

CITY OF ALAMO HEIGHTS  
CITY COUNCIL  
January 25, 2016

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at Council Chambers, located at 6116 Broadway, San Antonio, Texas, at 5:30 p.m. on Monday, January 25, 2016.

Present and composing a quorum were:

Mayor Louis Cooper  
Councilmember Lawson Jessee  
Councilmember Bobby Rosenthal  
Councilmember Fred Prassel  
Councilmember John Savage

Also attending were:

City Manager J. Mark Browne  
Fire Chief/Assistant City Manager Buddy Kuhn  
Assistant to the City Manager Marian V. Mendoza  
City Attorney Mike Brenan  
Community Development Services Department Director Jason Lutz  
Finance Director Robert Galindo  
Human Resource Manager Lori Harris  
City Secretary Jennifer Reyna  
Chief Police Rick Pruitt  
Public Works Director Pat Sullivan

Absent was:

Mayor Pro-Tempore Lynda Billa Burke

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Mayor Cooper opened the meeting at 5:32 p.m.

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*Item # 1      Approval of Minutes*

Mayor Cooper asked City Council for any revisions to the minutes of the January 11, 2016, Council Meeting. A motion was made by Councilmember Fred Prassel to approve the minutes of January 11, 2016. The motion was seconded by Councilmember Bobby Rosenthal and passed by unanimous vote.

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*Item # 2      Citizens to be heard concerning items not on the agenda*

There were no citizens that signed up to speak.

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Items for Individual Consideration

Item # 3 Mayor Cooper read the following caption.

**ORDINANCE NO. 2042**

**AN ORDINANCE ORDERING A GENERAL ELECTION IN THE CITY OF ALAMO HEIGHTS, TEXAS, TO BE HELD ON MAY 7, 2016, FOR THE ELECTION OF THREE COUNCILMEMBERS FOR PLACES THREE (3), FOUR (4) AND FIVE (5); PROVIDING THE DETAILS THEREFOR AND PROVIDING FOR A PROCLAMATION AND NOTICE OF SUCH GENERAL ELECTION; AND DESIGNATING JACQUELYN F. CALLANEN, BEXAR COUNTY ELECTIONS ADMINISTRATOR, AS THE ELECTION ADMINISTRATOR TO CONDUCT SUCH ELECTION**

***UNA ORDENANZA ORDENANDO UNA ELECCIÓN GENERAL EN LA CIUDAD DE ALAMO HEIGHTS, TEJAS, QUE SE LLEVARÁ A CABO EL 7 DE MAYO 2016, CON EL PROPÓSITO DE ELEGIR TRES CONCEJALES: CONCEJAL LUGAR TRES, CONCEJAL LUGAR CUATRO Y CONCEJAL CINCO; EN FACILITAR LA INFORMACIÓN Y POR LO TANTO SE ESTABLECE UNA PROCLAMACIÓN Y NOTIFICACIÓN DE DICHA ELECCIÓN GENERAL; Y LA DESIGNACIÓN DE JACQUELYN F. CALLANEN, ADMINISTRADOR DE ELECCIONES DEL CONDADO DE BEXAR, COMO LA FUNCIONARIA DE ELECCIONES***

City Secretary Jennifer Reyna made a PowerPoint presentation that included background information on the upcoming election.

Ms. Reyna briefly highlighted the different opportunities of voting and the option of contracting with Bexar County. She informed Council that early voting activities would be conducted at all Bexar County designated sites, including Lion's Field Adult and Senior Center, Olmos Park City Hall, Tobin Library at Oakwell and a location site pending from the Alamo Heights Independent School District. Early voting is scheduled to begin Monday, April 25<sup>th</sup> through Tuesday, May 3<sup>rd</sup>. Ms. Reyna added that Election Day voting would be held on Saturday, May 7<sup>th</sup> at City Hall in the Council Chambers for Precincts 3020, 3025, and 3026 with polling hours from 7:00 a.m. to 7:00 p.m.

Newspaper publications are scheduled for Sunday, April 24<sup>th</sup> and May 6<sup>th</sup> in the *San Antonio Express-News*. Publication in *La Prensa* is scheduled for Sunday, April 24<sup>th</sup>

and Wednesday, May 4<sup>th</sup>. Election information will also be available on the City's website and newsletters.

Ms. Reyna stated the candidate filing period had begun Wednesday, January 20, 2016 with a deadline of Friday, February 19, 2016 by 5:00 p.m. A filing fee of \$100.00 is required with submitted application.

A motion for approval was made by Councilmember Bobby Rosenthal to contract with Bexar County Elections Department and assess a \$100.00 filing fee. The motion was seconded by Councilmember Lawson Jessee and passed by unanimous vote.

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Staff Reports

*Item # 4* Mayor Cooper read the following caption.

**Notice of Intent to develop for a multi-family condo project located at 127 Marcia Place**

Community Development Department Director Jason Lutz made a PowerPoint presentation that included background information of notice of intent to develop.

Mr. Lutz identified the project location and stated the applicant is seeking to develop a multi-family condo project located at 127 Marcia Place which will require the demolition of the existing single-family structure. He highlighted the condo project to include four units of a three-story building with parking on the first floor. Mr. Lutz stated a thorough review had not been conducted by staff; however, noted the proposed project met the updated regulations related to parking, height, setbacks, and density. He introduced Lyndsay Thorn, architect.

Mr. Lyndsay Thorn provided additional details of the proposed project. He stated the units are in a vertical townhome configuration as a three-story unit. He briefly described the respective floors that included a study room, kitchen, bedrooms, and bathrooms. He shared that Mr. Lutz is concerned with drainage that continues to neighboring properties. Mr. Thorn briefly described his ideas which directs drainage to the street. He noted an aesthetic change of the proposed condo project similar to homes located on Castano Avenue with a Spanish theme. Mr. Thorn commented on the landscaping plan and said the lot has its challenges, and he intends to integrate a vertical landscape screen.

Councilmember Bobby Rosenthal asked if the units mirror each other.

Mr. Thorn confirmed that units had similar floor plans under 1800 square feet. He noted some units have balconies and there are two parking spaces per unit.

The following citizens spoke on this matter:

Debbie Brient, property owner of 218 Grove Place, encouraged Council to further study the proposed plans for the townhomes proposed at 127 Marcia. City Secretary Ms. Reyna distributed packet information to Council on behalf of Mr. Brient. She expressed concern about the increased impermeable surface coverage and roof surface that will increase existing storm water flow onto her properties and neighbors in her opinion. Ms. Brient stated her privacy and enjoyment of her home will be impacted if the townhomes are built. She discussed storm water flooding within the area and said the City attempted to address this by raising curbs at N. New Braunfels and Marcia.

Mayor Cooper explained the process of consideration and stated that tonight no action will be taken.

Barry Bradley, property owner of 214 Grove Place, stated that all the trees on the property lot are proposed to be removed.

Councilmember Rosenthal stated that Mr. Lutz will work with Mr. Thorn to work on these issues.

Mr. Thorn stated that 100% of storm water flow goes to the northeast corner onto Ms. Brient's property and provided confirmation that there is a plan proposed to move water away from that direction to alleviate drainage issues.

*Item # 5* Mayor Cooper read the following caption.

**A staff report addressing Chapter 18, Section 101 of the City Codes restricting overnight vehicle parking on streets from 2:00 a.m. to 5:00 a.m.**

Mayor Cooper announced this item is presented to provide an update of overnight vehicle parking.

Police Chief Rick Pruitt made a PowerPoint presentation that included background information and a chart.

Police Chief Pruitt provided brief history of when the ordinance was effective (June 11, 1956) and how it was amended throughout the years. He stated the need for on-street permit parking continues for requests of one day or days at a time to accommodate vacation, seasonal/weekend guests or college students returning home, or if construction or remodeling is being done. He shared the demand for temporary permits had led to an unofficial permit procedure. A chart was presented that displayed the demand for temporary on-street overnight parking requests from 2014 - 2015 through telephone permits, and issued 30-day permits and enforcements (citations/warnings).

Police Chief Pruitt shared public input regarding overnight on-street parking. He informed Council of residents' comments that overnight on-street parking laws are archaic, show no concern for larger families, and disregard multi-family areas that have

more drivers than allotted on-property parking spaces; others desire stronger enforcement.

Police Chief Pruitt added that fire and medical apparatus should have a clear travel path of 12' and a 20' staging zone. He briefly explained challenges when minimal space is provided in a parking situation where there are two cars parked directly across from each other on a narrow street that is 28'.

Police Chief Pruitt asked Council to consider amending the city code to add a few provisions. Added provisions include allowing the Police Chief to approve parking permits up to three days and designating a City official to hear appeals. He wants to restrict overnight parking to heavy equipment, storage containers, roll-off dumpsters, boats, unattached trailers and all other non-motorized vehicles. He requested keeping in the ordinance City Council approval for long-term on-street parking permits under certain conditions such as inadequate space, undue cost to provide parking on-premises or off-premises, and allow the Police Chief to approve parking permits up to 30 days, 3 times a year.

Councilmember Rosenthal commented that the fire and medical apparatus should be considered as a separate issue. He shared that it was easy to exhaust limited parking permits for one student. He suggested consideration of one-time parking permits for college students.

Mayor Cooper asked if criminal activity increases during the evening/early morning hours.

Police Chief Pruitt stated a majority of criminal activity occurs during the night/early morning hours; however, he noted that during the day it is challenging for public safety access during the day due to car congestion. He commented the intent of the ordinance was a crime prevention strategy.

Councilmember Fred Prassel shared that he spoke with resident Bill Kiel and shared that Mr. Kiel commented that if this ordinance is repealed cars may be parked along the curb due to ongoing projects. He stated public safety access on narrow streets needed to be resolved.

Mayor Cooper stated that proposed amendments are fine; however, consider amendments to permits for students that return home. Councilmember Rosenthal agreed with Mayor Cooper's suggestion.

Police Chief Pruitt reminded Council that in the past parking restrictions are lifted during the holiday season, Spring Break and summer months to accommodate student needs and no longer practiced due to public feedback. He stated a policy was enacted that warnings are issued during specific occasions. Councilmember Rosenthal stated his concerns were appeased after learning that warnings are issued during times when students return home.

The following citizens spoke on this matter:

Ray Romano, resident, asked Council's support to keep overnight parking restrictions. He shared there are five vehicles for the family; however, they are kept in the driveway for safety reasons and are located on the property. Mr. Romano stated this ordinance is important.

Julian Hall, resident, agreed with Councilmember Rosenthal's statement that emergency access is a separate issue. Mr. Hall suggested a mobile application that residents can complete to utilize an upgraded technology rather than calling dispatchers for a permit. He asked Council to quantify the benefit of this ordinance.

Police Chief Pruitt shared the City of Terrell Hill's experience as they recently rescinded their 2:00 a.m. – 5:00 a.m. overnight parking ordinance. He stated that it hasn't created an on-street parking problem; however, noted there have been incidents of multiple vehicles falling victim to vandals where vehicles parked in driveways were spared and noted that cars parked in the street are more susceptible to crime than cars parked on private property.

*Item # 6* Mayor Cooper read the following caption.

**Briefing on the 2015 Police Contact Tier 1 Data Annual Report prepared in compliance with the Texas Racial Profiling**

Police Chief Rick Pruitt provided background information on Police Contact Tier 1 Data Annual Report.

Police Chief Pruitt informed Council the annual report contained information relevant to the policies of the Alamo Heights Police Department to include: prohibiting the practice of racial profiling by officers, providing for a system to address citizen complaints regarding racial profiling, addressing training and education mandates for officers regarding racial profiling, and requiring the use of video and voice recording on all officer initiated vehicle and pedestrian stops. He stated the data compared statistical data to the 2010 U.S. Census concerning population demographics of the City of Alamo Heights and noted the demographics among City of San Antonio and Bexar County.

Police Chief Pruitt stated the report affirms the Alamo Heights Police Department's commitment to unbiased policing, reinforcement of procedures and to protect officers from unwarranted accusations of misconduct. He shared there was no formal citizen complaint regarding racial profiling by officers received during the reporting period, January 1, 2015 through December 31, 2015.

Police Chief Pruitt stated this report had been accepted by the state and is available on the City's website. He stated the findings in the 2015 Police Contact Tier 1 Data Annual Report verified the Alamo Heights Police Department had complied with all the requirements set forth in the Texas Racial Profiling Law.

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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 Savage and passed by unanimous vote. Mayor Cooper adjourned the meeting at 6:23 p.m.

  
Jennifer Reyna  
City Secretary

  
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Louis Cooper  
Mayor