CITY OF ALAMO HEIGHTS
CITY COUNCIL
May 24, 2010

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, 6120 Broadway, at 5:30 p.m. on Monday, May 24, 2010.

Present and composing a quorum were:
Mayor Louis Cooper
Councilmember Stan McCormick
Councilmember Bobby Rosenthal
Councilmember Fred Prassel
Councilmember Elliot Weser
Councilmember John Savage

Also attending were:
City Manager Ann Benson McGlone
Assistant City Manager/Public Works Director Shawn P. Eddy
City Attorney Mike Brenan
Communications/IT Manager Marian Ramirez
Finance Director Cynthia Barr
Community Development Director Brian Chandler
Human Resource Manager/Deputy City Secretary Judith E. Surratt
City Secretary Jennifer Reyna
Fire Chief Bill Hagendorf
Police Chief Rick Pruitt

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Mayor Louis Cooper called the meeting to order at 5:33 p.m.

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City Secretary Jennifer Reyna presented Certificates of Election and administered the Oaths of Office to the newly elected Council Members in the May 8, 2010 General Election, as follows:

- Fred Prassel is declared elected Council Member, Place Three
- Elliot Weser is declared elected Council Member, Place Four
- John Savage is declared elected Council Member, Place Five

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Mayor Cooper provided information on the election process for selecting a Mayor Pro-Tempore.

A motion was made by Councilmember Bobby Rosenthal to name Councilmember Stan McCormick as the Mayor Pro-Tempore for a one-year term. The motion was seconded by Councilmember Fred Prassel and passed by unanimous vote.

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Mayor Cooper asked City Council for any corrections to the minutes of the May 10, 2010, City Council Meeting. A motion was made by Councilmember McCormick to approve the minutes of May 10, 2010. The motion was seconded by Councilmember Rosenthal and passed by unanimous vote.

Mayor Cooper asked City Council for any corrections to the minutes of the May 12, 2010, City Council Special Meeting. A motion was made by Councilmember Rosenthal to approve the minutes of May 12, 2010. The motion was seconded by Councilmember McCormick and passed by unanimous vote.

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Item # 4 *City Manager's Report*

a. Update on Online Services

Communications/IT Manager Marian Ramirez provided an update on the expansion of online services and conducted a brief demonstration on how to access online services via the City's website for utility or municipal court payments.

Currently, there are 84 registered users. She encouraged residents to register as the service allows residents to view utility consumption history for current or past due bills.

Councilmember Rosenthal asked if residents have the option to have access to electronic billing or to receive a paper bill. Ms. Ramirez replied the option of electronic billing will be available within a six-month period.

Paul Maldonado, 275 Claywell, asked about the fees related to online services. Ms. Ramirez responded that for all Utility Accounts there is no charge for either Point of Sales (POS) or online transaction. She added that for traffic citations there is a 2% credit card transaction fee for POS and online transactions and a $1.25 secure site fee for the online transactions.

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Mayor Cooper reminded the audience that three minutes is the allotted time for each individual to speak on agenda and non-agenda items. Mayor Cooper also related to the audience that individuals wishing to speak must sign the appropriate sign-up sheet, present themselves at the podium when called and state their name and address, so it will be reflected in the minutes accurately. The Mayor added that this policy will cause a more efficient Council meeting and ensure that all individuals wishing to address the Council would have an opportunity to do so.

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Citizens To Be Heard Concerning Non-Agenda Items

May O'Neal, 434 Abiso Avenue, thanked Council for the successful Nature Trails Workshop on Saturday, May 22nd.

Kirk Waibel, 510 Normandy Avenue, congratulated the newly elected officials. He has attended the dog park workshops and expressed concern on the lack of information related to costs and liability. He stated that he has a friend that is a professional dog trainer who does not support the dog park; he stated that she has offered to speak to Council. Mr. Waibel referenced the City of San Antonio has three dog parks that the residents of the City of Alamo Heights may use. He recommended that the Councilmembers obtain additional information prior to going forth with the proposed project.

Councilmember Rosenthal reminded Mr. Waibel that during Citizens to be Heard, Council are not able to respond; however, he invited Mr. Waibel to speak with staff to obtain additional information.

John Hertz, 316 Harrison Avenue, representing the Alamo Heights Neighborhood Association Board, welcomed the new Councilmembers. He requested the status of CPS Energy's consideration to allow small municipalities to utilize the Community Infrastructure Economic Development (CIED) funds for solar fixtures in substitution of electrical fixtures. He also inquired whether Council/Staff had met with CPS Energy concerning changing the guidelines on how small municipalities may use CIED funds for the installation of solar portable panels. He also expressed concern on the measure of historic preservation, use of deconstruction and green standard materials. He recommended Council establish a deadline so projects may go forth.

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Consent Items

Item # 6 Mayor Cooper read the following captions.

ORDINANCE NO. 1870

AN ORDINANCE APPROVING MAYOR'S NOMINATION TO THE CITY'S BOARDS AND COMMISSION

a. Appointing Yolanda Gutierrez to the Architectural Review Board

Item # 7

ORDINANCE NO. 1871

AN ORDINANCE ADOPTING A "RED FLAGS" POLICY TO PROTECT ALL CUSTOMERS AGAINST IDENTITY THEFT

Councilmember Weser congratulated Ms. Gutierrez on her appointment and announced that his wife, Marcia Weser, had applied and was interviewed to serve on the City's boards and commission but withdrew her name as soon as he was elected Councilmember.

A motion for approval was made by Councilmember Rosenthal. The motion was seconded by Councilmember Prassel and passed by unanimous vote.

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Items for Individual Consideration

Item # 8 Mayor Cooper read the following caption.

Acceptance of a grant from the Brown Foundation, Inc. to the City of Alamo Heights in the amount of $10,000 for the Dog Park and $5,000 for the Community Garden

Community Development Director Brian Chandler provided a PowerPoint presentation that included background and the reporting process information.

Councilmember Elliot Weser asked if the contributor, Toby O'Connor, was an Alamo Heights resident. Mr. Chandler confirmed that Mr. O'Connor is a Trustee of the Brown Foundation, Inc. and an Alamo Heights resident who offered the unsolicited grant. Councilmember Weser stated that acceptance of the grant does not obligate the City to build the dog park. Mr. Chandler noted that if the dog park was not constructed the money would be returned to the Brown Foundation.

Councilmember Rosenthal clarified that the Community Garden contributions will be utilized and the remaining amount will be in the Comprehensive Plan Fund until a final decision is made on the proposed dog park.

A motion for approval was made by Councilmember Elliot Weser. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

Item # 9 Mayor Cooper read the following caption.

ORDINANCE NO. 1872

AN ORDINANCE APPROVING AND AUTHORIZING THE CITY MANAGER TO RENEW AND EXECUTE A CONTRACT WITH LINEBARGER, GOGGAN, BLAIR AND SAMPSON, LLP TO CONTINUE TO COLLECT DELINQUENT TAXES

Finance Director Cynthia Barr made a PowerPoint presentation which included background information.

Ms. Barr acknowledged that Mr. Clifton Douglass, Managing Partner for Linebarger, Goggan, Blair and Sampson, LLP, was present.

Ms. Barr presented the firm's history in collection of property taxes. In fiscal yearend 2006, the collection rate was 95.78% and in fiscal yearend 2009, the collection tax rate was 98.65%.

Councilmember Weser asked how much money the firm has collected and how much does the city pay for their service. Ms. Barr stated the law firm has collected the total amount due in addition to 20% that goes directly to the law firm for collection. Ms. Barr referenced the current Comprehensive Annual and Financial Report (CAFR) for the amount of taxes that have been collected during the years of 2006 – 2008. Ms. Barr stated the 2009 collection amount is still preliminary and the fee for the law firm's service has declined due to the firm's increased collection efforts.

Councilmember Rosenthal asked if tax collection has decreased due to the economy. Ms. Barr stated no, although, the taxpayers over the age of 65 have taken advantage of the exemption and there has been an increase in tax lien transfers.

A motion for approval was made by Councilmember McCormick. The motion was seconded by Councilmember Weser and passed by unanimous vote.

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Councilmember Prassel requested an action item be included on the June 14th City Council meeting agenda. Councilmember Prassel requested that Mayor Cooper appoint, subject to City Council approval, a small committee to develop and draft appropriate language calling for a charter amendment election on November 2, 2010 to vote on adoption of Initiative and Referendum provisions to be added to the Charter which will harmonize with the rest of the Charter. Approval of the committee's work and recommendation should be concluded in time to submit an appropriate notice to the United States Justice Department for a pre-approval of the election.

Mayor Cooper acknowledged his request and suggested that Councilmember Prassel's requested item be deferred to the Governance and Communication Committee for consideration. Councilmember Prassel agreed and the item will be considered by the Governance and Communication Committee.

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There being no further business, a motion was made by Councilmember Prassel to adjourn the meeting. The motion was seconded by Councilmember McCormick and passed by unanimous vote. Mayor Cooper adjourned the meeting at 6:10 p.m.

Louis Cooper
Mayor

Jennifer Reyna, TRMC
City Secretary