

CITY OF ALAMO HEIGHTS  
CITY COUNCIL  
February 26, 2024

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 26, 2024. 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 Blake M. Bonner  
Councilmember Lawson Jessee  
Councilmember Karl P. Baker  
Councilmember Lynda Billa Burke  
Councilmember John Savage

Also attending were:  
City Manager Buddy Kuhn  
Assistant City Manager Phil Laney  
City Attorney Jessie Lopez  
Director of Finance Robert Galindo  
Assistant to City Manager Jennifer Reyna  
City Secretary Elsa T. Robles  
Community Development Services Director Lety Hernandez  
Police Chief Rick Pruitt  
Deputy Fire Chief Allen Ottmers

Not attending:  
Fire Chief Michael Gdovin  
Deputy Police Chief Cindy Pruitt  
Public Works Director Pat Sullivan

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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 Rosenthal asked City Council for a motion on the February 12, 2024 City Council Meeting minutes. Councilmember Lawson Jessee 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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*Item # 2      Announcements*

Mayor Rosenthal read the following caption.

**a. Election Day Polling Site for March 5, 2024 Primary Election**

City Secretary Elsa T. Robles announced the City of Alamo Heights Council chamber will serve as a polling site for the March 1, 2022 Primary Election. The polls will be open from 7:00 a.m. to 7:00 p.m.

**b. Recognition of the Alamo Heights Police Department’s 4th Texas Police Chief’s Association Law Enforcement Best Practices Accreditation Award**

Police Chief Rick Pruitt announced the Alamo Heights Police Department was very proud of the fact that they received their fourth accreditation, a total of twelve years maintaining the department up to accreditation standards. He introduced Blanco Police Chief Scott Rubin, Chair of the Texas Police Chiefs Association Accreditation Committee.

Mr. Rubin stated he was honored to be representing the Texas Police Chiefs Association Accreditation Committee. He explained the Texas Police Chiefs Association (TPCA) is made up of over 1,700 professional police chiefs throughout the State, who are dedicated to improve the delivery of quality police services. Mr. Rubin announced he was presenting the Alamo Heights Police Department with a Certificate of Reaccreditation for continuing to maintain their compliance with Texas Law Enforcement Best Business Practices program for the past 4 years.

Mr. Rubin explained this program has become the new gold standard for professional law enforcement in Texas, and agencies across the State are working diligently to meet these requirements. In 2012, the Alamo Heights Police Department first attained their accredited status with TPCA. Of the over 2,800 law enforcement agencies in Texas only 203 agencies have achieved accredited status, and fewer than that have been reaccredited. Receiving this accreditation means the police department is continually striving for professional excellence and is one of the very best in the State.

City Council, staff, and attending residents congratulated Chief Pruitt and the Alamo Heights Police Department for their achievement.

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*Item # 3      Citizens to be Heard*

Ms. Sarah Reveley, resident, stated she was happy to see interest from Council on moving forward with historical preservation. She provided a handout with ideas for enhancing, creating, stronger preservation ordinances allowed by current State law. She added there are model ordinances out there that the city can look at and suggested the city hire a preservation consultant to write that ordinance.

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*Items for Individual Consideration*

Item # 4 Mayor Rosenthal read the following caption.

**RESOLUTION NO. 2024R - 178**

**A RESOLUTION OF THE CITY OF ALAMO HEIGHTS, TEXAS AUTHORIZING THE CITY MANAGER TO AWARD FUNDS TO SAN ANTONIO AUDUBON SOCIETY INC. IN AN AMOUNT OF \$10,000, ALAMO HEIGHTS OPTIMIST CLUB IN AN AMOUNT OF \$22,000, AND TO BARK PARK ALAMO HEIGHTS IN AN AMOUNT OF \$18,000 FOR THE FISCAL YEAR 2024 ALAMO HEIGHTS COMMUNITY IMPROVEMENT GRANT; AND SETTING AN EFFECTIVE DATE.**

Assistant City Manager Phillip Laney stated this was a resolution to award funds for the FY 2024 Community Improvement Grant. Council budgeted \$50,000 in the current year's budget to support groups that oversee parks and other community assets. He stated the City received applications from interested groups who submitted improvement projects to be considered for funding. After reviewing, staff proposed to award grant funds to the Alamo Heights Optimist Club, Bark Park Alamo Heights, and the San Antonio Audubon Society.

Mr. Laney commented, historically, these entities operate on private funding, donations, or fees. In 2023, Council started the Community Improvement Grant Program and funded \$25,000 in grants. For FY 2024, this amount increased to \$50,000, included in the current budget. He explained the process and stated the grant funding is allocated on a competitive basis. Using various avenues, staff alerted local groups/organizations about available grant funding and 5 applications were received.

- The Alamo Heights Historical Association - requested \$40,047 for Centennial Homes historic plaques to commemorate houses over 100 years old. Approx. 200 homes intended to permanently recognize historical significance of homes 100 years & older.
- Friends of the Hondondo Creek Trails - requested \$25,000 for materials to improve condition & longevity of existing section of Jack Judson Nature Trail Section between Morse & Acacia/Imlay. Improvements are intended to address erosion, drainage & trail safety.
- Alamo Heights Optimist Club - requested \$24,698 to add lights & sprinkler system to irrigate green space at Albert Earl Plaza, 212 Kampmann. Improvements are intended to make open space more usable & inviting.
- Bark Park Alamo Heights - requested \$20,000 for maintenance & improvements of drainage & plumbing systems. Existing drainage system is deteriorating & plumbing needs weatherproofing. Improvements are intended to ensure park's usability & environmental sustainability.
- San Antonio Audubon Society - requested \$10,000 to repair & secure Audubon Trail House at trailhead of Jack Judson Nature Trail. This is used to host board meetings & educational programs. Improvements are to address effects of vandalism & the building's age.

Mr. Laney stated after receiving the applications, staff put together a rubric to analyze each proposal and evaluate their potential for funding. Staff reviewed the applicant's goals & experience, project proposal, anticipated project impact, return on City investment & leveraged outside funding, and project completion timeline. Each proposal was ranked based on the highest evaluation, along with the project prior funding history. Staff proposes to award the \$50,000 FY2024 grant funding as follows:

- \$22,000 to Alamo Heights Optimist Club to add lights & sprinkler system at Albert Earl Plaza
- \$18,000 to Bark Park Alamo Heights for drainage & plumbing improvements at the Bark Park
- \$10,000 to San Antonio Audubon Society to repair & secure the Audubon Trail House

Mr. Laney noted the awarding of Community Improvement Grant funds is consistent with the City's efforts to provide quality recreational services to citizens and guests of Alamo Heights. He added the item was coordinated with the City Attorney and City Manager.

Mayor Rosenthal asked to hear comments from citizens.

- Mr. Kent Cowan, resident, stated the Bark Park is a tremendous community asset and adds a sense of community. He also thanked the COAH Street and Parks departments for helping to keep the park looking nice and in great condition for visitors.
- Ms. Laurie Saunders, resident and Bark Park Founder, stated it's been twelve years and has taken a lot of time to get a good group of volunteers to help keep it going. She thanked Council and noted the grant will be a great help to fund needed maintenance.
- Mr. Dean Hendrix, non-resident, stated he no longer resided in Alamo Heights, but grew up here. He agreed the Bark Park is incredibly valuable to the community. Many people make friends and connections there.
- Ms. Lena Ariza, Terrell Hills resident, stated she was here out of gratitude. Terrell Hills doesn't have a dedicated dog park and has been coming to the Bark Park for a few years. Like the previous speaker, she felt there is a big sense of community there.
- Mr. Kevin Kaiser, of the Alamo Heights Optimist Club, stated he was present to answer any questions Council may have. He shared they'd match any awarded funds to make the improvements. They would like to make Albert Earl Plaza more like a green space for the citizens of Alamo Heights to use. He added they only utilize the space three weeks during Christmas time for the Christmas tree lot.

Mayor Rosenthal took the opportunity to thanked the City Manager and staff for being conservative with their budgets to allow the availability of funds for the Community Grant Awards. Council agreed and thanked the community who participate/volunteer in these organizations.

Councilmember Baker shared concern with the proposed lighting at Albert Earl Plaza and asked they consider their neighbors when installing lights to ensure the lighting didn't reflect into people's homes. Additionally, he asked if the Audubon Trail House could be used by the community.

City Manager Buddy Kuhn addressed Councilmember Baker's question. He stated the trail house is not very big, and is mostly used to store class materials, etc. The Audubon Society didn't have any other support or a fundraising mechanism to help with offset costs of repair. Mr. Kuhn shared the building was vandalized and grant funds will help with repairs. He wasn't 100% sure if the facility could be used by the community.

Councilmember Baker asked how the applications were ranked in respect to the Friends of the Hondondo Creek since they have been doing many improvements in the past.

Mr. Kuhn stated the City had awarded the Friends of the Hondondo Creek funds last year for a project and noted that had weighed in the decision to fund them this year. Staff looked at leverage funding, two of the organizations have leveraged or matching funding. In reference to the Bark Park, volunteers have raised money and done everything to keep the park going without ever asking for funds. After reviewing and scoring the applications, staff recommended these three organizations.

Councilmember Jessee moved to approve Resolution No. 2024R - 178 as presented. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

*Item # 5* Mayor Rosenthal read the following caption.

**RESOLUTION NO. 2024R - 179**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS INC. FOR ENGINEERING DESIGN AND PROJECT MANAGEMENT SERVICES FOR THE 2024 STREET MAINTENANCE PROGRAM AND ISSUE TASK AUTHORIZATION NO. 6.**

Mr. Laney stated this item was a follow up action item from the staff report presented on February 12, 2024, which discussed including a potential mid-block pedestrian crossing on Broadway in the 2024 Street Maintenance Program (SMP). Council budgeted \$1M dollars for street and sidewalk improvements through the 2024 SMP. Mr. Laney added staff is proposing an agreement with Freese and Nichols, for engineering design and project management services and is presenting this project before the submitting a request for bids. The proposal will include the Broadway mid-block pedestrian crossing, road repairs, and seven project areas.

Staff consulted with Freese and Nichols to perform an analysis of potential crossing locations, signal configurations maximizing the safety and use of a pedestrian crossing on Broadway between the Alamo Heights High School (AHHS) and City Hall.

On February 12, 2024, Council agreed to include the mid-block pedestrian crossing in the 2024 SMP and provided guidance. Council desired to focus on establishing the crossing 1/3 mile

between the crossings at City Hall and AHHS. Freese and Nichols offered recommendations on possible locations and alternative configurations factoring in traffic conditions, site conditions, and safety/ease of improvement.

Mr. Laney stated the recommended crossing location would be on Broadway, between Rosemary and College, on west side of Broadway near the street-front of the Alamo Heights Baptist Church. This was selected for a few reasons because it is the closest midpoint between the 2 signals, it's the longest distance between side streets or alleys, and the street has a wide right-of-way on east side. Mr. Laney noted Council desired a Pedestrian Traffic Signal as the preferred configuration to stop traffic while pedestrians crossed at the crossing.

Mr. Laney shared the cost for this project, including all infrastructure, would be approximately \$230,000. He reviewed funding sources. FY 2024 budget includes \$1M for SMP from dedicated ½ sales tax, approximately 87% and 13% supplemented from the General Fund. He advised the Texas Comptroller confirmed sales tax was an eligible funding source for crossing project. He reiterated the 2024 SMP proposal includes the Broadway Pedestrian Crossing, street base repairs & resurfacing for 7 project areas improvements in the Montclair, Madeleine Terrace, and Cambridge Oval neighborhoods.

The proposal is consistent with City practice to negotiate fees for professional services and consistent with City's interest to have professional expertise to articulate/incorporate City priorities in the project. Staff coordinated with City Engineers Freese and Nichols, Public Works, the City Attorney, and City Manager.

Mr. Laney asked Council to consider Task Authorization No. 6 authorizing payment in the amount of \$65,000.00 to Freese and Nichols for engineering design & project management services for 2024 Street Maintenance Project as budgeted in the FY 2024 Budget. He added future Council action will be required to authorize the construction contract when available.

Mr. Kuhn commented Councilmember Baker had suggested moving the crossing down a bit and asked him to discuss his suggestion with Council.

Councilmember Baker stated he suggested moving the cross-walk where Honchos is since they had proposed closing a driveway entering into their business. He shared it might be a more ideal location if it works from a traffic engineering perspective because the pedestrian crossing would go straight into an area where pedestrians might be crossing to access businesses.

Mr. Kuhn stated if Council decided to move the location, there may be a cost increase and staff would need to get the authorization approved. He advised the project would not start until possibly September. Mr. Kuhn shared the new development that had been approved nearly a year ago in that area had not officially paid their fees or obtained a permit for their project and which will expire April 1, 2024. Staff has reach out to them but have not heard back.

Freese and Nichols Engineer Mallory Scates stated establishing a crossing in this location is contingent on Honchos closing the driveway because the crosswalk can't go straight into a driveway. She noted the area is tight between College and Cloverleaf, especially if installing a mast arm with the signals in each direction. Ms. Scates added they would study this location going through the preliminary project design.

Council briefly discussed future projects and staff facilitating a way for them to go onsite to proposed improvement areas. This would help them get a better understanding of the projects in question.

Councilmember Jessee moved to approve Resolution No. 2024R - 179 as presented. The motion was seconded by Mayor Pro Tem Blake M. Bonner and passed by unanimous vote.

*Item # 6* Mayor Rosenthal read the following caption.

**RESOLUTION NO. 2024R - 180**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS, APPOINTING THE ALAMO HEIGHTS PRESIDING MUNICIPAL COURT JUDGE; ASSOCIATE MUNICIPAL COURT JUDGE, PROSECUTOR ALTERNATE PROSECUTOR; PROVIDING FOR THE TERM OF OFFICE FOR THE PRESIDING AND ASSOCIATE JUDGES; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.**

Mr. Kuhn stated the City's current Presiding Court Judge Joseph H. Vives, who was recently recognized for 40 years of service last year, decided to retire effective February 16, 2024. At this time, it is necessary for Council to appoint new positions within the Municipal Court.

Staff is seeking approval of a Resolution appointing a New Presiding Judge, a New Associate Judge, a New Prosecutor and an Alternate Prosecutor to the Alamo Heights Municipal Court effective March 01, 2024. Newly Retired Judge Vives endorsed the proposed appointments. The terms would be effective from March 1, 2024 through March 1, 2026 and the terms will automatically renew within 60 days of expiration absent any changes from City Council within that period.

Mr. Kuhn announced the proposed appointments: Carl Oliver – From Associate Judge to Presiding Judge, Michael Holland – From Prosecutor to Associate Judge, Pedro Webber to Prosecutor, and Dwight Chumbley to Alternate Prosecutor. He shared some background on the proposed appointees. Mr. Carl Oliver has served as Associate Judge since 1998. Mr. Michael Holland has served as Prosecutor since 2003, but also served on the Board of Adjustment and City Council. Mr. Pedro Webber is a New Prosecutor. He was interviewed and recommended by the current Judge, Prosecutor and City Manager. Mr. Dwight Chumbley will serve as Alternate Prosecutor. The City Attorney and City Manager reviewed the proposed Agreement and the Mayor was briefed on the recommendations.

The current fees for Municipal Court Judges and Prosecutors are covered in the city budget, Presiding Judge - \$1,250 per month, Associate Judge - \$1,000 per month, and Prosecutor - \$1,000 per month.

Councilmember Billa Burke moved to approve Resolution No. 2024R - 180 as presented. The motion was seconded by Mayor Pro Tem Bonner and passed by unanimous vote.

*Item # 7* Mayor Rosenthal read the following caption.

**RESOLUTION NO. 2024R - 181**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS ADOPTING THE CITY OF ALAMO HEIGHTS INVESTMENT POLICY AS REQUIRED BY TEXAS PUBLIC FUNDS INVESTMENT ACT AND DESIGNATING INVESTMENT OFFICERS FOR THE CITY; AND SETTING AN EFFECTIVE DATE.**

Finance Director Robert Galindo presented a resolution adopting the City of Alamo Heights Investment Policy as required by the Texas Government Code Chapter 2256, known as the Public Funds Investment Act (PFIA) establishing requirements for local governments for managing investments.

The Texas PFIA requires the following:

- Review and adoption of the investment policy and investment strategy annually
- Designate an investment officer (City Manager Buddy Kuhn and Finance Director Robert Galindo)
- Disclose personal/business relationships
- Provide policy for written certification
- Obtain annual audit
- Provide for training
- Provide quarterly reports

The investment policy includes strategies to: provide safety of principal, minimize risk to the City's portfolio, put money to work, and add yield but not risk to the portfolio.

Mr. Galindo stated there were no recommended changes to the policy this year. Mr. Galindo advised the investment policy for the City of Alamo Heights complies with the Texas Government Code Chapter 2256, known as the Public Funds Investment Act (PFIA). He noted the proposed policy changes were reviewed by the Finance Director, City Manager, City Attorney, and Councilmember John Savage.

The Resolution complies with the annual review of the investment policy and adoption of the investment policy as required by the Texas Public Funds Investment Act.

Councilmember Billa Burke moved to approve Resolution No. 2024R - 181 as presented. The motion was seconded by Councilmember Baker and passed by unanimous vote.

*Item # 8* Mayor Rosenthal read the following caption.



**ORDINANCE NO. 2219**

**AN ORDINANCE DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE #3, COUNCILMEMBER PLACE #4, AND COUNCILMEMBER PLACE #5 IN THE MAY 4, 2024 GENERAL ELECTION ELECTED TO OFFICE; CANCELLING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

Ms. Robles stated she was presenting an ordinance to cancel the May 4, 2024 General Election. The candidate filing period was January 17, 2024 – February 16, 2024. She informed Council only three applications were received, one for each of the open positions from incumbents:

- Blake M. Bonner – Councilmember, Place 3
- Lynda Billa Burke – Councilmember, Place 4
- John Savage – Councilmember, Place 5

As City Secretary, Ms. Robles certified there were no write-in candidates and each candidate was unopposed for election to office. As required by the Election Code, a copy of the ordinance canceling the general election and certificate certifying the cancellation will be posted at City Hall and the city’s website. A copy of the ordinance will be forwarded to Elections Administrator Jacque Callanen for posting at Bexar County polling sites on Election Day, May 4, 2024.

Ms. Robles noted the City would not incur costs for canceling the general election and congratulated the incumbents on another 2-year term.

Councilmember Jessee moved to approve Ordinance No. 2219 cancelling the May 4, 2024 General Election and declaring unopposed candidates. Motion was seconded by Councilmember Savage and passed by unanimous vote.

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Staff Reports

*Item # 9* Mayor Rosenthal read the following caption.

**Briefing on the 2023 Racial Profiling Annual Report prepared in compliance to the Texas Racial Profiling Law**

Chief of Police Rick Pruitt presented the 2023 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.

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. Information gather pertains to gender, ethnicity, contact reason, description of contraband discovered, offense description, roadway description, physical force resulting in injury. He noted AHPD have electronic ticket writers that help generate the required report. The data provides a comprehensive analysis of enforcement action relating to ethnicity and gender. The annual report also contains information relevant to AHPD policies prohibiting racial profiling and addressing citizen complaints, officer training and education mandates and requirement for video and voice recordings. Additionally, the content of the report reaffirms AHPD's commitment of unbiased policing, reinforces procedures to ensure public confidence and mutual trust, and protects officers from unwarranted accusations of misconduct.

In summary, Police Chief Pruitt stated the 2023 racial profiling report verifies the AHPD has complied with all the requirements. There were no public or internal complaints made suggesting racial profiling by any officer, and 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 2023 Racial Profiling Report will be posted on the City's website and copies will be available upon request.

*Item # 10* Mayor Rosenthal read the following caption.

**Presentation of Financial and Investment Report for the first quarter ending December 31, 2023**

Mr. Galindo presented on the first quarter financial and investment report for FY2024. The report focused on the General Fund Revenues & Expenditures, Utility Fund Revenues & Expenditures, Capital Projects Fund, Investment Portfolio, and an update on consideration for using an outside investment management firm, and a Summary of the City's Financial Position.

The General Fund total revenue ended at \$4.8M, equal to 39% of the budget. Mr. Galindo noted the sales tax revenue was conservative at 23%. It had been trending higher the past couple of years. This year it has remained flat. The property tax revenues are at \$4.2M as compared to last year at \$4.1M.

Mr. Galindo reviewed the General Fund expenditures. The overall General Fund expenditures stands a 25%. The operating over budget is at \$1.6M. Administrative and Finance are a bit over budget due to software licenses that were paid for the year. Fire/EMS are also slightly above due to filling of a vacant position.

Mr. Galindo reviewed the Utility Fund Revenues and Expenses. He stated Council approved a \$1.5M transfer from the reserves for this budget year to complete several projects including the 4X2 water main installation project, Well #5 overhaul, and funds for engineering fees for the Broadway project. The total revenues are at \$1.1M or 19% of the budget and total expenditures are within budget at \$865,142 or 14%. Revenues were over expenses at \$273,691.

The Capital Projects Fund beginning balance for the fiscal year was \$15,282,104 which includes the proceeds from the 2021 Bond proceeds of \$67,913.

Mr. Galindo reviewed the investment portfolio balance is at \$32,617,345 which includes a savings account with Jefferson Bank. There were two Federal Home Loan Bank bonds that were recently called in January due to lower interest rates. The investment pools total 67% of the fund at \$20,617,345. There is a non-interest bearing operating account with Frost Bank of \$1.2M, a total of 4% of the fund.

The average yield for the investment portfolio was 5.36% and is in line with the 90-Day U.S. Treasury benchmark of 5.28%. The report complies with the investment strategies as established by the City of Alamo Heights Investment Policy and the Public Funds Investment Act (Chapter 2256).

In closing, Mr. Galindo reviewed the 1st Quarter Performance Summary:

PERFORMANCE THROUGH 25% OF BUDGET			
	% of Budget	Current Quarter	YTD Quarter
<b>GENERAL FUND</b>			
Total Revenues	39%	Positive	Positive
Total Expenditures	25%	Positive	Positive
Total Property Tax Collections	53%	Positive	Positive
Sales Tax Revenues	23%	Negative	Positive
<b>ENTERPRISE FUND</b>			
Utility Fund Revenues	19%	Negative	Positive
Utility Fund Expenditures	14%	Positive	Positive

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With no further business to consider, Mayor Pro Tem Bonner moved to adjourn the meeting at 6:38 p.m. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

**PASSED AND APPROVED THIS 18<sup>th</sup> DAY OF MARCH, 2024.**

  
 Elsa T. Robles, TRMC  
 City Secretary



  
 Bobby Rosenthal  
 Mayor