

CITY OF ALAMO HEIGHTS
CITY COUNCIL
January 8, 2018

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 8, 2018.

Present and composing a quorum were:

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

Also attending were:

City Manager J. Mark Browne
Fire Chief/Assistant City Manager Buddy Kuhn
Assistant to the City Manager Marian V. Mendoza
City Attorney Mike Brenan
Finance Director Robert Galindo
Community Development Services Department Director Jason Lutz
Human Resources Manager Lori Harris
City Secretary Jennifer Reyna
Chief Police Rick Pruitt
Public Works Director Pat Sullivan

* *

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

* * *

Item # 1 Approval of Minutes

Mayor Rosenthal asked City Council for any revisions to the minutes of the December 11, 2017, Council Meeting. A motion was made by Councilmember Fred Prassel to approve the minutes of December 11, 2017. The motion was seconded by Councilmember Wes Sharples and passed by unanimous vote.

Mayor Rosenthal asked City Council for any revisions to the minutes of the December 21, 2017, Special Council Meeting. A motion was made by Councilmember Wes Sharples to approve the minutes of December 21, 2017. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

* * *

Item # 2 Announcements

a. Tree Trimming

Fire Chief Buddy Kuhn announced the annual tree trimming will begin January 2018. For a week, Davey Tree Service will conduct the tree trimming which is estimated to be 10% of city streets. Fire Chief Kuhn identified the streets scheduled for tree trimming.

b. Tricentennial Celebration

City Secretary Jennifer Reyna announced Bexar County Bibliotech and the City of San Antonio asked surrounding cities to highlight their history during the tricentennial celebration scheduled for May 2018. Ms. Reyna stated she is going to digitalize the history of Alamo Heights. She invited the public to contact her if they would like to share their photos, memories, and stories or provide an interview. She's available at 210-832-2209 or jreyna@alamoheightstx.gov.

Item # 3 Citizens to be heard concerning items not on the agenda

There were no citizens that signed up to speak.

* * *

Staff Reports

Item # 4 Mayor Rosenthal read the following caption.

City Manager report on the following items: Broadway/Ellwood development, Olmos Basin cleanup, city financial position update, personnel update, 5K fun run for 2018, AHISD bond construction program update, water rate study, Public Works projects for 2018

City Manager Mark Browne made a PowerPoint presentation that included an update on various topics.

Mr. Browne began his presentation with an updated report on the development project at Broadway and Ellwood. He stated there had been road closures for the project so the contractor may focus on utility construction related to communication and the duct bank. In February, curbs and gutters along Broadway and the neighboring vicinity will be redone. Additional road closures are expected. Mr. Browne reported three heritage oak trees were planted at Ausway Park. He stated in late January, the excavation for the parking garage will begin to last through March. Mr. Lutz added the excavation schedule is dependent upon Texas Department of Transportation (TxDOT) utility permits.

Mr. Browne reported the right turn lane has been working well at Broadway and Austin Highway, necessitated by the closure of Ausway Lane. Mr. Lutz noted there are questions when the right turn lane will be finalized and acknowledged permits had been done; however, unaware of the timeframe for installation of permanent signal changes because that must be approved by the TxDOT Commission. Mr. Lutz reminded Council there were a few changes required for the project to include dedication of a right turn lane to install a signal. The signal and timing will be conducted by TxDOT, and paid for by the developer. Mr. Browne commented he will follow up with TxDOT for a timeframe. Mr. Browne shared the contractor will be removing the telephone poles along Ausway Lane as part of the burial of utility lines.

Mr. Browne reported the City is acquiring 18 acre feet of water anticipating a revenue approximately \$106,000. Attorney Russell Johnson, partner at McGinnis Lochridge Law Firm, was present to provide additional information regarding water acquisition related to the Broadway Ellwood development project. Mr. Johnson stated his role is to inquire about Edwards Aquifer authority permit. Mr. Johnson stated he had a reliable family source, Aquifer Group, who owned available unused permit rights in which he worked with. Mr. Johnson commented the City had purchased water rights from them before. He shared the cost of water is \$5,800 per acre foot. Mr. Johnson stated he prepared an agreement and it will not be executed until agreed upon and paid for by the developer at a total cost of \$106,000. Mr. Johnson stated he will await to hear from Mr. Browne to proceed further.

Mayor Rosenthal asked how prices are trending.

Mr. Johnson responded it has been slightly higher; however, not an increase as it was a decade ago. He explained the large buyers are municipal groups and they have met their growth needs.

Mayor Pro Tem Jessee asked how many gallons the development project will use and if there is a city ordinance regulating water acquisition.

Mr. Browne responded to Mayor Pro Tem Jessee a calculation was made but not available regarding the amount of gallons expected to be used. The water acquisition surfaced during discussion of the Specific-Use Permit (SUP) and water acquisition is solely for this project. He concluded that he hadn't heard from the developer in agreement of the price for water acquisition; however, noted the information was conveyed during the holidays.

Mr. Browne reported on the Olmos Basin Cleanup. He shared the Mayor of San Antonio provided a letter agreeing in principle to extend the lease for property in Alamo Heights. The City of San Antonio (COSA) and the City of Alamo Heights (COAH) have met to discuss next steps in the cleanup process and shared COSA wants to clean up to their property to the dam. He stated COSA desires to place debris catchment devices under Highway 281 and near San Pedro. He stated COSA desires to place a bandalong debris catchment device on San Pedro. COSA would like to enter into an Interlocal

Agreement with COAH for a three-year maintenance period. Mr. Browne reported the contractor is ready to begin the maintenance operation but is seeking a right-of-entry to the property owners from the church, Flannery's and McCombs. He stated if no right-of-entry is obtained, the project will still proceed on all other properties.

Relating to personnel, staff completed the 2018 insurance/benefit enrollment program. The current openings within the departments are two vacancies in Fire, three in Police and two in Public Works. In 2017, there were 17 turnover positions. Effective January 1, 2018, a new Texas Municipal Retirement System (TMRS) rate of 7% deduction, 2 to 1 match, for all employees and a 17.09% contribution rate went into effect.

Mr. Browne provided an update on the City's financial position. He stated the City's General Fund remains strong. As of December 31, 2017, total revenues are \$3.9M (39% of budget) and total expenses are \$2M (21% of budget). Utility Fund revenues are \$866K and expenses are \$329K.

Mr. Browne provided an update on projects within the Public Works department. In FY2018 there will be approximately \$1.5M available for the Street Maintenance Program (SMP). A listing of residential streets was presented which identified the cost estimate, total and type of work expected to be conducted in 2018 and planned in 2019. Maps were presented providing further details of needed water and sewer repair work. He stated there may be a potential to work with surrounding cities for street repair to obtain the best economy. Mr. Browne stated every year the Utility department works ahead of the program to make infrastructure improvements.

A Request for Proposals (RFP) for the water rate study had been issued and six proposals were submitted. Staff is currently scoring the proposals and an estimated cost of the study is within the range of \$24,000 - \$26,000. Mr. Browne stated the item will be presented to Council in February and thereafter the awarding of the contract, the study should take approximately 90 days to complete. He shared that OlaMeter had agreed to extend their services in reading the water meters within the City for an additional two years.

Mayor Pro Tem Jessee asked what does the scope consists of and what are the type of businesses that submit proposals.

Mr. Browne responded to Mayor Pro Tem Jessee water rates will be studied. Assistant City Manager Marian Mendoza explained the study includes research of rates, infrastructure, and equipment. Finance Director Robert Galindo added there are additional factors the study will consist of such as inventory, 4X2 system, and investments such as water meter replacements. Mr. Galindo stated submittals were from utility water consultants and Mr. Browne added an engineering firm did submit a proposal as well.

The Alamo Heights Independent School District (AHISD) continues to work on the bond construction. Staff comments on the Central Plant and had been addressed by AHISD; the permit should be issued soon. AHISD is working on plans for the new "common building" which is expected to be presented at the Architectural Review Board (ARB) in January. He commented the project is being done in pieces. Mr. Browne stated there is consideration for possible relief from some permit/building review fees per request of the AHISD. He shared that in the past Council had waived permit fees for AHISD projects. Mr. Browne stated waiving the permit fees will be considered at the next Council meeting.

The final update was on the 2018 5K Fun Run. Mr. Browne reported staff is planning the 2nd annual event to include additional sponsors. Dates being considered for the 5K are April 7th or April 14th. He stated the same route will be used. Human Resources Manager Lori Harris added Soler Sports will conduct the race activities.

Item # 5 Mayor Rosenthal read the following caption.

Report and update on proposed sign code amendment

Community Development Services Department Director Jason Lutz made a PowerPoint presentation that included proposed amendments to Chapter 15 Sign Regulations.

Mr. Lutz stated staff had been reviewing the City's sign code. He reviewed the highlights of the proposed amendments. Definitions were added to ensure types of signs were regulated accordingly and to provide guidance on how signs will be measured. The definitions of murals and prohibited signs were modified to include prohibition of murals without ARB approval. A proposed amendment is 10% of windows to contain signage and he shared there were differences of opinions within ARB and expressed that he is seeking direction from Council. Language in the Code was revised to identify that only one external identification sign shall be permitted for a building that faces a street bordering that business or office building. Amendments for maximum sizes for wall and canopy signs were considered. Other changes under the section for Shopping Center or Multi-tenant is limiting the number of multi-tenant signs to those properties in which the building does not face right-of-way. Mr. Lutz provided an example, for multi-tenant, only one sign at the crossing intersection would be allowed. Consideration of monument signs & multi-tenant signs are proposed. He stated no comments from ARB had been submitted and still obtaining their comments prior to presentation to Council approval.

Mayor Rosenthal suggested a report from ARB. He commented it may be slightly different or similar in Council's view; however, he commented the board is conservative with signage.

Mayor Pro Tem Jessee stated he is interested in hearing from the Broadway commission to consider planning and zoning which may need to be further explored at Broadway related to monument signs based on street scape.

Councilmember Billa Burke asked if hours will be considered as signage.

Mr. Lutz stated hours will not be considered as signage on windows; however, ARB had concern that the business wanted to provide additional information such as logo, emblems, and additional information other than hours of operation which portrayed duplicate information.

Mayor Pro Tem Jessee stated there is a 10% limitation on window signage. Mr. Lutz shared ARB expressed concern with businesses that compete with their own business when their windows are filled with window signage.

Mr. Browne stated art and murals will be considered by ARB.

Mayor Pro Tem Jessee asked if holiday decorations need to seek approval.

Mr. Lutz stated no, however; there is a provision for holidays and may become an enforcement issue if not properly defined.

Mr. Browne summarized that Council is requesting a report from ARB prior of the proposed amendments. Council confirmed.

Item # 6 Mayor Rosenthal read the following caption.

**Briefing on the 2017 Police Contact Tier 1 Data Annual Report
prepared in compliance with the Texas Racial Profiling Law**

Police Chief Rick Pruitt made a PowerPoint presentation that included background information and the Police Contact Tier 1 Data Annual Report.

Police Chief Pruitt informed Council the annual report contained information relevant to the policies of the Alamo Heights Police Department to include: prohibiting the practice of racial profiling by officers, providing for a system to address citizen complaints regarding racial profiling, addressing training and education mandates for officers regarding racial profiling, and requiring the use of video and voice recording on all officer initiated vehicle and pedestrian stops to include warnings. He stated the data compared statistical data to the 2010 U.S. Census concerning population demographics of the City of Alamo Heights and noted the demographics among City of San Antonio and Bexar County.

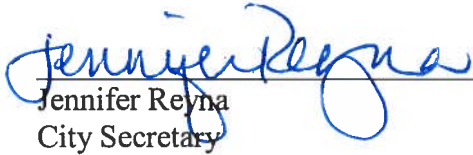
Police Chief Pruitt stated the report affirms the Alamo Heights Police Department's commitment to unbiased policing, reinforcement of procedures and to protect officers from unwarranted accusations of misconduct. He reported no formal citizen complaint regarding racial profiling by officers received during the reporting period, January 1, 2017 through December 31, 2017.

Police Chief Pruitt stated this report had been accepted by the state and is available on the City's website. He stated the findings in the 2017 Police Contact Tier 1 Data Annual Report verified the Alamo Heights Police Department had complied with all the requirements set forth in the Texas Racial Profiling Law.

Mayor Rosenthal congratulated Police Chief Pruitt and the Police Department.

* * *

There being no further business, a motion was made by Councilmember Prassel to adjourn the meeting. The motion was seconded by Mayor Pro Tem Jessee and passed by unanimous vote. Mayor Rosenthal adjourned the meeting at 6:16 p.m.


Jennifer Reyna
City Secretary


Bobby Rosenthal
Mayor