

CITY OF ALAMO HEIGHTS
CITY COUNCIL
December 14, 2020

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, December 14, 2020. 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
Assistant to City Manager Jennifer Reyna
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

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

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Mayor Rosenthal recognized students and parents waiting outside in support of Item #11, temporary use of parking lot North of AH Bark Park for bicycle use through February 8, 2021. He along with Council and staff went outside to thank them personally for braving the cold to participate in their local government and express what they wanted and what was important to them. He also thanked citizens that were participating via zoom and asked everyone to be patient.

Assistant to City Manager Jennifer Reyna explained how citizens could participate via zoom. She advised citizens how to access PowerPoints related to agenda items they'd like to speak on and asked them to raise their hand or press *9.

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Item # 1 Approval of Minutes

Mayor Rosenthal asked City Council for a motion to approve the November 9, 2020 Council Meeting minutes. Councilmember Wes Sharples moved to approve the minutes as presented. The motion was seconded by Councilmember Blake M. Bonner and passed by unanimous vote.

Mayor Rosenthal asked for a motion to approve the November 17, 2020 Special 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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Announcements

Item # 2 Mayor Rosenthal read the following caption.

a. 2021 Fiesta Medal

Human Resources Manager Lori Harris addressed Council regarding this item. She stated we had 2020 Fiesta Medals in stock because Fiesta 2020 had been cancelled. She wanted Council's opinion on whether or not to purchase 2021 Fiesta Medals, given the current pandemic status and its effect on Fiesta 2021.

After some discussion, City Manager Buddy Kuhn stated staff would continue to explore a base model and make an executive decision.

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Item # 3 Citizens to be heard

Mayor Rosenthal stated there were no citizens signed up to speak on general topics, but did have citizens sign up to speak on specific agenda items.

* * *

Mayor Rosenthal announced Item #14 would be considered first. He stated if anyone logged into Zoom desired to speak against the temporary bike park, to inform Ms. Reyna. He

was considering moving the item up next since kids interested in this item were still waiting outside in the cold.

Items for Individual Consideration

Item # 14 Mayor Rosenthal read the following caption.

Presentation of Refunding Bond 2020

Finance Director Robert Galindo introduced Ms. Anne Burger Entrekin from Hilltop Securities who would be presenting the results of the 2020 bond refunding.

Ms. Burger Entrekin thanked Council and stated the City currently had a “AAA” rating from Standard & Poor’s Corporation due to strong management, financial policies and practices under the financial management assessment methodology. This indicated financial practices are strong, well embedded, and sustainable. She added that the City’s budgetary flexibility is very strong with an available fund balance in fiscal year 2019 of 54% of operating expenditures, or \$5.4 million. She expected the available fund balance to remain above 30% of expenditures for the current and next fiscal years. The City’s liquidity is also very strong with total government available cash at 82% of total governmental fund expenditures and 11x governmental debt service in 2019.

Ms. Burger Entrekin spoke on the General Obligation Bonds, Series 2012 that were being refunded. There were \$4,895,000 in bonds that were callable that had coupons ranging from 2% - 2.625%.

She presented the bond refunding results:

- Refunding Par Amount \$4,530,000
- Gross Savings \$297,453
- Average Annual Savings (2022-2032) \$46,003
- Net Present Value Savings \$265,781
- Present Value Benefit (%) 5.429%
- True Interest Cost 1.214%

Actual results compared to projections were:

- Gross Savings increased by \$68,378 or 30%
- Net Present Value Savings increased by \$67,253 or 34%
- Aggregate Savings as a % of Refunded bonds increased from 4.055% to 5.429%
- Call Date negotiated one year sooner

In summary, she stated the City achieved debt service savings by effectuating a refunding transaction at historically low municipal interest rates. Even with very low coupons from the original Series 2012 bond issue, debt service savings exceeded savings projections.

Ms. Burger Entrekin expressed her appreciation to City Manager Buddy Kuhn, Director of Finance Robert Galindo and the rest of the Alamo Heights staff. She also thanked Mr. Tom Spurgeon of McCall, Parkhurst and Horton, Bond Counsel; Frost, who served as the Underwriter; and the City of Alamo Heights, for a long-term financial advisory relationship.

Mayor Rosenthal thanked her for presenting on the bond refunding.

Mayor Rosenthal announced Item #11 would be considered next.

Item # 11 Mayor Rosenthal read the following caption.

Discussion and possible action regarding the temporary use of the parking lot North of the AH Bark Park for bicycle use through February 8, 2021

Assistant City Manager Nina Shealey informed Council there had been an increase of bike activity on the Hondondo Creek Trails which included the installation of jump ramps. In accordance to the MOU created with the Hondondo Creek, wheeled vehicles are not allowed on the trails. A community group, Alamo Heights Bike Park 501(c)(3), was created and requested the City explore the creation of an official and separate Bike Park. A discussion of options for appropriate locations began in June and have continued with the community group.

Ms. Shealey stated this item was to explore a temporary bike park to provide relief during the pandemic and winter break until a permanent location was established and agreement could be reached. She identified the suggested location, which is north of the Bark Park, originally created to provide parking support for the Bark Park. Since the entrance is located off Alamo Heights Blvd, the proposal is to fence the entrance off to vehicular traffic. Other conditions would be to install "Use at your own risk" signage, only allow "Dusk to Dawn" use, no encroachment allowed to the vegetated areas north or west of the proposed location, and will only be available through February 8, 2021.

Mayor Rosenthal suggested staff work with Alamo Heights Bark Park Organization and allow a couple of parking spots and push the parking in a bit instead of fencing off Alamo Heights Blvd. Ms. Shealey agreed to look into this option, and commented, as long as there was enough clearance for vehicular traffic to pull in and out, it shouldn't be a problem. She added, to avoid cyclists entering into prohibited areas, "No bicycles beyond this point" signs would be installed. Mayor Rosenthal shared he had requested area lighting to be removed temporarily to help enforce the "dusk to dawn" use of the temporary bike park.

At this time Mayor Rosenthal asked to hear from citizens who had signed up to speak on this item.

- Mr. Bobby Jones, resident, thanked Council and staff for recognizing the children who came in support of the temporary bike park. He stated he became involved last spring when the jumps in the Hondondo trails were demolished and the kids were prohibited

from riding the trails. As a parent in this digital age, he finds it hard to manage and reduce screen time for his children. He supports biking as a means of exercise and interaction amongst children. He added the community streets aren't bike friendly and unsafe. He along with other citizens are proposing to cut trails in an unused piece of land being leased to the city and establish parks, recreations and playgrounds and hopes the city will help in expediting a long-term location.

- Ms. Brooke Leddy, resident, shared an email in support sent by another citizen emphasizing the need of a safe area to ride away from hikers and walkers. They need to be encouraged to be outdoors and be kids. She again thanked Council for their immediate consideration for the temporary space and looks forward to working together to make this a long-term win for the children.
- Mr. Hollis Leddy, student, stated he is eleven years old and he and his friends do not have a place in the community to ride their bikes, safely. After being run off from the Hondondo Trails and Ogden Lane, the City now suggests allowing them to temporarily ride their bikes in the open parkway next to the dog park. He expressed this was a great spot to ride safely and thanked Council for allowing him to speak.
- Mr. Weston Cox, a sophomore at Alamo Heights High School, stated he rides his bike every day to and from school. He along with friends taught kids to ride their bikes. He commented the kids in the community need a safe place to ride their bikes and be more active.
- Ms. Elizabeth Cox, resident, stated her son had pretty much summed it up for all of the kids that are waiting outside. The kids need a safe place to ride their bikes. She understands there are spaces for dogs to run safely, people to bird watch, and a place for leisurely strolls. These constructive young citizens need their own space to exercise and be kids.
- Mr. Joshua Mejia, student, stated he had participated in the Mayor's Fitness Council four years ago where he had suggested a bike park be established. At that time, he was told, if there was a need and the community supports it, then it would be considered. Four years later, there is definitely a need for a bike park.
- Ms. Laurie Saunders, Bark Park of Alamo Heights, expressed support for the short-term bike park. Her concern was the impact the Bike Park would have on overflow parking for the Bark Park and little league in the spring.

Mayor Rosenthal stated staff will look at pushing the parking in and leaving a couple of parking spaces on the north and the south of the parking lot. He added that this is temporary until February 8, 2021. There has not been any discussion of making this permanent.

- Ms. Allison Cynderhath, resident, spoke regarding her experience with bicycles. She is currently a coach for the Alamo Heights Mule Cycling Team and feels everyone needs to learn to be a defensive cyclist. These skills need to be learned some place safe away from busy streets.
- Ms. Nancy Dunson, resident, called in via Zoom. She requested more details on what the proposed temporary bike park would be like. Ms. Shealey explained that the location was off Alamo Heights Blvd. and is currently the parking lot for the Bark Park.
- Ms. Janet Peavy and her children, residents, spoke via Zoom. She shared she had four children and felt this would be a safe place for children to be children and learn how to ride their bikes.

With no one else waiting to speak via Zoom, Mayor Rosenthal addressed the issue of the ramps being pulled by the City. These were pulled due to interference of other uses that had been granted in those particular locations. It was in no way meant to be malicious or against the bikers.

Councilmember Lynda Billa Burke stated she supported it and thought it was a good way for them to socialize and to learn.

Councilmember Lawson Jessee apologized that it has taken so long, it's government and a process. He added Council had gotten distracted with the bond issue, but felt that the February timeline was good. The City will have to decide on a permanent location by then. He thanked everyone for coming out in support of this project and being patient.

Mayor Rosenthal stated he met with Councilman Jessee to explore options for a long-term location that would accommodate an area for jumps and an area for a bike trail with some terrain.

Councilmember Blake Bonner concurred these kids need a place that is not overlaid with asphalt to get out and be kids.

Mayor Pro Tem John Savage stated the parents and kids had done a really good job making the need apparent and Council needed to support this.

Councilmember Wes Sharples also commended everyone who showed up to speak on this item.

Councilmember Billa Burke moved to approve the temporary bike park as presented. Councilmember Jessee seconded the motion.

Before continuing with the motion, Mayor Rosenthal addressed the children that called and came to speak in favor of the temporary bike park. He thanked them for their participation and added that they are clearly leaders. He asked them tell all their friends who ride, to stay on the jumps and not go into the trails during these 45 days. Mayor Rosenthal reiterated Council will be working to find a permanent location.

City Attorney Frank Garza clarified the motion was to authorized the City Manager and City Attorney to negotiate a temporary license agreement for use of the facility until February 8, 2021 for the temporary bike park with the Alamo Heights Bike Park Organization.

With a motion made by Councilmember Billa Burke and seconded by Councilmember Jesse, the motion passed by unanimous vote.

Mr. Kuhn added that it was important to get it fast tracked. He stated he would work with the City Attorney on the agreement and order signs and barricade fencing within the next 48 hours to get the location ready for the weekend.

Item # 4 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 819F, of Joseph Valdez of Valdez Designs, applicant, representing James W. and Jessica Collins, owners, for the significance review of the existing main structure located at 730 Corona in order to demolish 100% of the existing residence and accessory structures

Ms. Shealey stated the property was a Single Family-A located on Corona between St. Luke's Lane and Ciruela Street. The request is for 100% demolish and significance. She provided pictures of the property and structure.

The Architectural Review Board (ARB) reviewed this case on November 17, 2020. They did not find any historical or architectural significance and approved the requested demolition.

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 one response in support, and no other responses on this case.

Councilmember Jesse commented on the language provided by the applicant relating to the property backing into an existing city park owned by the City of San Antonio. This park has been leased by the City of Alamo Heights for 50 years and under Texas law, this property would always remain a park. He was concerned this language would have any bearing on what the City could or could not do with the parkland in the future. Ms. Shealey stated it would not because the only thing binding what the City can do with this parkland property, is the lease with the City of San Antonio.

Mayor Rosenthal asked if any citizens wanted to speak to this item.

- Kirstin Silberschlag, resident, wanted to clarify the 1947 lease specified the parkland property would always remain a park, recreation, or playground and appreciated the clarification that the applicant cover letter was not binding.

Mayor Rosenthal shared that a few years ago the City had tried to buy the land for \$1.00 from the City of San Antonio, but they had declined.

Councilmember Sharples moved to approve Architectural Review Board Case No. 819F as requested. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

Item # 5 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 821F, request of Lisa Nichols of Nic Abbey Luxury Homes, owner, for the significance review of the existing main structure located at 239 Abiso in order to demolish 100% of the existing residence and accessory structures

Ms. Shealey presented on the case stating the property was a Single Family-B located on Abiso and corner of Arbutus. The request was for a significance review and 100% demolition. She demonstrated several pictures of the property and structure.

This case was also reviewed by the Architectural Review Board on November 17, 2020 where they found no significance and approved the request for demolition.

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. Ms. Shealey explained the opposing citizen was concerned the property owner would build two homes instead of one after demolition. She added the current house sat on two lots and pointed out the owner is in their right to build two separate houses.

Councilmember Jessee moved to approve Architectural Review Board Case No. 821F as requested. The motion was seconded by Councilmember Sharples and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 822F, request of Adam Michael Custom Homes LLC, applicant, representing Jeremy Mandel, owner, for the significance review of the existing main structure and compatibility review of the proposed design located at 528 Normandy in order to demolish 100% of the existing residence and accessory structures and construct a new single-family residence with detached accessory structure

Ms. Shealey stated the property was a Single Family-B located on Normandy between Alamo Heights Blvd and Greely Street. The request was for 100% demolition and a new single-family construction with detached accessory structure. She reviewed the existing structure and proposed site plan with elevation rendering. The existing total lot coverage is at 23% and proposed is 37%, underneath the maximum of 40%. The total floor area ratio existing is 20% and proposed is 45% which is the maximum allowed.

The Architectural Review Board reviewed the case on November 17, 2020. They found no significance and approved the request for 100% demolition. The ARB found the new design to be compatible and approved the request.

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 none in opposition on this case.

Councilmember Billa Burke moved to approve Architectural Review Board Case No. 822F as requested. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

Item # 7 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 823F, request of Joseph Valdez of Valdez Designs, applicant, representing the current owners, for the compatibility review of the proposed main structure located at 324 Cloverleaf in order to construct a new single-family residence with detached accessory structure

Ms. Shealey informed Council the property was Single Family-A located on Cloverleaf between Buttercup and N. New Braunfels Street. The request is for a new single-family construction with detached accessory structure. The ARB approved 100% demolition of the existing structure on October 20, 2020 and was approved by City Council on November 9, 2020. Today she was presenting a compatibility review.

Ms. Shealey spoke to renderings of the existing structure and proposed site plan to include a detached garage and casita. She added the applicant proposed a building height of 26' 9", made of stucco, and have a barrel tile roof. The existing lot coverage is 21% and proposed is 34%, under the 40% maximum. The existing floor area ratio is 21% and proposed is 38%, also under the maximum of 45%.

The Architectural Review Board reviewed this case on November 17, 2020 and found the new design to be compatible. The request was approved.

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 none in opposition.

Councilmember Billa Burke moved to approve Architectural Review Board Case No. 823F as requested. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

Item # 8 Mayor Rosenthal read the following caption.

Designating Pup Pup and Away as a boarding facility for impounded domestic animals and authorizing the City Manager to execute an agreement with the Pup Pup & Away, LLC for that purpose

Police Chief Rick Pruitt stated staff was seeking approval for a one-year extension to the current canine sheltering agreement with Pup Pup & Away, LLC and authorizing the City Manager to execute that agreement. The City first entered into an agreement with Pup Pup & Away (PP&A) on April 13, 2020. They have agreed to a one-year extension for the boarding of City of Alamo Heights canine rescues. The agreement does include a termination clause by either party with a 60-day notice.

The City has experienced several benefits since entering into this agreement back in April. PP&A takes excellent care of the animals and the experienced, competent staff promotes socializing for these animals. There is frequent and extended open space exercise areas and training in a controlled environment. Chief Pruitt recognized the animals that are up for adoption are very well mannered, adaptable to different environments, and adoptable. Before PP&A, the animals did not experience much attention and became very hyper when visited by a prospective adopter. The City's efforts are to safely hold stray or abandoned canines in a safe and humane environment.

Chief Pruitt informed Council there is a sheltering fee of \$20.00 per night, per canine. The City of Alamo Heights pays for all required immunizations and quarantines as well as provides food, training items, and blankets. These costs are paid from the police department budget, grants, donations, and fundraisers. He added the City Attorney had reviewed the proposed agreement and recommended minor changes.

Mayor Pro Tem John Savage moved to authorize the City Manager to enter into a one-year extension agreement with Pup Pup & Away, LLC for their canine boarding services as presented. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

Item # 9 Mayor Rosenthal read the following caption.

Discussion and possible action regarding the implementation of an outdoor City-wide area Emergency Tornado warning siren(s)

Fire Chief Michael Gdovin stated this was a re-visit with additional information regarding the outdoor emergency tornado warning siren and to provide information on other systems and features for tornado alerts for the City. He emphasized this was an outdoor tornado

warning siren. With wind fade and tree cover, the siren can be minimized to some extent, especially if you are indoors.

Chief Gdovin informed Council this was the fourth attempt for the siren location due to underground infrastructure. This location will work and pointed the potential siren would be erected on Bluebonnet near the firefighter's parking. Staff did validate the area was clear of underground infrastructure for digging and setting poles. There is a subcontractor estimate of \$4,200.00 to install the 200-amp service and set the meter. CPS services estimates are \$316.00 for new service with meter and a \$8.75 monthly fee.

Chief Gdovin provided video links regarding the history of tornadoes in Bexar County and played a sample of what the warning siren would sound like. Recommended testing of the siren would be weekly for 3 minutes during March – June (Texas Tornado Season) and non-storm season it would be tested monthly for 3 minutes.

Staff conducted an "Outdoor Tornado Warning Siren Survey" where 89 surrounding residences were contacted via email or telephone. Information regarding the siren was provided. Eleven residents were in favor and twelve were opposed.

Chief Gdovin provided other alert options such as weather radios or personal tornado alerts which work off of electromagnetic pulse radio frequencies from tornadic conditions. No internet service is needed to operate. One of these devices was provided to the City of Alamo Heights dispatchers to help monitor severe weather.

The total fiscal impact for the proposed outdoor emergency tornado warning siren is \$56,424.75.

- Storm Siren 16V1T-B - \$26,950.00
- Automated alert activation system - \$24,950.00
- CPS service / meter loop - \$316.00, \$8.75 monthly
- Electrician to complete on-site electrical - \$4,200.00

Councilmember Sharples inquired if one siren would cover the whole community. Chief Gdovin concurred and added that this model would cover the entire area and may include some of the Terrell Hills community. He added that the alert circle could be set to encompass Bexar County.

Mayor Rosenthal asked if anyone was present to speak to this item.

- Mr. John Joseph, resident, spoke in favor of installing the outdoor tornado warning siren. He recalled the tornado of 2017 that devastated nearby neighborhoods and how it had just missed Alamo Heights. This siren will alert sleeping residents of possible tornados. In his opinion, this could be tremendous public service for the City of Alamo Heights and save lives.

With no one else present, Mayor Rosenthal asked Ms. Reyna to continue with residents waiting to speak via Zoom.

- Ms. Karla Toye, resident, stated living near City Hall, she hears emergency vehicles, fire department vehicles, garbage trucks on a daily basis and a siren would just add to that. She added that people are usually glued to their televisions during bad weather and felt that less expensive options would be better for the residents. Ms. Toye shared that the siren could cause hearing loss and was concerned for the children in attending daycare and school in the area. If installed, she hoped that residents could have a say in the frequency of the siren testing; however, suggested not to install the outdoor siren and instead use those funds to purchase less expensive in-home devices for those residents who are concerned about tornadic weather.
- Mr. Parker Hanzel, resident, opposed the installation of the siren. He felt there were more efficient ways to alert people and save lives.
- Ms. Cari Jalomo, resident, did not see the benefit of having a siren in the community and stated there were better options to alert residents. She commented tornado sirens do not protect building and was opposing the installation of a siren.
- Mr. Ben Losack, resident, opposed the siren. He felt it would be very loud and annoying during testing. The siren would alert of something that happens very rarely in this area. He added there were better less costly ways to alert residents.
- Mr. Chris Kleberg, resident, is opposed to the siren. He proposed staff look into how cities in “Tornado Alley” like Dallas and Fort Worth alert citizens with effective technology.
- Ms. Gabrielle Newton, resident, is opposed to the tornado siren. She stated it will be a huge expense and in her opinion, the siren will not save lives since cell phones already serve to alert people of different things. She agreed with a previous caller who stated the money should be used to purchase devices for concerned citizens. She commented the siren would be a nuisance that wouldn’t protect residents.
- Ms. Maggie Houston, resident, stated she was in favor of the emergency siren. In her experience, when she heard a siren, she knew immediately what she needed to do. She felt a siren is a lifesaver and thanked Council for considering it.
- Mr. Julio Esteves, resident, opposed the siren stating residents had other devices to alert them of severe weather and did not think it would be cost effective.
- Ms. Jane Allgood, resident, shared NOAA’s prediction of worsening weather patterns and thought it would be good to have something other than a smart phone to alert residents. She added a manual system is always better to rely on than the internet.
- Mr. Wade Shults, resident, lives next door to City Hall and opposed the siren and weekly testing. In his opinion the portable devices would be a better choice.

Mayor Rosenthal asked Chief Gdovin if the City had a back-up generator in the event of power outages. Chief Gdovin stated the City does have a generator; however, the outdoor emergency siren would have its own battery back to enable it to alert ten additional times. In addition, the portable device mentioned before also has a back-up battery.

Councilman Jessee said the some of the biggest concerns he heard was how the testing of the siren would affect children in daycares and school around the area. The concern regarding the 129 decibels put out by the siren and it would be a large impact for the residents. He understood some people don't sleep with their phone; however, there should be better ways to alert citizens.

Chief Gdovin reiterated the outdoor emergency warning siren was designed to alert people that are outdoors to seek shelter, not people that are already indoors. It is a possibility that residents indoors on Blue Bonnet would hear it, but it's mainly for people that are outdoors.

Mayor Rosenthal stated he had not realized the siren wouldn't reach people indoors and saw it as an issue. Chief Gdovin stated he had specifically identified the siren as an outdoor alert system to avoid confusion.

Councilmember Billa Burke suggested to explore purchasing the smaller portable devices and provide these to residents. She was in favor of establishing a plan to make these available to residents and felt it would be more beneficial than an outdoor siren.

Councilman Jessee agreed that if Council chose to go with the portable devices, staff should explore purchasing these in bulk and distribute a few at a time to residents who wanted them.

Mayor Rosenthal inquired if Council voted for an outdoor siren, how long it would take to install. City Manager Kuhn stated it would take a minimum of two months for all parties involved to finish installation.

Councilmember Billa Burke questioned the amount of surveys received on the siren. Chief Gdovin stated he had received 11 for and 12 against from the 89 surrounding residences he had surveyed via email or telephone. In addition, he posted a survey on the Fire Department website, but none were received. City Manager Kuhn added he requested citizens in the immediate area be surveyed because they would be the most impacted.

Councilmember Jessee asked if notifications for bad weather, flooding, or active shooter could be tied back to Amber Alerts. Chief Rick Pruitt stated the Amber Alert was statewide/national and had certain qualifications. The City currently uses the RAVE system for immediate notifications which are sent to mobile devices. These notices are come from state and national weather, NOAA, or Bexar County. He added that weather alerts are not eligible for the Reverse 911 system because there are other means of notifying people of weather emergencies.

After some discussion, Council's consensus was to poll other cities that currently have an emergency siren similar to the one that is being proposed. Specifically, if residents indoors can hear the siren when it goes off. Council agreed the city needed an alert mechanism and asked Chief Gdovin for provide this additional information.

Councilmember Jessee moved to table this item until the next Council meeting on January 11, 2021. The motion was seconded by Mayor Pro Tem Savage and passed by unanimous vote.

Mayor Rosenthal announced Item #12 would be considered next.

Item #12 Mayor Rosenthal read the following caption.

Discussion and possible action to amend Chapter 4 within the Code of Ordinances in regards to chickens

Ms. Shealey read City Code Chapter 4 “Animals”, section 4-35, “Other domestic animals; Restrictions” – Bovines, sheep, goats, equine, swine, poultry and pigeons. It shall be unlawful to keep bovines, sheep, goats, equine, swine, poultry and pigeons in, on or near any premises in the city.

Ms. Shealey stated during the recent “work from home” orders due to the COVID-19 pandemic, City staff was made aware of chickens at two residences. Code Compliance reached out to the residents, informing them that they were in violation of Chapter 4, Section 4-35 and requested that the chickens be re-homed within 30 days.

At the August 10th City Council meeting, several chicken owners spoke during Citizens to be Heard and requested that the Council reconsider this section of the code. City Council requested staff to research and provide options. As a result, Council requested a moratorium on enforcing Section 4-35 until it could be discussed at a City Council meeting.

Since this meeting, the City was made aware of an additional residence with chickens. Code Compliance also reached out to this resident informing them they were in violation and advised of the moratorium. These residents had been advised of tonight’s meeting.

Ms. Shealey presented information she found in neighboring cities.

CITY	PROHIBITED	RESTRICTIONS
Castle Hills	No	None
Leon Valley	No	Max of 6 in residential Max of 10 in 1+ acre properties
Schertz	No	Max 3 in residential Max 6 if zoned agriculture Coops must be 50’ from neighboring house
Shavano Park	No	All HOAs prohibit
Live Oak	Yes	
San Antonio	No	Max of 4 Coops must be 200’ from neighboring house
Olmos Park	No	Cannot be used for commercial purposes

She outlined options for Council to consider to determine if chickens should be allowed in the City and with what restrictions.

- Enforcement of Chapter 4 Section 35
 - Require all residents with chickens to re-home the animals within 30-days
 - Allow the three residents (as of the date of the Council Meeting) to keep their chickens, but add no new chickens and be in compliance with this Section 4-35 upon the demise of their last hen
- Amend Chapter 4 Section 35 with some variation of any or all of the following:
 - Limit the number of chickens to 4 per residence
 - Prohibit roosters (hens only)
 - Prohibit use for commercial purposes (no selling of chickens or eggs)
 - Coops must be 50' from neighboring house
 - Chickens must remain within a fenced-in area to the rear of the property at all times
 - Prohibit accumulations of animal waste so as to create noxious odors or a health hazard

Ms. Shealey read two written statements opposing the allowance of chickens in the city from Nancy Dunson and Carol Lee Klaus.

Mayor Rosenthal asked if there was anyone present to speak to this item.

- Mr. John Joseph, resident, stated he opposed having chickens in the city and shared he was experiencing noisy chickens from his neighbor on Joliet Ave. during the day and most of the night.
- Ms. Pace McCarty, resident, stated she had chickens for the past five years that she considers her pets. This was the first time she had ever had a complaint. Her chickens are only noisy when they lay eggs.
- Mr. James Riles, resident, stated he was in favor of allowing chickens in the city with regulations.
- Mr. Chris Kleberg, resident, stated he was also in favor of allowing chickens with restrictions, but not allowing roosters.
- Ms. Krista Kelly, resident, stated she lives near chickens that are quite noisy and are a nuisance.
- Ms. Patricia Celis, resident, stated she lives in a cottage district with smaller lot sizes and is opposed to chickens.
- Mr. Ben Losak, stated he was in favor of allowing chickens.
- Ms. Maggie Houston, resident, opposed free range chickens in the city.
- Ms. Nancy Dunson, resident, opposed allowing chickens.
- Mr. Ed Moser, resident, was in favor of allowing chickens with appropriate limits and guidelines.

- Mr. Mac White, resident, was in favor of chickens with restrictions.
- Mr. Lydell Toye, resident, was in favor of allowing chickens in the neighborhoods with restrictions.

Ms. Shealey presented a map of residents within the city who owned chickens and the distances between chicken coops and neighboring homes. City Manager Kuhn added staff became aware of these locations from resident complaints.

Mr. Garza reminded Council the City had an ordinance in place for noise nuisance to include “the keeping of any animal, fowl, or bird which makes frequent or long continued noise”. The city already recognized noise complaints from the keeping of fowl which contradicted another ordinance that states you cannot keep fowl within the city limits.

Ms. Shealey clarified that this ordinance recognizes “fowl” as other domesticated birds the noise nuisance can apply to.

Ms. Reyna informed Council there were other callers waiting to speak on this item. Mayor Rosenthal stated he would allow new callers to speak three minutes; however, all repeat callers could speak one minute.

- Mr. James Riles, resident, stated this was his second time calling in favor of allowing chickens. Mr. Riles shared he kept his chicken coop outside his window and stated Mr. Joseph exaggerated about the noise since he lives across the street. He stated the chickens are noisy in the morning when they lay eggs, but then are quiet the rest of the day.
- Mr. John Joseph, resident, addressed Council once again stating he had not been living in his house across the street for over a year.
- Mr. Chris Kleberg, resident, stated Council already has an ordinance to enforce complaints and to address those who want to keep chickens.

Ms. Shealey stated staff tried their best to enforce city ordinances, but unless staff sees a violation or gets a complaint, they are not aware of a violation. As they receive complaints on chickens, they ask the owners to re-home the chickens within 30 days.

After Council discussed options with staff and City Attorney, they agreed not to take action on a new ordinance. They requested Ms. Shealey to continue to enforce the current ordinance as it stands. Item died for lack of motion.

Mayor Rosenthal announce Items #10 and #13 would be heard next.

Item #10 Mayor Rosenthal read the following caption.

Discussion and possible action regarding the renewal of Catto and Catto as the city’s insurance broker to include a 2% increase in their annual fee

Human Resources Manager Lori Harris informed Council in 2016, Financial Benefit Services (FBS) in partnership with Catto and Catto became the Insurance Brokers for the City's employee insurance benefits. In 2018, Catto and Catto became the sole broker and the fees remained at the initial \$26,500 per year since. Catto and Catto is now asking for a 2% increase in their annual fees for a total of \$27,030, an increase of \$530.00 per year.

Councilmember Bonner asked how the fee was calculated. Mayor Pro Tem Savage advised it was based on a percentage of money spent on health insurance and stated next year the City would spend about \$650,000 on health insurance. The requested fee is standard.

Mayor Pro Tem Savage moved to approve the renewal of Catto and Catto as the City's insurance broker to include a 2% increase to their annual fee. The motion was seconded by Councilmember Billa Burke and passed by unanimous vote.

Item #13 Mayor Rosenthal read the following caption.

Presentation of Financial and Investment Report for the fourth quarter ending September 30, 2020

Finance Director Robert Galindo reported on the fourth quarter financial and investment report. He stated revenues were very good despite the pandemic. The General fund operating revenue over expenditures was \$223,634.83. This was positive considering the challenges brought on by the pandemic. General Fund revenue was \$10,666,390 through the fourth quarter of the 2020 fiscal year and was 98% of budget. Property taxes accounted for 54% of general fund revenues and were assessed in October.

Mr. Galindo stated at the end of the fiscal year, total property tax revenue collected was \$6,678,171 or 98% of budget which included the debt service fund of \$864,065. The sales tax revenue was \$1,307,664 which is 109% of budget. Permit revenue was \$750,769 which represented 151% of budget. Charges for Services was \$1,084,477 which was 88% of budget and included EMS revenue, telecom leases and Administrative Fees for Court, through the end of the fourth quarter were \$10,442,755 or 91 % of budget.

Mr. Galindo stated the utility fund revenue after expenses was \$362,310. Utility fund revenue was \$3,742,668 which was 83% of budget. Utility fund operating expenses were \$3,380,358 which was 75% of budget.

The Capital Projects Fund included the CIED funds received from City Public Service Energy (CPS) in 2012. The beginning fund balance for the fiscal year was \$1,093,256. Expenditures through the end of September were \$1,596,374 which was 96% of the budget. The expenditures were for the swimming pool and renovation for the nature trails building.

The City's investment portfolio increased from \$11,236,071 to \$11,405,617 through the end of the fourth quarter or \$169,546. The average yield for the investment portfolio was 0.32% as compared to the benchmark of 0.11%, which is the 90-Day Treasury.

In closing, Mr. Galindo reviewed the 4th Quarter Performance Summary:

PERFORMANCE SUMMARY FOR THE 4th QUARTER or 100% OF BUDGET			
	% of Budget	Current Quarter	YTD Quarter
GENERAL FUND			
Total Revenues	98%	Positive	Positive
Total Expenditures	91%	Positive	Positive
Total Property Tax Collections	98%	Positive	Positive
Sales Tax Revenues	109%	Positive	Positive
ENTERPRISE FUND			
Utility Fund Revenues	83%	Negative	Negative
Utility Fund Expenditures	75%	Positive	Positive

* * *

With no further business to consider, Mayor Rosenthal thanked everyone for their participation and asked for a motion to adjourn. Councilmember Bonner moved to adjourn the meeting at 9:32 p.m. The motion was seconded by Councilmember Sharples and passed by unanimous vote.


 Elsa T. Robles, TRMC
 City Secretary


 Bobby Rosenthal
 Mayor

