

CITY OF ALAMO HEIGHTS
CITY COUNCIL
October 14, 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, October 14, 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
Councilmember Trey Jacobson

Also attending were:
City Manager Buddy Kuhn
City Attorney Frank J. Garza
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
Community Development Services Director Lety Hernandez
Deputy Police Chief Cindy Pruitt

Not attending:
Assistant City Manager Phil Laney

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

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Item # 1 Presentation of Certificate of Appointment and administration of Oath of Office to newly appointed official: Councilmember, Place 5 – Trey Jacobson

City Secretary Elsa T. Robles congratulated newly appointed Councilmember Place 5 Trey Jacobson and administered the Oath of Office. City Council also congratulated him and welcomed him on board. Mayor Rosenthal announced Mr. Jacobson had been appointed to fill the unexpired term left by former Councilmember John Savage.

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Item # 2 Approval of Minutes

Mayor Rosenthal asked the City Council for a motion on the September 23, 2024 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 # 3 Announcements

Mayor Rosenthal read the following captions.

a. Recap of 13th Annual National Night Out

Assistant to City Manager Jennifer Reyna announced the City’s 13th Annual National Night Out was a huge success. Many residents participated in the family-oriented event with different activities for the children and a special performance by the Cambridge Elementary Choir. Ms. Reyna noted there were several pet adoptions and thanked staff for their help setting up the annual event. She acknowledged there were several sponsors who provided their time or in-kind donations.

b. National Prescription Drug Take Back Day, October 26, 2024

Deputy Police Chief Cindy Pruitt announced that any expired, unused, and unwanted prescription drugs will be taken, “no questions asked”, on Saturday, October 26, 2024 at City Hall beginning at 10:00 a.m. – 2:00 p.m. on a drive-thru basis. Due to the risk of injury to handlers, syringes, epi-pens or other injectable devices are not accepted.

c. November 5th Bexar County General, Special, Charter and United States Presidential Election Voter Center

City Secretary Elsa T. Robles announced the City Hall council chamber will be a polling site for the November 5th election. She noted the city does not have any items on the ballot, but anyone in Bexar County can come and cast their vote from 7:00 AM to 7:00 PM.

d. Cancellation of November 11, 2024, November 25, 2024, & December 23, 2024 Council Meetings. Special Council Meeting November 12, 2024 due to Veterans Day Holiday

Ms. Robles announced cancellations of the November 11, 2024, November 25, 2024, & December 23, 2024 Council meetings due to the upcoming holidays. She also announced there will be a special held meeting on November 12, 2024. Other special meetings will be scheduled as needed.

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Item # 4 Citizens to be Heard

Ms. Christina De La Cruz, resident, stated she and her husband are registered engineers and are in the process of building the haunted house on Argo as they have for the past 6 years. She stated they had never been told they had to get anything official for a haunted house. They build the haunted house with recycled items that contractors and citizens throw away. She noted the haunted house is free of charge.

Mr. Roy Sigler, resident, stated he was hoping the city would do what it could to ensure that it continues to help his neighbor continue to have the haunted house for Halloween for the children of the neighborhood. He added that a lot of hard work goes into it.

Miss Elena Sigler, resident, stated the haunted house is fun and a little scary, but that is fine because she and all the kids like the haunted house and look forward to it every Halloween.

Abiso neighbor stated she appreciated the efforts their neighbor puts into the haunted house and noted it brought joy to many residents and their families.

Mr. Ron Griffin, resident, stated he and his family look forward to the haunted house every year and enjoy handing candy out to the hundreds of kids that come by during Halloween. He added the haunted house is one of the anchor points of the street.

Mr. David Newby, resident, stated Halloween is like Mardi Gras for nine-year-olds and the haunted house makes it so much fun. He added the house could not be safer with two engineers working on it.

Mr. Mike Karcher, resident and President of the Argo Improvement Association, stated the city's building codes did not really apply to the haunted house, but they neighborhood is getting ready to get the permits to close the streets, and noted many residents get involved in making sure that things run well and safely.

Ms. Joann Amatos, resident, stated she really appreciated Council's help in trying to keep this tradition together and noted the neighbors help each other out during Halloween which makes it a great community to live in.

Abiso Avenue resident stated the haunted house is a tradition in the neighborhood and provides a safe place for the kids to have fun and feel secure while experiencing Halloween, especially with people who have disabilities.

Ms. Melinda Fagan, resident, stated she hoped the tradition keeps going and appreciates the interaction Mr. De La Cruz has with the neighborhood children.

Mayor Rosenthal thanked all the speakers and reminded them Council cannot respond to their concerns; however, the City Manager will stay in touch with Ms. De La Cruz to identify any safety concerns and how they can be addressed before moving forward.

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Items for Individual Consideration

Item # 5 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 946F, a request of Nic Abbey Homes, applicant, representing Richard and Anne Cantalini, owners for the compatibility review of the proposed design located at 221 Chester St in order to construct a new two-story single-family residence with attached garage.

Community Development Services Department Director Lety Hernandez stated the Single-Family A property is located on the west side between Hubbard Ave. and Poco St. The applicant requests approval for a compatibility review in order to construct a new two-story single-family residence with attached garage.

Ms. Hernandez stated the replat was approved in early 2024 and the new construction is subject to the compatibility review. She presented the proposed site plan with attached garage, roof plan and elevations. The elevation overall height is 27 feet 6 inches with stucco siding and standing seam metal roof. She noted the project is required to complete the plan review process to ensure compliance with current regulations.

The Architectural Review Board (ARB) considered the request at a special meeting on September 24, 2024 and voted unanimously to recommend approval of the proposed design as compatible with consideration to revise the 2nd story window and closet area based on Board Member Lyndsay Thorn's comments.

Ms. Hernandez stated 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 one response in support and none in opposition.

Councilmember Karl P. Baker requested to see streetscape for the proposed build for compatibility review.

Councilmember Lawson Jessee moved to approve ARB Case No. 946F. The motion was seconded by Mayor Pro Tem Billa Burke and passed by unanimous vote.

Ms. Claire Alexander requested to speak on the item. She stated it would be good to see the houses side by side for compatibility and had a question on the driveway location and drainage plan. Ms. Hernandez addressed her concerns.

Item # 6 Mayor Rosenthal read the following caption.

Architectural Review Board Case No. 947F, a request of Eric Baumgartner of LPA Design Studios, applicant, representing the Alamo Heights Independent School District, owner, for the final review of the proposed academic building located at 6900 Broadway St in order to construct a three-story commercial building.

Ms. Hernandez stated the Single-Family A property is located on the east side of Broadway between E. Fair Oaks Pl. and Castano Ave. The applicant requests approval for a final review of the proposed three-story academic building located at 6900 Broadway.

Ms. Hernandez provided background information and stated the case came before City Council as a notice of intent, followed by a preliminary review. The applicant proceeded with a significance review at the beginning of the year approved by Council and recently a final review approved by ARB. A special use permit (SUP) was required for construction or modification. She reviewed the previously existing structure and proposed site plans.

The project completed the plan review process to ensure technical administrative compliance. The ARB considered at the September 24th meeting and voted unanimously to recommend approval of the proposed design.

Ms. Hernandez stated 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 one response in support and none in opposition.

Architect Sara Flowers of LPA Design Studios briefly spoke on the flow of visitors into the football field bleachers. Visitors will still enter from the same general area by the J lot.

Councilmember Bonner moved to approve ARB Case No. 947F. The motion was seconded by Councilmember Jessee and passed by unanimous vote.

Item # 7 Mayor Rosenthal read the following caption.

RESOLUTION NO. 2024R - 195

A RESOLUTION ADOPTING A POLICY AUTHORIZING THE USE OF CERTAIN SOCIAL MEDIA APPLICATIONS AND SERVICES ON GOVERNMENT ENTITY DEVICES IN COMPLIANCE WITH SENATE BILL 1893 PASSED BY THE 88TH TEXAS LEGISLATURE; AND SET AN EFFECTIVE DATE.

City Manager Buddy Kuhn presented on item stating it is a proposed policy prohibiting certain social media applications & services – including TikTok – on City devices, a requirement of Senate Bill 1893 passed by 88th Texas Legislature (2023). He stated the city updated the Employee Manual internally last Fall 2023.

In December 2022, Governor Abbott required all State agencies to ban video, sharing application, TikTok, and other prohibited technologies from State-owned devices and networks. The 88th Texas Legislature passed SB 1893, expressly prohibiting these on governmental entity devices. There are exceptions for law enforcement investigations and information security measures.

Mr. Kuhn stated the city has until November 2024 to adopt a resolution to affirm State law is being followed. It is prohibited technology policy under consideration is based on model policy developed by TX Dept. of Information Resources (DIR). The proposed action demonstrates the City's compliance with SB 1893. He affirmed after the city updated the employee manual in 2023, all employees confirmed in writing that they would not view or use the application in question on city devices of any kind, including cell phones.

In closing, Mr. Kuhn noted the item was along with the City Attorney and has no fiscal impact on the city.

Councilmember Jessee moved to approve Resolution No. 2024R - 195 as presented. The motion was seconded by Councilmember Jacobson and passed by 4-1 vote with Mayor Pro Tem Billa Burke voting in opposition.

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Staff Reports

Item # 8 Mayor Rosenthal read the following caption.

Staff report to discuss assignment of the current pool lease with Heights Pool Ltd and other potential public improvements at the Alamo Heights Pool located at 250 Viesca

Mr. Kuhn stated this was a staff report to discuss a potential new sublease agreement for the city-owned swimming pool at 250 Viesca. The current subtenant Heights Pool, Ltd., Mr. Rick Shaw, can assign the pool to a new operator with council approval. Mr. Shaw has been the sub-leasee since February 1990.

Mr. Kuhn provided background information. The original property agreement came to the City in April of 1947, it was extended to 2058 in 2018, with another extension possible to 2098 for the grounds itself. The city constructed and maintained the swimming pool concession area and related facilities and spent money upgrading the pool several years ago, now the sublease agreement with Heights Pool to assume operations again.

In December 2001, Council approved a new 10-year agreement that would run through 2031, the rate increased from \$30,000 per year to \$35,000 starting in 2024, and through the end of the term, in 2031. The latest extension expanded pool operating timelines are from April 1st through October 31st.

Mr. Kuhn reviewed the proposed new agreement with Heights Pool, Ltd. that include a 20-to-25-year term desired with possible extensions and the pool area open for 12 months. The new Subtenant proposes to add new pickle ball courts within the fenced grounds – alternate membership required for use during non-pool operating timeframes. The new Subtenant desires to remodel food prep area/concession stand and allow concession area to open for outside food pick-up for non-members.

Mr. Kuhn reminded Council about the city’s beautification improvements study. Council and staff have worked for over a year studying Broadway at Ogden and the Alamo Heights Pool Area from Greely to Alamo Heights Bike Park. The focus had been on possible improvements to the public realm, wayfinding signage, outdoor seating, pocket park(s), burial of some utilities, pedestrian lighting, upgraded trail link, enhanced hardscaping and landscaping and possible food and beverage all to be determined. Nothing has been solidified yet.

Additionally, there has been discussion about pocket park near main entrance with shade structure, fenced outdoor seating and addition of public restrooms near entrance at the pool within the existing structure. Another idea is a fenced outdoor seating/play area suitable for children.

Mr. Kuhn reviewed a map of the improvement locations and commented these discussions are all high level. He noted this item is consistent with City’s efforts to provide quality recreational services to citizens of Alamo Heights and City of San Antonio per terms of the

City's lease agreement and was coordinated along with the City Attorney and Councilmember Jessee. He added negotiations for fee increases are to be determined before approval.

Mayor Rosenthal suggested Council convene into closed session to discuss and then speak to the proposed subtenant. Councilmember Jessee suggested they allow Mr. Shaw and Clayton & Stacy Smaistrla introduce themselves.

Mr. Shaw stated he is ready to move on from the Alamo Heights pool after 34 years. He was happy his daughter and son-in-law have shown interest in taking it over. He stated after many discussions, they decided to bring it to City Council.

Mr. Smaistrla thanked Council for the opportunity to speak. He noted the pool is one of the things that make the community special and is really treasured. He stated he and his wife have been discussing ideas and how to move forward. It is something he and his wife really want to do. They understand there are ways to improve upon what is already in place. One of the ideas is to allow the pool to stay open for 12 months and offer off-season passes. Additionally, they see the potential of adding pickleball courts to the grounds and extend the concession stand to serve other patrons who are not pass holders.

After hearing Mr. Smaistrla speak, Mayor Rosenthal announced they would be going into closed session to discuss.

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Closed Session

Item # 9 Mayor Rosenthal read the following caption.

Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) and 551.072 (Deliberations about Real Property) to discuss possible assignment and new terms for lease for Alamo Heights Swimming Pool.

The City Council of the City of Alamo Heights convened into Closed Executive Session at 6:28 p.m. and reconvened in Open Session at 7:45 p.m. in accordance with the Texas Open Meetings Act, Texas Government Code, Section §551.071 (Consultation with Attorney) and 551.072 (Deliberations about Real Property).

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Open Session

Item # 10 Mayor Rosenthal read the following caption.

Discussion and possible action resulting from Executive Session.

City Council authorized the City Attorney, City Manager, and Councilmember Jessee to coordinate and move forward with some lease terms for the Alamo Heights swimming pool.

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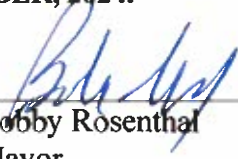
With no further business to consider, Councilmember Bonner moved to adjourn the meeting at 7:46 p.m. The motion was seconded by Councilmember Baker and passed by unanimous vote.

PASSED AND APPROVED THIS 28th DAY OF OCTOBER, 2024.



Elsa T. Robles, TRMC
City Secretary





Bobby Rosenthal
Mayor