

CITY OF ALAMO HEIGHTS
CITY COUNCIL
August 11, 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 4:30 p.m. on Monday, August 11, 2014.

Present and composing a quorum were:

Mayor Louis Cooper
Mayor Pro-Tempore Bobby Rosenthal
Councilmember Bobby Hasslocher
Councilmember John Savage

Also attending were:

City Manager J. Mark Browne
City Attorney Mike Brenan
Finance Director Cynthia Barr
Community Development Services Department Interim Director David Harris
Information Services Manager Marian Vargas
Human Resource Manager Lori Harris
City Secretary Jennifer Reyna
Deputy Fire Chief Michael Gdovin
Chief Police Rick Pruitt
Public Works Director Pat Sullivan

Absent were:

Councilmember Fred Prassel
Councilmember Lynda Billa Burke
Fire Chief Buddy Kuhn

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Mayor Louis Cooper opened the meeting at 4:34 p.m.

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At 4:35 p.m., Mayor Cooper adjourned the regular City Council meeting to conduct a closed meeting as authorized by Sections 551.074 and 551.072 of the Texas Government Code to hear a complaint or charge against an officer or employee and to deliberate the purchase and value of real property and water rights.

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Mayor Cooper reconvened the regular meeting at 5:30 p.m. There was no action taken during the closed session.

Open Meeting

Item # 3 Discussion and possible action concerning a complaint or charge against an officer of the City

A motion was made by Mayor Pro Tem Bobby Rosenthal regarding no further action be taken. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

Item # 4 Approval of Minutes

Mayor Cooper asked City Council for any revisions to the minutes of the July 24, 2014, Special Meeting. A motion was made by Councilmember Bobby Hasslocher to approve the amended minutes of July 24, 2014. The motion was seconded by Mayor Pro Tem Bobby Rosenthal and passed by unanimous vote.

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

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Items for Individual Consideration

Item # 5 Mayor Cooper read the following caption.

ARB Case No. 542F, request of Elizabeth Haynes, Architect, representing Stephen Noteboom, owner, for the significance and compatibility review of the proposed replacement structure at 137 Inslee Avenue under Demolition Review Ordinance No. 1860 in order to construct a 2-story accessory structure

Community Development Services Department Interim Director David Harris made a PowerPoint presentation that included background information, demolition/existing site plan, and elevations.

Mr. Harris identified the project location and presented details. He reviewed the existing and proposed residential design standards (RDS). Mr. Harris informed Council that the Board of Adjustment (BOA) approved two variances: 1) proposed lot coverage of 42% exceeds the maximum 40% allowed per Section 3-17, and 2) proposed Floor-to-Area (FAR) Ratio of .53 exceeds the maximum .50 allowed with bonuses per Section 3-18 of the City's zoning code. On July 15, 2014, the Architectural Review Board (ARB) approved plans as submitted provided the windows to the North be eliminated. Applicant had submitted a revised set of plans that reflect BOA's request. Mr. Harris stated responses to the postcards that were mailed to property owners within a 200-foot radius

of the property were received. Staff received one postcard in opposition and one neutral of the project. No responses had been received in support of the project.

Mayor Cooper and Mayor Pro Tem Rosenthal asked Ms. Haynes about the second floor and windows located on the second floor.

Ms. Haynes responded that there is a balcony located on the second level and confirmed the windows on the second floor do not overlook onto the neighbor's property.

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

Item # 6 Mayor Cooper read the following caption.

Architectural Review Board Case No. 536F, request of Ghassan Haifa, applicant, for the final design review of the proposed uncovered deck at the property located at 5306 Broadway Street under Chapter 2 Administration for Architectural Review

Mr. Harris made a PowerPoint presentation that included background information, site plan, photos of the existing structure and side view of proposed deck, floor plan, and elevation.

Mr. Harris identified the property and stated the proposed project would remove three parking spaces along the south side of the building and allow for the construction of a one-tier deck 21' X 13' and a height of 12'. He noted the removal of three parking stalls for a deck will not impact required on-site parking. He stated the property is located in the Tree House Shopping Center.

On July 15, 2014, the Architectural Review Board (ARB) approved the plans presented provided the City's building inspector approved the rail design to meet Code. Mr. Harris summarized that removing three stalls for a deck will not impact required on-site parking. Staff received no responses in support or opposition of the project.

Mayor Pro Tem Rosenthal expressed concern on the proximity of the deck to the east of the neighbors.

Mr. Harris responded the rear of the structure is fairly flush with back set-back and highlighted there is ample set-back with the building to the east.

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

Item # 7 Mayor Cooper read the following caption.

Architectural Review Board Case No. 541F, request of Alamo Heights, Terrell Hills Garden Club, applicant, for the final design review of the proposed Butterfly Garden at the property located at 246 Viesca under Chapter 2 Administration for Architectural Review

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

Mr. Harris identified the new project location and presented details. He stated the Alamo Heights, Terrell Hills Garden Club designed ¼ acre garden adjacent to the Jack Judson Pavilion. He noted the location is less than 50 yards east of the location that was approved in May 2014.

Mr. Harris presented the timeline of the project. He informed Council that the Notice of Intent was presented to Council on April 28, 2014. ARB granted approval of the initial project on May 20, 2014. On July 15, 2014, ARB recommended approval of the revised location for the butterfly garden. Mr. Harris stated four responses to the postcards that were mailed to property owners within a 200-foot radius of the property were in support and none in opposition.

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

Item # 8 Mayor Cooper read the following caption.

Discussion and possible action to remove or renovate surface medians on Vanderhoeven between East Fair Oaks and East Castano

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

Police Chief Pruitt provided background information on the medians that were erected on Vanderhoeven from E. Fair Oaks to E. Castano Avenue for the intended purpose of blocking access to the 200 block E. Fair Oaks, 200 block Retama, and 200 block Halcyon from southbound traffic on Vanderhoeven. He stated more than 10 years ago, a resident movement brought in engineering studies for a new traffic plan. He stated there is still an increase in student population, student drivers or student transportation by automobile that resulted in longer traffic queues at intersections controlled by traffic control signals. He informed Council that students had been asked why they are parking more on the west side of Broadway as opposed to available parking around the school. Police Chief Pruitt stated the students have commented they do not want to wait in long queues of traffic light or go to the north side of the school where they can only travel in a southbound direction. Police Chief Pruitt stated two unintended results were of the medians: 1) the discouragement students from parking along a large head-in parking on the west side of Vanderhoeven, and 2) non-accessibility of new larger fire apparatus from

Vanderhoeven responding to the 200 block E. Fair Oaks, 200 block Halcyon and 200 block Retama.

Police Chief Pruitt presented two proposals and a photo of the median located at Halcyon. The first proposal was to remove elevated medians dividing Vanderhoeven at the intersection with the 200 block Halcyon and 200 block Retama to include a 50 feet median located south of E. Fair Oaks and Vanderhoeven. Another option is renovations to some curbed areas of the medians on Vanderhoeven at the intersection with the 200 block E. Fair Oaks and curb lines of corner lots as determined necessary by the Fire Chief to allow access/egress for fire apparatus. The small section of the median at E. Fair Oaks and Vanderhoeven may be replaced with raised median markers to allow roll-over capability and access to fire apparatus from Vanderhoeven to E. Fair Oaks.

Police Chief Pruitt presented photos of Vanderhoeven displaying the different sites of the medians. He stated the two medians located on E. Fair Oaks will stay. The median behind the stadium is proposed to be removed and noted traffic buttons on the south end.

Police Chief Pruitt reviewed the cost for demolition and removal of the medians at Halcyon and Retama.

Police Chief Pruitt informed Council of the coordination with neighbors to include letters to residences in the 200 block E. Fair Oaks, 200 block Halcyon Place and 200 block Retama Place within two hundred feet of Vanderhoeven. A city-wide email notification was also part of the communication process.

Mayor Cooper expressed the main priorities are public safety and alleviate traffic congestion. He commented there is an existing problem surrounding the community. He noted the Alamo Heights High School (AHHS) and University of Incarnate Word students are the biggest parking concerns for the City. He shared a brief history of the Alamo Heights stadium commitments and residents' concerns. Mayor Cooper stated there is a possibility to widen Fair Oaks to accommodate head-in parking.

Council asked questions regarding parking designated spaces, AHHS campus parking, fire accommodation, and traffic light queuing at Vanderhoeven. Council recalled visiting school bus parking sites.

Police Chief Pruitt responded he is not changing any designated parking spaces. He stated AHHS had stacked teacher parking and confined teachers and administrators within the front of the campus. He shared that there should have been an extension of the jock lot. He provided an example and stated it would be difficult to attack a fire from the adjacent streets due to the tree canopy which may continue to spread the fire. He explained that any rainfall on N. New Braunfels may prevent the fire apparatus to enter adjacent streets from N. New Braunfels due to debris and when flooded by heavy rainfall. Police Chief Pruitt stated the parking consultant looked at the traffic light at Vanderhoeven and the traffic moment between Vanderhoeven and Broadway on E.

Castano was observed. He added the evaluation was made and the parking consultant provided no assurance of the problem going across the street. He stated there is going to be a trade-off. He stated this concern needs to encompass more than just the high school and a need for a solution more attractive to keep students parking at the high school.

The following citizens spoke on this matter:

Pat Donegan, resident, informed Council that she had been a resident since 1989 and primarily lived in Alamo Heights due to the school district. She asked Council to reconsider removal of the medians on Vanderhoeven between E. Castano and the southeastern corner of E. Fair Oaks. She shared that she was part of the resident coalition that supported medians which had reduced speeding, enhanced street safety and force drivers to pay attention to pedestrian traffic. She expressed in her opinion, the preferred option is shave off curbs to accommodate public safety. She expressed concern for her neighbors on Halycon, Retama and Fair Oaks.

Carol Deleon, resident, shared that she was a former resident on E. Elmview. She confirmed the parking lot was extended at the jock lot and estimated 20 parking spaces. She encouraged a traffic study and facts be verified. Ms. Deleon expressed safety concern for the residents. She stated there must be specific rules and students should follow. She expressed support in the medians because the neighborhood has benefitted.

Susan Harwell, resident, stated she had been actively involved in committees with safety and was part of the moment. Ms. Harwell requested details related to engineer's name, specific statistics, and committee coordination. She shared the challenges with parking and difficulty in getting into the driveway. She shared the garbage that is left on yards and observed it is so much better. She informed Council of the original plan that allowed two-way traffic presented to Alamo Heights ISD but the school did not elect that proposal because they desired space for parking. School buses were to be parked on campus and not on Castano. She referenced 2011 Council minutes that Council proposed a committee to include less councilmembers and more citizens.

Matthew Carpenter, resident, informed Council that a petition of 20 residents had been circulated in support to keep the medians. He commented that the traffic light queues are awful at Castano and Vanderhoeven. He observed students are going through the alleyways. He expressed concern of the neighborhood's public safety. Mr. Carpenter expressed concern on the values of the homes and explained that his home was purchased because the medians were in place.

Ben Holliday, resident, commented on the short amount of notice provided to residents. He expressed concern of the property values. He asked further clarification on the necessity of having two choices for accessing the structure rather than accessing from N. New Braunfels.

Deputy Fire Chief Michael Gdovin explained the rescue process known as common fire fighting. He emphasized the importance of having different directions of

approach as options. He stated the fire apparatus has the possibility of incurring damages to the vehicle if attempting to roll over standard six (6) inch curbs.

Councilmember Savage stated he is impressed with the Fire Department's plan and noted it is important to have different avenues to handle fires. Mayor Cooper stated there are minimal damages because response times are short because the Fire Department responds quickly.

Hans Rohl, resident, expressed support in decreasing the curbs rather than removal of the medians. He stated there were calming effects due to the medians in place. He suggested that between Vanderhoeven and N. New Braunfels, dig into embankments of the houses that back to Primrose to provide parallel parking. Mr. Rohl recommended the City Manager approach AHISD for consideration of a bond issue to construct a five-story parking garage for their students. He expressed in his opinion AHISD needed to make an active stance.

Mayor Pro Tem Rosenthal asked Deputy Fire Chief Gdovin consideration of diagonal cut to provide access from the south of the high school, focusing on public safety.

Deputy Chief Gdovin stated the fire apparatus' estimated weight is at 80,000 pounds when the truck is fully supplied.

Jeanne Tatum, resident, inquired why the fire apparatus was not considered. She expressed support in building a garage or a diagonal median to allow passageway for the fire apparatus. She expressed disappointment on the public notice as she received on August 7, 2014 and stated it is not acceptable.

Eric Vornsand, resident, requested further evaluation and engineering information to support the proposed change as he noted there were previously engineer reports provided when medians were erected. He stated there are many things to consider prior this change. He stated there is a solution that mitigates traffic solution.

Guy Hamilton, resident, stated there are no sidewalks on Vanderhoeven and E. Fair Oaks. The stop sign is south of the intersection of E. Fair Oaks. He expressed concern for pedestrians. Mr. Hamilton expressed support of keeping the medians and requested to extend the medians up to Claywell. He shared that at the intersection of the 100 block of Elmview students made it a round about to access E. Fair Oaks.

Kevin Tatum, resident, stated Retama and N. New Braunfels is a blind corner. He commented that student queue lines should not be discussed until medians are addressed. He stated there is plenty of room on Vanderhoeven to move the medians back or consideration of the diagonal cut on the medians. He expressed support in the garage proposal for students. He informed Council of the tradition that underclassmen can not park on the surfaced lot. He referenced that on certain streets in Austin, there are only rear-end parking and perhaps it may be considered.

Council briefly discussed the two-way traffic on E. Fair Oaks with a consideration of a diagonal cut on the median located on Vanderhoeven to allow cars go onto E. Fair Oaks.

Margaret Houston, resident, recalled the construction of the music room within AHHS moved the students out to Alamo Heights Boulevard because the contractors consumed the parking spaces. She commented there are two lanes in and not enough outbound lanes. She stated the need for a wider scope of notification and a committee for review. Ms. Houston expressed support in the diagonal cut in the median on Vanderhoeven to allow the apparatus to access the neighborhood. She stated the streets and apparatus needs to be protected. She asked Council to consider placing a route to get out behind the high school.

Antony Athens, resident, recommended Council to read the studies he had. He stated no one utilizes the diverter on Vanderhoeven. He stated he is experiencing heavy traffic on Elmview due to band practice or football schedule. He asked Council to consider taking the revenue from the school which they collect as they charge students to park on the streets.

Jon Stolmeier, resident, stated the traffic is dangerous. He stated there are creative solutions and encouraged feedback from the community. He did not encourage a quick decision be made.

Lynda Mitchell, resident, commented parking is not the concern, it is about traffic. She noted parking is never used on Castano because it is too far to walk and the traffic. She stated there are solutions to make everyone happy.

Daniel Engster, resident, 254 Retama, encouraged dropping the curbs at Halycon and Retama to allow the fire truck to access the streets from Vanderhoeven. He stated there are numerous inexpensive solutions. He encouraged bike lanes for bike riding or walking.

John Ferguson, resident, thanked Council for understanding the issue. He referenced John Branch who was instrumental in the original plans that was developed prior 2003. He shared John Branch's comments of a letter he shared with Council at the time. The comments highlighted the safety of the medians. Mr. Ferguson noted that Elmview did not get noticed in the City's Comprehensive Plan. He observed tour buses onto E. Fair Oaks turning left onto Vanderhoeven. He commented that students can adjust to a new plan because public safety is important and there must be a balance. He added that adjusting or flattening the curbs was considered previously in 2012. He expressed in his opinion the cutting of the median at E. Fair Oaks would serve no purpose.

Pryun Hildebrand, resident, shared that there are items the AHISD rejected and suggested AHISD be reminded of prior suggestions.

Mayor Cooper expressed appreciation and thanked everyone for their comments. He suggested a committee be comprised of citizens, Council, City staff, and Police Chief Pruitt to convene and consider pros and cons and what AHISD needs to do include opening the parking lot to sophomores. Council agreed.

Mayor Pro Tem Rosenthal stated there needs to be a different solution. He encouraged Council to address the three streets (Halcyon Place, Retama Place, and Vanderhoeven) immediately and address other issues as soon as possible.

Mr. Browne stated he needed additional time to consider the best approach. He encouraged a joint meeting with AHISD to discuss issues.

Mayor Cooper summarized that the Fire and Police Chiefs will work together to gain access for public safety and the item will be placed on a future Council agenda.

Mayor Cooper announced that Item # 12 was considered next.

Staff Report

Item # 12 Mayor Cooper read the following caption.

Discussion of proposed temporary parking restrictions in the 100 and 200 blocks West Castano and 100 block Lamont

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

Police Chief Pruitt stated current parking restrictions on residential streets surrounding Alamo Heights High School moved the problem to other streets: Tuxedo Avenue, Alamo Heights Boulevard, Columbine, and the 100 & 200 blocks of West Castano and Lamont. He noted the parking concerns on Tuxedo Avenue were addressed in 2012 and flow is good. He stated residents living on either side of the 100 block West Castano do not have available street parking for guests, service representatives, health care workers on any given school day and sometimes after school session has ended. He noted 100 block West Castano along the north curb line is an immediate area for concern.

Police Chief Pruitt proposed a temporary two-hour restricted parking zone in the 100 block of West Castano along the north curb line where parking is not otherwise restricted by red curbs. The timeframe is from 7:00 a.m. – 5:00 p.m. on school days only and noted it worked well on Tuxedo, West Castano and 100 block of Lamont. A temporary two-hour parking restriction would be evaluated if student parking is displaced to the 200 block West Castano and informed Council of an upcoming construction project on that block. The temporary parking restriction could apply to the 100 block Lamont as the need arises. He proposed this action considered before the fall semester and noted it will be temporary. He stated residents will be notified where restricted parking is anticipated to obtain their feedback.

Police Chief Pruitt displayed a map of the current restricted and temporary parking restrictions. He displayed the areas of concern and anticipated areas of impact. He cautioned Council regarding consideration of permanent solutions and the parking congestion can move to another location.

Mayor Pro Tem Rosenthal asked the Police Department to coordinate with the contractor to push his sub-contractors further west to accommodate students on West Castano. He explained contractors will arrive earlier than the students arriving to school.

Police Chief Pruitt noted the challenges for West Castano due to the character of the street and it is a difficult situation for the residents as well. He shared that it is challenging with contractors to park not too far away from their vehicles and tools.

Councilmember Savage asked the overall objective for restricted parking.

Joan Solomon, resident, responded it is to encourage students to park on campus utilizing the empty parking spaces. She suggested no parking around the campus and specific streets. She shared the neighbors are tired of the parking situation. Ms. Solomon stated she had tried communicating with AHISD and they have commented it is the City's problems.

Council agreed that a meeting is warranted with AHISD to discuss all the dilemmas that the City, residents and schools are facing. Mayor Cooper stated perhaps the AHISD is not aware of all the concerns and requested a list of issues be prepared. Mayor Pro Tem Rosenthal stated a decision needs to be made with AHISD. He suggested a few Councilmembers present at the proposed meeting with AHISD. Mayor Pro Tem Rosenthal volunteered to assist.

Mayor Cooper announced that Item # 9 was considered next.

Items for Individual Consideration (cont'd)

Item # 9 Mayor Cooper read the following caption.

Consideration of placing "Citizens to be Heard" at the beginning of the Council agenda

City Manager Mark Browne shared that nine entities had "Citizens to be Heard" in the beginning and three entities placed it at the end of their respective agendas. He asked Council's guidance what they want for their community.

Council asked to place "Citizens to be Heard" at the beginning of the Council agenda.

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

Item # 10 Mayor Cooper read the following caption.

Presentation of Proposed FY 2014-2015 Operating Budget and scheduling public budget hearings

Mr. Browne made a PowerPoint presentation that included General Fund budget, Governmental Funds, Utility Fund Revenues and Allocations, and Capital Projects Fund.

Mr. Browne reviewed the current property tax information. He stated the current 2014 tax rate of \$0.390262 per \$100 valuation. He proposed Maintenance and Operation (M&O) rate of \$0.336486 to pay for operations and proposed Interest and Sinking (I&S) rate of \$0.053776 to pay for debt service.

Mr. Browne presented the FY 2014-2015 budget to include projected beginning balance, operating revenues, departmental allocations, working capital, and operating reserve (25% of departmental allocations). Also included in the presentation were the proposed transfers to the Street Maintenance Fund and Capital Replacement Fund. Mr. Browne reviewed projected fund balances, revenues/transfers, and expenditures to the Comprehensive Plan, Street Maintenance Fund, Capital Projects, and Capital Replacement Fund and explained proposed expenditures.

Mr. Browne reviewed the proposed utility fund budget to include proposed revenues, operating expenses, capital expenditures, transfers to General Fund, and operating reserve. He briefly explained the planned expenditures to include water/sewer projects, continuation in resolving 4X2 issues, equipment purchases, debt payment for bonds.

Mr. Browne continued with capital projects fund revenues/allocations to include interest on time deposits, transfers from General Fund, and capital expenditures. He noted the balance amount decreased as it is earmarked for payment of the construction of the city facilities.

Mr. Browne concluded his presentation with a schedule of the upcoming budget public hearings.

Councilmember Hasslocher thanked staff for the budget preparation. Mr. Browne thanked the department heads for their efforts. He thanked Finance Director Cynthia Barr and Information Services Manager Marian Vargas for their preparation and oversight.

Item # 11 Mayor Cooper read the following caption.

Discussion and possible action to set the proposed FY2015 tax rate and scheduling public hearings

Finance Director Cynthia Barr made a PowerPoint presentation that included background information on the proposed tax rate.

Ms. Barr referenced Chapter 26 of the Texas Property Code related to effective tax rate/rollback rate, publication of notices and adoption of the tax rate. She announced the total tax rate is proposed to remain at \$0.390262 per \$100 evaluation. The proposed Maintenance and Operation (M&O) rate is \$0.336486 for operations. The proposed Interest and Sinking (I&S) rate of \$0.053776 to pay for debt service.

Ms. Barr presented information to include freeze adjusted taxable value, effective and rollback tax rates. She stated the effective tax rate is 0.379961 and the rollback tax rate if 0.396312. She informed Council the proposed tax rate exceeds the effective tax rate which requires the City to hold public hearings which are scheduled on Monday, August 25th and Monday, September 8th. Publication of the required public hearing notice is on Wednesday, August 13th in the *Alamo Heights Weekly*.

A motion for approval was made by Mayor Pro Tem Rosenthal to set the proposed FY 2015 tax rate as \$0.390262 and conduct public hearings for August 25th and September 8th. The motion was seconded by Councilmember Hasslocher and passed by unanimous vote.

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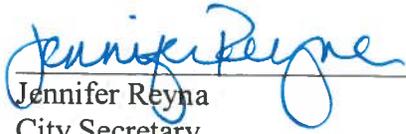
Citizens To Be Heard Concerning Non-Agenda Items

Item # 13 Citizens to be heard concerning items not on the agenda

Susan Straus, resident, requested a 90-day delay on CPS Energy's installation of smart meters as residents need to make an informed decision. She stated she will email Council additional information on smart meters. She informed Council that Attorney Generals of Illinois, Michigan and Connecticut had rejected smart meters. Ms. Straus stated there are risks with smart meters and noted they had caused house fires and the interruption of medical devices. She stated no studies had been made. She noted that 57 jurisdictions in the United States do not have smart meters and 15 entities declared them illegal.

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There being no further business, a motion was made by Councilmember Savage to adjourn the meeting. The motion was seconded by Councilmember Hasslocher and passed by unanimous vote. Mayor Cooper adjourned the meeting at 8:32 p.m.



Jennifer Reyna
City Secretary



Louis Cooper
Mayor