

CITY OF ALAMO HEIGHTS  
CITY COUNCIL  
October 26, 2015

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, October 26, 2015.

Present and composing a quorum were:

Mayor Louis Cooper  
Mayor Pro-Tempore Lynda Billa Burke  
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  
Finance Director Robert Galindo  
Community Development Services Department Director Jason Lutz  
City Secretary Jennifer Reyna  
Police Chief Rick Pruitt  
Public Works Director Pat Sullivan

Absent was:

Human Resource Manager Lori Harris

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Mayor Louis Cooper opened the meeting at 5:31 p.m.

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Assistant to the City Manager Marian Mendoza announced that Council Item Powerpoints will be available on the City's website. She shared that free Wi-fi is available at City Hall which allows meeting attendees to access information via smartphones or tablets. She stated email blasts will be sent inviting residents to view powerpoints prior to Council meetings.

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Ms. Reyna announced that Tuesday, November 3, 2015 is Election Day with polling hours of 7:00 a.m. to 7:00 p.m. She stated Bexar County will be conducting the election for state constitutional amendments and a general election for the San Antonio River Authority Board of Directors, District 3. City Hall will be the polling site for residents in Precincts 3020, 3025, and 3026. Early voting has begun through Friday, October 30<sup>th</sup> highlighting the nearby early voting sites. She referenced [www.bexar.org/elections](http://www.bexar.org/elections) for additional information.

**c. 38<sup>th</sup> Annual Alamo Heights Chamber of Commerce Holiday Parade on Broadway**

Community Development Services Department Director Jason Lutz invited residents to attend the upcoming holiday parade hosted by the Alamo Heights Chamber of Commerce. It is scheduled for Saturday, November 21, 2015, beginning at 5:30 p.m. The route was briefly presented.

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*Item # 4      Citizens to be heard concerning items not on the agenda*

Pruyn Hildebrand, resident, congratulated the City providing residents additional information in making powerpoints available on the City's website. She recommended an email blast to inform residents of the additional powerpoint access.

Lisa Price, resident, stated that she conducted research on insurance coverage for short-term rental properties and shared that insurance companies will not insure short-term rental properties. She encouraged Council not allow short-term rentals within the community as she stated the City of Alamo Heights is known as the place to raise a family.

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*Items for Individual Consideration*

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

**Architectural Review Board Case No. 597F, Public hearing, consideration, and action concerning a request of Jack Duke, Gentzler Electric, applicant, for the final design review of the proposed lighting upgrades at the property at 5201 Broadway Street**

Community Development Services Department Director Jason Lutz made a PowerPoint presentation that included background information and a map.

Mr. Lutz stated the applicant requests to replace existing fixtures on poles and an ATM as part of the proposed lighting updates for the property located at 5201 Broadway.

Two new 25' poles are proposed to be installed in the parking lot. He explained that the lighting upgrade is required based on the State requirements in the Texas Finance Code. Complying with the City's codes, all lighting will be downward facing and not directed onto adjacent residential land uses or districts. A map was presented that identified the location of the proposed two poles and replacement of existing fixtures.

On October 20, 2015, the Architectural Review Board (ARB) reviewed the final design of the lighting upgrades and recommended approval. Staff received one postcard in support and there was no opposition of the applicant's request.

Mayor Cooper opened the public hearing at 5:46 p.m. No one signed up to speak. The public hearing closed at 5:47 p.m.

A motion for approval was made by Mayor Pro Tem Lynda Billa Burke. The motion was seconded by Councilmember Fred Prassel and passed by unanimous vote.

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

**ORDINANCE NO. 2035**

**PUBLIC HEARING, AND ACTION CONCERNING AN  
ORDINANCE REPEALING CHAPTER 5 BUILDING AND  
BUILDING REGULATIONS, ARTICLES II AND III  
(EXCEPT SECTION 5-25) OF THE CODE OF  
ORDINANCES AND ADOPTING NEW ARTICLES II AND  
III (EXCEPT SECTION 5-25) WHICH INCORPORATE  
THE 2015 INTERNATIONAL CODE SERIES-ICC AND  
THE 2014 NATIONAL ELECTRICAL CODE**

Mr. Lutz made a PowerPoint presentation that included background information.

Mr. Lutz informed Council that currently the City is using the 2009 International Code Series and the 2008 National Electrical Code. He stated the Community Development Services Department is seeking to adopt the 2015 International Code Series and the 2014 Electrical code with a few amendments. He stated the adoption of the 2015 International Codes and the 2014 National Electrical Code will comply with the ISO requirements.

Mayor Cooper opened the public hearing at 5:49 p.m. No one signed up to speak. The public hearing closed at 5:50 p.m.

A motion for approval was made by Mayor Pro Tem Lynda Billa Burke. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

*Item # 7* Mayor Cooper read the following caption.

**ORDINANCE NO. 2036**

**PUBLIC HEARING, CONSIDERATION, AND ACTION  
CONCERNING PROPOSED AMENDMENTS TO  
CHAPTER 5, ARTICLE X – TREE PRESERVATION, OF  
THE CITY’S CODE OF ORDINANCES**

Mr. Lutz made a PowerPoint presentation that included background information and proposed amendments.

On September 14, 2015, City Council considered proposed amendments to the Code of Ordinances regarding “Tree Preservation”. Council previously requested additional information concerning the overall cost to citizens based on the amendments and what tree regulations other communities employed.

Mr. Lutz reminded Council that under current regulations any tree removed classified as a “Heritage Tree” must be mitigated by planting additional trees on the property or off-site on a 1:1 ratio and pay a permit fee of \$125. Current codes do not allow the applicant to pay a fee in lieu of mitigation.

Mr. Lutz reviewed three proposed amendments regarding deletions of (a)(3)(b) and (a)(3)(c) in Section 5-156 *Heritage tree removal mitigation* including removal of current Section 5-156 (a)(4) and replaced with new language. He stated commercial properties would have no cap on mitigation fees. Mr. Lutz referenced a 24" heritage oak tree on a residential property and provided examples of mitigation under current and proposed code amendments. He also provided an estimated tree removal cost for a 24" heritage oak tree. He presented a table that contained a community comparison chart of tree mitigation and briefly reviewed neighboring cities’ mitigation program. No comments were received in support or opposition but noted questions were received on the department’s goal.

Mayor Cooper asked if an arborist’s opinion may be accommodated.

Mr. Lutz responded that exceptions can be made with supporting documentation from an arborist under special circumstances.

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

Mayor Cooper opened the public hearing at 5:59 p.m. The following citizens spoke on this matter:

Pruyn Hildebrand, resident, expressed in her opinion that the \$2,000 mitigation fee limit for residential owners is a low amount to replace a mature tree. She recommended Council provide incentives to property owners to plant trees.

Sylvia Wong, resident, expressed support in a higher mitigation fee amount for residential property owners to preserve trees within the community.

Mayor Cooper explained the intent of the ordinance is to discourage homeowners removing trees and the current ordinance is to protect the trees. The proposed ordinance finds a balance and promotes beautification in the community.

There was a discussion among Council regarding consistent canopy and planting different size of trees to continuously preserve trees in Alamo Heights. Mr. Lutz stated there is a cap is for multi-family district and noted a large percentage within the multi-family are single families. He stated the ordinance may be amended to remove the cap for multi-family district (single-family use structure) or remove the different types of residential categories.

Lisa Price, resident, commented that a removed tree should be replaced with the same type of tree.

Mayor Cooper closed the public hearing at 6:09 p.m.

City Attorney Mike Brenan stated additional amendments may be made at the next Council meeting addressing single-family property owners' mitigation fees.

Mayor Cooper announced that Item # 3a would be presented next.

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Councilmember Bobby Rosenthal recognized the presence of Boy Scouts of America in the audience. He explained they were present to observe the Council meeting as a requirement for their Citizenship in the Community merit badge.

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*Item # 3      Announcements (cont'd)*

Mayor Cooper read the following caption.

**a. Texas Police Chief's Association Best Practices Recognition Award**

Police Chief Rick Pruitt informed Council that the Police Department received the Texas Police Chief's Association Best Practices Recognition Program Award since 2012 and just recently received Re-Recognition status. He introduced Police Chief Scott Rubin with the City of Fair Oaks Ranch who serves as the Chair for the Texas Police Chief's Association Best Practices Recognition Program.

Police Chief Rubin briefly highlighted the association and recognition program. He stated the City of Alamo Heights is the 40<sup>th</sup> agency within the State to be re-recognized for achieving best practices for five continuous years. He commented the recognition is well deserved and only a few cities achieve this prestigious recognition. Attendees applauded the Police Department on their achievement as Police Chief Rubin presented the certificate of recognition to Police Chief Pruitt.

Police Chief Pruitt shared of the four-year long process to meet standards. He thanked the Police Officers and Communications staff for their dedication and recognized Lieutenant Cindy Pruitt for management of best practices. Police Chief Pruitt also thanked Police Chief Rubin for the understanding provided being in the new facilities.

Mayor Cooper thanked Police Chief Pruitt and the Police Department for all of their hard work and efforts. He also thanked Police Chief Rubin for coming to present this prestigious award to the Alamo Heights Police Department.

Mayor Cooper announced that Item # 8 would be presented next.

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Items for Individual Consideration (cont'd)

Item # 8 Mayor Cooper read the following caption.

**Discussion and possible action authorizing the City Manager to enter into a lease purchase agreement to acquire new heart monitors for the EMS system**

Fire Chief Buddy Kuhn made a PowerPoint presentation that included background information.

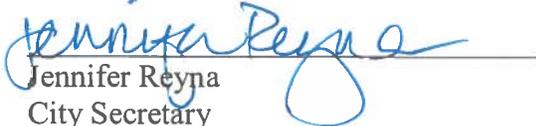
Fire Chief Kuhn informed Council there are currently five cardiac monitors in service that are approaching 10 years of service. He stated the purchase of four new cardiac monitors and two Automatic External Defibrillators (AEDs) were presented at this year's Strategic Action Plan (SAP) and budget work sessions.

Two quotes were obtained from the current and proposed new vendor through the NPP.gov procurement process. He explained Zoll Medical Corporation provided the best and low value bid. Fire Chief Kuhn reviewed the fiscal impact to the City and shared that funding is in place and provided through the capital replacement fund paid by tri-cities (Olmos Park, Terrell Hills and Alamo Heights).

A motion for approval was made by Councilmember Rosenthal. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

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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 Jessee and passed by unanimous vote. Mayor Cooper adjourned the meeting at 6:21 p.m.

  
Jennifer Reyna  
City Secretary

  
Louis Cooper  
Mayor