

CITY OF ALAMO HEIGHTS
CITY COUNCIL
August 13, 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 5:00 p.m. on Monday, August 13, 2018.

Present and composing a quorum were:

Mayor Bobby Rosenthal
Councilmember Lawson Jessee
Councilmember Wes Sharples
Councilmember Fred Prassel
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
City Secretary Jennifer Reyna
Chief Police Rick Pruitt
Public Works Director Pat Sullivan

Absent were:

Mayor Pro Tempore Lynda Billa Burke
Human Resources Manager Lori Harris

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Mayor Bobby Rosenthal opened the meeting at 5:01 p.m.

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Closed Session

At 5:00 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 or dismissal of the Director of Community Development Services.

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

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Item # 2 Approval of Minutes

Mayor Rosenthal asked City Council for any revisions to the minutes of the July 23, 2018, Council Meeting. A motion was made by Councilmember Fred Prassel to approve the minutes of July 23, 2018. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

Mayor Rosenthal asked City Council for any revisions to the minutes of the July 31, 2018, Budget Work Session. A motion was made by Councilmember Wes Sharples to approve the minutes of July 31, 2018 Budget Work Session. The motion was seconded by Councilmember Lawson Jessee and passed by unanimous vote.

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Item # 3 Announcements

Mayor Rosenthal read the following captions.

a. 19th Annual Soler Sports Dam '09 triathlon, August 18, 2018

Assistant to the City Manager Marian Mendoza invited residents to the 18th annual '09 triathlon hosted by Soler Sports on Saturday, August 19th, at 7:00 a.m. beginning and ending at the Alamo Heights Swimming Pool.

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Item # 4 Citizens to be heard concerning items not on the agenda

There were no citizens that signed up to speak.

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Items for Individual Consideration

Item # 5 Mayor Rosenthal read the following caption.

Consideration and action regarding a request of Richard McCaleb, applicant, representing Cambridge Shopping Center, LTD, owner, to modify an agreement to reserve for private use, 39 parking spaces located in public rights-of-way along Circle Street and Fenimore Ave.

City Manager Mark Browne made a PowerPoint presentation that included background information.

On June 5, 2018, Council passed an agreement to allow Cambridge Shopping Center to reserve, for private use, 39 parking spaces located in the public rights-of-way along Circle Street and Fenimore Avenue. Mr. Browne identified the green parking spaces on the map are the parking spaces reserved for the Cambridge Shopping Center. Currently, there are three parking spaces reserved for "Take Out" for Paloma Blanca Restaurant and the remaining of the parking spaces are utilized for employee parking. A request was made to increase the designated "Take Out" parking space for a total of five parking spaces.

Dick McCaleb, applicant, stated parking tags were provided to the employees to identify they are utilizing parking spaces.

Mayor Rosenthal stated he had observed the parking spaces agreement is working. He stated in December 2018 this item will be evaluated.

A motion for approval was made by Councilmember Prassel to increase the "Take Out" parking spaces from three to five spaces. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

Staff report to discuss options addressing resident concerns for overflow vehicle parking on Circle Street from adjacent commercial properties

Police Chief Rick Pruitt made a PowerPoint presentation that included background information, map, photos and an update.

Police Chief Pruitt reminded Council that after a City Council agenda presented on June 5, 2018 regarding employee parking at Cambridge Shopping Center, residents on Circle Street related their experiences with the heavy volume of on-street parking in front of their homes. Residents also expressed concern for vehicles parked on narrow utility access roads and in the parking areas behind their residences. He reported observations of parking activity suggest the greatest contributor of parked vehicles is attributed to over-flow parking by employees and customers from nearby businesses, offices and restaurants. He stated with the exception of one no parking zone, there are no other parking restrictions on Circle Street. No parking is allowed on utility easements. Several photos of Circle Street and the area were presented as he identified the four utility easements, directional access roads, rear Circle Street parking area, restricted parking, and explained the street measurements.

Time limit parking and resident permit parking are options to address on-street parking concerns in residential areas impacted by commercial over-flow parking. He stated resident permit parking were offered to residents on Mary D but did not take up on the option. He stated parking restrictions may be considered. He noted historically between the East/West alleyway on Circle Street tends to have greatest parking impact.

He identified parking areas where people are parking. People are parking behind Bird's Bakery and the vacant Chase Bank building. He stated on-street parking had decreased with the installation of the new employee parking spaces at Cambridge Center. He explained some employees from Bird Bakery are parking at the vacant Chase Bank building. He identified space that is not being utilized. There is 338' curb space at the end of the commercial property, 63' on one side of a cut through, and 100' of curb space that may be used for parking. He highlighted the corner of Broadway and Circle Street is the only access point within the commercial site if the curb line filled up. He estimated only five to seven vehicles may be parked on Circle Street. Police Chief Pruitt explained drivers tend to park on Circle Street because of the shade the trees provide. He stated the south utility alley access road is 11' wide and narrow; no one should park on the road. The west utility access road is 10' wide; no one should be allowed to park there, either. Observations were made that majority of residents' vehicles are parked at the rear parking area of Circle Street.

Police Chief Pruitt's observations are that the newly constructed parking spaces have had a great positive impact onto the neighborhood. He stated parking at the bottom of Circle Street and Fenimore is not occurring. He proposed to monitor on street parking until restricted parking is considered. He noted additional parking away from residential homes may be considered. Paloma Blanca Restaurant has a valet parking and he asked where they park the vehicles. He identified the valet parking location within the parking lots of Cambridge Shopping Center and Paloma Blanca Restaurant.

He provided recommendations for Council to consider. A recommendation was to post or surface paint a "no parking" notice within the utility easement. Post a notice advising drivers the rear parking area for Circle Drive is 'resident only.'" He identified corner capsules along Circle Street that needed to be longer.

Police Chief Pruitt stated he coordinated with the Fire Department to ensure the roadway is sufficient enough for ambulances and fire apparatus.

Mayor Rosenthal shared he met with Mr. Glenn Huddleston, property owner, regarding both options for the property owner and customers. He identified a possible shortcut behind the strip center owned by Mr. Huddleston that may encourage customers to park behind the strip center instead of the front of residential lots.

Mr. Browne stated staff can further explore the option.

Item # 7 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2106

Planning and Zoning Commission Case # 402, public hearing, consideration, and action regarding proposed amendments to Chapter 3, Article X, Sec. 3-89 of the City's adopted zoning

code, to allow the expansion of existing non-conforming structures without the requirement to add covered parking

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

Amendments were proposed to the zoning code to allow single family residences to increase the size of an existing structure, without requiring the construction of covered parking. Mr. Browne stated applicants have a significant increase in project costs when additions to their existing homes are proposed that often result in abandoning the project.

Mr. Browne stated the City code requires homeowners who do not have the required two covered parking spaces to construct the required covered parking as part of any home addition, regardless of size. He provided an example of a homeowner that had no covered parking and wanted to expand a kitchen by 3', they would be required to also build two covered parking structures as part of their project. Some homeowners calculated required parking into their project and others sought variances to the Board of Adjustment (BOA). He stated costs are not considered a hardship when requesting a variance. He shared applicants that could provide the covered spaces also had to seek variances for "lot coverage and floor-to-area ratio (F.A.R.)". A few homeowners were only able to meet the code by constructing canvas type shade structures or small carports, instead of a two car garage to satisfy the regulation requirement.

Mr. Browne summarized that today's consideration is changing the construction of a two car garage requirement, allow citizens to improve their properties without creating undo hardships and costs, and reduce the number of canvas shade structures being constructed within the City. He referenced the current code and presented information on proposed amendment under conditions.

On August 6, 2018, the Planning and Zoning (P&Z) Commission approved the amendments with the following recommendations: 1) No addition may be constructed that would prevent the construction of future covered parking structures, 2) a site plan showing the provision for future covered parking shall be provided, along with the Floor-to-Area ratio and Lot Coverage calculations.

Mayor Rosenthal opened the public hearing at 6:01 p.m.

The following citizen spoke on this matter:

Bill Kiel, resident, stated the idea had been discussed for several years. He expressed support of the amendment in the zoning code to include P&Z Commission's recommendations.

Mayor Rosenthal closed the public hearing at 6:02 p.m.

Councilmember Jessee clarified this is different from off street parking. He emphasized this is an opportunity to add a separate structure and not adding two parking garage spaces. He stated it maintains RDS and there is no advantage of building a bigger house. He provided an example and noted how the proposed amendment does not allow to build a bigger house in response to Councilmember Sharples' concern.

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

Item # 8 Mayor Rosenthal read the following caption.

Presentation of Proposed FY 2018 – 2019 Operating Budget and scheduling public budget hearings

City Manager Mark Browne made a PowerPoint presentation that included background information on the proposed budget which covers the operating expenditures and creates additional working capital of \$252,788, after transfers. He thanked the staff in preparation of the proposed budget and Finance Director Robert Galindo in working with all departments.

Mr. Browne stated the proposed budget includes the tax rate, general fund budget, Comprehensive Fund, Capital Projects, Street Maintenance Fund, Capital Replacement Fund, Utility Fund revenues and allocations, and Capital Projects Fund.

The FY 2018 proposed tax rate per \$100 valuation is 0.386439. He stated the proposed rate is slightly higher than the effective tax rate and two public hearings are required before adoption of the budget. The proposed Maintenance and Operation (M&O) rate is 0.336439 to pay for operations. The proposed Interest and Sinking (I&S) rate is 0.050000. Net revenue over expenses at year end information was presented at the proposed tax rate.

Mr. Browne presented information on the proposed General Fund and proposed Utility Fund Revenues/Allocation. A summary chart of the proposed General Fund (unreserved fund balance) beginning October 1, 2018 included operating revenues, departmental allocations, working capital from operations. A summary chart on the proposed Utility Fund revenues/allocations included revenues, operating expenses, working capital, capital expenditures, bond payment, and transfers to the General Fund. He further explained the revenues included a transfer from the reserves of \$335,000 and an 8% SAWS pass through rate increase. Operating expenses also included an 8% SAWS sewer pass through. Capital expenditures are the improvements made on Harrigan Court and the replacement of motor well # 4 for a total cost of \$630,000.

Budget information on other governmental plans: Comprehensive Plan, Street Maintenance, Capital Projects, and Capital Replacement were presented. He proposed \$30,000 in the Comprehensive Plan to continue tree planting and landscaping improvement in the City's Right-of-Way. He projected revenues in \$540,000 (due to ½

cent sales tax) in the Street Maintenance Fund with \$1M in expenditures. In the Capital Projects Fund, beautification efforts for cleanup of Olmos Basin and City Hall Public Areas are projects designated. Included also are the swimming pool improvements for a budget of \$200,000 and \$50,000 is earmarked for an architect/consultant for the Broadway Road Construction Project with the Texas Department of Transportation (TxDOT). Purchases within the Capital Replacement Fund include a transfer from the General Fund, replacement of one Police Interceptor, Police Department console upgrade, lease payment of four heart monitors, lease payment for 10 Self-Contained Breathing Apparatuses (SCBAs), stretcher payment, and \$50,000 for a Fire Saber pump.

Mr. Browne stated next steps would be scheduling the budget hearings and adoption of the proposed budget and tax rate. Consideration of proposed Budget FY 2018-2019 is on Monday, September 10, 2018.

Councilmember Savage thanked staff and commented the budget process is smoother and efficient.

A motion for approval was made by Councilmember John Savage to hold a public hearing for the consideration of the proposed Budget FY 2018-19 on Monday, September 10, 2018. The motion was seconded by Councilmember Jesse and passed by unanimous vote

Item # 9 Mayor Rosenthal read the following caption.

Discussion and possible action to set the proposed 2018 tax rate and scheduling public hearings

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

Mr. Galindo stated the tax rate is proposed to remain the same, 0.386439 per \$100 valuation. He stated the tax rate includes M&O and I&S rates. He stated the freeze adjusted taxable value is at \$1,349,915,649 as he explained the proposed tax rate and tax freeze revenue. He presented a chart to include proposed tax rate, taxable revenue and the tax freeze revenue and property tax revenue. He reviewed the effective and rollback tax rates and noted the proposed tax rate of \$0.386439 exceeds the effective tax rate of \$0.378306 and therefore the City is required to conduct public hearings. Bexar County Tax Assessor-Collector will publish notices pursuant to the Truth-In Taxation Guidelines. Council will consider the adoption of the proposed tax rate on Monday, September 24, 2018. Mr. Galindo added if the effective rate is proposed that will be the maximum tax rate possible.

Mr. Galindo presented the schedule of the respective budget and tax rate.

A motion was made by Councilmember Prassel that the proposed 2018 tax rate be \$0.386439 per \$100 valuation composed of the M&O rate of \$0.336439 and I&S rate of \$0.050000. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

A motion was made by Councilmember Prassel to schedule two public hearings for future consideration of the 2018 proposed tax rate on August 27, 2018 and September 10, 2018. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Item # 12 was considered next.

Item # 12 Mayor Rosenthal read the following caption.

Resolution No. 2018R – 103

Consider the Professional Fee Proposal from John Grable Architects Inc. for Architectural drawings for the renovation of the Judson Nature Trail building

Mr. Browne made a PowerPoint presentation that included background information and photos.

Mr. Browne provided a brief history of the building at the Jack Judson Nature Trails. He stated the building was built in 1965 on land owned and leased by the City of San Antonio (CoSA). The lease required the City to be responsible for all maintenance and improvements on the property. He stated the building is in need for improvements to include major repairs to the roof, interior, electrical, bathrooms, and plumbing, and bringing the structure up to existing building codes. He noted that architectural drawings are required for competitive bidding process for this project. Mr. Browne stated John Grable submitted a proposal.

The following were included in the proposal: 1) removal and placement of existing metal roof, all rotted tongue, groove timber, and sheathing; 2) renovate both bathrooms to meet Americans with Disabilities Act (ADA) requirements; 3) update/install lighting and electrical wiring along overhead and within display cases; and 4) repaint existing soffit, window frames and doors. Photos of the structure were presented. Mr. Browne explained ADA improvements need to be implemented since renovations are being made.

Mr. Browne reviewed the cost of architectural services to include project design, master planning phase, schematic design, design development phase, construction documents phase, and construction administration phase. He provided a range of \$75,000 to \$85,000 for building renovations. He shared Freese & Nichols submitted a cost of over \$100,000 for engineering fees for this project. He also reviewed the additional costs to include electrician fees.

Mayor Rosenthal commented people are utilizing the building and noted there was a concerned citizen regarding a conflict of interest by Mr. Grable.

Mr. Browne stated Mr. Grable signed an affidavit for the conflict of interest since he serves as a member on the Planning and Zoning Commission.

Councilmember Prassel noted the project fees are reasonable. Councilmember Jessee stated the building is unique and expressed appreciation to Mr. Grable for his extra efforts he had already done on this project. He stated as the project develops, please obtain alternates in pricing within the proposal.

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

Item # 10 was considered next.

Item # 10 Mayor Rosenthal read the following caption.

Resolution No. 2018R - 104

A Resolution approving a mutual aid law enforcement agreement between the cities of Alamo Heights and Olmos Park

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

Since April 28, 2003, there was a tri-city law enforcement mutual aid agreement. On April 9, 2018, Terrell Hills City Council voted to withdraw from the tri-city law enforcement mutual aid agreement and requested an exclusive agreement with the City of Alamo Heights. On April 23, 2018, Alamo Heights City Council passed independent resolutions enacting law enforcement mutual aid agreements with the City of Olmos Park and the City of Terrell Hills. A revised agreement was approved by the City of Olmos Park on July 19, 2018. This agreement will automatically renew for successive one year terms on the effective date unless 30 days notice of termination given to the other party in the agreement.

Mayor Rosenthal thanked Fire Chief Buddy Kuhn and Police Chief Rick Pruitt in meeting with the cities.

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

Item # 11 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2107

**AN ORDINANCE APPROVING A CONTRACT WITH
FUQUAY, INC. FOR THE 2018 STREET MAINTENANCE
PROGRAM AND AUTHORIZING THE CITY MANAGER
TO EXECUTE A CONTRACT FOR SUCH WORK**

Mayor Rosenthal announced that Councilmember Jessee will abstain in voting as he had worked with the business, Fuquay, Inc.

Public Works Director Pat Sullivan made a PowerPoint presentation that included background information and the bid process.

Mr. Sullivan stated Freese & Nichols provided engineering services in securing bids for the 2018 Street Maintenance Program (SMP) at a cost of \$58,898. The bid was published in the *San Antonio Express-News* on July 4th and July 11th. He stated four bids were submitted. On July 23, 2018, the City received four bids with Fuquay, Inc. submitting the lowest bid offer. Other bids submitted were from Oldcastle Materials, Lone Star Paving, and Clark Construction. Freese and Nichols recommended the award to Fuquay, Inc.

Mr. Sullivan identified the streets considered for 2018 street improvements and stated the project consists of approximately 73,000 square yards of roadway improvements, utilizing both milling and overlay of existing surfaces as well as some full depth reconstruction.

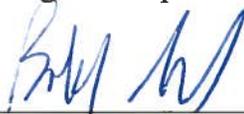
Mayor Rosenthal asked Mr. Sullivan to consider streets that will be impacted due to school schedule and holidays.

Mr. Sullivan stated he will be aware to plan accordingly.

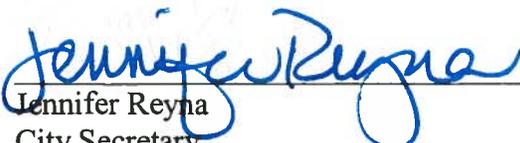
A motion for approval was made by Councilmember Savage to include cost of engineering fees. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

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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 Jessee and passed by unanimous vote. Mayor Rosenthal adjourned the meeting at 6:42 p.m.



Bobby Rosenthal
Mayor



Jennifer Reyna
City Secretary