

CITY OF ALAMO HEIGHTS
CITY COUNCIL
January 27, 2020

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, January 27, 2020.

Present and composing a quorum were:

Mayor Bobby Rosenthal
Mayor Pro Tempore Wes Sharples
Councilmember Lawson Jessee
Councilmember Fred Prassel
Councilmember Lynda Billa Burke

Also attending were:

City Manager Buddy Kuhn
Assistant to the City Manager Marian V. Mendoza
City Attorney Richard Lindner
Community Development Services Department Director Nina Shealey
Finance Director Robert Galindo
Police Chief Rick Pruitt
Fire Chief Michael Gdovin
Public Works Director Pat Sullivan
City Secretary Jennifer Reyna

Absent were:

Councilmember John Savage
Human Resources Manager Lori Harris

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Mayor Bobby Rosenthal opened the meeting at 5:31 p.m.

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Item # 1 Recognition of Marian V. Mendoza for her dedication of 14 years to the City of Alamo Heights

Mayor Rosenthal recognized Assistant to the City Manager Marian V. Mendoza on all her accomplishments that she contributed to the City. He expressed appreciation to her family present. He read and presented a proclamation in her honor.

City Manager Buddy Kuhn stated Ms. Mendoza had experience in non-profit and reflected on her tenure her experience, knowledge, and contributions she has made to the City of Alamo Heights. He expressed his appreciation for her dedication. He presented her an engraved red glass vase with yellow roses in it.

Item # 2 Approval of Minutes

Mayor Rosenthal asked City Council for any revisions to the minutes of the January 13, 2020 Council Meeting. A motion was made by Councilmember Fred Prassel to approve the minutes of January 13, 2020. The motion was seconded by Councilmember Lynda Billa Burke and passed by unanimous vote.

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Item # 3 Citizens to be heard

Thomas Nau, resident, expressed concern on where the high school students are parking. He commented his neighborhood is a parking lot, trash is left behind and there is lots of commotion. He requested a permanent solution to amend Section 18-152 Schedule G to extend parking restrictions on Primrose from Wintergreen to Buttercup and between Wintergreen and Rosemary. He suggested a parking sign/placard on Wintergreen to cover both sides of the street.

Amanda Rogers, Artist, Barry’s Framing, requested sign ordinance to be amended to allow window murals coverage more than 10%. She shared she had worked with Community Development Services Department Director Nina Shealey, who has shared her research as of September 2019. She stated patrons have signed a petition supporting the sign ordinance to be amended.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2151

AN ORDINANCE AMENDING THE COMPOSITION AND ACTIONS OF THE ARCHITECTURAL REVIEW BOARD BY AMENDING THE CITY’S CODE OF ORDINANCES CHAPTER 2, ARTICLE III, SECTION 2-48 ARCHIECTURAL REVIEW BOARD

Community Development Services Manager Nina Shealey made a PowerPoint presentation that included background information.

Ms. Shealey informed Council of the current quorum issues and challenges that have occurred. She began her presentation with the value, caseload, and frequency the Architectural Review Board (ARB) meets.

In 2019, five meetings were cancelled due to lack of quorum. In comparison, in 2016-2018, within that time frame, there were no more than two meetings cancelled. Ms.

Shealey reported the backlogs of cases that delayed projects due to two consecutive cancelled meetings which resulted an overall of three month delay. A special meeting was held in November to consider twelve cases.

Three options were presented to amend the Code of Ordinances related to the ARB. Options included: 1) adjust composition of ARB – include two alternative members; 2) allow members be replaced due to lack of attendance; and 3) cases approved if ARB fails to have 2 consecutive meetings. Ms. Shealey informed Council that information was presented at the last ARB meeting. She stated any changes would be made to procedures for Commission and Boards Selections and Appointments policy.

Council asked questions regarding exploring of another meeting dates/times, timeframe for scheduling ARB cases, necessity of ARB, decreasing the number of board members, ask Chairmen of ARB to attend Council meetings, quorum requirements.

Ms. Shealey responded to Council that staff do explore additional dates/times when volunteers are not available to meet on the third Tuesday of the month. She reminded Council ARB is a recommending body. She reminded Council a quorum is four members with seven members serving and a requirement of four members for an item to proceed. Mr. Kuhn added that the addition of alternates may be a good step forward in lieu of the Chairman being present.

Councilmember Sharples expressed concern in the process if amendment three is considered which allows Council to be the first and last voice on cases. Council expressed support in amendments one and two.

Ms. Shealey commented ARB members have a variety of backgrounds and emphasized diversity of perspectives. She recommended obtaining alternates to assist with the process. Mr. Kuhn stated some residents have expressed interest in serving as alternatives.

A motion for approval was made by Councilmember Lawson Jessee with the exception of Amendment Number Three. The motion was seconded by Councilmember Lynda Billa Burke and passed by unanimous vote.

Item # 5 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2152

**AN ORDINANCE APPROVING AN EXTENTION OF
SUBLEASE AGREEMENT DATED SEPTEMBER 22, 2008
BETWEEN THE CITY OF ALAMO HEIGHTS AND
ALAMO HEIGHTS LITTLE LEAGUE**

Assistant to the City Manager Marian Mendoza made a PowerPoint presentation that included background information.

Ms. Mendoza stated currently the Alamo Heights Little League (AHLL) utilizes 13.152 acres of land in the Olmos Basin Park area for organized baseball, softball and fundraising activities. The City of San Antonio (COSA) owns most of the land in the Olmos Basin to provide additional flood protection in the area. COSA subleases this land to the City of Alamo Heights for recreational purposes only. On February 26, 2018, the lease agreement between COSA and the City was extended to February 28, 2058. The City would like to offer the option to extend the sublease agreement to coincide extending the agreement from April 30, 2027 to February 28, 2058. Ms. Mendoza stated AHLL requested a few changes to include: 1) removal of the \$10 sublease fee and 2) increase the light and sound time restrictions from 10:00 P.M. to midnight during play-off games during May and June.

Mayor Rosenthal asked if there were issues with contract and light restrictions.

Ms. Mendoza stated the contract was reviewed by both parties and subject to review when agreement expires. AHLL cannot sublease the property to any other organizations and the light restrictions are solely during playoff season, May/June. Mr. Kuhn added no complaints had been received by residents regarding lights.

Councilmember Prassel inquired about the sublease fee, lease, maintenance, and dissolution of organization as he expressed concern for responsibility.

Ms. Mendoza stated the \$10 sublease fee was waived because it was waived the first time the contract was signed. She shared the lease can be further reviewed and noted AHLL is a not-for-profit organization, therefore, the lease may be considered as an extension. AHLL maintains all the fields and pays for water.

Mayor Rosenthal shared he reviews new agreements but noted this renewal was not reviewed by him. Mr. Kuhn added the contract may be further explored and stated the practice for renewals is reviewed respectively.

A motion was made by Councilmember Lawson Jessee. The motion was seconded by Councilmember Lynda Billa Burke and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

Authorizing the purchase of a CASE 580 Super N Backhoe Loader for the Utility Department

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

Mr. Sullivan stated the Utility Department has utilized a 1991 John Deere Backhoe, an asset that is 29 years old and in need of replacement. He shared the City is a member of Sourcewell Coop, who provides a wide variety of goods and services to

governmental entities; cost was secured through Sourcewell's contract price at \$85,898.73. The price includes \$10,000 offered by ASCO Inc. for trade-in of 1991 John Deere Backhoe. He identified the additional cost for accessories which the new buckets can be used on other city-owned backhoes. The total cost is \$92,932.73 for purchase of a CASE 580 Super N Backhoe Loader and accessories. Funds are earmarked Utility Department's Capital Replacement Budget.

A motion was made by Councilmember Fred Prassel. The motion was seconded by Mayor Pro Tem Wes Sharples and passed by unanimous vote.

Item # 7 Mayor Rosenthal read the following caption.

Authorizing the purchase of dump truck for the Utility Department

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

Mr. Sullivan stated the City of Alamo Heights is a member of the Houston-Galveston Area Council of Governments Cooperative (HGAC) which provides a wide variety of goods and services available to governmental entities through competitive procurement. The cost was secured through HGAC for the purchase of a 2020 International MV 4X2 Dump Truck for the Utility Department. The total cost of \$98,552.00 which are earmarked in the FY 19/20 Utility Capital Replacement Fund.

A motion was made by Councilmember Jessee. The motion was seconded by Mayor Pro Tem Sharples and passed by unanimous vote.

Item # 8 Mayor Rosenthal read the following caption.

Resolution No. 2020R-118

A Resolution authorizing a second amendment to the water tower license agreement between the City of Alamo Heights and Celco partnership dba Verizon Wireless

Finance Director Robert Galindo made a PowerPoint presentation that included background information.

Mr. Galindo stated the applicant reached out to staff regarding three-year terms, a term being five years for a maximum of fifteen years. He provided background information as the license agreement was signed on August 2, 2005 for six antennas with a 3% rate increase per year. A first amendment was signed on April 26, 2010 to move the antennas to a new water tower for a contract expiration date of August 31, 2020. The proposed second amendment is for three antennas located on the water tower behind City Hall. A chart was presented outlining the payment due dates and cost for three antennas.

Mr. Galindo answered Council's questions regarding market rates, other current water tower license agreements, Mayor Rosenthal asked how market is determined. He informed Council there is additional space for additional antennas.

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

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Closed Session

At 6:24 p.m., Mayor Rosenthal adjourned the regular City Council meeting to conduct a closed meeting as authorized by Section 551.074 of the Texas Government Code to deliberate the employment, evaluation, and duties of the City Manager.

Mayor Rosenthal reconvened the regular meeting at 6:37 p.m. There was no action taken during the closed session.

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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 Rosenthal adjourned the meeting at 6:38 p.m.



Bobby Rosenthal
Mayor



Jennifer Reyna
City Secretary