

CITY OF ALAMO HEIGHTS
CITY COUNCIL
February 13, 2023

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 13, 2023. 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 Lawson Jessee
Councilmember Wes Sharples
Councilmember Blake M. Bonner
Councilmember Lynda Billa Burke
Councilmember John Savage

Also attending were:

City Manager Buddy Kuhn
City Attorney Frank J. Garza
Assistant City Manager Phil Laney
Assistant to City Manager Jennifer Reyna – Via Zoom
City Secretary Elsa T. Robles
Director of Finance Robert Galindo – Via Zoom
Community Development Services Director Lety Hernandez
Police Chief Rick Pruitt
Fire Chief Michael Gdovin
Deputy Police Chief Cindy Pruitt
Public Works Director Pat Sullivan

Absent:

Human Resources Manager Brenda Jimenez

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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 Bobby Rosenthal asked City Council for a motion on the January 09, 2023 City Council Meeting minutes. Councilmember Wes Sharples moved to approve the minutes as presented. The motion was seconded by Councilmember Blake M. Bonner and passed by 4-0 vote.

Mayor Rosenthal asked City Council to consider the January 23, 2023 City Council Meeting minutes. Councilmember Blake M. Bonner moved to approve the minutes as presented. The motion was seconded by Councilmember Lynda Billa Burke and passed by 4-0 vote.

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Item # 4 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2198

AN ORDINANCE ORDERING A GENERAL ELECTION IN THE CITY OF ALAMO HEIGHTS, TEXAS, TO BE HELD ON THE 6TH DAY OF MAY, 2023, FOR THE ELECTION OF THE MAYOR AND TWO COUNCIL MEMBERS FOR PLACES ONE (1), AND TWO (2), AS PROVIDED BY THE CITY CHARTER, THE TERM OF SUCH OFFICES TO BE FOR TWO (2) YEARS TERMINATING WHEN THEIR SUCCESSORS ARE ELECTED AND QUALIFIED; DESIGNATING JACQUELYN F. CALLANEN, 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 stated she was presenting an ordinance ordering a General Election for the City of Alamo Heights to be held May 6, 2023 to elect a Mayor and two Councilmembers: Place One and Place Two. The ordinance also designates Bexar County Elections Administrator Jacquelyn F. Callanen as the Election Administrator.

Bexar County conducts both Early Voting and Election Day activities. Other voting opportunities are Ballot by Mail and Curbside Voting by appointment or upon arrival at a polling location. Early voting is April 24th – May 2nd, 2023 with Alamo Heights ISD, Lion's Field Community Center, and Tobin Library as nearby Early and Election Day polling sites. Alamo Heights City Hall will serve as a polling site from 7:00 a.m. – 7:00 p.m. on Election Day.

Ms. Robles explained Bexar County practices the 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 during Early Voting and on Election Day. All related Election information is available on the City's website, kiosk, and in the March & April City newsletters. Election information will also be published in the San Antonio Express-News and La Prensa on April 12th and April 19th.

Ms. Robles stated historically, the City pays an average cost of \$3,660 - \$5,000 per election. However, if the City cancels the general election due to unopposed positions, no cost will be incurred.

State law requires the City Council to order a general election for city officials. Mayor Pro Tem Jessee moved to approve Ordinance No. 2198 ordering a General Election in the City of Alamo Heights, Texas to be held on May 6, 2023. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

Item # 5 Mayor Rosenthal read the following caption.

RESOLUTION NO. 2023R - 161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH WILLDAN FINANCIAL SERVICES TO PERFORM A RATE STUDY FOR WATER AND WASTEWATER RATES AND TO PERFORM A METERING SYSTEM ASSESSMENT STUDY

Assistant City Manager Phil Laney stated the item for consideration is a Resolution awarding a contract to Willdan Financial Services to perform a rate study for water/wastewater rates and authorizing the City Manager to negotiate and execute a contract for such services. If authorized, it would permit Willdan Financial Services to update the water and sewer rate study. Willdan conducted the previous rate study in 2018, at which time Council adopted increases over 3 years. The last increase occurred in March 2021 and are in effect today. He added the study would analyze future operations, projects, maintenance, and customer fee rates to cover expenses. A water meter assessment is also included.

In 2018 Willdan Financial completed a rate study for the City and recommended rate increases each year for 10 years, about 5% each year. In October 2018, Council adopted rate increases for 3 years, beginning in March 2019. Those increases were 5% for water/wastewater and SAWS passthrough.

Mr. Laney explained the Utility Fund is a self-sustaining fund which relies on user rates to pay for its operations, debt service and infrastructure improvements for water and sewer systems. The proposed updated rate study will recommend rates to cover expenses for the next 10 years. The goal is to maintain a reliable and efficient utility system to provide safe water to our residents.

The Utility Fund also covers expenses related to Capital Improvement projects. Some upcoming projects include: a 4 x 2 to be completed in 2030, replacement of water and sewer lines within the Broadway Improvement Project, maintenance of water towers, water meter replacement, conversion of cubic meters to gallon meters. Debt service obtained for capital expenditures and operational expenses such as personnel and system maintenance are also covered.

Mr. Laney stated if approved, the rate study would compare existing rates to surrounding cities. It would update the rate study from 2018 with current operating costs/revenues and provide a forecast for 10 years with rate a structure to meet all operations/infrastructure improvements. The study would offer alternate rate structures and provide preliminary recommendations to Council and staff prior to adoption. Additionally, consultants would attend 4 in-person meetings to provide feedback on the study.

The proposed study would provide a meter assessment and would analyze the water infrastructure and clean water delivery system. It would compare existing infrastructure with current systems to identify gaps; operational capabilities, efficiencies, cost savings and revenue.

The study will help determine any funding eligibility for potential infrastructure improvements from Infrastructure Investment and Jobs Act (IIJA).

Mr. Laney advised three vendors were informally solicited for proposals. As required per the Texas Government Code, 2 Historically Underutilized Businesses (HUB) were contacted for purchases between \$3,000 to \$50,000. Two proposals were received. These were: Blackbridge Consulting – submitted proposal, AMD consulting on the HUB list – did not respond, and Willdan Financial Services – submitted proposal.

Mr. Laney stated Willdan Financial Services represents the best value. They have years of experience and expertise in water and wastewater. The City has prior positive experience with Willdan. The cost proposals received were: Willdan \$29,500 & Blackbridge \$16,000; however, staff recommends Willdan Financial who has the best qualifications due to their comprehensive and depth of experience in conducting water and wastewater rate studies in Texas and nationally. The City’s fiscal impact with Willdan Financial is \$29,500. These funds are available in FY 2023 Utility Fund Budget.

Council discussed a possible “in house” rate study. City Manager Buddy Kuhn explained studies such as these, take up to three months to complete and staff does not have the ability to do this in the timeline required. He stated the City’s fiduciary responsibility is to study the health of water systems and identify possible rate increases and meter replacements. Mr. Kuhn added, if Council approves, Willdan will present their finding during the Strategic Action Workshop in June.

Councilmember Bonner noted the cost difference between both proposals and asked for clarification on staff’s recommendation to choose Willdan over Blackbridge Consulting. Mr. Laney advised Blackbridge Consulting has six years of small business consulting, not specific to water/wastewater analysis. Staff has prior experience with Willdan who has many years of expertise in water/wastewater analysis.

Mr. Kuhn commented Blackbridge Consulting has worked on one study relating to water/wastewater and does not have the experience staff is seeking. He added Willdan’s proposed cost is the same as it was in 2018.

After further discussion, Mayor Pro Tem Jessee moved to approve Resolution No. 2023R-161 as presented. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

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Staff Reports

Item # 6 Mayor Rosenthal read the following caption.

Briefing on the 2022 Racial Profiling Annual Report prepared in compliance to the Texas Racial Profiling Law

Chief of Police Rick Pruitt presented the 2022 Racial Profiling Annual Report. He stated this was to inform Council of the Texas Racial Profiling Law. The Texas Code of Criminal Procedure Article 2.132 was created in 2001 with the passage of Senate Bill 1074. This began the racial profiling effort to document officer activities and how it impacts the different demographics in the neighborhoods. It was amended in May 2017 as Senate Bill 1849 (Sandra Bland Act) which requires a statistical analysis to be conducted. All these laws created Code of Criminal Procedure (CCP) Articles 2.131 thru 2.134 of which the Alamo Heights Police Department (AHPD) complies. An annual racial profiling report must be provided to City Council before March 1st.

Police Chief Pruitt briefly explained Senate Bill 1849 expanded data collection requirements to include: all traffic stops or pedestrian contacts resulting in a warning citation, court citation or an arrest, gender, ethnicity, contact reason, description of contraband discovered, offense description, roadway description, physical force resulting in injury. He noted AHPD has electronic ticket writers that help generate the required report. The ticket writers gather the data and are programed so that every data field is filled out.

Police Chief Pruitt provided some data gathered to create the report. He stated AHPD had 5,185 contacts of which 2,963 citations were issue for 4,592 offenses (more than one offense per ticket). AHPD issued 2,173 warnings with 5,564 offenses (more than one offense per ticket). This was a total of 10,156 offenses committed. He added there were 49 arrested drivers during traffic stops – 73% or 7,406 offenses were committed by non-residents.

A comprehensive analysis of enforcement action data relating to ethnicity and gender is compiled. The Alamo Heights Police Department (AHPD) complies with CCP Article 2.134. The annual report also contains information relevant to AHPD policies such as prohibiting racial profiling and addressing citizen complaints, training/education mandates, and requires video and voice recordings.

Police Chief Pruitt stated the 2022 Alamo Heights statistical data is compared to the City of San Antonio and Bexar County demographics. Most Police contacts are with people commuting through the City, not Alamo Heights residents. The total contacts for AHPD were 7,357 with 70.2% being White, 0.7% African-American, and 24.7% being Hispanic/Latino.

The content of the racial profiling annual report reaffirms AHPD's commitment to unbiased policing, reinforces public confidence, and mutual trust. It protects officers from unwarranted accusations of misconduct.

Police Chief Pruitt summarized the 2022 Racial Profiling Report verifies AHPD complied with all the requirements. There were no public or internal complaints made suggesting racial profiling by any police officer. Analysis of all data collected verifies AHPD officers do not participate in racial profiling.

The racial reporting data has been entered into the State database for public viewing. The 2021 Racial Profiling Report will be posted on the City's website and copies will be available upon request.

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Closed Session

Item # 7 Mayor Rosenthal read the following caption.

Executive Session as authorized by the Texas Government Code Section 551.071 (consultation with attorney) to discuss pending or contemplated litigation: Cause No. 2020-CI-04375; Gillespie Real Estate, Inc, et al v. Lead Funding, LLC.

The City Council of the City of Alamo Heights convened into Closed Executive Session at 6:10 p.m. and reconvened in Open Session at 6:18 p.m. in accordance with the Texas Open Meetings Act, Texas Government Code, *Section §551.071 (Consultation with Attorney)*.

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Open Session

Item # 8 Mayor Rosenthal read the following caption.

Discussion and possible action resulting from Executive Session

No action taken.

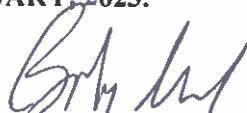
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With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 6:19 p.m. The motion was seconded by Mayor Pro Tem Jessee and passed by unanimous vote.

PASSED AND APPROVED THIS 27th DAY OF FEBRUARY, 2023.



Elsa T. Robles, TRMC
City Secretary



Bobby Rosenthal
Mayor

