

CITY OF ALAMO HEIGHTS
CITY COUNCIL
June 22, 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, June 22, 2015.

Present and composing a quorum were:
Mayor Pro-Tempore Lynda Billa Burke
Councilmember Lawson Jessee
Councilmember Bobby Rosenthal
Councilmember John Savage

Also attending were:
City Manager J. Mark Browne
Assistant to the City Manager Marian V. Mendoza
City Attorney Mike Brenan
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
Deputy Fire Chief Mike Gdovin

Absent were:
Mayor Louis Cooper
Councilmember Fred Prassel
Fire Chief/Assistant City Manager Buddy Kuhn

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Mayor Pro Tem Lynda Billa Burke opened the meeting at 5:30 p.m.

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Item # 1 Introduction of Robert Galindo, Finance Director

City Manager Mark Browne introduced Mr. Robert Galindo. He was appointed at the prior Council meeting as the new Finance Director since Ms. Cynthia Barr retired. Mr. Browne announced that he will begin on Monday, June 29, 2015.

Mr. Galindo briefly shared his professional experience. He thanked Council for the opportunity.

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Item # 5 Mayor Pro Tem Billa Burke read the following caption.

Architectural Review Board Case No. 586F, request of William Hodge, architect, applicant, representing Jerry Pierce, owner, for the compatibility review of the proposed replacement structure located at 217 Alta under Demolition Review Ordinance No. 1860 in order to construct a new single-family residence and accessory structure

Community Development Services Department Director Jason Lutz made a PowerPoint presentation that included background information, map, existing site plan, elevations, and existing and proposed neighborhood streetscapes.

Mr. Lutz identified the project and stated the applicant is seeking to construct a 3,324 square feet home and a 531 square feet detached garage located at 217 Alta Avenue. He reviewed the current and proposed Residential Design Standards (RDS). He briefly described the structure's exterior comprised of 6" horizontal hardie board planks, 24" vertical hardie board planks, and a standing-seam metal roof. The site plan and elevations were presented.

On March 17, 2015, the Architectural Review Board (ARB) approved the demolition request. On June 26, 2015, ARB approved the compatibility of the proposed replacement structure. Staff received three responses in support on the project and one in opposition.

Mr. William Hodge, architect, was present to answer any questions.

Councilmember Bobby Rosenthal asked Mr. Lutz of ARB's concerns.

Mr. Lutz responded to Councilmember Rosenthal regarding the roof plan's compatibility. He stated there are a few windows located on the second story and commented that the applicant is trying to present a single story structure.

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

Item # 6 Mayor Pro Tem Billa Burke read the following caption.

ORDINANCE NO. 2022

AN ORDINANCE ACCEPTING THE PAVING PROPOSAL OF \$755,636.19 FROM CLARK CONSTRUCTION OF TEXAS, INC. FOR THE VARIOUS STREETS IDENTIFIED IN THE CITY'S 2015 STREET MAINTENANCE PROGRAM PLUS A 10% CONTINGENCY OF \$75,563.61 FOR A TOTAL AUTHORIZATION OF \$831,199.80 AND AUTHORIZING THE CITY MANAGER TO EXECUTE

**ALL NECESSARY DOCUMENTS WITH THE
SUCCESSFUL PROPOSER IN THE COMPLETION OF
SUCH WORK**

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

Mr. Sullivan briefly provided information on the competitive sealed proposal process. He stated two responses were received and reviewed by two engineers from Freese and Nichols, Inc., and himself. He reviewed the chart that displayed the evaluations of the submitted proposals that included a ten percent contingency.

This project consists of approximately 36,000 Square Yards of roadway improvements, utilizing both milling and overlay of existing surfaces, and full-depth pavement repair. Mr. Sullivan identified the streets that will be repaired as part of the 2015 Street Maintenance Program (SMP). Streets identified for improvements were: Townsend Ave., Ashcroft Ave., Cambridge Oval, Castano Ave., Inslee Ave., Lamont Ave., Willim Ave., Nacogdoches Rd., Alley west of Henderson. He stated Mayflower will be added to the SMP due to drainage concerns.

Councilmember Lawson Jessee asked questions related to the process of the project.

Mr. Sullivan explained the process and the different options in addressing the work the streets require. He informed Council the project would begin Monday, July 6th, beginning at Cambridge Oval and completed by the time school begins.

Mayor Pro Tem Billa Burke asked with the recent rain if additional days are warranted to the contractor.

John Colquin, Freese & Nichols, stated the scoring of the proposal included the schedule of the project and Clark Construction noted a 14-day contract; however, with the City's discretion, they may extend date of contract due to recent rainfall.

Mayor Pro Tem Billa Burke requested a provision regarding the amount of days to complete the work during the rainfall.

Mr. Browne stated the City's experience with Clark Construction had been positive and stated they are efficient. He stated the agreement shall cover rain delays.

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

Item # 7 Mayor Pro Tem Billa Burke read the following caption.

ORDINANCE NO. 2023

AN ORDINANCE ACCEPTING THE LOWEST BID OF \$231,004 FROM T CONSTRUCTION LLC FOR THE FAIR OAKS SEWER REHABILITATION PROJECT PLUS A 10% CONTINGENCY OF \$23,100 FOR A TOTAL AUTHORIZATION OF \$254,104

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

Mr. Sullivan briefly provided information on the bidding process to replace a sewer main on E. Fair Oaks from Broadway to Vanderhoeven. He explained "pipe bursting" and presented a photo of the process. He stated four responses were received and stated T Construction LLC was the lowest bidder. Mr. Sullivan informed Council of T Construction's background and experience.

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

Item # 8 Mayor Pro Tem Billa Burke read the following caption.

Discussion and possible action concerning the 2014 annual groundwater use report regarding groundwater withdrawals

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

Mr. Sullivan reminded Council of the City's water restrictions and in January 2015, Stage three was declared by the Edwards Aquifer Authority (EAA). He stated last year the City experienced its longest and greatest groundwater withdrawal restrictions. Mr. Sullivan informed Council as a result of over pumping the permitted amount was exceeded by 71.44 acre feet and stated there is a penalty (fine).

Mr. Sullivan informed Council of the options the City had to address the penalty. He stated the penalty may be paid in a lump sum or 12-month installments. Another option was a reduced settlement agreed between the City and the Board of Directors of the EAA in which the City agrees not to over pump for the years 2015 and 2016. If over pumping occurs, then the penalty is due as well as any new penalties for 2015 and 2016 for over pumped amounts. He requested Council's guidance.

There was a brief discussion among Council regarding a settlement agreement, conservation opportunities, and last year's amount of pumped water.

Mr. Sullivan provided last year's amount of pumped water and noted it was a difficult year with year-long restrictions. He stated this year he doesn't anticipate surpassing withdrawal amounts and noted it is unknown for 2016. He stated currently there is enforcement to adhere to water restrictions. Mr. Browne stated there may be an

opportunity for new conservation opportunities. Mr. Browne stated it is challenging to focus on conservation due to the lack of personnel and expertise; however, suggested perhaps the City can piggyback on EAA's programs.

Mr. Browne suggested a settlement offer of \$10,000 or less to EAA. Mr. Sullivan explained the settlement process and noted EAA is receptive to a settlement agreement.

A motion was made by Councilmember Rosenthal authorizing the City Manager to work with the Public Works Director to make the best offer. The motion was seconded by Councilmember Savage and passed by unanimous vote.

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Staff Report

Item # 9 Mayor Pro Tem Billa Burke read the following caption.

Discussion concerning the establishment of "Reinvestment" zones in the City of Alamo Heights

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

Mr. Lutz defined reinvestment zones and tax abatements for the purpose to attract new investments to an area. He explained the various ways property tax abatements may be structured in order for the company to receive an abatement of a certain percentage for a specified number of years. Tax abatement benefits were briefly explained for the landowner and the entity.

Mr. Lutz reviewed the procedure to create a reinvestment zone that included designation of a geographic area, preliminary reinvestment zone financing plan, and a copy of the preliminary reinvestment zone financing plan be sent to the governing body of each taxing unit that levies taxes on the proposed zone. Council must adopt a resolution of its intent to enter into a tax abatement. Mr. Lutz emphasized that the zones cannot be for a specific business, but they can be used for a specific type. The City must establish guidelines and criteria governing tax abatement agreements. Council must appoint a board of directors for the zone and specify the number of directors of the board and provide a termination date of the zone. Mr. Lutz asked for Council's direction.

Councilmember Jessee requested tax appraisal numbers from Mr. Lutz to view the dollar value. He also requested information on the Tax Increment Investment Zone "TIRZ" located further south of Alamo Heights to observe how it is working.

Mr. Lutz stated he can provide numbers to include if the school district would collaborate on the initiative.

Mr. Browne asked Council to consider, for example, if an entire property should be considered such as the Stewart Center or an individual business. He stated Nix Hospital recently closed and presented an opportunity to incentivize a type of business to come in.

Mayor Pro Tem Billa Burke stated perhaps only new businesses located at the Stewart Center may be eligible for incentives. Councilmember Savage added the importance of redevelopment. Mayor Pro Tem Billa Burke stated the item most certainly needed to be defined and Council agreed it is worth exploring.

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There being no further business, a motion was made by Councilmember Rosenthal to adjourn the meeting. The motion was seconded by Councilmember Savage and passed by unanimous vote. Mayor Pro Tem Billa Burke adjourned the meeting at 6:27 p.m.



Jennifer Reyna
City Secretary



Lynda Billa Burke
Mayor Pro Tem