

CITY OF ALAMO HEIGHTS
CITY COUNCIL
February 10, 2025

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chamber, located at 6116 Broadway, San Antonio, Texas, at 5:30 p.m. on Monday, February 10, 2025. A teleconference was held via Zoom; staff and meeting attendees were welcomed in the Council Chamber.

Composing a quorum were:

Mayor Bobby Rosenthal
Mayor Pro Tem Lynda Billa Burke
Councilmember Lawson Jessee
Councilmember Karl P. Baker
Councilmember Blake M. Bonner
Councilmember Trey Jacobson

Also attending were:

City Manager Buddy Kuhn
Assistant City Manager Phillip Laney
City Attorney Frank J. Garza
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles
Director of Finance Robert Galindo
Police Chief Rick Pruitt
Public Works Director Frank Orta
Community Development Services Director Lety Hernandez

Not attending:

Fire Chief Allen Ottmers
Deputy Police Chief Cindy Pruitt

* * *

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

* * *

Item # 1 Approval of Minutes

Mayor Rosenthal asked the City Council for a motion on the January 13, 2025 City Council Meeting minutes. Councilmember Trey Jacobson moved to approve the minutes as presented. The motion was seconded by Mayor Pro Tem Lynda Billa Burke and passed by unanimous vote.

Mayor Rosenthal asked the City Council for a motion on the January 27, 2025 City Council Meeting minutes. Mayor Pro Tem Billa Burke moved to approve the minutes as presented. The motion was seconded by Councilmember Jacobson and passed by unanimous vote.

* * *

Item # 2 Announcements

Mayor Rosenthal read the following caption.

a. Recognition of City Secretary Elsa T. Robles

City Manager Buddy Kuhn stated he was privileged to recognize Elsa Robles. He noted City Attorney Frank Garza had recommended Ms. Robles who has been the City Secretary of Alamo Heights since 2020. She is responsible for elections/election laws, is the official custodian of records and official council minutes, oversees council package preparation, is responsible for open records requests, records retention, and destruction.

Mr. Kuhn commented Ms. Robles is invaluable to the city team and her accomplishment exemplifies her dedication to her profession with over two hundred required hours to earn her Texas Registered Municipal Clerk (TRMC) recertification. He shared Ms. Robles first received her certification in 2020 through the University of North Texas and is required to recertify every five years. Additionally, she is currently working on a designation from the International Institute of Municipal Clerks (IIMC).

Mr. Kuhn stated he wanted to recognize Ms. Robles and share how proud staff was of her accomplishments. City Council congratulated her and thanked her for her dedication.

* * *

Item # 2 Citizens to be Heard

Mr. Nick Holman, resident, shared his concerns with the crosswalk near Cambridge Elementary School on Broadway and Circle Street. He stated a person was hit and killed while jogging across the street at that crosswalk. Since then he has observed children/parents stuck in the middle of Broadway at that crosswalk with cars driving by at a high rate of speed. He asked City Council to address this issue and make the location a safer crossing.

* * *

Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

Public Hearing – Planning and Zoning Case No. 445. A request of Joshua Ficarra, applicant, representing The San Antonio Country Club, owner, to replat the properties identified as CB 5600, BLK 3, LOT 30, also known as 137 Burr Rd, CB 5600, BLK 3, LOT 31, also known as 141 Burr Rd, CB 5600, BLK 3, LOT 32, also known as 149 Burr Rd, CB 5600, BLK 3, LOT 33, also known as 151 Burr Rd, and CB 5600, BLK 3, LOT 38, also known as 159 Burr Rd.

Community Development Services Department Director Lety Hernandez stated this was a request to replat five properties into one. The Multi-Family (MF-D) properties are located at 137, 141, 149, 151, and 159 Burr Rd on the north side and west of N New Braunfels. She noted the property on the corner of N New Braunfels and Burr was replatted about a year ago.

Ms. Hernandez provided some background information. The lot located at 153 Burr Rd was previously rezoned from MF-D to Parking (P) in 2022. The lots located at 153, 157, and 159 Burr Rd were replatted into one in 2023. In 2024, the lots located at 137, 141, 149, and 151 Burr Rd. were also rezoned from MF-D to P contingent upon all improvements complying with the zoning ordinance.

Ms. Hernandez reviewed existing conditions and proposed replat. She stated the proposed lot area exceeds the minimum required, which is 7,500 square feet. A lot width minimum of 50 feet is required. She noted there is not a total overall shown on the plat; however, based on the dimensions between the property pins, it is about a 380-foot frontage.

CPS, SAWS, and Public Works have yet to give approval of the proposed replat regarding potential impact on utilities and will be required to approve before releasing it for recordation. The Planning and Zoning Commission (PZ) considered the request at their February 3, 2025 meeting and voted unanimously to recommend approval of the proposed replat as requested.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website and on the property. A legal notice was published in the *San Antonio Express-News*. Staff received four responses in support, one neutral response referencing conditional support dependent upon construction of a privacy fence and lighting of alley to preserve safety.

Mayor Rosenthal opened the public hearing at 5:37 p.m. With no one to speak on the item, he closed the public hearing at 5:38 p.m.

Item # 5 Mayor Rosenthal read the following caption.

Discussion and possible action on Planning and Zoning Case No. 445, a request of Joshua Ficarra, applicant, representing The San Antonio Country Club, owner, to replat the properties identified as CB 5600, BLK 3, LOT 30, also known as 137 Burr Rd, CB 5600, BLK 3, LOT 31, also known as 141 Burr Rd, CB 5600, BLK 3, LOT 32, also known as 149 Burr Rd, CB 5600, BLK 3, LOT 33, also known as 151 Burr Rd, and CB 5600, BLK 3, LOT 38, also known as 159 Burr Rd.

After a brief discussion, Councilmember Jacobson moved to approve Planning and Zoning Case No. 445 as presented. The motion was seconded by Councilmember Lawson Jessee and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

Public Hearing – Planning and Zoning Case No. 446. A request of D. Scott Dye, applicant, representing Laura Nell and Jesse B. Burton, owners, to replat the properties identified as CB 4024, BLK 58, LOT 9, also known as 222 Claiborne Way, and CB 4024, BLK 58, LOT 10.

Ms. Hernandez stated the Single-Family A (SF-A) lots are located at 222 Claiborne Way on the east side of between Crescent St and Harrison Ave. The applicant wishes to replat two lots into one. She stated historically, the two lots have been used as one property, but had not been formally replatted. The minimum requirement for lot area coverage in a SF-A is 8,400 sq ft. The applicant proposes 15,067 sq ft. A 60 ft lot width is required, and they are proposing 100 ft.

Ms. Hernandez explained the replat would address existing nonconformities pertaining to the lot width, increasing from 50 ft to 100 ft and would address the lot coverage currently at 46.37%. That would decrease to 23.08% of the 40% max allowed. The floor area ratio of .715 will decrease to .356 of the .490 max allowed with bonus if they preserve the main structure. Additionally, it would address the garage looming on the northern property line which is currently in violation. She noted part of Lot 10 is located in the floodway and subject to floodplain development permit.

In reference to potential impact on utilities, CPS, SAWS, and Public Works have given approval of the proposed replat. The PZ considered the request at their February 3, 2025 meeting and voted unanimously to recommend approval of the proposed replat as requested.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website and on the property. A legal notice was published in the *San Antonio Express-News*. Staff received six responses in support and none in opposition.

Mayor Rosenthal opened the public hearing at 5:45 p.m. With no one to speak on the item, he closed the public hearing at 5:46 p.m.

Item # 7 Mayor Rosenthal read the following caption.

Discussion and possible action on Planning and Zoning Case No. 446, a request of D. Scott Dye, applicant, representing Laura Nell and Jesse B. Burton, owners, to replat the properties identified as CB 4024 BLK 58 LOT 9, also known as 222 Claiborne Way, and CB 4024 BLK 58 LOT 10.

After a brief discussion, Councilmember Jacobson moved to approve Planning and Zoning Case No. 446 as presented. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

Item # 8 Mayor Rosenthal read the following caption.

RESOLUTION NO. 2025R - 202

A RESOLUTION OF THE CITY OF ALAMO HEIGHTS, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE ALAMO HEIGHTS POOL POCKET PARK; AND SETTING AN EFFECTIVE DATE.

Assistant City Manager Phillip Laney stated the item is to propose a firm to provide architectural design services for improvements at the Alamo Heights pool. Staff proposes negotiating with Ford, Powell & Carson Architects & Planners (FPC) to provide the design for the park improvements.

The City is considering a project to construct a pocket park outside the pool fence, near the current entrance. It will be a fenced seating area with shade and will support year-round concession sales. The architecture design services would be for the city improvements outside the pool fence.

Mr. Laney stated the city issued a Request for Qualifications (RFQ) for architectural design services. Staff advertised this in the *San Antonio Express-News* in December received two responses, from Debra J. Dockery, Architect, P.C. and Ford, Powell & Carson Architects & Planners, Inc. (FPC).

The RFQs received were evaluated according to qualifications & relative experience, team composition, responsiveness to RFQ, and previous project performance. FPC was determined to be the highest qualified firm by the review panel which consisted of Mr. Kuhn, Mr. Laney, and Public Works Director Frank Orta. City Council may request interviewing respondents; however, if no interview is requested, City staff proposes to select FPC as most qualified and authorize the City Manager to negotiate fee for services.

Mr. Laney commented the proposal is consistent with TX Local Government Code Sec. 2254.004 to require only a firm's qualifications to be the determining factor for selecting professional architectural services. If fee negotiations fail, negotiations will be formally terminated, and the City may proceed with negotiations with second responding firm or reject all firms. He added the proposed item was coordinated with the City Manager and City Attorney.

The fiscal impact of the proposed architecture services with Ford, Powell & Carson Architects and Planners for improvements at the Alamo Heights pool pocket park is subject to fee negotiations. Once negotiated, staff will present the proposed construction contracts to City Council for consideration.

Councilmember Baker questioned the scoring of the two proposals. Mr. Laney clarified that FPC had scored higher due to their experience and could offer a unique or more amenable design representing the community.

Councilmember Baker asked if the timing of the RFQ during the holidays prevented interested firms from submitting proposals. Mr. Laney acknowledged that only two were received but had not heard concerns from other firms about the timing of the RFQ. Councilmember Jessee commented he had attempted to recruit firms on his own, but stated many firms are not interested in small projects such as this.

Mr. Kuhn stated if there was concern from Council about the limited proposals for RFQs, staff could reject the two proposals and advertise again. Councilmember Blake M. Bonner noted staff had met all the legal requirements and did not think it was necessary to go out for proposals again.

Councilmember Jessee moved to approve Resolution No. 2025R - 202 authorizing the City Manager to negotiate a contract for architectural design services for the Alamo Heights pool pocket park. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

Item # 9 Mayor Rosenthal read the following caption.

RESOLUTION NO. 2025R - 203

Grant Number: 5330401

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, FOR AN EQUIPMENT GRANT TO PURCHASE RIFLE RESISTANT BODY ARMOR FOR THE POLICE DEPARTMENT AND AUTHORIZING THE CHIEF OF POLICE TO ACT ON BEHALF OF THE CITY OF ALAMO HEIGHTS IN ALL MATTERS RELATED TO THE APPLICATION; AND SETTING AN EFFECTIVE DATE.

Police Chief Rick Pruitt stated staff is seeking approval of a resolution authorizing a grant application to the Office of the Governor, Criminal Justice Division, for the purchase of twenty-three rifle resistant body armor units to replace the current inventory exceeding the five-year recommended replacement period. The grant was initially offered in 2017 to protect law enforcement agencies due to the increase of high-powered rifles being used against officers.

United Shield Level IV rifle resistant body armor was chosen by AHPD as a replacement. It is the same body armor purchased in 2018 and has served the officers well. The vest is effective, and many agencies use it. The current staffing needs are twenty-three vests priced at \$471.79 each – total \$10,851.17. No matching funds are anticipated, but the proposed resolution provides for matching funds if necessary.

Police Chief Pruitt stated there are four requirements for the resolution, authorization from the governing body, a commitment to provide any applicable matching funds, designation of an authorized official (Police Chief Pruitt), and written assurance the governing body will return all funds lost or misused. He noted City Council has the authority to pass resolutions authorizing grant applications made in the name of the City of Alamo Heights and designate an authorized official to act on its behalf in meeting the requirements of the grant. The proposed resolution was prepared by the City Attorney and reviewed by the City Manager.

Police Chief Pruitt stated no fiscal impact is expected if the full requested grant is awarded; however, any remaining balance would be paid from the police department seizure funds.

Councilmember Jessee moved to approve Resolution No. 2025R - 203 authorizing the AHPD's participation in a grant offered by the Office of the Governor, Criminal Service Division for the purchase of rifle resistant body armor for officers. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

Item # 10 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2236

AN ORDINANCE ORDERING A GENERAL ELECTION IN THE CITY OF ALAMO HEIGHTS, TEXAS, TO BE HELD ON THE 3rd DAY OF MAY, 2025, FOR THE ELECTION OF THE MAYOR AND TWO COUNCIL MEMBERS FOR PLACES ONE (1), TWO (2), FOR THE TERM OF SUCH OFFICES TO BE TWO (2) YEARS AND COUNCIL MEMBER FOR PLACE FIVE (5) FOR THE TERM OF ONE (1) YEAR FOR THE REMAINDER OF THE TERM AS PROVIDED BY THE CITY CHARTER, TERMINATING WHEN THEIR SUCCESSORS ARE ELECTED AND QUALIFIED; DESIGNATING, BEXAR COUNTY ELECTIONS ADMINISTRATOR, AS THE ELECTION ADMINISTRATOR TO CONDUCT SAID ELECTION; DESIGNATING THE POLLING PLACES; DESIGNATING FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SAID ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

City Secretary Elsa T. Robles announced she was presenting the first of two ordinances regarding upcoming May 3, 2025 elections. This ordinance was to order a General Election in the City of Alamo Heights for the election of Mayor and three Council Members for Places One (1), Two (2), and Five (5) and designating Jacquelyn F. Callanen, Bexar County Elections Administrator or her replacement as the Election Administrator.

Bexar County conducts both Early Voting and Election Day activities and provide voting opportunities through Ballot by Mail and Curbside Voting by appointment or upon arrival at a polling location. Early voting is April 22nd – April 29th, 2025 with Lion's Field Community Center and Tobin Library being nearby Early and Election Day polling sites. On Election Day, May 3, 2025, the Alamo Heights City Hall will serve as a polling site. Hours will be from 7:00 a.m. – 7:00 p.m.

Ms. Robles informed City Council that Bexar County serves as an official Voter Center model as approved by the Texas Secretary of State. This allows Bexar County voters to vote at any designated Bexar County polling site, as practiced during Early Voting. She added Election information will be available on the City's website, kiosk, and March/April newsletters. Information will also be published in the *San Antonio Express-News* on April 9th & April 16th and *La Prensa* on April 13th and April 20th.

The candidate filing period began January 15, 2025 and will end on February 14, 2025 at 5:00 p.m. Any interested candidates must submit their application along with a \$100 filing fee before the deadline. A list of qualifications is available on the City's website. The terms for Mayor and Councilmembers Places 1 & 2 are for two years and Councilmember Place 5 is for one year to fill an unexpired term left by former Councilmember John Savage in August 2024.

Ms. Robles explained the City Council is required by state law to order a general election for city officials. In reviewing fiscal impact, Ms. Robles stated the City pays within the range of \$3,660 - \$5,000 per election. With the consideration of the City conducting two elections this year, if the City cancels the general election due to unopposed positions, there will be no additional costs. State law requires the City Council to order a general election for city officials.

Mayor Pro Tem Billa Burke moved to approve Ordinance No. 2236 ordering a General Election to be held on May 3, 2025. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

Item # 11 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2237

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS TO ORDER A SPECIAL ELECTION TO BE HELD IN THE CITY OF ALAMO HEIGHTS, TEXAS ON MAY 3, 2025 FOR THE PURPOSE OF VOTING ON REAUTHORIZING ONE-HALF OF ONE PERCENT OF THE LOCAL SALES AND USE TAX TO CONTINUE TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AND DESIGNATING BEXAR COUNTY ELECTIONS ADMINISTRATOR, AS THE ELECTION ADMINISTRATOR TO CONDUCT SUCH ELECTION, RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.

Ms. Robles presented the second ordinance ordering a Special Election to be held on May 3, 2025 for the consideration of reauthorization of a local sales and use tax at the rate of one-half of one percent. If passed, it will continue to fund the 20-year Street Maintenance Program for the maintenance and repair of municipal streets. The ordinance will also designate Jacquelyn F. Callanen or her replacement as the Election Administrator for this election.

Ms. Robles provided some background information on the Special Election. On November 8, 2016, reauthorization of one-fourth percent sales and use tax for street maintenance was approved by voters and again on May 6, 2017. On May 1, 2021, a one-half of one percent sales and use tax for street maintenance was approved by the voters. Revenues based on sales tax (one-half of one percent) will expire on September 30, 2025. If voters approve the special election, the sales tax will take effect October 1, 2025 and expire on September 30, 2029 for a period of four years.

Like the General Election, the Special Election early voting will also be held April 22nd – April 29th, 2025 with Lion's Field Community Center and Tobin Library being nearby early polling sites. The Alamo Heights City Hall will serve as an Election Day polling site on May 3, 2025 during the hours of 7:00 a.m. – 7:00 p.m.

Ms. Robles reminded Council, Bexar County serves as an official Voter Center model as approved by the Texas Secretary of State and allows voters to vote at any designated Bexar County polling site during Early Voting and on Election Day. Information on the Special Election will also be available on the City's website, kiosk, and March/April newsletters.

Information will be published in the *San Antonio Express-News* on April 9th & April 16th and *La Prensa* on April 13th and April 20th.

Per Texas Tax Code, Chapter 327 requires a city election to be held for the purpose of voting on the proposed adoption of a municipal sales and use tax for street maintenance.

Ms. Robles closed by stating the one-half of one percent would generate approximately \$868,811 in total revenue during the 2025-2026 fiscal year.

Mayor Pro Tem Billa Burke moved to approve Ordinance No. 2237 ordering a Special Election to be held on May 3, 2025. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

Item # 12 Mayor Rosenthal read the following caption.

RESOLUTION NO. 2025R - 204

**A RESOLUTION GRANTING CERTAIN CITY OFFICIALS
SIGNATORY AUTHORITY FOR FINANCIAL
TRANSACTIONS.**

Finance Director Robert Galindo stated the proposed resolution is to update the current list of City officials signing on current bank accounts due to personnel changes with the recent retirement of Fire Chief Michael Gdovin. The City maintains one (1) operating account, one (1) zero balance payroll account, one (1) savings account that will be closed due to in activity, and one (1) investment CD, seven (7) investment pool accounts, and two (2) U.S. agency bonds.

The resolution authorizes at least one of the following City officials to execute checks, drafts, transfers, and two signors for wire transfer withdrawals, other withdrawals from the operating bank account and one authorized signer for payroll.

The resolution designates the following City officials as authorized signers:

Robert Galindo	Richard Pruitt
Buddy Kuhn	Allen Ottmers
Phillip Laney	Elsa T. Robles
Jennifer Reyna	Bobby Rosenthal

Mr. Galindo advised it is appropriate and necessary to authorize City officials to sign financial transactions in order to process prompt payment on behalf of the City. Additionally, there is no negative fiscal impact on the City in reference to this resolution.

Councilmember Jessee moved to approve Resolution No. 2025R – 204 as presented. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

*

*

*

Closed Session

Item # 13 Mayor Rosenthal read the following caption.

Executive Session as authorized by the Texas Government Code Section 551.074 (personnel matters) to discuss the employment, evaluation, contract, and duties of the City Manager.

The City Council of the City of Alamo Heights convened into Closed Executive Session at 6:12 p.m. and reconvened in Open Session at 6:34 p.m. in accordance with the Texas Open Meetings Act, Texas Government Code, *Section §551.074 (Personnel Matters)*.

* * *

Open Session

Item # 14 Mayor Rosenthal read the following caption.

Discussion and possible action resulting from Executive Session.

No action taken.

* * *

With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 6:35 p.m. The motion was seconded by Councilmember Jacobson and passed by unanimous vote.

PASSED AND APPROVED THIS 24th DAY OF FEBRUARY, 2025.


Elsa T. Robles, TRMC
City Secretary


Bobby Rosenthal
Mayor

