

CITY OF ALAMO HEIGHTS
CITY COUNCIL
January 11, 2021

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, located at 6116 Broadway, San Antonio, Texas, at 5:30 p.m. on Monday, January 11, 2021. A teleconference was held via Zoom; staff and meeting attendees were welcomed in the Council Chambers entering City Hall via one entrance (rear of City Hall), answering health questions, health screening, wearing a mask and practicing social distancing.

Composing a quorum were:

Mayor Bobby Rosenthal
Mayor Pro Tempore John Savage
Councilmember Lawson Jessee
Councilmember Wes Sharples
Councilmember Blake M. Bonner – Via Zoom
Councilmember Lynda Billa Burke

Also attending were:

City Manager Buddy Kuhn
Assistant City Manager/Community Development Services Director Nina Shealey
City Attorney Frank Garza
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles
Director of Finance Robert Galindo
Human Resources Manager Lori Harris
Police Chief Rick Pruitt
Fire Chief Michael Gdovin

Absent was:

Public Works Director Pat Sullivan

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Mayor Bobby Rosenthal opened the meeting at 5:33 p.m.

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Assistant to City Manager Jennifer Reyna explained how citizens could participate via zoom. She advised citizens how to access PowerPoints related to agenda items they'd like to speak on and asked them to raise their hand by pressing *9.

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Item # 1 Approval of Minutes

Mayor Rosenthal asked City Council for a motion to approve the December 14, 2020 Council Meeting minutes. Mayor Pro Tem John Savage moved to approve the minutes as presented. The motion was seconded by Councilmember Lynda Billa Burke and passed by unanimous vote.

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Announcements

Item # 2 Mayor Rosenthal read the following caption.

a. Candidate Filing Period

City Secretary Elsa T. Robles announced the candidate filing period for the May 1, 2021 General Election starts on January 13, 2021 - February 12, 2021. Interested candidates can apply to serve a two-year term for Mayor, or Councilmember Place 1 or Place 2. In order to qualify, the candidate should be a resident of the City of Alamo Heights for at least one year and be a registered voter. She stated all applications, along with a \$100.00 filing fee should be turned in by 5:00 p.m. on February 12, 2021. Additional information is available on the City’s website and kiosk. Ms. Robles added that candidate packets could be picked up from her office or printed off from the City’s website.

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Item # 3 Citizens to be heard

Mr. Angel Santiago, resident, stated he was interested in participating in any initiatives for community advocacy or outreach in the City of Alamo Heights.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

Public Hearing. A request from J. Armando Juarez of Juarez Residential Design, representing Brandon Grossman, to encroach into the city’s right-of-way along Patterson Avenue for a period of five (5) years for the purpose of enclosing a portion of the driveway approach on the east side of 201 Argyle Avenue with a three (3) foot tall pedestrian and sliding vehicular gate.

Mayor Rosenthal opened the public hearing at 5:38 p.m.

Assistant City Manager/Community Development Services Department Director, Nina Shealey informed Council the Single Family–A home was located on Argyle and Patterson Avenue. The applicant was requesting a 5-year Right-of-Way (ROW) License Agreement that will allow them to enclose 680 sq ft of their existing driveway with a 3ft vehicular and pedestrian gate. She stated the applicant was requesting this for safety reasons.

Ms. Shealey reviewed pictures and renderings of the proposed gate and ROW encroachment. She added, per the City’s Code of Ordinances, Section 16-104: Licenses to use city rights-of-way or easements, City Council is able to grant these agreements to allow ROW to be used for private purposes. These included parking pads, fences or walls that enclose city

ROW, private property entry features such as gates and walls, or structures such as accessory buildings or pools.

In terms of fiscal impact, Ms. Shealey informed Council there would be a ROW License Agreement Fee. Per the City's code, it is greater of \$2,000 or 10% of the fair market value (FMV) of the area occupied by the encroachment. In this case, the area requested is 680 sq ft, the one-time fee assessed would be \$6,328.56.

Ms. Shealey stated public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website, mailed and posted on the property. No responses were received. She stated a citizen had reached out to Council concerned this may create a traffic issue. Ms. Shealey noted the gate would be off the right-of-way and would not block traffic.

Councilmember Lawson Jessee commented the applicant would be installing the gate at their own risk. He added, if the City needed to destroy the gate to get to the easement, the applicant would be responsible for all costs to rebuild the gate. Ms. Shealey agreed.

Mayor Rosenthal closed the public hearing at 5:44 p.m.

Item # 5 Mayor Rosenthal read the following caption.

Discussion and possible action on request from J. Armando Juarez of Juarez Residential Design, representing Brandon Grossman, to encroach into the city's right-of-way along Patterson Avenue

Councilmember Billa Burke moved to approve the encroachment into the city's right-of-way as requested. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 819F, request of John Grable, FAIA, of John Grable Architects, applicant, representing Frank E. Holmes, owner, for the significance review of the existing main structure located at 820 Cambridge Oval in order to demolish 100% of the existing residence and accessory structure(s) under Demolition Review Ordinance No. 1860.

Ms. Shealey stated the property was a Single Family-A located on Cambridge Oval and Morton. The applicant requested 100% demolition. She reviewed property and structure pictures demonstrating the current condition of the property and stated staff had not found any historical or architectural significance.

The Architectural Review Board reviewed this case on December 15, 2020 and also found no historical or architectural significance. The ARB recommended approval of the demolition.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website, mailed and posted on the property. Staff received four

responses in support, and one in opposition on this case. The opposed response was regarding compatibility issues and tree coverage which did not apply to the significance review.

Councilmember Jessee suggested staff set up a committee to review the City's design guidelines and bring them up to date. City Attorney Frank Garza reminded Council, Legislation had limited a city's ability to restrict building materials. Ms. Shealey added that any zoning guidelines would also go through the Planning and Zoning Commission, the Architectural Review Board, and the Board of Adjustment to review any proposed changes.

Councilmember Billa Burke moved to approve ARB Case No. 819F as requested. The motion was seconded by Mayor Pro Tem John Savage and passed by unanimous vote.

Architect John Grable took the time to invite Council to visit a project he's been working on located at 131 Cloverleaf. He stated the home was built in 1931 and he recruited a team of professionals that were able to save and preserve the home.

Item # 7 Mayor Rosenthal read the following caption.

Discussion and possible action regarding the implementation of an outdoor City-wide area Emergency Tornado warning siren(s)

Fire Chief Michael Gdovin stated he was providing more information regarding the outdoor emergency tornado warning siren and features on Wireless Emergency Alerts (WEAs). He conducted a survey of 122 agencies/municipalities that utilized outdoor tornado warning siren systems similar to the proposed siren for the City of Alamo Heights. He only received 4 responses and did not have any valid information from this survey to present to Council. There were no substantial responses specific to being able to hear the siren indoors. With further research, he found the City of Boerne did have an outdoor warning siren that they test every day at noon.

Fire Chief Gdovin spoke on the types of WEAs; Presidential Alerts, Public Safety Alerts, Amber Alerts, and Opt-in Test Messages. He stated you did not have to sign up for these alerts. If your mobile device is wireless emergency compatible, you will get the alerts automatically. These alerts are designed to inform you of imminent threats to safety or missing persons.

The Regional Emergency Alert Network (REAN) is also another free emergency notification tool for all citizens of Bexar County. Citizens have to opt-in/sign-up to receive these. Alerts are sent via cell phone or email and provide emergency responders options to reach residents and businesses in the event of an emergency.

Fire Chief Gdovin reviewed the total cost of \$56,424.75 for the proposed emergency storm siren and informed Council of the testing requirements for the outdoor siren. He stated the President of Storm Sirens advised that a simple test lasting 4-5 seconds would only validate the radio frequency is connecting to the siren; however, it would not test the siren itself. The recommendation is to run the siren for 3 minutes to ensure it is working properly. As the Emergency Manager, Fire Chief Gdovin would opt to test the siren for the 3 minutes at least once a month.

Mayor Rosenthal requested to hear citizens waiting on Zoom to speak on this item.

- Mr. Ben Losack, resident, opposed the siren and was in favor of the free cell phone notification system.
- Mr. Jesus Perez, resident, thanked the Chief for keeping the community safe. He opposed the outdoor siren and preferred wireless alert systems.
- Mr. Peter Bourne, resident, was in favor of the outdoor emergency siren.
- Ms. Victoria Ledbetter, resident, opposed to the cost and noise nuisance since there plenty of available sources for emergency alerts.
- Ms. Jane Allgood, resident, supported the siren and stated the emergency siren alert could be used for any alert purposes. The City of Alamo Heights should have a manual plan.
- Ms. Nancy Dunson, resident, was in support of installing an emergency siren for the City.
- Ms. Betsy Hanzel, resident, was opposed to the siren and concerned with the safety of surrounding students at the daycare and schools.
- Ms. Gabrielle Newton, resident, was in opposition of the tornado siren since the City is not located in “Tornado Alley” and perhaps the community could look into purchasing radios to provide for those citizens that would like them.
- Mr. Parker Hanzel, resident, was opposed to the siren and concerned with devaluation of property values due the installation of a siren. He was in favor of wireless alerts.
- Ms. Judy King, resident, was opposed to the installation of a siren. She agreed that electronic notifications served their purpose to alert citizens.
- Mr. Ignacio Gallego, resident, was against the siren.
- Ms. Maggie Houston, resident, was in favor of the emergency siren and stated it is an important service to consider.
- Mr. William Wood, resident, was in opposition to the emergency siren and agreed wireless alerts would work better to alert citizens in an emergency.
- Mr. Wade Shults, resident, lives next door to city hall and opposed the siren.
- Mr. John Furr, resident, was in favor of installing an emergency siren.

Fire Chief Gdovin addressed some of the concerns mentioned by citizens. He informed Council the City’s dispatch RAVE system currently serves to alert citizens and to send messages independent from the other wireless alerts mentioned. He stated, if installed, the outdoor emergency siren computer interface will react to tornadic conditions identified in the area by NOAH to activate the siren. He reiterated the emergency siren is to alert people that are outdoors, not indoors.

With no one else waiting to speak via Zoom, Mayor Rosenthal requested to hear citizens who were present.

- Mr. John Joseph, resident, stated he had multiple conversations with representatives from Storm Sirens and was concerned with the different information received regarding testing of the siren from 3-4 seconds to 3 minutes. He was in favor of installing the siren and understood that there were other more technical avenues to receive alerts, but knew there were older citizens that were not tech savvy.
- Ms. Allison Craig spoke on behalf of Alamo Heights Presbyterian day school. If an emergency siren is installed, they were requesting the siren be tested on Saturday to avoid disturbing students who are 5 and under and avoid their hearing be impacted.
- Mr. Lydell Toye, resident, opposed the installation of an emergency siren. He asked if the City would be liable if a citizen is killed even though the siren sounded off during tornadic conditions. He suggested the City use the money to purchase portable devices for those wanting one.
- Ms. Karla Toye, resident, opposed the siren. She stated people are usually glued to their televisions during bad weather and felt that less expensive options. She was concerned with hearing loss in children at home or attending daycare, and people walking by. She suggested staff consider other alert devices.
- Mr. Steve Hanzel, resident, was in opposition. He stated citizens did not have storm shelters and most citizens did not have any place to go and did not know what to do in the event of a tornado.
- Mr. Alex Lucas, resident, was in favor of an outdoor emergency siren.
- Ms. Patricia Celis, resident, suggested the City educate people on what they need to do in the event of tornadic weather.

Mayor Rosenthal stated his concerns were not answered. He still did not know if the siren could be heard indoors or what the siren test timing would be.

Councilmember Jessee agreed and stated he did not know if the siren would wake people up in the middle of the night. He added the best way to warn people would be portable alerts.

Councilmember Blake Bonner stated the funds could better used in purchasing other devices for those citizens that do not have mobile devices.

Councilmember Billa Burke suggested the City create a program to educate the people on what to do in emergency situations. Councilman Wes Sharples agreed and stated the public needed to be educated and offered other options if they didn't want to use technology.

After some discussion, Council agreed not to act on this item and look for other avenues to educate the public in emergency situations. Item # 7 died for lack of motion.

Item # 8 Mayor Rosenthal read the following caption.

Resolution No. 2021R - 128

A Resolution Approving and Authorizing the City Manager to execute a contract with Linebarger, Goggan, Blair and Sampson, LLP to continue to collect Delinquent Taxes.

Finance Director Robert Galindo stated the City has a long and positive working history with Linebarger, Goggan, Blair and Sampson, LLP (LGB&S), and wished to continue this partnership. The firm has provided excellent collection services for 14 years by collecting fees for delinquent taxes. The firm works closely with Bexar County District Clerk, Sheriff's Department and Judiciary and is proactive in collecting taxes for Bexar County, Alamo Heights Independent School District and the City. The past collection rates over the past 14 years has been in the 96% to 99% range.

Mr. Galindo informed Council, Ordinance 2027, authorized an agreement from July 1, 2015 to June 30, 2020 and has since expired. The resolution being considered today exercises the option to renew the contract for a five-year period from July, 2020 to June 30, 2025. In the contract, the City shall have the option exercisable at any time to terminate for cause, giving thirty (30) days written notice. This resolution will be financially responsible by continuing to contract with LGB&S for the collection of delinquent taxes and provides the City with continued steady revenue source with minimal impact to the City.

Councilmember Billa Burke moved to approve the resolution and authorize the City Manager to execute a contract with Linebarger, Goggan, Blair and Sampson, LLP as presented. The motion was seconded by Mayor Pro Tem Savage and passed by unanimous vote.

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With no further business to consider, Mayor Rosenthal thanked everyone for their participation and asked for a motion to adjourn. Councilmember Bonner moved to adjourn the meeting at 9:32 p.m. The motion was seconded by Councilmember Sharples and passed by unanimous vote.



Elsa T. Robles, TRMC
City Secretary



Bobby Rosenthal
Mayor

