

CITY OF ALAMO HEIGHTS  
CITY COUNCIL  
August 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, August 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 Lynda Billa Burke  
Councilmember Lawson Jessee  
Councilmember Karl P. Baker  
Councilmember Blake M. Bonner

Also attending were:  
City Manager Buddy Kuhn  
Assistant City Manager Phil Laney  
City Attorney Jessie Lopez  
Assistant to City Manager Jennifer Reyna  
City Secretary Elsa T. Robles  
Director of Finance Robert Galindo  
Police Chief Rick Pruitt  
Fire Chief Michael Gdovin  
Public Works Director Frank Orta

Not attending:  
Community Development Services Director Lety Hernandez  
Deputy Police Chief Cindy Pruitt

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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 Rosenthal asked the City Council for a motion on the August 12, 2024 City Council Meeting minutes. Mayor Pro Tem Lynda Billa Burke moved to approve the minutes as presented. The motion was seconded by Councilmember Karl P. Baker and passed by unanimous vote.

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*Item # 2      Citizens to be Heard*

Mr. Michael Carroll, resident, and President of the Alamo Heights Historical Association stated he encouraged Council to pursue instituting historic districts in the city and offered his services to help in any way.

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Public Hearings

Item # 3 Mayor Rosenthal read the following caption.

**Public hearing on Proposed FY 2024-2025 Annual Operating Budget**

Mayor Rosenthal opened the public hearing at 5:36 p.m. With no one to speak on the item, Mayor Rosenthal closed the public hearing at 5:37 p.m.

Item # 4 Mayor Rosenthal read the following caption.

**Public hearing on 2024 Proposed Ad Valorem Tax Rate**

Mayor Rosenthal opened the public hearing at 5:37 p.m. With no one to speak on the item, Mayor Rosenthal closed the public hearing at 5:38 p.m.

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Items for Individual Consideration

Item # 5 Mayor Rosenthal read the following caption.

**Budget and Tax Ordinances to be considered in the following order:**

**a. FY 2024-2025 Operating Budget**

**ORDINANCE NO. 2226**

**AN ORDINANCE MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF ALAMO HEIGHTS INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024 AND ENDING SEPTEMBER 30, 2025; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.**

**b. 2024 Ad Valorem Tax Rate**

**ORDINANCE NO. 2227**

**AN ORDINANCE ADOPTING A TAX RATE AND LEVYING AN AD VALOREM TAX UPON ALL PROPERTY SUBJECT TO TAXATION AT THE RATE OF \$0.370147 FOR EVERY \$100.00 VALUATION FOR THE SUPPORT OF THE CITY GOVERNMENT OF THE CITY OF ALAMO HEIGHTS, TEXAS, SPECIFYING SEPARATE COMPONENTS OF SUCH RATE FOR MAINTENANCE AND OPERATIONS AND FOR DEBT SERVICE; SAID TAXES BEING LEVIED FOR THE 2024 TAX YEAR; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING FOR COLLECTION AND ORDAINING OTHER RELATED MATTERS; AND SETTING AN EFFECTIVE DATE.**

**c. Ratifying the Increase in Property Tax Revenue reflected in the FY 2024-2025 Budget**

**ORDINANCE NO. 2228**

**AN ORDINANCE RATIFYING THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE FISCAL YEAR 2024-2025 BUDGET AND SETTING AN EFFECTIVE DATE.**

Finance Director Robert Galindo presented the proposed FY 2024-2025 and the proposed 2024 Tax Rate. The proposed 2024 total tax rate is \$0.370147 per \$100 valuation. Mr. Galindo noted the No New Revenue Tax Rate is \$0.370159 and the Voter Approval Rate is \$0.399417. The tax rate is composed of two components: Maintenance and Operation (M&O) rate of \$0.311327 and Interest and Sinking (I&S) rate of \$0.058820. If Council adopts the proposed tax rate, it will decrease the total tax rate by 0.003%.

Mr. Galindo reviewed the summary of the proposed General Fund Budget for FY 2024-2025. The beginning fund balance is \$6.3M, estimated operating revenues are \$13.5M, departmental allocations total \$13.2M, leaving a positive remaining balance of \$315,274. He reviewed the proposed Utility Fund budget. The beginning fund balance is \$2.4M, the estimated revenues are \$5.5M, estimated operating expenses are \$5.4M, leaving a positive remaining balance of \$19,837.

Other proposed governmental funds for FY 2024-2025 are the Comprehensive Plan Fund with a beginning balance of \$1.5M including expenditures of \$1.4M for the city's beautification project and \$50,000 that are allocated for the Community Grant Program which must be used by Sept. 30, 2025. The Street Maintenance Fund revenues are estimated at \$868,811 from dedicated

½ cent sales tax revenue and expenditures are \$1,000,000 for the street maintenance program. The Capital Projects Funds beginning balance is \$15.2M which includes the 2021 Taxable bond proceeds of \$13,250,000, a transfer in from the General Fund of \$25,000, and expenditures of \$25,000 allocated for the Olmos Basin Cleanup. The Capital Replacement Fund starting balance is \$911,390 with a revenue of \$215,607 and expenditures of \$498,608 for IT \$28,000, Ambulance \$204,700, Stretcher \$43,000, Police Body Worn Cameras Lease \$25,816, Police Mobile Cameras \$32,092, EMS \$75,000 future ambulance, and Half Cost for Dump Truck \$90,000 split with Utility Fund.

Mr. Galindo stated the City Charter requires the City Manager to prepare a budget to cover all proposed expenditures of the City for the succeeding year. The budget must be prepared in conformity with state law and a vote to approve is required. A roll call record vote to set the tax rate is required by Chapter 26 of the Tax Code. Local Government Code 102.007 requires a separate vote to ratify the property tax revenue increase in the budget.

Councilmember Jessee moved to approve Ordinance No. 2226 adopting the annual operating budget of the City of Alamo Heights for the fiscal year beginning October 1, 2024 and ending September 30, 2025. The motion was seconded by Councilmember Baker and passed by roll call vote as follows: Ayes – Mayor Pro Tem Billa Burke, Councilmember Jessee, Councilmember Baker, and Councilmember Bonner. Nays – None. Present but not voting – Mayor Rosenthal.

Councilmember Jessee moved to approve Ordinance No. 2227 stating the property tax rate be decreased by the adoption of a tax rate of \$0.370147 per \$100 valuation with the M&O Rate being \$0.311327 and the I&S Rate being \$0.058820. The motion was seconded by Councilmember Bonner and passed by roll call vote as follow: Ayes – Mayor Pro Tem Billa Burke, Councilmember Jessee, Councilmember Baker, and Councilmember Bonner. Nays – None. Present but not voting – Mayor Rosenthal.

Councilmember Jessee moved to approve Ordinance No. 2228 ratifying the increase in Property Tax reflected in the FY 2024-2025 Budget. The motion was seconded by Councilmember Bonner and passed by roll call vote as follow: Ayes – Mayor Pro Tem Billa Burke, Councilmember Jessee, Councilmember Baker, and Councilmember Bonner. Nays – None. Present but not voting – Mayor Rosenthal.

Mayor Rosenthal thanked City Manager Buddy Kuhn, Mr. Galindo, and management staff for their hard work in establishing a well balance budget for next fiscal year.

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

**Architectural Review Board Case No. 944F, a request of Laurie Saunders of The Bark Park of Alamo Heights, Inc., represented by the City of Alamo Heights, for the final design review of the proposed free-standing gazebo on the properties located at 103-105 Alamo Heights Blvd, also known as the Bark Park.**

City Manager Buddy Kuhn stated a family donated a free-standing gazebo to the city. Staff requests to set up the gazebo at the Bark Park. He reviewed a site map showing the proposed location and noted it would have to meet ADA standards.

City staff removed several dead/diseased trees that were creating a hazard in the park. The park is now pretty barren and an open space. The gazebo can provide needed shade in the park. Mr. Kuhn reviewed pictures of the gazebo in question. The gazebo stands approximately 13ft - 8in and is made of steel and wood with a standing seam metal roof.

Mr. Kuhn recapped and stated the city, and the Bark Park are considering site improvements to ensure ADA access to structure. The Architectural Review Board (ARB) considered the request at their August 20, 2024 meeting and voted unanimously to recommend approval as presented with condition that consideration be given to requirements of the Federal Government in form of the American Disabilities Act and to environmental impact of selection of pathway materials in the City Manager's discretion and judgement. Mr. Kuhn added there is also a donor that is requested to remain anonymous who wants to donate \$10,000 towards having the gazebo rebuilt to include replanting trees. Mr. Kuhn proposed the city allocate funds toward the project.

Public notifications were mailed to property owners within a 200-foot radius. Notices were posted on the City's website and on the property. Staff received no responses in support nor in opposition.

Council discussed the opportunity to add the gazebo to the Bark Park and what it would entail to add a concrete or granite trail, electricity and protect it from potential flood waters.

Mr. Ken Howard spoke on behalf of the Bark Park. He wanted to thank staff and the Tobin Family for donating the gazebo. He shared there was an electric line already in place previously used for a security light. Mr. Howard added they were also doing fundraising to purchase additional trees.

Mayor Pro Tem Billa Burke moved to approve ARB Case No. 944F as presented. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

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

**RESOLUTION NO. 2024R - 191**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ADDITIONAL SERVICE REQUEST #01 WITH TBG PARTNERS FOR ADDITIONAL SERVICES RELATED TO THE EXECUTED AGREEMENT FOR ADDITIONAL PROFESSIONAL LANDSCAPE ARCHITECTURAL DESIGN SERVICES FOR THE BROADWAY AND OGDEN LANE IMPROVEMENTS PROJECT; AND SET AN EFFECTIVE DATE.**

Assistant City Manager Phillip Laney presented a resolution authorizing the continued design work for the Broadway and Odgen Lane improvement project. In the current fiscal year, Council dedicated funds for improvements to targeted areas for beautification in this intersection and by the Alamo Heights community pool. He reminded Council they had approved landscape design funding in April of 2024; however, staff was requesting funds for additional services as discussed by Council and TBG Partners during the budget workshop in July.

Staff is requesting approval of additional Service Request #01 to provide expanded scope requested by City Council not included in the original executed agreement for Broadway and Ogden improvements. The proposal is to have a realigned intersection, wider sidewalk zones, patio plaza spaces and other landscape planting zones to have an overall pedestrian focused concept with a mid-block crossing across Broadway with pavements and lighting.

Mr. Laney advised the request is consistent with City practice to negotiate fees for professional services and to have professional expertise to articulate and incorporate City priorities in various city projects. The item was coordinated with the City Manager and City Attorney. He stated the additional Service Request #01 is in the amount of \$29,000.00 for services from TBG for additional landscape architectural design for the Broadway and Ogden Lane project. The total revised contract amount would not exceed \$66,000.00 and is included in the FY 2024 Budget. Future Council action is required to authorize construction contract(s).

After a brief discussion, Councilmember Jessee moved to approve Resolution No. 2024R - 191. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

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

**RESOLUTION NO. 2024R - 192**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS, AUTHORIZING APPROVAL FOR THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH GRACE & MCEWAN CONSULTING, LLC FOR CONSULTANT SERVICES; AND SETTING AN EFFECTIVE DATE.**

Mr. Kuhn stated this was a resolution for approval to renew a consultant services agreement with Grace & McEwan Consulting, LLC. They will continue assisting the City with analyzing and executing strategies to proceed with the Broadway development project. The agreement is for a 1-year term, with renewal options if mutually agreed to by both parties. They were selected to develop and execute a working strategy with TxDOT to advance the Broadway development project.

Mr. Kuhn stated, per Chapter 252.021 of the Texas Local Government Code, it permits the City Manager to enter into contracts without competitive bidding or proposals for contracts less than \$50,000. Additionally, Chapter 252.022 of the Texas Local Government Code states,

Competitive bidding or proposals are not required for contracted personal, professional, or planning services, such as the agreement with Grace & McEwan Consulting.

Mr. Kuhn stated the purpose of acquiring Grace & McEwan is to formulate a strategy to advance the Broadway project, to advocate to TxDOT for project continuation, and to reach an agreed upon design by TxDOT standards and the City needs.

Mr. Kuhn reiterated the contract term is for one year with a renewal option if mutually agreed to by both parties and can be cancelled with a 30-day notice by either party with or without cause. The contract expires September 30, 2025. There is a monthly fee of \$7,500.00. The City is responsible for paying additional costs and expenses the contractor may incur while acting on City's behalf. The funds are included in the City Budget.

Mr. Kuhn informed Council staff recently updated the TxDOT TA Program Grant application previously submitted in May and will resubmit with additional information. He added the consultants are working on additional avenues for funding. He noted the monthly fee did not increase. Mr. Kuhn stated Grace & McEwan have helped the City get into the upper tier of TxDOT and continue working to find other funding grants. Funds were budgeted in the FY2025 budget as approved by Council.

Councilmember Baker asked what staff anticipated this firm would be doing in the next year on behalf of the city.

Mr. Kuhn answered they would be attending every TxDOT meeting with the city and talk with the district engineer to include the TxDOT Chairperson Bruce Bugg and Governor Greg Abbott. He added Grace & McEwan also do extensive lobbying efforts on behalf of the city. He added they had been instrumental in getting the city \$10.5M in grant funds.

Council discussed quantifying the services provided by Grace & McEwan to the taxpayers. After a brief conversation, Council requested Grace & McEwan report to them on a quarterly basis and asked staff to arrange a presentation later this year.

Councilmember Baker moved to approve Resolution No. 2024R - 192. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

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

**Discussion and possible action on the resignation of Councilmember John Savage**

Mr. Kuhn stated Councilmember Savage submitted his resignation on August 21, 2024. He serviced the city since May 2010 and his current term ends in May 2026. Mr. Kuhn shared Councilmember Savage did not leave for a bad reason or health issue, but just decided it was time.

Mr. Kuhn provided background information on council vacancies. Per Article IV, Section 11(B) of the City Charter concerning council vacancies states that: Within 30 days of a declared Council Member vacancy, the remaining Council Members shall appoint a qualified person to fill that vacancy for the remainder of that term or until the next scheduled city election, whichever occurs first.

Additionally, any person appointed to a vacancy which occurs in the first year of a two-year term, shall have to stand for election at the next scheduled City election to serve out the one-year remaining on that term. Should the appointed person desire to remain on council following the May 2025 election, they will also have to run on the May 2026 City election. The necessity to run in consecutive elections is to ensure 50% of council members, including the Mayor occur every other year per city charter. Council places 3, 4 and 5 are filled in even numbered calendar years and Mayor and Council places 1 and 2 are filled in odd numbered calendar years.

Qualified candidates must be: 18 years of age or older, United States citizen, a qualified voter on the date of election, resided in the City for a year preceding the election, has not been determined mentally incompetent by a final judgment of a court, has not been finally convicted of a felony from which the candidate has not been pardoned or otherwise and must satisfy any other eligibility requirements prescribed by law.

Mr. Kuhn outlined the process for filling the vacancy. Interested persons must submit their resumes to the City Secretary by Wednesday, September 4, 2024 by 5:00 p.m. No resumes will be accepted after this deadline. Council will hold interviews in open session during the City Council meeting on September 9, 2024 at 5:30 p.m. An official announcement will be posted on the City website and kiosk. Once interviews are complete, Council shall adjourn into executive session with City Attorney for discussion. City Council may announce a finalist during the September 09, 2024 meeting or may defer to the September 23rd City Council meeting but no more than 30 days from acceptance of the declared vacancy.

Mr. Kuhn noted this process was coordinated with Mayor Rosenthal, City Manager, City Secretary, and City Attorney. He advised Council needs to take action to accept Councilmember Savage's resignation and declare a vacancy.

Mayor Rosenthal stated he liked the process to fill the vacancy and appreciated the time Councilmember Savage served the city. He liked the idea of honoring him at a dinner after the Sept. 23<sup>rd</sup> Council meeting as suggested by Councilmembers Jessee and Baker.

Mayor Pro Tem Billa Burke moved to accept the resignation of Councilmember Place 5 John Savage. The motion was seconded by Councilmember Bonner and passed by unanimous vote.

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With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 6:17 p.m. The motion was seconded by Councilmember Baker and passed by unanimous vote.



PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF SEPTEMBER, 2024.



Elsa T. Robles, TRMC  
City Secretary



Bobby Rosenthal  
Mayor

