

CITY OF ALAMO HEIGHTS  
CITY COUNCIL  
March 8, 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, March 8, 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  
Councilmember Lynda Billa Burke

Also attending were:  
City Manager Buddy Kuhn  
Assistant City Manager/Community Development Services Director Nina Shealey  
City Attorney Frank Garza  
City Secretary Elsa T. Robles  
Director of Finance Robert Galindo  
Human Resources Manager Lori Harris  
Police Chief Rick Pruitt  
Fire Chief Michael Gdovin  
Public Works Director Pat Sullivan – Via Zoom  
Deputy Police Chief Cindy Pruitt

Absent was:  
Assistant to City Manager Jennifer Reyna

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Mayor Bobby Rosenthal opened the meeting at 5:36 p.m.

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*Item # 1      Approval of Minutes*

Mayor Rosenthal asked City Council for a motion to approve the February 22, 2021 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. May 1, 2021 Special Election**

City Secretary Elsa T. Robles stated this was reminder the City of Alamo Heights will be holding a special election on May 1<sup>st</sup> for the purpose of reauthorizing local sales and use tax at the rate of one-half of one percent to continue providing revenue for maintenance and repair of municipal streets. Early voting is April 19<sup>th</sup> – April 27<sup>th</sup>, 2021 with Lion’s Field Community Center and Tobin Library being nearby polling sites. On Election Day, May 1, 2021, the Alamo Heights City Hall will serve as a polling site. Hours will be from 7:00 a.m. – 7:00 p.m. She encouraged all citizens to come out and vote.

**b. Tornado Warning Alert Device Subsidy Program**

Fire Chief Michael Gdovin provided an update on the COAH tornado alert device subsidy program and the public service information provided to residents for “Tornado Preparedness”. Information on tornado preparedness was posted on the Fire Department and City websites and was included in the resident’s utility newsletter in February.

Fire Chief Gdovin stated the tornado warning alert device subsidy program information was also posted on the Fire Department and City websites in February. The same information will be included in the April utility newsletter. He noted no one had shown interest in the program since it began, but stated staff was ready to help anyone interested in taking advantage of this opportunity. He thanked Council for making this available for COAH citizens.

Item # 3 Citizens to be heard

Ms. Susan Harwell, resident, took the opportunity to thank Council and staff for taking care of COAH residents during the winter storm. She was grateful for the service provided to citizens during this difficult time. Staff handled it very well.

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Mayor Rosenthal announced Item #12 would be considered first with guest speaker Anne Burger Entekin.

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Staff Reports

Item # 12 Mayor Rosenthal read the following caption.

**Bond Market Update for Lower Broadway Project General Obligation Bonds**

Finance Director Robert Galindo introduced Ms. Anne Burger Entrekin of Hilltop Securities who presented a bond market update for Lower Broadway.

Ms. Burger Entrekin referenced the Bond Buyer's Index of 20 Municipal Bonds and stated the tax-exempt rate increased in one week from 2.17% to 2.44%. In reference to taxable bonds, the 10-year treasury was currently at 1.54%. In analyzing these numbers, she advised that similar to January's presentation, taxable bonds are trending to be more efficient than tax-exempt bonds with interest rates being historically low. She noted currently projected taxable interest rates and debt service structure result in lower debt service than projected tax-exempt interest rates and debt service structure.

If Council desires, Ms. Burger Entrekin will continue to provide periodic updates of the debt service comparison. Council would need to decide whether to proceed with a taxable bond issuance in August or September 2021 or wait until August or September 2022 for a tax-exempt bond issuance. She informed Council the bond issuance process is initiated approximately 90 days before the bond issuance/closing and would be ideal to have Council's decision by early July 2021 on the bond issuance timing and federal tax designation.

Mayor Rosenthal shared Council would take the advice Ms. Burger Entrekin, Mr. Galindo, and City Manager Buddy Kuhn would provide on how to proceed with bond issuance.

Mr. Kuhn noted the biggest concern is the timing of the project and arbitrage issue, where 85% of the proceeds must be spent within 3 years of issuing the debt. Issuing taxable bonds would address timing constraints.

Ms. Burger Entrekin informed Council most municipalities issue bonds in August after July 25<sup>th</sup> when the certified tax roll assessed valuations are certified. This provides the absolute number to solve the debt service and get the exact projected tax rate impact at the time of issuance. She advised she could coordinate with staff to get preliminary numbers and get it done soon after July 25<sup>th</sup>.

Councilmember Blake M. Bonner stated it did not seem interest rates would be going down and asked how soon rates could be locked in. Ms. Burger Entrekin stated interest rates are not locked in until bonds are sold and added with guidance the process can be initiated sooner since no other approval processes are needed. Staff could coordinate with the appraisal district to the best estimates and be in position to issue sooner rather than later being aware of how the market is doing.

After some discussion, Mr. Kuhn asked Council for direction on how to proceed. With interest rates rising, Council requested staff to start on preliminary projections. Mr. Kuhn agreed and stated staff would report back to Council.

Items for individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

**Architectural Review Board Case No. 826F, request of Blair Jones of Blair Jones Co., owner, for the significance review of the existing main structure and compatibility review of the proposed design located at 241 Fair Oaks E in order to demolish 100% of the existing residence and construct a new single-family residence and accessory structure**

Assistant City Manager/Community Development Services Department Director, Nina Shealey stated the property zoned SF-A is located on the north side of Fair Oaks E between Vanderhoeven and N. New Braunfels. Applicant is requesting 100% demolition of existing structure to construct a new single-family home with accessory structure. She reviewed several photos of the existing home and presented renderings of the new proposed construction.

Ms. Shealey stated total existing lot coverage is 18% and proposed is 38% under the maximum allowed of 40%. In reference to floor area ratio, existing is at 13% and proposed is 45%, which is the maximum allowed without bonuses. The case was reviewed at the February 22, 2021 Architectural Review Board (ARB) special meeting. The ARB found no significance to the existing structure and recommended approval of the demolition and proposed new construction designs with the suggestion they remain consistent in the windows and trims.

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 no other responses on this case.

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

- Mr. Benjamin Deaver, resident, stated he had only received notice of the proposed demolition and had not received notice of the compatibility review.

Ms. Shealey noted the January ARB meeting had been cancelled due to lack of quorum, and explained the significance and compatibility reviews were then combined and reviewed at the special ARB meeting in February. The same mailing list was used for both notices.

Mayor Rosenthal was concerned homeowners may not have been notified appropriately and asked City Attorney Frank Garza for guidance.

Mr. Garza suggested Council table the item until the next Council meeting and ask staff to send proper notification to residents within 200 feet.

- Mr. John Ferguson, resident, thanked Mayor Rosenthal for sending wonderful letter to citizens complimenting staff for their hard work during the winter snow storm. He stated residents had only received notification for the demolition and not for the proposed construction. When he received notification of the special meeting in February, he hadn't noticed it was for a significance and compatibility review until he attended the meeting.
- Ms. Susan Harwell, resident, attended the special ARB meeting in February and shared concerns with effects of asbestos during demolition. She shared residents' concerns with the size of the proposed structure and lack of notification.

After further discussion, Councilmember Blake M. Bonner moved to approve the significance review to demolish 100% of the existing residence at 241 Fair Oaks E Avenue and table the compatibility review pending re-notice to residents within 200 ft. for the next City Council meeting on March 22, 2021. The motion was seconded by Councilmember Lawson Jessee and passed by unanimous vote.

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

**Architectural Review Board Case No. 827F, of David R. Youngquist of Cobblestone Investments, applicant, representing Rachel Kenney, owner, for the significance review of the existing main structure located at 218 Normandy in order to demolish 100% of the existing residence and accessory structures**

Ms. Shealey stated the property is zoned SF-B and is located on the south side of Normandy between Arbutus and Columbine. The request is for significance review in order to demolish 100% of existing residence and structures. She reviewed pictures of the existing structure.

In terms of policy analysis, Ms. Shealey informed Council staff found no historical or architectural significance. The ARB reviewed this case at the February 22<sup>nd</sup> special meeting. They found no significance and recommended approval of request.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website, mailed out and posted on the property. Staff received one response in support and no other responses.

Councilmember Jessee moved to approve ARB Case No. 827F as requested. The motion was seconded by Councilmember Wes Sharples and passed by unanimous vote.

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

**Architectural Review Board Case No. 828F, request of John Grable, FAIA, of John Grable Architects, applicant, representing Frank E. Holmes, owner, for the compatibility review of the proposed design located at 820 Cambridge Oval in order to construct a new single-family residence with detached accessory structures**

Ms. Shealey stated the property zoned SF-A is located on the south west corner of Cambridge Oval and Morton Street. The request is for compatibility review of a new single-family residence with accessory structures. She reminded Council, on January 11<sup>th</sup> they had approved a significance review for 100% demolition of the existing structure. She reviewed the new site plan, elevations, and roof plan for the proposed design.

Ms. Shealey noted total existing lot coverage was 17% and proposed is 33.7% under the maximum allowed of 40%. In reference to floor area ratio, existing was 20% and proposed is 45%, which is the maximum allowed. ARB reviewed this case at the February 22<sup>nd</sup> special meeting and recommended approval as requested.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website, mailed out and posted on the property. Staff received four responses in support and no other responses.

Mayor Pro Tem Savage moved to approve ARB Case No. 828F as requested. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

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

**Architectural Review Board Case No. 829F, request of Peter DeWitt, AIA, applicant, representing Elizabeth and John Diggs, owners, for the compatibility review of the proposed main structure located at 406 Kokomo in order to construct an addition to the rear and side of the existing single-family residence with attached garage**

Ms. Shealey stated the property zoned SF-A is located on the northeast corner of Kokomo at the intersection of Albany and Lafayette. The request is for compatibility review to construct an addition to the side and rear of the existing structure. She reviewed the current site plan, elevations, and roof plan with proposed demolition/addition. Renderings depicting proposed elevations were also reviewed.

In terms of policy analysis, the total existing lot coverage is 22% and proposed is 34% under the maximum allowed of 40%. In terms to floor area ratio, existing is 20% and proposed is 38%, which is the under the maximum allowed. ARB reviewed this case at the February 22<sup>nd</sup> special meeting and recommended approval of the plans as submitted.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website, mailed out and posted on the property. Staff received four responses in support and one neutral response.

Councilmember Jessee moved to approve ARB Case No. 829F as requested. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

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

**Architectural Review Board Case No. 831F, request of Faustino Mancha Jr. of Fauman Construction, applicant, representing Cipriano Espino, owner, for the significance review of the existing main structure located at 103 Elmview E in order to demolish 100% of the existing residence and accessory structures**

Ms. Shealey stated the property is zoned SF-A and is located on the northeast corner of the intersection of Elmview E. and Broadway. The request is for significance review to demolish 100% of the existing residence and accessory structures. She reviewed the existing site plan and pictures of the current home.

In terms of policy analysis, staff found no historical or architectural significance. The ARB reviewed this case at the February 22<sup>nd</sup> special meeting. They found no significance and 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 out and posted on the property. Staff received one response in support and no other responses.

Councilmember Billa Burke moved to approve ARB Case No. 831F as requested. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

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

**Architectural Review Board Case No. 834F, request of Doreen S. Patino, owner, for the significance review of the existing main structure and compatibility review of the proposed design located at 165 Claywell in order to demolish 100% of the existing residence and accessory structures in order to construct a new single-family residence with detached accessory structures**

Ms. Shealey stated the property is zoned SF-A and is located on the north side of Claywell between Broadway and Vanderhoeven. The request is for significance review and compatibility review to demolish 100% of the existing residence and accessory structures and construct a new single-family residence with detached accessory structures. She reviewed the existing site plan and pictures of the current home. The proposed site plan, elevations, and renderings of structure were also reviewed.

In terms of policy analysis, the total existing lot coverage is 19% and proposed is 32% under the maximum allowed of 40%. In terms to floor area ratio, existing is 16% and proposed is 26%, which is the under the maximum allowed.

Staff found no historical or architectural significance to this structure. ARB reviewed this case at the February 22<sup>nd</sup> special meeting. ARB recommended approval of the demolition and of the plans as submitted; however, suggested the designer revise the front dormer.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website, mailed out and posted on the property. Staff received two responses in support and one neutral response.

Councilmember Billa Burke moved to approve ARB Case No. 834F as requested. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

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

**Architectural Review Board Case No. 835F, request of Logan Green of Green Innovations Homes, applicant, representing James Rothfelder, owner, for the significance review of the existing main structure and compatibility review of the proposed design located at 136 Claywell in order to demolish 49.27% of the existing street-facing elevation,**

**demolish 66.12% of the existing roof, and 57.21% of all exterior walls in order to remodel and add to the existing single-family residence with detached accessory structure**

Ms. Shealey stated the property is zoned SF-A and is located on the south side of Claywell between Broadway and Vanderhoeven. The request is for significance review and compatibility review to demolish 49.27% of the existing street-facing elevation, demolish 66.12% of the existing roof, and 57.21% of all exterior walls to add a rear addition and façade remodel. She reviewed the existing site plan and proposed site plans. Ms. Shealey noted ARB suggested a small window in the front elevation be modified. Streetscape pictures were also reviewed.

In terms of policy analysis, the total existing lot coverage is 24% and proposed is 35% under the maximum allowed of 40%. In terms to floor area ratio, existing is 24% and proposed is 34%, which is the under the maximum allowed.

Staff found no historical or architectural significance to this structure. ARB reviewed this case at the February 22<sup>nd</sup> special meeting. ARB found no significance and recommended approval of the demolition. The designs were approved as submitted; however, suggested the designer reconsider front articulation of the small window. New site plans confirm this change was already done.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website, mailed out and posted on the property. Staff received two responses in support and no other responses.

Councilmember Bonner moved to approve ARB Case No. 835F as requested. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

*Item # 11* Mayor Rosenthal read the following caption.

**Discussion and possible action for the selection of an engineering firm for the Austin Highway/lower Broadway improvement project**

Mr. Kuhn presented Council with next steps in the selection of an engineering firm for the Austin Highway/lower Broadway improvement project. He provided background information on this item.

The City posted a Request for Qualifications (RFQ) for engineering services for this project in the City's website and published in the San Antonio Express-News on December 23<sup>rd</sup> and December 30<sup>th</sup>. Submittals were due on January 22, 2021 by 10AM. Seven firms submitted their proposals on time: Core CMCI, BGE, Freeland/Turk, The Goodman Corporation, Pape/Dawson, Freese & Nichols, and WGI.

A review committee consisting of City Manager Buddy Kuhn, Assistant City Manager Nina Shealey, Public Works Director Pat Sullivan and Councilmember Lawson Jessee, evaluated the submissions with a numerical scoring system.



Each committee member independently graded each applicant on the following criteria: Qualifications and Relative Experience – 40%, Team Composition – 30%, Responsiveness to RFQ – 15%, and Previous Project Performance – 15%. The committee met on February 12<sup>th</sup> to review scores and select the three highest rated firms for interviews. The top three scoring firms were: Freese & Nichols, WGI, and Pape / Dawson. Zoom interviews were conducted on February 25<sup>th</sup> and 26<sup>th</sup>.

In reference to policy analysis, Mr. Kuhn noted it is consistent with city practices to obtain an engineering firm with special expertise for the project. Under the Professional Services Act, the selection on the Engineer must be based on *the basis of demonstrated competence and qualifications*. The RFQ enabled the city to attract high quality candidates for this project.

Mr. Kuhn stated Council could elect to conduct additional interviews with the full Council on the top three candidates. They could accept evaluation committee's summary which Councilmember Jessee will discuss further; or, could decide to interview other firms that submitted proposals.

Once a final firm is selected, Council will authorize the City Manager to enter into negotiations for costs with that firm. If a proposal for City Council to consider can't be reached, the City would move to the next ranked firm and begin negotiation with them. The City Council will vote on the final proposal for fees. Per the RFQ, the City has the right to accept or reject any and or all proposals regardless of ranking system.

Mr. Kuhn reviewed the fiscal impact and stated \$75,000 was earmarked in the FY21 budget for engineering services for this project. The size and scope of the project will likely require a budget amendment in the current budget. This project will be spread out over several years and as an SAP item annually. It is probable fees will be paid out in different amounts, dependent on the workload, with some years higher and some lower. During the first and second years, fees will likely be higher due to extensive design work and coordination with all other utility engineers and project engineer of record who will ultimately manage the project for TxDOT.

In closing, Mr. Kuhn stated Council could move to award the most qualified engineering firm, but also select the next most qualified firm should negotiations fail with the first firm.

Councilmember Jessee noted all applicants were great engineering firms. Ultimately, WGI was deemed the most qualified, experienced, and best fit for the City of Alamo Heights. The WGI team members meshed well with staff and have experience with projects down Broadway Avenue. He stated the second most qualified firm was Freese & Nichols.

Mayor Rosenthal agreed on the importance of selecting a firm who'd be the best fit for the City's needs.

Councilmember Jessee moved to award WGI as being the most highly qualified provider and grant authority to City Manager to attempt to negotiate a professional services contract with WGI for a fair and reasonable price and to bring back to Council the contract for approval. If contract cannot be successfully negotiated with selected firm, Manager is authorized to negotiate with Freese & Nichols. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

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Closed Session

At 6:49 p.m., Mayor Rosenthal adjourned the regular City Council meeting to conduct a closed meeting as authorized by Section 551.071 (consultation with attorney) of the Texas Government Code to discuss review of litigation filed in Cause No. 2021CI03115; McNab v. City of Alamo Heights.

Before going into closed session, Mr. Garza stated this was a simple briefing and expected no action would be taken upon returning into open session.

Mayor Rosenthal reconvened the regular meeting at 7:08 p.m. There was no action taken during the closed session.

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With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 7:09 p.m. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

  
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Elsa T. Robles, TRMC  
City Secretary

  
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Bobby Rosenthal  
Mayor

