

CITY OF ALAMO HEIGHTS
CITY COUNCIL
May 12, 2014

A regular meeting of the City Council of the City of Alamo Heights, Texas was held in the temporary facilities, located at 1248 Austin Highway Suite 220, San Antonio, Texas, at 5:30 p.m. on Monday, May 12, 2014.

Present and composing a quorum were:

Mayor Louis Cooper
Councilmember Bobby Hasslocher
Councilmember Bobby Rosenthal
Councilmember Fred Prassel
Councilmember Elliot Weser

Also attending were:

City Manager J. Mark Browne
City Attorney Mike Brennan
Finance Director Cynthia Barr
Information Services Manager Marian Vargas
Human Resource Manager Lori Harris
City Secretary Jennifer Reyna
Fire Chief Buddy Kuhn
Chief Police Rick Pruitt
Public Works Director Pat Sullivan

Absent was:

Mayor Pro Tem John Savage

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

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Item # 1 **Proclamation of National Police Week, May 11 - 17**

Mayor Cooper recognized Police Chief Rick Pruitt and the Police Department in honor of National Police Week, May 11th through May 17th. Mayor Cooper read and presented the proclamation to Police Chief Pruitt.

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Item # 2 **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.

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Councilmember Elliot Weser commented on the recent general election. He stated he served four years and stated it was a privilege to serve the community. He noted there was great staff that should be appreciated. Councilmember Weser hoped the Council continues to make prudent decisions and wished Council well.

Mayor Cooper expressed his appreciation to Councilmember Weser as he served two terms, four years of service dedicated to the City of Alamo Heights.

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Item # 3 Approval of Minutes

Mayor Cooper asked City Council for any revisions to the minutes of the April 28, 2014, Council Meeting. A motion was made by Councilmember Fred Prassel to approve the minutes of April 28, 2014. The motion was seconded by Councilmember Bobby Hasslocher and passed by unanimous vote.

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Item # 4 Announcements

Mayor Cooper read the following captions.

a. City Council Meeting, Tuesday, May 27, 2014 due to Memorial Day Holiday

City Secretary Jennifer Reyna announced the next Council meeting is scheduled for Tuesday, May 27, 2014. She informed Council that Monday, May 26, 2014 is a City holiday in observance of Memorial Day.

b. Texas Comptroller Leadership Circle Platinum Award

Information Services Manager Marian Vargas announced the City of Alamo Heights is the recipient of the Texas Comptroller Leadership Circle Platinum Award. She stated this award is for transparency. She informed Council it is the fourth year that City has received the award but this year it was at the highest level, platinum.

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Mayor Cooper announced the Public Works Department worked with resident Cappy Lawton in planting trees along Viesca and Alamo Heights Boulevard towards the

100 tree goal. Public Works Director Pat Sullivan stated 15 trees were planted and among them were Cedar, Cypress, Elm, Live Oak, and Mount Laurel.

Item # 8 Mayor Cooper announced that Item # 8 is tabled.

AN ORDINANCE AMENDING CHAPTER 5, BUILDING AND BUILDING REGULATIONS TO ALLOW FOR THE USE OF WOODEN SHAKES AND WOODEN SHINGLES

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Items for Individual Consideration

Item # 5 Mayor Cooper read the following caption.

City Council will consider Planning and Zoning Commission Case No. 356 for the request of Henrietta P.C. Hildebrand, owner, for the re-plat of 321 Rosemary Avenue. The property is zoned SF-A (Single-Family), is currently identified as County Block 5571A BLOCK 13 LOTS E 17ft of 8 and 9 THRU 12 and the owner is requesting the re-plat the existing five (5) lots into one (1) lot as submitted

Interim Development Services Manager Nathan Lester made a PowerPoint presentation that included background information and the proposed plat.

Mr. Lester informed Council of the process. He identified the property considered for the re-plat request. He stated a plat is considered approved by the municipal authority unless it is disapproved within a 30-day period after the date the plat is filed. He noted Council considers a re-plat request after review and report by the Planning and Zoning (P&Z) Commission.

On May 5, 2014, P&Z reviewed the proposed re-plat and recommended approval as submitted. The Neighborhood Character and Commercial Revitalization (NCCR) Committee reviewed the request on May 7, 2014. Staff received approval of the proposed re-plat from the Public Works Department, CPS Energy, and the San Antonio Water System (SAWS). Staff received feedback with one in support and one opposed to the request.

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

Item # 6 **City Council will consider Planning and Zoning Commission Case No. 354 for the request of Flora C. Atherton, owner, for the re-plat of 315 Westover Road. The property is zoned SF-A (Single-Family), is currently identified as County Block 4024 BLOCK 10 LOTS 19-24**

and the owner is requesting to re-plat the existing ten (10) lots into two (2) lots as submitted

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

Mr. Lester identified the properties considered for the re-plat request and noted all properties are owned by the same owner, Flora C. Atherton. He reminded Council of the process.

Mr. Lester noted the applicant provided full functional access to Grant and encompassed the parking area for the single family home on the south. He reviewed the process for a replat. He noted a one-car garage that is non-functional and will be demolished to accommodate the plat. The plat creates two functional properties.

On May 5, 2014, P&Z reviewed the proposed re-plat and recommended approval as submitted. The Neighborhood Character and Commercial Revitalization (NCCR) Committee reviewed the request on May 7, 2014. Staff received approval from Public Works Department, CPS Energy, and the San Antonio Water System (SAWS) of the proposed re-plat. Staff received feedback on the request with two in support of the request and none in opposition.

Attorney Frank Burney was present.

Mayor Cooper asked the history of the point of access.

Mr. Lester referenced the notch within the existing/proposed plat and stated the notch was provided so the property owner to the west always had access to Grant Avenue. He shared the Mr. Burney's client does not want to use that access.

Mr. Burney shared brief history regarding the prior property owners which were gardeners that desired access to their houses from the rear, Grant Avenue. He stated there was an easement created to access their garden which the City closed in 1959. He noted his client wishes to re-plat the property and connect everything near her main homestead.

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

Item # 7 Mayor Cooper read the following caption.

City Council will consider Planning and Zoning Commission Case No. 355 for the request of Dabney Homes, owners, for the re-plat of 228 Cloverleaf Avenue. The property is zoned SF-A (Single-Family), is currently identified as County Block 5571A, BLOCK 6, LOTS 11-15

and the owners are requesting to re-plat the existing five (5) lots into two (2) 62.5-ft by 145-ft lots

A motion for delay until the May 27th Council meeting was made by Councilmember Rosenthal. The motion was seconded by Councilmember Hasslocher. There was further discussion.

Councilmember Rosenthal commented there were compatibility issues and legal concerns and explained that delaying this consideration allows neighbors sufficient time to make a thorough presentation. Councilmember Rosenthal requested to have materials in advance for review.

Councilmember Weser stated he is in support of the effort and stated an education session is useful. He commented that the request needed ample time for review.

The following citizens spoke on this matter:

Tommy Spalten, resident, expressed support in delaying the project and acknowledged the need for legal representation. He asked neighbors to get together to discuss. Mr. Spalten asked Council the opportunity to present their case.

Rob Killen, Attorney, noted the 30 days are within the window and agreed additional time and the opportunity.

There was a brief discussion among Council regarding if an executive session was necessary. Mayor Cooper informed Council of his absence along with City Attorney Mike Brenan for the upcoming Council meeting date of May 27th. City Attorney Mike Brenan explained the sensitive timeline process. Mr. Killen stated he will consult with his client, Dabney Homes, and speak with Mr. Brenan regarding Council's consideration to delay the project. Mr. Brenan agreed.

Councilmember Rosenthal amended his motion to delay the request until the applicant, City and property owners work together. The motion was seconded by Councilmember Hasslocher and passed by unanimous vote.

Item # 8 **AN ORDINANCE AMENDING CHAPTER 5, BUILDING AND BUILDING REGULATIONS TO ALLOW FOR THE USE OF WOODEN SHAKES AND WOODEN SHINGLES**

This item was tabled.

Item # 9 Mayor Cooper read the following caption.

ORDINANCE NO. 1993

**AN ORDINANCE AUTHORIZING THE CITY MANAGER
TO EXECUTE AND RENEW A THREE-YEAR
INTERLOCAL AGREEMENT FOR EMS SERVICES
AMONG THE CITIES OF ALAMO HEIGHTS, OLMOS
PARK, AND TERRELL HILLS**

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

Fire Chief Kuhn informed Council of the existing agreement that will expire on September 30, 2014. The agreement is similar to the existing interlocal agreement in place which is sought to be renewed. If adopted the agreement would begin on October 1, 2014 and expire on September 30, 2017. He noted the benefits in the renewal of a three-year interlocal agreement for EMS services for Alamo Heights, Olmos Park, and Terrell Hills.

Mayor Cooper commented the methodology was not supportive on the financial breakdown. He asked what calculation method was used before.

Fire Chief Kuhn explained the current method of calculations among the sister cities and the calculations used prior (per capita). The current methodology of cost per city uses the prior three consecutive years as of January 1, 2011 through December 31, 2013, based on the total run volume by each city. New percentages are as follows: Alamo Heights 62%, Terrell Hills 24%, and Olmos Park 14%. He shared that many times the neighboring cities, Terrell Hills and Olmos Park, do not charge when they cover calls within the City. He noted the sister cities contribute 100% coverage/support which is valued.

Councilmember Weser stated the methodology breakdown should be on a unit basis and room for change. He asked if the department's expenses were increasing or decreasing.

Fire Chief Kuhn responded over several years, the budget had been reduced. He noted the Affordable Healthcare Act was one of the changes that occurred within the past year.

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

Item # 10 Mayor Cooper read the following caption.

ORDINANCE NO. 1994

**AN ORDINANCE AUTHORIZING THE CITY MANAGER
TO EXECUTE AND RENEW A CONTRACT WITH**

**EMERGENCY PHYSICIANS AFFILIATES (EPA) TO
PROVIDE MEDICAL DIRECTION**

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

Fire Chief Kuhn informed Council of the existing agreement that will expire on September 30, 2014. The agreement is considered for renewal to begin October 1, 2014 and expire on September 30, 2017. He highlighted the benefits in the renewal of a three-year interlocal agreement for Emergency Physicians Affiliates (EPA) to provide medical direction. He shared that Dr. Mark Ogden is the Medical director for the Cities of Terrell Hills and Olmos Park. He stated there is always a contact to provide guidance and that carries on the license of the medical director. Fire Chief Kuhn noted there is a fixed annual rate for the term of the contract.

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

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Staff Report

Item # 11 Mayor Cooper read the following caption.

Presentation of Financial and Investment Report for the second quarter ending March 31, 2014

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

Finance Director Cynthia Barr made a PowerPoint presentation that summarized the City's financial position. The Financial and Investment Report included General Fund Revenues/Expenditures, Utility Fund Revenues/Expenditures, Capital Projects Fund and an Investment Portfolio Update. She stated the interest rate of public funds remain at a low. She noted capital expenditures are down. A transfer was made from the Utility Fund for Information Technology Services.

Ms. Barr presented a Budget to Actual graph for property tax collections for the Maintenance & Operations (M&O) and Interest and Sinking (I&S), year to date since 2009. A graph of the total sales revenues dated 2013-2014 were presented that included street maintenance tax collection.

General fund expenditures were categorized by departments and noted at 47% of the fiscal year which reflected within budget. Ms. Barr reminded Council that several transfers would be made to support the new facility. A graph of general fund

expenditures was displayed for actual and budget for the fiscal year. Utility fund revenues & expenditures were presented.

Ms. Barr reviewed the Capital Projects Fund that included revenue and expenditure balances for the 2012 General Obligation (GO) bonds, and Community Infrastructure and Economic Development (CIED) fund.

Ms. Barr provided an investment portfolio update with a beginning value as of January 1, 2014. She noted decline in the operating and pool accounts reflect use in city operations as budgeted. She summarized the city's financial position as good and within budget.

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Citizens To Be Heard Concerning Non-Agenda Items

Item # 12 Citizens to be heard concerning items not on the agenda

Jill Souter, resident, thanked Councilmember Weser for his service as she noted serving as a Councilmember is a rewarding job.

Margaret Houston, resident, thanked Councilmember Weser for his service.

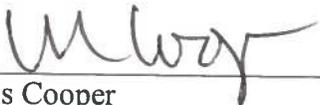
Council expressed their appreciation and wished Councilmember Weser well. The audience applauded and provided Councilmember Weser a standing ovation.

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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 Rosenthal and passed by unanimous vote. Mayor Cooper adjourned the meeting at 6:40 p.m.



Jennifer Reyna
City Secretary



Louis Cooper
Mayor