

CITY OF ALAMO HEIGHTS
CITY COUNCIL
February 14, 2022

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 14, 2022. 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 Tempore Lynda Billa Burke
Councilmember Lawson Jessee
Councilmember Wes Sharples
Councilmember Blake M. Bonner
Councilmember John Savage

Also attending were:
City Manager Buddy Kuhn
Assistant City Manager Phil Laney
Community Development Services Director Lety Hernandez
City Attorney Frank J. Garza
Assistant to City Manager Jennifer Reyna – Via Zoom
City Secretary Elsa T. Robles
Director of Finance Robert Galindo – Via Zoom
Police Chief Rick Pruitt
Human Resources Manager Brenda Jimenez – Via Zoom
Deputy Police Chief Cindy Pruitt
Public Works Director Pat Sullivan – Via Zoom

Absent was:
Fire Chief Michael Gdovin

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Mayor Bobby Rosenthal opened the meeting at 5:31 p.m.

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Item # 1 Approval of Minutes

Mayor Bobby Rosenthal asked City Council for a motion to approve the January 24, 2022 City Council Meeting minutes. Councilmember Blake M. Bonner moved to approve the minutes as presented. The motion was seconded by Mayor Pro Tem Lynda Billa Burke and passed by unanimous vote.

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Item # 2 Announcements

Mayor Rosenthal read the following caption.

a. Annual Tree Trimming

City Manager Buddy Kuhn announced Davey Tree Service was contracted to complete the City’s annual tree trimming project for the cost of \$12,900.00. City Code Compliance Officer assisted with notifying residents of the work scheduled to begin March 23, 2022 and lasting for seven (7) days. Mr. Kuhn stated a certified arborist will coordinate with residents regarding tree trimming. The following streets are on schedule for this year: Tuxedo, Lamont, La Jara, Argo, Broadway, Joliet, Evans, and Abiso. A detailed list of exact locations will be available on the City’s website.

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Item # 3 Citizens to be heard

Ms. Joan Cunningham, resident, suggested the City enhance its process to better inform residents about upcoming projects within the City. She stated the website was too opaque and she welcomed the opportunity to speak with staff to collaborate on a better process.

Mr. John Feitshans, resident, stated he was unclear on how to address and ask for support regarding the Katherine Court project. He met with an attorney for clarification. Mr. Feitshans added he and other residents support development. They had offered alternative suggestions to the developer on the Katherine Court project.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

Ordinance ordering a General Election in the City of Alamo Heights, Texas, to be held on May 7, 2022, for the election of three Council Members for Places Three (3), Four (4), and Five (5); Providing the details therefor and providing for a proclamation and notice of such general election; and designating Jacquelyn F. Callanen, Bexar County Elections Administrator, as the Election Administrator to conduct said election

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 7, 2022 to elect three Council Members; Places Three (3), Four (4), and Five (5). 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. They provide voting opportunities through Ballot by Mail and Curbside Voting by appointment or upon arrival at a polling location. Early voting is April 25th – May 3rd, 2022 with Lion’s Field Community Center, Olmos Park City Hall, 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 13th and April 20th.

Ms. Robles stated the average cost per election is \$3,660 - \$5,000. 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. Councilmember Lawson Jessee moved to approve Ordinance No. 2184 ordering a General Election in the City of Alamo Heights, Texas to be held on May 7, 2022. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

Item # 5 Mayor Rosenthal read the following caption.

Public Hearing – Planning and Zoning Case No. 418. A request to rezone the property identified as CB 5600, BLK 3, LOT 34 # C6-14953, also known as 153 Burr Rd, of the City of Alamo Heights, Texas, from Multi-Family District (MF-D) to Parking (P)

Community Development Services Department Director Lety Hernandez stated the Multi-Family District (MF-D) zoned property is located at 153 Burr Rd west of N. New Braunfels. The applicant requests to rezone from MF-D to Parking (P). The owner also owns the current parking to the right of the location. She stated there are no structures on the vacant property.

Ms. Hernandez explained the proposed zoning change keeps with the adjoining property on the east side which is currently zoned P and is being used for that purpose. The Planning and Zoning Commission considered the request on February 7, 2022 and recommend approval as presented. Any future improvements will be subject to Final Review by the Architectural Review Board and approval by the City Council.

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 ten responses in support and two responses that were neutral.

Mayor Rosenthal opened the public hearing at 5:45 p.m.

Ms. Joan Cunningham, resident, stated she had not heard about this project until today and suggested staff expand notifications to neighbors past the required 200-ft from the property. She shared she didn't think this was the best use for this property.

Mr. John Feitshans, resident, shared he suggested commercial properties establish concrete fencing to serve as sound barriers and help to block nuisance noise/sound since this is what surrounding neighbors complain about.

Mayor Rosenthal closed the public hearing at 5:49 p.m.

Item # 6 Mayor Rosenthal read the following caption.

Discussion and possible action on Planning and Zoning Case No. 418. A request to rezone the property identified as CB 5600, BLK 3, LOT 34 # C6-14953, also known as 153 Burr Rd, of the City of Alamo Heights, Texas, from Multi-Family District (MF-D) to Parking (P)

Mayor Pro Tem Billa Burke questioned if any landscaping was being proposed. Ms. Hernandez stated landscaping would be addressed when the applicant presents improvement plans for the property.

Councilmember Sharples asked if the property owners next door had submitted any comments. Ms. Hernandez did not recall any being submitted and noted the applicant owned the two properties to the west.

Councilmember Jessee commented on the request for rezone from MF-D to P instead of asking for specific use permit (SUP) to allow a parking lot in a MF-D. Ms. Hernandez explained there are some allowances for a parking SUP; however, this request would have to be initiated by the applicant.

Mayor Rosenthal allowed citizens to be heard during discussion.

Ms. Joan Cunningham, resident, stated the format or process for these requests are not working for the citizens and should be improved. Staff and requestors should come together to find a solution before it comes before City Council.

Mr. John Feitshans, resident, agreed landscaping, such as crepe myrtles, could help as barriers to block noise nuisance from the facility.

Mayor Pro Tem Billa Burke moved to approve Planning and Zoning Case No. 418 as presented. The motion was seconded by Councilmember Savage and passed by unanimous vote.

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Staff Reports

Mayor Rosenthal announced Item # 7 would be heard next.

Item # 7 Mayor Rosenthal read the following caption.

Briefing on the 2021 Racial Profiling Annual Report prepared in compliance to the Texas Racial Profiling Law

Chief of Police Rick Pruitt 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 2017 as Senate Bill 1849 (Sandra Bland Act) which requires a statistical analysis to be conducted. Each year a racial profiling report must be provided to the 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 citation or arrest, gender, ethnicity, contact reason, description of contraband discovered, offense description, roadway description, physical force resulting in injury.

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 2021 Alamo Heights statistical data is compared to the City of San Antonio and Bexar County demographics. In an average of 95% of police contacts are with people commuting through the City, not Alamo Heights residents. The total contacts for AHPD were 3,964 with 7.0% being White, 9.3% African-American, and 26.2% 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 2021 Racial Profiling Report verifies the 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.

Police Chief Pruitt clarified the AHPD data does not specify if the contacts were resident or non-resident and is only compared to the Census demographics.

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Closed Session

Item # 8 Mayor Rosenthal read the following caption.

Executive Session per Section 551.071 (consultation with attorney) to discuss Broadway infrastructure construction

The City Council of the City of Alamo Heights convened into Executive Session at 6:05 p.m. and reconvened in Open Session at 6:41 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 # 9 Mayor Rosenthal read the following caption.

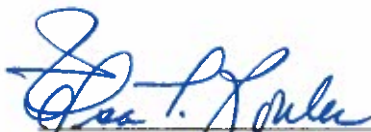
Discussion and possible action resulting from Executive Session

No action taken.

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With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 6:42 p.m. The motion was seconded by Councilmember Savage and passed by unanimous vote.

PASSED AND APPROVED THIS 28th DAY OF FEBRUARY, 2022.



Elsa T. Robles, TRMC
City Secretary



Bobby Rosenthal
Mayor

