

CITY OF ALAMO HEIGHTS
CITY COUNCIL
March 27, 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, March 27, 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 Richard Lindner
Assistant City Manager Phil Laney
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles
Director of Finance Robert Galindo
Community Development Services Director Lety Hernandez
Police Chief Rick Pruitt
Fire Chief Michael Gdovin
Deputy Police Chief Cindy Pruitt
Public Works Director Pat Sullivan
Human Resources Manager Brenda Jimenez – Via Zoom
Battalion Chief Cody Hobbs
Fire Captain Hunter Tamez

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Mayor Bobby Rosenthal opened the meeting at 5:32 p.m.

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Item # 1 Approval of Minutes

Mayor Bobby Rosenthal asked City Council for a motion on the February 27, 2023 City Council Meeting minutes. Councilmember Wes Sharples 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. AH09 5K Fun Run & Pet Adoption, April 15, 2023 – Jennifer Reyna

Assistant to City Manager Jennifer Reyna announced the AH09 5K Fun Run & Pet Adoption is scheduled for Saturday, April 15th beginning at 8:00 a.m. Registration is \$25.00 thru March 31st and \$30.00 thru April 14th. Proceeds will go toward the AH Animal Care Services. Each participant will receive a drawstring bag, t-shirt and medal. Ms. Reyna thanked Fun Run & Pet Adoption co-sponsors: Camp Gladiator, Stretch Zone, Nekter Juice Bar, Next Level Urgent Care, Natural Grocers, Pet Supplies Plus, and possibly Fifi & Fidos Pet Boutique.

b. Fiesta Medals – Jennifer Reyna

Ms. Reyna announced the 2023 Fiesta Medals will be available starting on Monday, April 10th. Residents are welcome to come by City Hall and get a medal – 1 per resident, 2 per household. Mayor Rosenthal gave the first AH Fiesta medals to students in the audience.

c. National Telecommunicator’s Week – Rick Pruitt

Police Chief Rick Pruitt stated he was very proud to recognize the AH Communication’s Office during National Telecommunicator’s Week April 9th through April 16th. This is celebrated nationally since 1994 to honor public safety dispatchers for their excellent work as the Real First Responders. Chief Pruitt shared some data on the amount of calls they handled on a yearly basis.

d. National Prescription Drug Take Back Day, April 22, 2023 – Rick Pruitt

Police Chief Pruitt announced National Drug Take Back day will take place on Saturday, April 22nd at the rear entrance of City Hall from 10:00 a.m. to 2:00 p.m. All expired, unused, and unwanted prescription or over the counter drugs will be accepted, no questions asked. Due to the risk of injury to handlers, syringes, epi-pens or other injectable devices will not accepted.

e. Oath of Office and Badge Pinning ceremony: Fire Captain Hunter Tamez – Cody Hobbs

Battalion Chief Cody Hobbs administered the oath of office to newly appointed Fire Captain Hunter Tamez. Fire Captain Tamez was pinned by his wife and family. Council, staff, and residents congratulated him on his promotion.

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Item # 3 Citizens to be heard

No comments made.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following captions.

RESOLUTION NO. 2023R - 163

A RESOLUTION OF THE CITY OF ALAMO HEIGHTS, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND CITY OF ALAMO HEIGHTS FOR FUNDING SIDEWALK IMPROVEMENTS ON N. NEW BRAUNFELS AVE. BETWEEN CASTANO AVE. AND CLAYWELL DR

&

ORDINANCE NO. 2200

AN ORDINANCE AMENDING THE ADOPTED GENERAL FUND OPERATING BUDGET FISCAL YEAR 2022-2023 BY \$116,000 TO FUND SIDEWALK AND CURB IMPROVEMENTS ALONG THE WEST PORTION OF N. NEW BRAUNFELS AVENUE FROM CASTANO TO CLAYWELL

Assistant City Manager Phil Laney stated the item includes a resolution to adopt an Interlocal Agreement (ILA) between the City of San Antonio for sidewalk installation on the west side of N. New Braunfels and an ordinance amending the City's FY 2023 Budget for the City's share of the project cost.

Mr. Laney reminded Council staff presented a report in late January advising discussions were underway with City of San Antonio (COSA) to add sidewalks to the western side of N. New Braunfels between Castano and Claywell. Staff heard Council's support of the project and proceeded with finalizing the ILA and other negotiations with COSA. Mr. Laney pointed out current sidewalks are exclusively on the eastern side of the road, within the San Antonio city limits. The proposed ILA agrees to split project costs evenly between the City and COSA.

Mr. Laney presented some background on the proposed project. N. New Braunfels serves as a boundary between the City and COSA from Austin Hwy to Claywell, approximately 1.2 miles. COSA maintains and controls the right-of-way (ROW). He restated current sidewalks are only located on the eastern (COSA) side of the street. The sidewalks on the western side end at Claywell and do not continue south into the City. The City has received multiple citizen requests over past several years requesting pedestrian & ADA accessibility on the western side of N. New Braunfels. Citizens shared concern with inefficient access between AH Junior School and High School.

In July 2022, the City approached COSA's Public Works (PW) to explore the possibility of expanding pedestrian access on west side of N. New Braunfels. After some discussion, both cities agreed on the project being presented for approval. Improvements on western side of N. New Braunfels from Claywell to Castano will include: sidewalk, curb, retaining walls, wheel chair ramps, and approaches. The project will extend pedestrian access & ADA accessibility an additional 0.4 miles and provide continuous sidewalks from AH Junior School to Castano and AH High School.

Mr. Laney explained, under the terms of this ILA, COSA PW would oversee construction management and engineering. They will utilize in-house and contract efforts to complete projects. COSA and the City agree to a 50-50 split of final project costs. He advised, if there is any disagreement from either side, the other party is given 60 days to remedy situation. During the project, the City will strive to communicate with residents regarding the project improvements, etc.

In regards to policy analysis, Mr. Laney stated, cities are authorized to enter into ILAs by TX Government Code, Chapter 791. If approved, the ILA is consistent with City's interest of accessible public infrastructure in cost-effective manner. He added staff coordinated with the City of San Antonio - District 10 Councilmember Clayton Perry, Interim Councilmember Mike Gallagher and the District 10 team Anthony Chukwudolue, and COSA Public Works, along with the City Attorney, City Manager, and Public Works.

Mr. Laney stated the total project cost of \$232,000 will be split evenly between the City and COSA. If Council approves, staff is also requesting an ordinance to amend FY 2023 budget in an amount not to exceed \$116,000 for City's share of project costs. The funds are available in FY 2023 General Fund Budget.

Council questioned if bus stops along the ROW would be added or improved as part of the project or if VIA Metropolitan Transit would be contributing funds for the project. Mr. Kuhn agreed there was a need for bus stop improvement and noted he had spoken to COSA regarding possible VIA participation.

Councilmember Billa Burke moved to approve Resolution No. 2023R-163 and Ordinance No. 2200 as presented. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Item # 5 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2201

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS, AMENDING CHAPTER 18, TRAFFIC, SECTION 18-147, SCHEDULE B, STOP SIGNS BY CREATING A NEW FOUR WAY STOP INTERSECTION AT IMLAY STREET AND ABISO AVENUE; PROVIDING FOR A PENALTY; REPEALING ALL PARTS OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND OPEN MEETINGS CLAUSE.

Chief of Police Rick Pruitt stated the item was in response to Abiso Avenue residents' concern for vehicle driving behaviors and speeds of traffic turning from Imlay Street. The residents desire a safer neighborhood environment for pre-teen children. As a result, staff is proposing an ordinance to change an existing two-way stop intersection to a four-way stop intersection on Abiso Avenue and Imlay Street. He shared background on the streets. Abiso

Avenue is 30' wide, 100% residential, with front drive-ways, no sidewalks, with an unobstructed corner vision, and an existing stop sign. Imlay Street is 29' wide, 100% residential, side driveways, no sidewalks, an unobstructed corner vision, and no traffic control device is available.

Police Chief Pruitt stated a study was conducted to gather data on traffic statistics. He reviewed the 24 hour traffic study showing a total of 306 vehicles traveled on the 300 block of Abiso Ave. and 349 vehicles traveled on the 300 block of Imlay Street at various speeds.

24 hour traffic study data

300 block Abiso Ave.	# veh	26-35 mph	>35 mph	% > 25mph	avg speed
eastbound	150	8	3	92.7	
westbound	156	6	3	94.2	
	306	14	3	93.5% avg	16.5 mph

300 block Imlay St.	# veh	26-35 mph	>35 mph	% > 25mph	avg speed
northbound	168	33	9	75	
southbound	181	34	7	77.3	
	349	67	16	76.2% avg	22.5 mph

Police Chief Pruitt noted some of the contributing factors on Imlay were traveling downhill and passing a series of 4-way stops along the way after which drivers try to catch up. Vehicles with higher speeds are turning on to Abiso. AHPD officers observed traffic in the area and found the traffic study was on point; vehicles are traveling at a high rate of speed and failing to stop at the corner of Abiso and Imlay. He played a video capturing a speeding car in the intersection and identified other 2-way and existing 4-way stops in the area.

Staff proposes an Ordinance to change the existing two-way stop intersection on Imlay Street and Abiso Avenue to 4-way stop. The proposed Ordinance creating an all-way stop intersection is allowed in the provisions of the Texas Transportation Code and Section 18-98 "Stop Intersections" of the City Code. The City Manager has reviewed the proposal and the City Attorney prepared the proposed Ordinance. The City Secretary will publish the Ordinance in the *San Antonio Express-News* and posted on the COAH website.

Police Chief Pruitt stated Public Works will install the sign poles and signs. He advised staff mailed letters to all addresses in the 300 and 400 blocks of Abiso Avenue and received 10 in favor and 1 against.

The cost for the additional stop signs, poles and labor is \$250.00. The traffic study was \$552.00. Other costs include the publishing of the ordinance in the *San Antonio Express-News*.

Mayor Rosenthal thanked Police Chief Pruitt for his presentation. He stated several residents had signed up to speak on this item; however, he noted Council usually goes with staff's recommendation and asked if anyone wanted to speak against the addition of a 4-way stop intersection.

With no one to speak on the item, Councilmember Bonner moved to approve Ordinance No. 2201 as presented. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

A citizen residing on the 400 block of Columbine and Abiso requested a 4-way intersection at that location. Police Chief Pruitt advised the traffic study had included that intersection as well because residents had shown concern. Council asked him to bring this intersection back for discussion and consideration at a future meeting.

Councilmember Billa Burke suggested installing cameras in neighborhoods to monitor speeding vehicles. Police Chief Pruitt stated he didn't think this would be feasible, but noted that the rotating portable speed signs were helping to slow down traffic. He advised staff will be seeking to purchase more to use in other problem areas.

Item # 6 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2202

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS, AMENDING CHAPTER 18, TRAFFIC, SECTION 18-152 BY ALLOWING PERMIT PARKING ON SCHOOL DAYS FROM 8:00 AM TO 5:00 PM ON WINTERGREEN DRIVE, EAST AND WEST SIDES OF THE STREET BETWEEN PRIMROSE PLACE AND ROSEMARY AVENUE; PROVIDING FOR A PENALTY; REPEALING ALL PARTS OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND OPEN MEETINGS CLAUSE.

Police Chief Pruitt stated residents having residential properties with or without side driveways bordering Wintergreen Drive expressed concern for student parking. The current City Code provides a "permit parking only" zone on Primrose Place from Broadway to Wintergreen Drive.

Police Chief Pruitt reported there has been an influx of student drivers this year. The parking spaces available at the high school are full every day. He noted there is a history of concerns on Wintergreen with students creating problems for residents. The permit parking zone will offer residents protection from student parking congestion, will allow safe areas around driveways, and clear travel for emergency vehicles. Staff proposes amending Section 18-152 of the City Codes, Permit Parking Only on School Days from 8:00 a.m. to 5:00 p.m. to include Wintergreen Drive, east and west sides.

Parking permits will be available to residents having properties bordering Wintergreen Drive. Residents may call the dispatch center to notify of gatherings taking place. Additionally, recognized service providers, maintenance vehicles, and landscape companies do not need a permit.

The City Council has the authority to pass ordinances to restrict parking as authorized in the Texas Transportation Code 542.202 and Alamo Heights City Code Section 18-99 "Designation and marking of parking spaces and areas where parking is prohibited or limited".

Police Chief Pruitt stated staff coordinated with the City Manager and City Attorney on the proposed ordinance amendment. If approved, the City Secretary will publish the ordinance in the *San Antonio Express-News* and post it on the City webpage.

As the item before, Public Works personnel will install the sign poles and signs. Staff also mailed letters to all residents having bordering properties with or without side driveways on Primrose Place and Rosemary Avenue. Staff received 3 in favor and none against.

The total cost for four poles, signs and labor is \$250.00 plus additional cost to publish the ordinance in the *San Antonio Express-News*.

After a brief discussion, Mayor Pro Tem Jessee moved to approve Ordinance No. 2202 as presented. The motion was seconded by Councilmember Savage and passed by unanimous vote.

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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 Broadway infrastructure construction.

Item # 8 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 6:18 p.m. and reconvened in Open Session at 6:44 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 6:45 p.m. The motion was seconded by Councilmember Savage and passed by unanimous vote.

PASSED AND APPROVED THIS 10TH DAY OF APRIL, 2023.



Elsa T. Robles, TRMC
City Secretary





Bobby Rosenthal
Mayor