

CITY OF ALAMO HEIGHTS
CITY COUNCIL
September 27, 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, September 27, 2021. A teleconference was held via Zoom; staff and meeting attendees were welcomed in the Council Chambers.

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 Richard Lindner
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles – Via Zoom
Director of Finance Robert Galindo
Human Resources Manager Lori Harris – Via Zoom
Fire Chief Michael Gdovin
Police Chief Rick Pruitt
Public Works Director Pat Sullivan – Via Zoom

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Mayor Bobby Rosenthal opened the meeting at 5:30 p.m.

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Item # 1 Approval of Minutes

Mayor Bobby Rosenthal asked City Council for a motion to approve the September 13, 2021 City Council Meeting minutes. Mayor Pro Tem Lynda Billa Burke moved to approve the minutes as presented. The motion was seconded by Councilmember Blake M. Bonner and passed by unanimous vote.

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Item # 2 Announcements

Mayor Rosenthal read the following caption.

a. National Prescription Drug Take Back Day, October 23, 2021

Police Chief Rick Pruitt announced that any expired, unused, and unwanted prescription drugs will be taken on Saturday, October 23, 2021 at City Hall beginning at 10:00 a.m. – 2:00 p.m. It will be on a drive-thru basis as before. Police Officers will be present to take unwanted prescription drugs.

Police Chief Pruitt also announced the 31st Annual Alamo Heights High School Howdy Night Parade will take place Wednesday, October 6, 2021 from 4:30 p.m. – 7:30 p.m. starting at the Bark Park and finishing at the Alamo Heights High School.

b. Cancellation of November 22, 2021 and December 27, 2021 Council Meetings due to holidays

Assistant to the City Manager Jennifer Reyna provided a friendly reminder of upcoming cancellations for the November 22, 2021 and December 27, 2021 Council meetings due to the holidays.

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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 caption.

Architectural Review Board Case No. 860F, request of Lisa Nichols of Nic Abbey Luxury Homes, owner, for the significance review of the existing main structures at the property located at 216 Grant in order to demolish 100% of the existing single-family residence with accessory structures under Demolition Review Ordinance

Community Development Services Department Director Lety Hernandez stated the SF-A zoned property is located at 216 Grant between Torcido and Morton. The applicant requests approval for 100% demolition of the existing home. Ms. Hernandez reviewed the existing site plan and current residence pictures.

Staff found no historical or architectural significance in this case. Any new construction will require a compatibility review by the Architectural Review Board (ARB) and City Council as required under Demolition Ordinance 1860.

The ARB reviewed this case on September 21, 2021 where they found no significance and recommended approval of the demolition request as submitted.

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 two responses in support, and one in opposition on this case.

Mayor Pro Tem Lynda Billa Burke moved to approve ARB Case No. 860F as requested. The motion was seconded by Councilmember Wes Sharples and passed by unanimous vote.

Item # 5 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 861F, request of Trebes Sasser Jr. of Ridgemont Properties, owner, for the significance review of the existing main structures at the properties located at 111, 119, 131, & 135 Katherine Ct in order to demolish 100% of each multi-family building under Demolition Review Ordinance 1860

Councilmember Lawson Jessee announced he would recuse himself from participating on this agenda item due to a conflict of interest.

Ms. Hernandez stated the MF-D properties are located on Katherine Court at the corner of Broadway. The significance request is for 100% demolition of the existing structure. She reviewed the existing site plan and existing conditions of the structures and elevations.

Ms. Hernandez provided some background on the item.

- *June 14, 2021* – City Council heard a Notice of Intent (NOI)
- *August 17, 2021* – Architectural Review Board conducted a Preliminary Review; no action taken
- *September 7, 2021* – Planning & Zoning Commission recommends approval of rezone as requested. The Commission recommends approval of the replat with two (2) conditions:
 - 1) that requisite variances are granted by the Board of Adjustments and
 - 2) the ARB approve compatibility and character
- *September 13, 2021* – City Council considers P&Z recommendations
 - Approves rezone request as recommended
 - Approves replat without conditions recommended by P&Z due to compliance with Chapter 3 Zoning & Chapter 17 Subdivision of the Code of Ordinances and State Law.
- *September 21, 2021* – Architectural Review Board declared the existing structures as not significant and recommended approval of the demolition as requested.

Ms. Hernandez noted new construction will require final review by the ARB and City Council under Chapter 2 Administration.

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 three responses in support and three in opposition on this case. The applicant was present for questions.

Mayor Rosenthal asked to hear comments from citizens who signed up to speak on this item.

- Mr. John Feitshans, resident, expressed his concern with the size of the proposed building and lack of parking for residents. He noted college students may choose to reside in the new building with no one to manage them. This will add to noise nuisance and over-crowding of the street. Mr. Feitshans proposed underneath parking.
- Mr. Michael McGuire, resident, stated he was opposed to the project and did not agree with the process of approving the demolition before approving the compatibility of the proposed structure. He suggested Council reconsider the process. In his opinion, it was not in line with the Code of Ordinances.

The City Attorney advised it was at the applicant's discretion to request the demolition and compatibility together or separately.

- Ms. Joan Cunningham, resident, stated she expressed she wasn't clear with the approval process for the proposed project and urged Council to be more transparent. She noted she didn't have faith in the Code of Ordinances, needed clarity and commented it's perceived the City is on the developer's side.

Mayor Pro Tem Billa Burke suggested staff hold a community workshop to educate residents on the Code of Ordinances.

Mayor Pro Tem Lynda Billa Burke moved to approve ARB Case No. 861F as requested. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

Councilmember Lawson Jessee rejoined the meeting.

Item # 6 Mayor Rosenthal read the following caption.

ORDINANCE NO. 2179

AN ORDINANCE AMENDING THE ADOPTED GENERAL FUND OPERATING BUDGET FISCAL YEAR 2020-21 FOR THE A GENERAL FUND TRANSFER OUT TO THE CAPITAL PROJECTS FUND FOR UP TO \$1,064,000

Finance Director Robert Galindo stated the request is a budget amendment to the General Fund FY 2020-21. He recommended using up to \$1,064,000 of the projected positive balance of \$1,064,229 for a budget amendment to transfers out of the General Fund to the Capital Projects

Fund of up to \$1,064,000 to complete engineering and design improvements with related cost estimates for the Austin Highway/Lower Broadway project.

Mr. Galindo reviewed the breakdown of funds being transferred as follows:

Transfer to Capital Projects Fund from General Fund for Austin Hwy/Lower Broadway Improvement Project:	Amount
Engineering for Roadway estimate \$120,000	\$ 120,000
Engineering for Existing Box Culvert estimate \$100,000	\$ 100,000
Encumbrances Landscape Design \$69,502.50/Engineering \$42,242.50	\$ 111,745
TBD improved landscaping - initial transfer	\$ 732,255
Total	\$ 1,064,000

Mr. Galindo advised once designs for landscaping improvements are submitted, more funds will be needed; but the initial transfer will be \$732,255. The budget amendment is in line with strong financial management practices to set aside funds when possible for capital projects and is consistent with the Strategic Action Plan.

Mr. Galindo noted the City Attorney had reviewed the ordinance and asked Council to consider an ordinance to amend the Fiscal Year 2020-2021 adopted budget for transfers from the General Fund to the Capital Projects Fund for up to a total of \$1,064,000 and to execute all necessary budget documents and accounts necessary to complete the budget amendment.

City Manager Buddy Kuhn reiterated the transfer breakdown reflected cost estimates provided by WGI Engineering as part of Work Authorization #1 approved by Council in April 2021. Mr. Kuhn agreed additional funds will be needed for landscaping and stated it is customary to request budget amendments at the end of each fiscal year. Mr. Kuhn added this budget amendment will cover engineering fees through the next fiscal year. Other work authorizations are forthcoming.

Councilmember Savage moved to approve Ordinance No. 2179 amending the adopted General Fund Operating Budget Fiscal Year 2020-21 for the General Funds Transfers to the Capital Projects Fund for up to \$1,064,000 as presented. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

Item # 7 Mayor Rosenthal read the following caption.

RESOLUTION NO. 2021R - 139

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.

Mr. Galindo stated the resolution is required by the Texas Government Code Chapter 2256, known as the Public Funds Investment Act (PFIA) which establishes 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
- 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.

The Texas PFIA requires the policy be adopted each year even if there are no proposed changes. This year, there is a minor change in the diversification: *No more than 100% in authorized investment pools ~~and no more than 50% in any one pool.~~* This change was necessary to allow investment of incoming bond proceeds for the Austin Hwy/Lower Broadway Improvement Project until the funds are used.

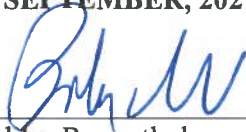
Mr. Galindo stated the investment policy for the City of Alamo Heights complies with the Texas Government Code Chapter 2256, known as the Public Funds Investment Act (PFIA). He noted the policy was reviewed by the Finance Director, City Manager and Councilmember Savage and asked Council to consider the resolution as presented.

Councilmember Bonner moved to approve Resolution No. 2021R-139 as presented. The motion was seconded by Councilmember Savage and passed by unanimous vote.

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With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 6:08 p.m. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

PASSED AND APPROVED THIS 27th DAY OF SEPTEMBER, 2021.



Bobby Rosenthal
Mayor



Elsa T. Robles, TRMC
City Secretary