

4. Defendant Ron Nirenberg is the mayor of the City of San Antonio. He may be served at his office at City Hall, 100 Military Plaza, San Antonio, Texas 78205. He is sued in his official capacity as Mayor of the City of San Antonio.

5. Defendant Erik Walsh is the city manager of the City of San Antonio. He may be served at his office at City Hall, 100 Military Plaza, San Antonio, Texas 78205. He is sued in his official capacity as City Manager of the City of San Antonio.

III. JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over the claims asserted under Article V, § 8 of the Texas Constitution, Section 24.007 of the Texas Government Code, Sections 37.001 and 37.003 of the Texas Uniform Declaratory Judgment Act, and Section 65.021 of the Texas Civil Practice and Remedies Code.

7. The Court has jurisdiction over Texas's request for injunctive relief against defendants Ron Nirenberg and Erik Walsh because these city officials are acting *ultra vires* by providing taxpayer money to fund elective abortions in violation of the state constitution.¹

8. Venue is proper because a substantial portion of the events giving rise to the claims occurred in Bexar County, Texas, and the residence or principal office of all Defendants is

¹ See *City of El Paso v. Heinrich*, 284 S.W.3d 366, 369 (Tex. 2009) (ruling that governmental immunity does not preclude prospective injunctive remedies in official-capacity suits against government actors who “violate statutory authority or constitutional provisions.”)

in Bexar County, Texas. *See* Tex. Civ. Prac. & Rem. Code §§ 15.002, 15.003, 15.005, 15.035.

9. Texas brings its claims exclusively under state law and expressly disclaims any federal cause of action or any reliance on federal law that would trigger subject-matter jurisdiction under 28 U.S.C. § 1331.

IV. LEGAL BACKGROUND

10. Under the Texas Constitution, the Legislature has “no power to authorize any county, city, town, or other political corporation or subdivision of the State to lend its credit or to grant public money or thing of value in aid of, or to any individual . . . whatsoever[.]” Tex. Const. art. III, § 52(a) (Gift Clause).

11. The Texas Supreme Court has interpreted the Gift Clause to allow transfers of public funds to private entities so long as: “(1) the expenditure is not gratuitous but instead brings a public benefit; (2) the predominant objective is to accomplish a legitimate public purpose, not to provide a benefit to a private party; *and* (3) the government retains control over the funds to ensure that the public purpose is in fact accomplished.”²

12. The Human Life Protection Act generally prohibits a person from “knowingly perform[ing], induc[ing], or attempt[ing] an abortion.” Tex. Health & Safety Code § 170A.002. That prohibition does not apply if the woman on whom the abortion is performed “has a life-threatening physical condition” arising from a pregnancy that places her “at risk of death or poses a serious risk of substantial impairment of a major bodily

² *Borgelt v. Austin Firefighters Ass’n*, 692 S.W.3d 288, 301 (Tex. 2024); *see also Texas Mun. League Intergovernmental Risk Pool v. Texas Workers’ Compensation Comm’n*, 74 S.W.3d 377, 383–84 (Tex. 2002).

function unless the abortion is performed.” Tex. Health & Safety Code § 170A.002(b)(2)). Violations of this law carry a potential criminal penalty of anywhere from two years to life in prison and a civil penalty of not less than \$100,000. Tex. Health & Safety Code § 170A.004–005; Tex. Penal Code §§ 12.32–.33.

13. In addition to the Human Life Protection Act, Texas has several statutes predating *Roe v. Wade* that address the subject of abortion. *See* Tex. Rev. Civ. Stat. arts. 4512.1–.4, .6. Under those statutes, any person who causes an abortion is guilty of an offense and shall be confined in a penitentiary. *Id.* at 4512.1. An individual may not act as an accomplice to abortion or an attempted abortion. *Id.* at 4512.2.–.3.

COUNT I

The City’s Allocation of \$100,000 to Fund Out-of-State Abortions Violates the Texas Constitution’s Gift Clause

14. The City of San Antonio’s allocation violates the Texas Constitution. Sections 4512.1 and 4512.2 of the Revised Civil Statutes, as well as section 7.02 of the Texas Penal Code, outlaw conduct in Texas that “procures” a drug-induced abortion. *See* article 4512.1, Revised Civil Statutes; Tex. Penal Code § 1.04(a)(1).

15. It is also a crime to aid or abet a violation of the state’s abortion laws. *See* Tex. Penal Code § 7.02(a)(2).

16. As such, using taxpayer dollars to fund out-of-state abortions serves to support and encourage acts that are unlawful in Texas. Defendants are transparently attempting to undermine and subvert Texas law and public policy.

17. The City’s payment of public funds to procure abortions does not serve a “legitimate public purpose,” as there is no “return consideration” for financially

supporting the abortion of an unborn child out-of-state.³ Because there is no legitimate public purpose, the City cannot establish that it has “retain[ed] public control over the funds to ensure that the public purpose is accomplished and to protect the public’s investment.”⁴

18. The “predominant purpose” of the City’s allocation of public dollars is to assist abortion-assistance organizations and pregnant mothers who want to abort their unborn children in procuring abortions that would be unlawful in Texas.⁵

19. There is no “legitimate public purpose” in expending taxpayer dollars to assist women in procuring abortions that are prohibited by state law, nor can there be any “legitimate public purpose” in an expenditure that is solely aimed at undermining and subverting state law and public policy.

20. Local government does not exist to fund abortions, nor do elective abortions constitute “essential healthcare.”⁶

21. There is no “clear public benefit” that the City of San Antonio will receive by using taxpayer money to undermine Texas law, because there is no “clear public benefit” from using taxpayer money to help mothers abort their unborn children.⁷ Through passing laws that generally prohibit abortions, Texas has established public policy negating any

³ *Borgelt*, 692 S.W.3d at 301.

⁴ *Texas Mun. League*, 74 S.W.3d at 384.

⁵ *See Borgelt*, 692 S.W.3d at 304; Exhibit 1.

⁶ *Compare Councilmember Cabello Havrda Applauds Reproductive Justice Fund*, City of San Antonio (April 3, 2025), <https://rb.gy/kpuqdr>, with *Dobbs v. Jackson Women’s Health Org.*, 597 U.S. 215, 231 (2022) (“The Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision . . .”).

⁷ *See Texas Mun. League*, 74 S.W.3d at 383.

argument that funding abortions procured out of state can serve a “clear public benefit” — the two are mutually exclusive.

22. Even if there were a legitimate public purpose (and there isn’t), the City of San Antonio does not contemplate retaining control over the use of the funds.⁸

23. Because the City of San Antonio’s allocation of \$100,000 to fund out-of-state abortions violates the Gift Clause, Defendants’ expenditures are *ultra vires* and must be enjoined, and the expenditure should be declared invalid under the Uniform Declaratory Judgment Act.

**APPLICATION FOR TEMPORARY RESTRAINING ORDER AND TEMPORARY
AND PERMANENT INJUNCTIVE RELIEF**

24. A temporary restraining order provides emergency relief to preserve the status quo until a hearing may be held on a temporary injunction.⁹

25. “A temporary injunction’s purpose is to preserve the status quo of the litigation’s subject matter pending a trial on the merits.”¹⁰

26. To obtain a temporary injunction, an applicant must plead and prove: “(1) a cause of action against the defendant; (2) a probable right to the relief sought; and (3) a probable, imminent, and irreparable injury in the interim.”¹¹ These requirements are readily met here.

⁸ See San Antonio City Council A Session, 11:00 AM at 2:44:20–2:46:10 (Apr. 3, 2025), <https://www.saspeakup.com/HU81151> (Councilmember McKee-Rodriguez discussing the eventual disbursement of funds, asking “at what point is it no longer city dollars that are being spent and city dollars that have been spent?”)

⁹ *Texas Aeronautics Comm’n v. Betts*, 469 S.W.2d 394, 398 (Tex. 1971).

¹⁰ *Butnaru v. Ford Motor Co.*, 84 S.W.3d 198, 204 (Tex. 2002).

¹¹ *Id.* at 204.

A. Texas is Likely to Succeed on the Merits

27. Texas is likely to succeed on the causes of action described above. Texas, as a sovereign entity, “has an intrinsic right to enact, interpret, and enforce its own laws.”¹² This includes a right to “reassert the control of the state.”¹³ Injuries to this right are sufficient to both create standing to sue and show irreparable harm.¹⁴

28. The State is “the guardian and protector of all public rights” and has authority to sue to redress any violations of those rights.¹⁵ The State’s interests extend to preventing “an abuse of power by public officers” and to issues concerning the “maintenance and operation of its municipal corporations in accordance with law.”¹⁶

29. Texas has a probable right to relief because the City of San Antonio’s planned expenditure violates the Texas Constitution, intentionally undermines Texas’s criminal and civil statutes, and flouts the State’s prohibition against gratuitous payments of public funds to private persons without any return consideration to the State or its political subdivision. The purpose of the expenditure is not to accomplish a legitimate public purpose but rather to financially support abortion-assistance organizations and subsidize

¹² *State v. Naylor*, 466 S.W.3d 783, 790 (Tex. 2015).

¹³ *City of El Paso v. Heinrich*, 284 S.W.3d 366, 372 (Tex. 2009).

¹⁴ *See, e.g., Valentine v. Collier*, 956 F.3d 797, 803 (5th Cir. 2020); *Texas v. EEOC*, 933 F.3d 433, 447–48 (5th Cir. 2019); *Texas Ass’n of Bus. v. City of Austin, Texas*, 565 S.W.3d 425, 441 (Tex. App.—Austin 2018, pet. denied).

¹⁵ *Yett v. Cook*, 115 Tex. 205, 220 (281 S.W. 837, 842) (1926); *see also Alfred L. Snapp & Son, Inc. v. Puerto Rico ex re. Barez*, 458 U.S. 592, 607 (1982) (“[A] State has a quasi-sovereign interest in the health and wellbeing—both physical and economical—of its residents in general.”).

¹⁶ *Yett*, 115 Tex. at 220.

the procurement of abortions for pregnant mothers who wish to abort their unborn children.¹⁷ There is no public benefit from subsidizing the procurement of abortions.

B. Texas will be Imminently and Irreparably Injured Absent an Injunction

30. This litigation implicates important State interests, namely, the sanctity of its constitution and its laws.

31. The City of San Antonio approved the use of \$100,000 “to support the expedited Reproductive Justice Fund solicitation” and “expedited procurement” for “out-of-state travel for abortion-related [conduct]” on April 3, 2025. *See* Ex. 1 at 4, 6.

32. The City of San Antonio is initiating the procurement process in “[m]id-April” with implementation of this illegal program scheduled for “Summer 2025.” Ex. 1 at 19.

33. The Texas Supreme Court has explained that a century’s worth of precedent establishes “the State’s ‘justiciable interest in its sovereign capacity in the maintenance and operation of its municipal corporation in accordance with law.’”¹⁸ The Court noted that an *ultra vires* suit is a necessary tool to reassert the State’s control over local officials who are misapplying or defying State laws.¹⁹ The Court reasoned: “[This] tool would be useless . . . if the State were required to demonstrate additional, particularized harm arising from a local official’s specific unauthorized actions.”²⁰

34. The Court continued that “[t]he [State] would be impotent to enforce its own laws if it could not temporarily enjoin those breaking them pending trial.”²¹ The Court found

¹⁷ *See Texas Mun. League*, 74 S.W.3d at 383–84 (discussing the prohibition against gratuitous payments of public funds to private persons).

¹⁸ *State v. Hollins*, 620 S.W.3d 400, 410 (Tex. 2020) (quoting *Yett*, 115 Tex. at 842).

¹⁹ *Id.* at 410.

²⁰ *Id.* (internal citations omitted).

²¹ *Id.*

that “[w]hen the State files suit to enjoin ultra vires action by a local official, a showing of likely success on the merits is sufficient to satisfy the irreparable-injury requirement for a temporary injunction.”²²

C. Emergency Injunctive Relief is Necessary to Preserve the Status Quo

35. “The status quo is the last actual, peaceable, non-contested status which preceded the pending controversy.” Here, the status quo is before Defendants, without legal authority, unconstitutionally allocated \$100,000 to fund the procurement of abortions. It is crucial that this Court maintain the status quo during the pendency of this action so that public dollars are not used to fund abortions before this Court can determine the constitutionality of Defendants’ allocation.

V. DEMAND FOR RELIEF

The State of Texas demands the following relief:

- a. A declaration that the defendants are violating the state constitution’s gift clause by spending taxpayer money on support for out-of-state abortions, including travel for out-of-state abortions;
- b. A temporary and permanent injunction that prohibits the defendants from spending taxpayer money on support for out-of-state abortions, including travel for out-of-state abortions;
- c. Grant temporary and permanent injunctions prohibiting Defendants and any of their officers, agents, servants, employees, attorneys, representatives, or any other persons in active concert or participation with them from continuing to implement the allocation and expenditure of taxpayer dollars for support for out-of-state abortions, including out-of-state travel;
- d. An award of costs and attorneys’ fees;
- e. All other relief that the Court may deem just, proper, or equitable.

²² *Id.*

Dated: April 4, 2025

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

RALPH MOLINA
Deputy First Assistant Attorney General

AUSTIN KINGHORN
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/s/ Amy Snow Hilton
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COUNSEL FOR STATE OF TEXAS

Declaration

My name is Amy S. Hilton, and I am an employee of the Office of the Texas Attorney General. I am executing this declaration as part of my assigned duties and responsibilities. I am over the age of 18 and otherwise fully capable of making this declaration. I have read the foregoing *Petition and Application for Temporary Restraining Order and Injunctive Relief*, and I declare under penalty of perjury that the facts stated therein are within my personal knowledge and are true and correct.

Executed in Travis County, Texas, on the 4th day of April, 2025.

/s/ Amy S. Hilton
Amy S. Hilton

EXHIBIT 1

City of San Antonio



AGENDA

City Council A Session

Municipal Plaza Building
114 W. Commerce Street
San Antonio, Texas 78205

Thursday, April 3, 2025

11:00 AM

Municipal Plaza Building

The City Council will hold its regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at the above referenced date and time for the following items. Once convened, the City Council will take up the following items in any order during the meeting but no sooner than the designated times.

11:00 AM: Call to Order

Members of the public can comment on items on the agenda. To sign up to speak visit www.saspeakup.com. Click on meetings and events and select the meeting you'd like to participate in. Sign up to speak or submit a written comment. Questions relating to these rules may be directed to the Office of the City Clerk at (210) 207-7253.

Individuals signing up for public comment may register for VIA bus fare or parking validation at www.saspeakup.com. VIA bus fare or parking at City Tower Garage (located at 100 Blk N. Main) will be provided to individuals who request the assistance. Staff will provide VIA bus fare passes and parking validation tickets in the lobby of City Council Chambers.

To view the Live meeting please view our [Live Stream](#)

During the meeting, the City Council may meet in executive session for consultation with the City Attorney's Office concerning attorney-client matters under Chapter 551 of the Texas

Government Code.

ACCESS STATEMENT

The City of San Antonio ensures meaningful access to City meetings, programs and services by reasonably providing: translation and interpretation, materials in alternate formats, and other accommodations upon request. To request these services call (210) 207-2098 or Relay Texas 711 or by requesting these services online at <https://www.sanantonio.gov/DEI/Language-Services>. Providing at least 72 hours' notice will help to ensure availability.

Intérpretes en español estarán disponibles durante la junta del consejo de la ciudad para los asistentes que lo requieran. También se proveerán intérpretes para los ciudadanos que deseen exponer su punto de vista al consejo de la ciudad. Para más información, llame al (210) 207-7253.

For additional information on any item on this agenda, please visit www.sanantonio.gov or call (210) 207-7080.

5. Ordinance authorizing an expedited procurement for Reproductive Justice Health Care to support downstream reproductive and sexual healthcare services which may include out-of-state travel. [Erik Walsh, City Manager; Claude A. Jacob, Director, Health]

THE CITY COUNCIL MAY RECESS FOR LUNCH AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS

6:00 P.M. – If the Council has not yet adjourned, the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.

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City of San Antonio

Agenda Memorandum

Agenda Item Number: 5

Agenda Date: April 3, 2025

In Control: City Council A Session

DEPARTMENT: Health Department

DEPARTMENT HEAD: Claude Jacob

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Action for an expedited procurement for Reproductive Justice Health Care Services

SUMMARY:

This ordinance authorizes expedited procurement for Reproductive Justice Health Care to support downstream reproductive and sexual healthcare services which may include out-of-state travel.

BACKGROUND INFORMATION:

The City issued an initial Request for Proposals (RFP) on June 24, 2024, for the selection of multiple community-based organizations to promote Reproductive Justice through community capacity-building, health care navigation and reproductive and sexual healthcare services. Through the RFP, the City sought contracts to bolster “upstream” and “midstream” drivers of reproductive health through education, trainings, collaborations and outreach, as well as provide free “downstream” culturally and linguistically appropriate direct services to residents in geographic scarcity areas and/or to populations most in need in San Antonio. In public health, the term “upstream” refers to policy approaches that have potential to affect large populations, compared to “downstream,” individual needs. “Midstream” approaches fall somewhere in between.

On November 21, 2024, City Council authorized agreements with four agencies in response to the RFP. Through the agreements, contractors provide doula training, high school education on sexually transmitted infections (STIs), STI testing, contraception including long-acting reversible contraception, workshops on healthy pregnancies and sexual and reproductive health, and

wraparound prenatal care services including doula, acupuncture and mental health services for a combined value of \$499,179.24.

On February 28, 2025, the Community Health Committee was briefed on a request for a new Reproductive Justice Fund solicitation to provide an additional \$100,000 to fund downstream services that were not met through the already awarded funds. The Community Health Committee ultimately voted to forward this request to a future A Session for City Council consideration for downstream services that could include travel out of State.

To gauge interest in a new solicitation to provide downstream services, the original ten proposers were invited to a virtual meeting held on March 20, 2025. During this meeting, Metro Health and Finance staff discussed the request as it came from the Community Health Committee. An Interest Form was sent to all ten original proposers asking whether they would be interested in pursuing a new funding opportunity specific to downstream services for Reproductive Justice. All ten firms responded. Questions posed on the Interest Form were whether the organizations would have interest in pursuing an additional funding opportunity for downstream services, and whether they would have interest in pursuing an additional funding opportunity specific to out of State travel for abortion-related care. Nine of the ten indicated interest in an additional funding opportunity for downstream services. Three of the ten indicated interest in an additional funding opportunity limited to out-of-state travel for abortion-related care, and one response indicated interest if the City were to provide legal protection for the organization.

ISSUE:

Metro Health requests City Council authorize an expedited procurement to support downstream services for reproductive health care generally and/or specific types of reproductive health care, which may include out-of-state travel.

ALTERNATIVES:

Should City Council choose not to approve this item, an expedited solicitation for additional downstream reproductive health care services will not occur.

FISCAL IMPACT:

The \$100,000 to support the expedited Reproductive Justice Fund solicitation to fund downstream services are available in Metro Health's FY 2025 General Fund Budget. Staff recommendations of funding reallocations will come back to Council for consideration at the time of award.

RECOMMENDATION:

Staff recommends an expedited solicitation for additional downstream reproductive services that may include out-of-state travel.

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

**AUTHORIZING AN EXPEDITED PROCUREMENT FOR
REPRODUCTIVE JUSTICE HEALTH CARE TO SUPPORT
DOWNSTREAM REPRODUCTIVE AND SEXUAL HEALTHCARE
SERVICES WHICH MAY INCLUDE OUT OF STATE TRAVEL.**

* * * * *

WHEREAS, the City issued an initial Request for Proposal (RFP) on June 24, 2024, for the selection of multiple community-based organizations to promote Reproductive Justice through community capacity-building, health care navigation and reproductive and sexual healthcare services; and

WHEREAS, through the RFP, the City sought contracts to bolster “upstream” and “midstream” drivers of reproductive health through education, trainings, collaborations and outreach, as well as provide free “downstream” culturally and linguistically appropriate direct services to residents in geographic scarcity areas and/or to populations most in need in San Antonio; and

WHEREAS, in public health, the term “upstream” refers to policy approaches that have potential to affect large populations, compared to “downstream,” individual needs and “Midstream” approaches fall somewhere in between; and

WHEREAS, On November 21, 2024, City Council authorized agreements with four agencies in response to the RFP and through the agreements, contractors provide doula training, high school education on sexually transmitted infections (STIs), STI testing, contraception including long-acting reversible contraception, workshops on healthy pregnancies and sexual and reproductive health, and wraparound prenatal care services including doula, acupuncture and mental health services for a combined value of \$499,179.24; and

WHEREAS, On February 28, 2025, the Community Health Committee was briefed on a request for a new Reproductive Justice Fund solicitation to provide an additional \$100,000.00 to fund downstream services that could include travel out of State; and

WHEREAS, the Community Health Committee ultimately voted to forward this request to a future A Session for City Council consideration; and

WHEREAS, to gauge interest in a new solicitation to provide downstream services, the original 10 proposers were invited to a virtual meeting held March 20, 2025; and

WHEREAS, an Interest Form was sent to all 10 original proposers asking whether they would be interested in pursuing a new funding opportunity specific to downstream services for Reproductive Justice; and

WHEREAS, questions posed on the Interest Form were whether the organizations would have interest in pursuing an additional funding opportunity for downstream services, and whether they would have interest in pursuing an additional funding opportunity specific to out of State travel for abortion-related care; and

WHEREAS, all 10 firms responded with nine of the 10 indicating interest in an additional funding opportunity for downstream services; and

WHEREAS, three firms indicated interest in an additional funding opportunity limited to out of State travel with one additional firm indicating interest if the City were to provide legal protection for the organization; and

WHEREAS, Metro Health requests City Council provide direction on whether to proceed with an expedited procurement for an additional \$100,000.00 to support downstream services for reproductive health care which may include out of State travel; and

WHEREAS, the proposed additional services would supplement the four contracts worth \$499,179.24 awarded by City Council on November 21, 2024; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. A Reproductive Justice Fund expedited procurement for downstream services to support reproductive and sexual healthcare services which may include out of State travel is hereby authorized. The City Manager or designee, or the Director of the San Antonio Metropolitan Health District or designee, is authorized to execute any and all documents to effectuate the solicitation referenced in this ordinance.

SECTION. 2 The \$100,000 to support the expedited Reproductive Justice Fund solicitation to fund downstream services are available in Metro Health's FY 2025 General Fund Budget. Staff recommendations of funding reallocations will come back to Council for consideration at the time of award.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ day of April 2025.

MH
XX/XX/XX
Item No. XXXX

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

Reproductive Justice Fund Downstream Services



City Council A Session

April 3, 2025

Presented by: Dr. Claude Jacob, Metro Health Director

Current Landscape



Health Education

Harris Co.: \$2.7 million

Austin: \$200,000

St. Louis: \$161,852



Ob-Gyn Access & Wraparound Care

Harris Co: \$1.3 million

New York: \$2.2 million+

St. Louis: \$288,721



Abortion Access

Austin: \$550,000

Columbus, OH: \$1 million

New York: \$2.25 million

Chicago: \$2.5 million

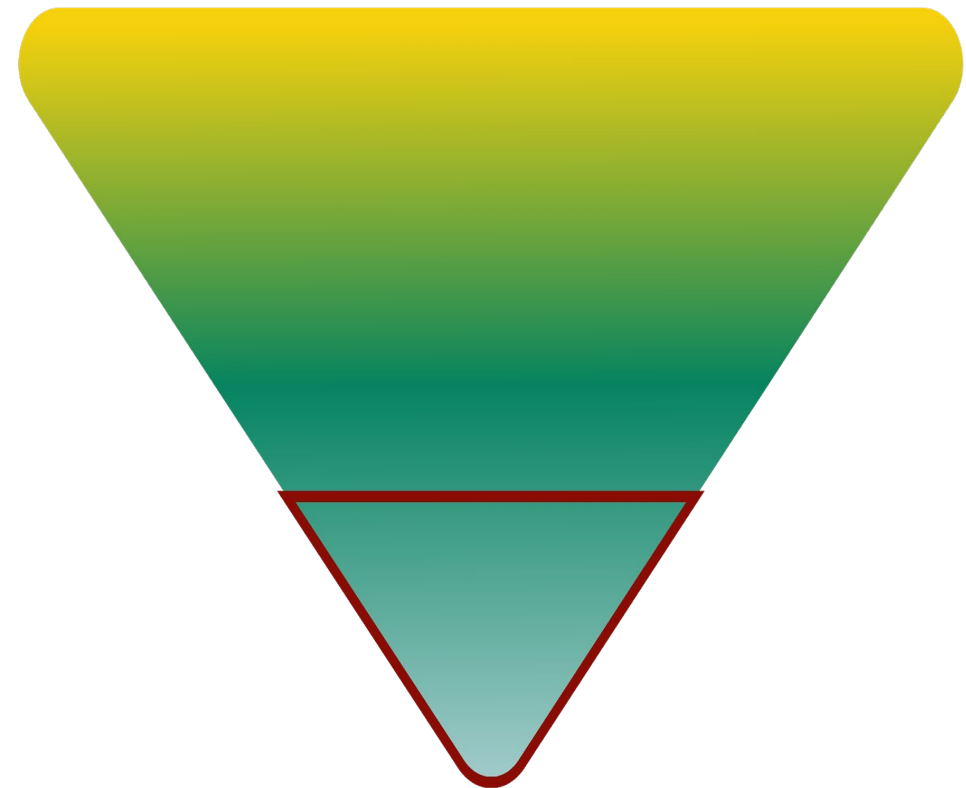
Seattle: \$1.5 million

Portland: \$200,000

Downstream Examples

- Home Pregnancy Tests
- Emergency Contraception
- Subsidized Doulas
- African American Maternal Mental Health Care Visits
- STI Testing and Treatment
- Transportation to Prenatal Care
- Transportation to Abortion Care

Downstream



RFP Awards Executed Nov. 2024



6% Upstream (\$29,951)

35% Midstream (\$174,713)

59% Downstream (\$294,515)

Total Awarded Amount: \$499,179

Original Ten Applicants



- Empower House SA
- Latched Support, Inc.
- San Antonio AIDS Foundation
- Young Women's Christian Association of San Antonio

- Beat AIDS Coalition Trust
- Jane's Due Process
- Parenting Plus
- San Antonio Community Resource Directory
- Sueños Sin Fronteras de Tejas
- Usawa Wellness Services, PLLC



Abortion Navigation



- In the first request for proposals, transportation to abortion care services was optional, along with many other services.
- None of the four awardees proposed abortion transportation or navigation.
- Two respondents included these services as an element of a broader package (*Beat AIDS Coalition Trust and Parenting Plus*)
 - *Parenting Plus* advanced to the interview phase but was not recommended for award.
- Abortion navigation was not addressed by any of the other respondents.

Community Health Committee Meetings



- Memo from D6 was received November 22, 2024; co-signed by D1, D2, D3 & D5
- Presented to Community Health Committee on January 23 and February 28, 2025
- Purpose: Provide downstream services that were not met through the already awarded \$500,000
 - Solicitation/eligibility will be restricted to the original ten applicants
 - Same scoring matrix and solicitation requirements will be used
 - Timeline is 30-day solicitation followed by 30-day review and scoring period
- Community Health Committee approved move to A Session for Council consideration

Evaluation Criteria



- Experience, Background and Qualifications *(20 points)*
- Proposed Plan *(30 points)*
- Funding and Budget Narrative *(15 points)*
- Non-profit Status *(10 points)*
- SBEDA Program *(10 points)*
 - Small Business Enterprise Prime *(5 points)*
 - Minority/Women-Owned Business Enterprise Prime *(5 points)*
- Local Preference Program *(10 points)*
- Veteran-Owned Small Business Preference Program *(5 points)*



Vendor Meeting & Interest Form



- Virtual meeting held March 20, 2025, with original ten respondents to discuss results of Community Health Committee meeting
- Interest Form sent to all ten proposers on March 21, 2025, asking whether they would have interest in responding to additional funding for:
 - Downstream services
 - Travel for abortion care
- All proposers responded

Interest Form Results



- Out of ten organizations responding:
 - **Nine** were interested in an additional funding opportunity for downstream services
 - **Three** were interested in an additional funding opportunity to provide travel for abortion care
 - A **fourth** vendor indicated they would be interested if the City were to provide legal protection for the organization

Interested Applicants



- **Beat AIDS Coalition Trust**
- **Jane's Due Process**
- **Sueños Sin Fronteras de Tejas**
- **Young Women's Christian Association of San Antonio***

- Empower House SA
- Latched Support, Inc.
- Parenting Plus
- San Antonio AIDS Foundation
- Usawa Wellness Services, PLLC



Next Steps / Timeline



Based on Council Guidance:

- Initiate RFP (*Mid-April*)
- Complete Evaluation / Results (*Mid-June*)
- Consider Proposed Contracts at A Session (*End of June*)
- Implementation (*Summer 2025*)





Thank You!

April 3, 2025