

CITY OF ALAMO HEIGHTS  
CITY COUNCIL  
April 27, 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, April 27, 2015.

Present and composing a quorum were:

Mayor Louis Cooper  
Mayor Pro-Tempore Bobby Rosenthal  
Councilmember Bobby Hasslocher  
Councilmember Fred Prassel  
Councilmember Lynda Billa Burke  
Councilmember John Savage

Also attending were:

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

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Mayor Louis Cooper opened the meeting at 5:30 p.m.

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Mayor Pro Tem Bobby Rosenthal recognized the presence of Boy Scouts of America, Troop # 809 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 # 1      Presentation of \$1.00 each to the Mayor and Council members for compensation as per City Charter, Article IV, Section 13*

Finance Director Cynthia Barr presented Mayor and Council a gold dollar coin for their service in the capacity of Councilmembers.

*Item # 2      Approval of Minutes*

Mayor Cooper asked City Council for any revisions to the minutes of the April 13, 2015, City Council meeting. A motion was made by Councilmember Fred Prassel to approve the minutes of April 13, 2015. The motion was seconded by Councilmember John Savage. The vote was as follows: Ayes: Mayor Pro Tem Rosenthal, Councilmembers Prassel, Billa Burke, and Savage; Nays: Councilmember Hasslocher. The motion passed.

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*Item # 3      Announcements*

Mayor Cooper read the following captions.

**a. Recognition of City Employees**

Fire Chief Buddy Kuhn informed Council of the cooperative efforts made by the Cities of Alamo Heights and Terrell Hills paramedics. Fire Chief Kuhn stated a 30-year old jogger that resided in San Antonio experienced a cardiac event in Terrell Hills. He informed Council that the City of Alamo Heights paramedics assisted the City of Terrell Hills and stated it took 22 minutes from the initial 911 call until delivery to the emergency room. He recognized five individuals that took the appropriate steps to save the patient's life: Javier Saucedo, Jorge Alonzo, Eli Plainer, Matthew Herring, and Nicholas Metcalf. A standing ovation was given to these individuals for their dedicated efforts. Fire Chief Kuhn expressed appreciation for their service and teamwork. He highlighted the great relationship the City of Alamo Heights has with their neighboring city, Terrell Hills. Mayor Cooper complimented them and thanked them for saving a life!

**b. New Children's Museum**

City Secretary Jennifer Reyna announced the opening of the Doseum which is scheduled to open on June 6, 2015. She briefly highlighted the attractions for the new children's museum. Ms. Reyna introduced Charlie Walter, Chief Operating Officer, for Doseum. Mr. Walter provided additional information about the museum and the grand opening. He thanked Council for their time and invited them on a tour of the top children's museum in the country!

**c. Early Voting, April 27 – May 5, 2015**

City Secretary Jennifer Reyna announced that early voting began today ending on May 5, 2015. She identified the neighboring early voting sites. She stated Election Day is May 9, 2015 with polling hours of 7:00 a.m. to 7:00 p.m. for precincts 3020, 3025, and 3026. The polling site is at City Hall in the Council Chambers.

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

George Geis, property owner, shared a history of the properties he owns on Broadway and Mary D and the flooding he had experienced. He expressed concern of the additional velocity of the water and movement of drainage in which he believes is caused by the new IBC bank site plan and location of the building. He informed Council that he will contact the Federal Emergency Management Association (FEMA) and request an audit of IBC Bank's site work and all of the buildings that have been built in the floodway since 1979.

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Consent Item

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

**Request for permission to refund overpayment of property taxes to Susan Mills Scott in the amount of \$1,506.83 for the property located at 250 Tuxedo**

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

Items for Individual Consideration

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

**ORDINANCE NO. 2016**

**Right-of-way agreement – Public hearing, consideration, and action regarding a request to encroach for a period of five years into the right-of-way along Harrison Avenue submitted by owner, Lori Becknell, for the purpose of enclosing an area of 1752 square feet at 201 Crescent Street with a fence**

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

Mr. Lutz identified the project as a request to encroach for five years into the right-of-way along Harrison Avenue for the purpose of enclosing an area of 1,752 square feet at 201 Crescent Street with a fence to secure/enclose an existing pool. He stated the original plan had been modified to adhere to City's code regarding vision clearance. Mr. Lutz explained to Council the reasons for a request and the options of the fee amount for a five-year license to use public rights-of-way or easements. A photo of the proposed fence was briefly presented and Mr. Lutz stated the proposed wrought iron fence will not be obstructing vision clearance. He informed Council of the conditions of the license

agreement. Staff received no response from property owners within a 200-foot radius of the property for support and one in opposition.

Mayor Cooper requested to re-evaluate the license agreement process and the need to collect respective fees. Mayor Pro Tem Rosenthal stated that currently the licenses are treated like easements and perhaps the time period of licenses should be considered in the future. Mayor Cooper commented that land is getting expensive and suggested perhaps the applicant can hire an independent appraiser. He stated during the five-year period, property values made available by Bexar County Appraisal District will display a different amount.

Mr. Lutz confirmed ten license agreements had been granted and renewed. He stated staff tracks the information including the time of expiration.

Mr. Lutz informed Council that Jim Berg, resident, was not able to attend tonight's meeting; however, requested information be distributed to Council regarding his concerns.

Lori Becknell, applicant, shared additional information of her request. She shared that she was shocked regarding the amount of the license agreement due to the land requested for the license agreement, noting that she had always used the property. She shared another calculation of the value of the property based on the value of the property at 202 Crescent, which is solely land. She also explored the value of 105 Alamo Heights Boulevard, which is the flood plain. She requested Council to use the minimum amount of \$2,000 for a license agreement, renewed every five years. She agreed that Council needs to reassess the process and emphasized that the piece of land had always been used by her. She shared that there will be vines and shrubs around the fence and stated she was unaware of Mr. Berg's concerns and comments.

Mayor Cooper acknowledged Mr. Lutz' calculations processing the land value that proposed an estimated price for the license agreement as it is noted in the Code of Ordinances. Mayor Cooper asked City Attorney Mike Brenan what process may be used in preference for price of the license, either outlined in the Code of Ordinances or the minimal amount of \$2,000.

Mr. Brenan responded that the calculation value that Ms. Becknell proposed utilizing 105 Alamo Heights Boulevard may not be utilized as it is not a valid comparison because one cannot build on it. He stated the Code of ordinances define the process; however, Council may change the approval process due to circumstances.

Mayor Pro Tem Rosenthal asked if the license agreement is terminable and noted that Council's decision may be discretionary.

Mr. Brenan responded the license agreement is terminable if the City needs it. He shared the history and basis of the ordinance. He acknowledged that a five-year license is

not long enough and perhaps Council consider a longer time period or that it is terminable with the property owner.

Mayor Cooper requested details of Mr. Berg's concerns.

Mr. Lutz stated that Mr. Berg's comments were there are other methods in which the property can be secured either around the swimming pool or inside the property line. He noted a safety issue at the intersection.

Councilmember Bobby Hasslocher asked what change was made that the vision clearance was not a problem anymore.

Police Chief Rick Pruitt responded to Councilmember Hasslocher that the proposed fence does not provide any challenges because the fence was moved back to adhere to the 35 feet vision clearance.

Ms. Becknell added that moving the fence back 35 feet will be helpful to provide the incoming drivers on Harrison a clear vision of what is coming ahead. She stated that she had observed drivers that run the stop sign located on Crescent, coming from the dam.

A motion for approval was made by Mayor Pro Tem Bobby Rosenthal at a cost of \$2,000 for a period of five years. The motion was seconded by Councilmember Lynda Billa Burke. The vote was as follows: Ayes: Mayor Pro Tem Rosenthal, Councilmembers Prassel, Billa Burke, and Savage; Nays: Councilmember Hasslocher. The motion passed.

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

**Authorize competitive sealed proposals for the 2015 Street Maintenance Program (SMP) and determination that competitive sealed proposals provide the best value for this project**

Public Works Director Pat Sullivan made a PowerPoint presentation that included background information.

Mr. Sullivan shared the process in securing sealed proposals for the 2015 Street Maintenance Program (SMP). He shared the evaluation chart in determination of the qualified proposals. He provided a list of the streets selected for the 2015 SMP.

Councilmember Prassel asked Mr. Sullivan information about potential contractors.

Mr. Sullivan shared a few examples that the City had contracted with before and noted the last project the City obtained an exceptional price.

A motion for approval was made by Councilmember Hasslocher. The motion was seconded by Councilmember 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 Billa Burke and passed by unanimous vote. Mayor Cooper adjourned the meeting at 6:19 p.m.

  
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Jennifer Reyna  
City Secretary

  
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Louis Cooper  
Mayor