

CITY OF ALAMO HEIGHTS
CITY COUNCIL
April 09, 2024

A special 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 Tuesday, April 09, 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 Blake M. Bonner
Councilmember Lawson Jessee
Councilmember Karl P. Baker
Councilmember Lynda Billa Burke
Councilmember John Savage

Also attending were:
City Manager Buddy Kuhn
Assistant City Manager Phil Laney
City Attorney Richard Lindner
Director of Finance Robert Galindo
Assistant to City Manager Jennifer Reyna
City Secretary Elsa T. Robles
Community Development Services Director Lety Hernandez
Police Chief Rick Pruitt
Fire Chief Michael Gdovin
Deputy Police Chief Cindy Pruitt

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Mayor Bobby Rosenthal opened the meeting at 5:33 p.m.

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Item # 1 Approval of Minutes

Mayor Rosenthal asked the City Council for a motion on the March 25, 2024 City 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 3-0 vote.

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Item # 2 Announcements

Mayor Rosenthal read the following caption.

a. 2024 King Antonio CI, Scott Allen Christy

Mayor Rosenthal welcomed King Antonio 2024, Scott Allen Christy who stated he was the 101st King Antonio (CI). Mr. Christy took the opportunity to thank the first responders and City leaders for their service. He proudly introduced the accompanying King's Men; Commander – Paul A. Rohlf, Jr., Day Aide for King Antonio CI – Casey Fry, Night Aide for King Antonio CI – David Mauzé, and Executive Aide for King Antonio CI – Peter McLaughlin. He shared he was excited to announce the charitable honoree for the 2024 River Parade is the Texas Cavaliers Education Center at the Alamo which should be completed by 2026. The center will welcome 250,000 students annually. He added they had raised \$7.5M with community partners for this center. Additionally, the organization supported 63 children's charities totaling over \$1M, a record for the foundation.

Mayor Rosenthal thanked King Antonio for attending and presented him with a Key to the City as a token of appreciation.

b. 6th Annual AH09 5K Fun Run & Pet Adoption, April 13, 2024

Assistant to City Manager Jennifer Reyna announced on Saturday, April 13th the city would celebrate its 6th Annual AH09 5k Fun Run and pet adoption. The event will start at 8:00 a.m. at City Hall in the back parking lot. There is a fee of \$30.00 to register. Ms. Reyna stated participants could run/walk at their leisure or compete for trophies/medals. She added all proceeds will benefit the Alamo Heights Animal Care Services Department and thanked sponsors who donated to this event.

c. Fiesta Medals

Ms. Reyna stated she was excited to announce the 2024 Fiesta Medals have arrived and are exclusive to Alamo Heights residents. These will be limited to one per resident or two per household.

Mayor Rosenthal thanks Ms. Reyna for her work organizing the fun run and fiesta medals each year.

d. April City Council Meeting Rescheduled

City Secretary Elsa T. Robles announced the second meeting in April (April 22nd) will be rescheduled to April 29th to allow everyone to attend the Cavalier River Parade if they choose to and to recognize the start of Passover.

e. Election Day Polling Site for May 4, 2024 General Election

Ms. Robles stated she wanted to inform the public that the City of Alamo Heights (COAH) will be a Bexar County polling site for the May 4, 2024, General Election. She noted the city did not have any elections this year, but advised anyone in Bexar County could cast their vote in the Council Chamber on May 4th from 7:00AM – 7:00PM.

f. National Prescription Drug Take Back Day, April 27, 2024

Police Chief Rick Pruitt announced Saturday, April 27th, is National Prescription Drug Take Back Day. He encouraged everyone to clean out their medicine cabinets for old or unused prescription drugs and bring them in on that day, no questions asked. This year, needles/EpiPens will be accepted if they are capped. Police Chief Pruitt noted this is a drive through service behind City Hall from 10:00AM – 2:00PM.

g. 25th Annual Pooch Parade, Saturday, April 27, 2024

Community Development Services Department Director Lety Hernandez announced the Therapy Animals of San Antonio is sponsoring the 25th Annual Pooch Parade on the April 27th. The 2.7-mile parade begins at 8:00 a.m. at the Alamo Heights Pool parking lot and follows the same route as in years past in the city and ending back at the pool at 12:00 p.m. There will be a costume contest and mobile food vendors will be present this year.

h. Proclamation declaring May as Building Safety Month

Ms. Hernandez stated the International Code Council (ICC) is declaring May 2024 as Building Safety Month. The ICC is a non-profit organization that is devoted to and implements codes to protect building occupants.

Mayor Rosenthal signed the official proclamation declaring May as Building Safety Month.

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Item # 3 Citizens to be Heard

No comments made.

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Councilmember Karl P. Baker arrived at 5:34PM and Mayor Pro Tem Blake M. Bonner arrived at 5:39PM. Both Councilmembers voted for the remaining agenda items.

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Items for Individual Consideration

Item # 4 Mayor Rosenthal read the following caption.

Public Hearing – Planning and Zoning Case No. 436. A request to replat the properties identified as CB 4024, BLK 179, LOTS 16 AND E 25FT OF 17, also known as 423 Evans Ave and CB 4024, BLK 179, LOT 21, also known as 415 Evans Ave.

Ms. Hernandez stated the property owner requests to replat two separate properties into one. The properties are zoned Single-Family A and are located at 423 Evans Ave. & 415 Evans Ave. on the north side, west of Nacogdoches Rd. She reviewed the existing conditions, noting the house previously at 423 Evans Ave. was since demolished. The house at 415 Evans Ave. remains. She continued to review the proposed conditions stating both lots meet the minimum width and lot area requirements, a minimum of 8,400 square feet is required with a minimum lot width of 60 feet.

Prior to recordation, Ms. Hernandez advised the following must be satisfied. There were revisions that were outstanding and were recently received. The updated plat addressed the revision to the area being replatted and identified the utility easements. Items still outstanding are the letters of approval from CPS, SAWS, & Public Works.

The Planning & Zoning Commission (P&Z) considered the request at their regular meeting on April 1, 2024, and voted unanimously to recommend approval of the replat subject to conditions set by staff.

Public notifications were mailed to property owners within the 200-foot radius. Notices were posted on the City's website and on the property. A legal notice was published in the *San Antonio Express-News*. Staff received two responses in support and none in opposition.

Mayor Rosenthal opened the public hearing at 5:47 p.m. With no one to speak on the item, Mayor Rosenthal closed the public hearing at 5:48 p.m.

Item # 5 Mayor Rosenthal read the following caption.

Discussion and possible action on Planning and Zoning Case No. 436, a request to replat the properties identified as CB 4024, BLK 179, LOTS 16 AND E 25FT OF 17, also known as 423 Evans Ave and CB 4024, BLK 179, LOT 21, also known as 415 Evans Ave.

Councilmember Billa Burke moved to approve Planning and Zoning Case No. 436 as presented. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

Item # 6 Mayor Rosenthal read the following caption.

RESOLUTION NO. 2024R - 182

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TBG PARTNERS FOR THE ALAMO HEIGHTS POOL AREA IMPROVEMENTS PROJECT FOR PROFESSIONAL LANDSCAPE ARCHITECTURAL DESIGN SERVICES; AND SET AN EFFECTIVE DATE.

RESOLUTION NO. 2024R - 183

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TBG PARTNERS FOR THE BROADWAY AND OGDEN LANE IMPROVEMENTS PROJECT FOR PROFESSIONAL LANDSCAPE ARCHITECTURAL DESIGN SERVICES; AND SET AN EFFECTIVE DATE.

Assistant City Manager Phillip Laney stated the item was proposing two agreements for professional landscape architectural design services for two beautification projects in the city, the Alamo Heights Pool area and the Broadway/Ogden Lane intersection.

Mr. Laney noted in the FY 2024 Budget, the City Council dedicated funds for improvements to targeted areas for beautification and greater usage. Council workshops in August & October 2023 sought to identify potential improvements to utilize the budgeted funds. During those discussions, there were two key improvements that were identified: refreshing the landscape zones of the parking lots and streetscapes in the area around the Alamo Heights Pool and improvements to the landscaping and roadway configuration at the intersection of Broadway and Ogden Lane. Staff is now proposing two agreements with TBG Partners (TBG) for professional landscape architectural design services for the two projects identified.

The FY 2024 Budget includes roughly \$3.0M for beautification improvements, which is a combination of funds from the General Fund and remaining proceeds from the federal American Rescue Plan Act (ARPA) awarded in 2021. The City's remaining portion of ARPA funds totals \$1.5M and must be committed no later than December of this calendar year, with all funds being spent by December 31, 2026.

Mr. Laney reiterated, two Council workshops were held in August & October 2023 to identify the improvement projects at the Alamo Heights Pool area and the intersection at Broadway & Ogden. Both of those workshops were led by TBG Partners. He reviewed the proposed project areas and improvements desired.

- Alamo Heights Pool area proposed improvements - refreshing the landscape zones of parking lots & streetscapes, providing pedestrian-focused features like lighting and walkways, signage & wayfinding, efforts to complete the existing trail network, as well as install a crossing at the dry creek bed at AH Blvd, and irrigating the open field at Viesca towards Greeley (southeast corner of project site)
- Broadway & Ogden Lane proposed improvements - realigning the intersection to have a more 90-degree angle with Broadway, creating wider sidewalk zones, patio/plaza spaces & landscaped planting zones, other project features would include pedestrian-focused improvements such as a mid-block crossing signal, pavements & lighting

Mr. Laney stated staff proposed the agreements with TBG to provide landscape architectural design services by preparing and developing site schematic design documents for each project. Each project schematic design would take 10 to 14 weeks to complete. He commented there is no specific project improvement budget at this time, but TBG projects the

costs for the Heights Pool area will be approximately \$750K to \$850K and the Broadway & Ogden Ln project will be approximately \$1M.

Mr. Laney stated the proposed agreements are consistent with the city practice to negotiate fees for professional services, and consistent with the city's interest to have professional expertise to articulate and incorporate City priorities in projects. He restated, the key project funding source – ARPA – must have funds committed no later than December 31, 2024, and noted the City Attorney and City Manager had reviewed the proposed resolutions and agreements.

In closing, Mr. Laney noted the proposed resolutions would authorize the City Manager to approve the agreements totaling \$79,800.00 to TBG Partners for landscape architectural design services for both projects:

- Resolution 6a. Alamo Heights Pool area - \$42,800.00
- Resolution 6b. Broadway & Ogden Lane - \$37,000.00

The total amount is budgeted in the FY 2024 Budget. Any future construction contract would require Council action.

Council discussed the proposed costs and commented the fee percentages were well below market. They discussed the timeline for approving the schematic designs. Staff advised time was of the essence because of the ARPA fund deadlines and stated a concept design would be included in the Strategic Action Plan in June.

After a brief discussion, Councilmember Jessee moved to approve Resolution No. 2024R – 182 as presented. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Councilmember Jessee moved to approve Resolution No. 2024R – 183 as presented. The motion was seconded by Councilmember Savage and passed by unanimous vote.

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Staff Reports

Item # 7 Mayor Rosenthal read the following caption.

Staff report on Demolition and Replacement Structure Processes

Mr. Laney stated the staff report is to discuss the demolition and replacement structure review processes. In recent months, several demolition cases have come before the Council for consideration. He noted, removing an existing structure is within the property owner's rights under the law, but concerns have been raised about the city's demolition review process. Currently, the demolition review process to determine significance of the structure does not require the review of the proposed new/renovated replacement structure for compatibility. Staff proposes to modify the existing residential construction development process to require demolition review requests to include the proposed replacement structure review.

Mr. Laney provided background information. Chapter 5, Article 9 oversees the demolition review procedures. Under the code today, the demolition review process is intended to complete both the determination of significance of existing structures proposed for demolition and the compatibility review of any replacement structures within the same process. A demolition review would include what is being demolished and what is replacing it. However, the code also allows property owners the ability to complete the demolition process and compatibility for replacement structure separately.

Mr. Laney continued to explain, over the past few months, these discussions have led members of the public, the Architectural Review Board (ARB), and City Council to request to view the proposed replacement structure at the time of the proposed demolition, however, plans are not available or required per current City Code.

To address these concerns, staff proposes to amend the demolition review procedure so that significance and compatibility processes cannot be completed separately. Under this proposal, an applicant applying for demolition review would also be required to submit all compatibility review materials for the replacement structure. Demolition reviews would include the proposal for the replacement structure. Additionally, if the replacement structure is found to be incompatible with the other surrounding structures or a replacement structure is not proposed, a demolition delay may be needed to revise the proposal and/or develop a missing design. Council may recommend up to two 90-day delays, or a total 180 days.

Mr. Laney outlined the next steps for the Demolition and Replacement Structure Processes. If Council wishes to proceed with this change, the proposed change would be presented to the ARB for their feedback at the April 16, 2024 meeting. Staff could potentially present the ordinance amending the code language at the following Council meeting on April 29, 2024.

In addition to this proposal, the Council committee and staff will continue working to review and update the ARB's rules, roles, and mission. Any proposed amendments will be presented to Council for consideration.

Council discussed circumstances when a structure needs to be demolished due to safety concerns and a replacement plan is not readily available.

Mr. Laney advised the current code has an emergency demolition section that is in place to allow for demolitions due to safety concerns. It is an administrative decision without a formal review. These types of cases do not go before the ARB or City Council, but can be reviewed by the City Manager, Fire Chief, and the Community Development Director.

After some discussion, City Manager Buddy Kuhn stated staff would present their proposal to the ARB and would bring any proposals back to Council for consideration at a future meeting.

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With no further business to consider, Mayor Pro Tem Bonner moved to adjourn the meeting at 6:14 p.m. The motion was seconded by Councilmember Baker and passed by unanimous vote.

PASSED AND APPROVED THIS 29th DAY OF APRIL, 2024.



Elsa T. Robles, TRMC
City Secretary



Bobby Rosenthal
Mayor

