

CITY OF ALAMO HEIGHTS
CITY COUNCIL
January 28, 2019

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 28, 2019.

Present and composing a quorum were:

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

Also attending were:

City Manager Buddy Kuhn
Assistant to the City Manager Marian V. Mendoza
City Attorney Mike Brenan
Finance Director Robert Galindo
Community Development Services Director Nina Shealey
Human Resources Manager Lori Harris
City Secretary Jennifer Reyna
Chief Police Rick Pruitt
Deputy Chief Mike Gdovin

Absent was:

Public Works Director Pat Sullivan

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Mayor Bobby Rosenthal opened the meeting at 5:30 p.m.

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Item # 1 Approval of Minutes

Mayor Rosenthal asked City Council for any revisions to the minutes of the January 14, 2019, Council Meeting. A motion was made by Councilmember Wes Sharples to approve the minutes of January 14, 2019. The motion was seconded by Mayor Pro Tem Lynda Billa Burke and passed by unanimous vote.

Mayor Rosenthal asked City Council for any revisions to the minutes of the January 16, 2018, Special Council Meeting. A motion was made by Councilmember Fred Prassel to approve the minutes of January 16, 2019. The motion was seconded by Mayor Pro Tem Lynda Billa Burke and passed by unanimous vote.

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Item # 2 Citizens to be heard concerning items not on the agenda

There were no citizens those signed up to speak.

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Closed Session

At 5:31 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 appointment, employment, and duties of a new City Manager.

Mayor Rosenthal reconvened the regular meeting at 5:40 p.m. There was no action taken during the closed session.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

The City Council will consider the appointment, employment, and duties of a new City Manager

Mayor Rosenthal announced Fire Chief/Assistant City Manager Buddy Kuhn is appointed City Manager effective immediately.

A motion was made by Mayor Pro Tem Lynda Billa Burke. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

City Manager Buddy Kuhn thanked Council for the opportunity and his family for their support.

City Secretary Jennifer Reyna administered the oath of office.

Item # 5 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2119

AN ORDINANCE ORDERING A GENERAL ELECTION IN THE CITY OF ALAMO HEIGHTS, TEXAS, TO BE HELD ON MAY 4, 2019, FOR THE ELECTION OF A MAYOR AND TWO COUNCILMEMBERS FOR PLACES ONE (1) AND TWO (2); PROVIDING THE DETAILS THEREFOR

AND PROVIDING FOR A PROCLAMATION AND NOTICE OF SUCH GENERAL ELECTION; AND DESIGNATING JACQUELYN F. CALLANEN, BEXAR COUNTY ELECTIONS ADMINISTRATOR, AS THE ELECTION ADMINISTRATOR TO CONDUCT SUCH ELECTION

ORDENANZA NUMERO 2119

UNA ORDENANZA ORDENANDO UNA ELECCIÓN GENERAL EN LA CIUDAD DE ALAMO HEIGHTS, TEJAS, QUE SE LLEVARÁ A CABO EL 4 DE MAYO 2019, CON EL PROPÓSITO DE ELEGIR EL ALCALDE Y DOS CONCEJALES: CONCEJAL LUGAR UNO Y CONCEJAL LUGAR DOS; EN FACILITAR LA INFORMACIÓN Y POR LO TANTO SE ESTABLECE UNA PROCLAMACIÓN Y NOTIFICACIÓN DE DICHA ELECCIÓN GENERAL; Y LA DESIGNACIÓN DE JACQUELYN F. CALLANEN, ADMINISTRADOR DE ELECCIONES DEL CONDADO DE BEXAR, COMO LA FUNCIONARIA DE ELECCIONES

City Secretary Jennifer Reyna made a PowerPoint presentation that included background information on the upcoming election.

Ms. Reyna briefly highlighted the different opportunities of voting and the option of contracting with Bexar County. She informed Council that early voting activities would be conducted at all Bexar County designated sites, including Alamo Heights Independent School District Administration Building, Lion's Field Adult and Senior Center, and Tobin Library at Oakwell. Early voting is scheduled to begin Monday, April 22nd through Tuesday, April 30th. Due to the Battle of the Flowers Holiday, no early voting will be available on Friday, April 26th and Sunday, April 28th. Election Day polling site is at City Hall in the Council Chambers on Saturday, May 4th for Precincts 3020, 3025, and 3026 with polling hours from 7:00 a.m. to 7:00 p.m.

Newspaper publications in the *San Antonio Express-News* and *La Prensa* are scheduled in April. Election information will also be available on the City's website and in the March/April newsletters.

Ms. Reyna stated the candidate filing period began Wednesday, January 16, 2019 with a deadline of Friday, February 15, 2019 by 5:00 p.m. Qualified and interested candidates pay a filing fee of \$100.00 with submitted application to the City Secretary.

A motion for approval was made by Councilmember Prassel to contract with Bexar County Elections Department and appoint Jacquelyn F. Callanen as Elections Administrator. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

Discussion and possible action regarding the presence of dockless e-scooters and dockless e-bicycles staged in public right-of-ways by shared active transportation companies

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

Police Chief Pruitt reminded Council of the public safety challenge created by the random placement of e-scooters and informed Council of the addition of e-bicycles on sidewalks, crosswalk accessibility ramps and around bus stops. Concerns still remain for potential conflicts between pedestrians and e-scooters/e-bicycles on some sidewalk areas and on Broadway and Austin Highway due to lack of no designated bike lanes and the experience of the level of operators. Parking regulations within the Texas Transportation prohibits vehicles from blocking sidewalks and the Texas Transportation Code addresses operation, equipment requirements and other regulations specific to e-bicycles and e-scooters. Existing state and local codes were not written taking into account local government responsibilities to manage e-scooter and e-bicycle business operations on public right-of-ways with a few exceptions.

A proposed ordinance is considered to address shared active transportation companies' deployment of e-scooters and e-bicycles requiring: 1) written agreement between the City of Alamo Heights (COAH); 2) address acceptable staging (nesting) practices by their company representatives and a method for the timely remediation of staging violations; 3) designate approved staging areas and identify those areas where staging is prohibited; 4) require shared active transportation companies are insured and COAH is named insured on their policies; and 5) an indemnification clause.

Photos were presented. Police Chief Pruitt explained the photos are good/bad examples of nesting and suggested what should be prohibited.

The following citizens spoke on this matter:

Margaret Houston, resident, expressed concern on shared liability. She asked the amount of percentage of operators utilizing e-scooters and e-bicycles. She encouraged an acknowledgement statement prompted upon securing e-scooters and e-bicycles informing individual that you are in Alamo Heights. She shared she had observed kids as operators, e-scooters and e-bicycles are left in the middle of driveways, and one evening she observed an operator's headlights were not working properly.

John Joseph, resident, shared Alamo Heights Neighborhood Association (AHNA) discussed this subject at their recent meeting. He stated AHNA members were concerned of young children being inexperienced operators. He recommended staff tread lightly on this new technology.

Stephanie Pittman, resident, expressed preference in allowing e-bicycles and asked if bicycle operators adhere to bicycle regulations. She also expressed concern that the operator may not be visible during the night.

Councilmember Wes Sharples commented majority of scooters and bicycle operators privately own their transportation device.

There was a discussion among Council regarding public safety, injuries, lawsuits, young operators, and impounding transportation devices.

City Manager Kuhn stated injuries had occurred and suggested to limit amount of deployment of e-scooters/e-bicycles and hours.

Marc Ogden, Medical Director, suggested to build an education program within the community to educate operators of safety precautions, expectations and regulations.


Mayor Rosenthal suggested to continue dialogue with Alamo Heights Independent School District (AHISD), consider regulations during evening hours when proposing ordinance, and present the item again at the February 25, 2019 Council meeting.

A motion was made by Councilmember Jessee for staff to proceed with building an ordinance to include indemnification, registration of vendor along with proof of insurance, establish age of driver, designating nesting locations and prohibiting nesting in areas that prevent accessibility of wheelchairs. The motion was seconded by Sharples 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 John Savage and passed by unanimous vote. Mayor Rosenthal adjourned the meeting at 6:36 p.m.


Jennifer Reyna
City Secretary



Bobby Rosenthal
Mayor