

The City of Balcones Heights  
Regular City Council Meeting  
3300 Hillcrest Drive  
Balcones Heights, Texas 78201

**MINUTES**

DATE: June 9, 2008

TIME: 6:00 p.m.

Members Present: Suzanne de Leon Miguel Valverde Linda Pohl  
Charles Matthies Lamar Gillian Bill Johnson

Members Absent: NONE

*SIGN IN SHEET:* Robert de Leon Otto G. Moellering Patrick Mayo  
H. J. Hannasch Charles White Ambrose Vince  
Ron Rangel

**CALL TO ORDER AND RECORDING OF QUORUM**

Quorum present.

**INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U. S. A. AND TEXAS  
FLAGS**

Councilman Miguel C. Valverde gave the invocation and led pledges.

***PUBLIC COMMENT PERIOD***

Charles White – Concerns regarding resident’s that have land adjoining to drainage ditch and their responsibility to maintain the easement. Recommended city hire another maintenance man.

Henry J. Hannasch – Safety zones in school area. (St. Gregory’s)

Ron Rangel – Candidate for District Court came to meeting to introduce himself to city council.

**1. PRESENTATIONS and REPORTS:**

a. Presentation of smoke detectors by the law office of Wayne Wright. (Prince)

Captain Brock Ward came up to speak and inform council that Councilman Valverde, Balcones Heights Fire Department and Wayne Wright are working together to provide free smoke detectors to the citizens of Balcones Heights. Wayne Wright’s son came up to explain how the program works.

- b. Mayor de Leon will make a presentation to recognize several employees from Police Department for an outstanding job on solving a case.

Mayor de Leon recognized Police Department for the outstanding job on solving a murder case and asked for Investigator Joyce Pena to come up and speak. Investigator Pena and Investigator Russo came up and gave a short explanation of what occurred and spoke on how everyone including Fire Department, San Antonio Police Department, and other agencies worked together to solve this case.

Councilman recommended that Mayor de Leon send a letter to Mayor of San Antonio recognizing their Police Department with copies sent to City Manager and Police Chief.

- c. Convention & Visitors Bureau Report, including Norris Conference Center updates. (Nastasi)

Director of Tourism Lorenzo Nastasi came up to speak and gave a brief explanation of report.

## **2. CONSENT AGENDA ITEMS:**

- a. Approval of minutes for Regular Meeting of May 12, 2008.
- b. Approval of the May 2008 Check Register.
- c. Approval of Financial Report for month of May 2008.

Councilman Gillian had some questions on check register and mentioned financial charts and analysis were very informative.

MOTION: I make a motion we approve.

Motion by: Bill Johnson      Second: Miguel C. Valverde      5/0/0      PASSED

## **BOARD AND COMMISSION APPOINTMENTS:**

3. Consideration and **ACTION** to appoint or re-appoint Citizens Street Repair Advisory Committee, Place Two, Four, Six, Eight, Ten and Place Seven previously filled by Council Member Linda Pohl.

Recommendation by Mayor:

Gloria Cantu, Place 2  
Lili Cruz, Place 7

MOTION: I make a motion we approve Gloria Cantu for Place Two (2).

Motion by: Bill Johnson      Second: Miguel C. Valverde      5/0/0      PASSED

MOTION: I make a motion to accept Lili Cruz.

Motion by: Miguel C. Valverde      Second: Linda Pohl      5/0/0      PASSED

4. Consideration and **ACTION** to appoint or re-appoint Board of Adjustments and Appeals, Place One, Three, Five, and Alternate.

Recommendation by Mayor:

Henry J. Hannasch, Place 1  
Gary Martin, Place 3  
Ellie Chapa, Place 5  
Edna Moellering, Alternate

MOTION: I make a motion we accept these appointments.

Motion by: Lamar Gillian      Second: Charles Matthies      5/0/0      PASSED

5. Consideration and **ACTION** to appoint or re-appoint Planning and Zoning Commission, Place Two, Four, and Alternate.

Recommendation by Mayor:

David Sellars, Place 2  
Madeline Slay, Place 4  
Lili Cruz, Alternate

MOTION: I make that motion.

Motion by: Charles Matthies      Second: Miguel C. Valverde      5/0/0      PASSED

Item 7 was addressed before Item 6.

**PUBLIC HEARINGS:**

**ACTION ITEMS:**

6. Consideration and **ACTION** to appoint or re-appoint Municipal Court Judge, Municipal Court Prosecutor, and Mayor Pro-Tem.

Item 6 was addressed after Item 17.

Mayor's recommendation for Mayor Pro Tem – Bill Johnson

MOTION: I make that motion.

Motion by: Charles Matthies                      Second: Miguel C. Valverde                      5/0/0    PASSED

Mayor's recommendation for Municipal Judge – Richard Weil

MOTION: I make that motion.

Motion by: Bill Johnson                      Second: Linda Pohl    0/5/0                      FAILED  
City Administrator's recommendation – Frank Dickson

MOTION: I make a motion to select Frank L. Dickson effective date of July 1, 2008.

Motion by: Miguel C. Valverde                      Second: Bill Johnson    5/0/0                      PASSED

Mayor's recommendation for Municipal Court Prosecutor: Ollie Mayo's firm

City Administrator's recommendation – Rebecca Reed

Councilwoman Pohl also recommended Ollie Mayo.

MOTION: Motion to table until next month's meeting.

Motion by: Bill Johnson                      Second: Linda Pohl    5/0/0                      PASSED

7. Presentation by Carrie Wells from Linebarger Goggan Blair & Sampson, LLP regarding collection of unpaid fines, fees, court costs, fortified bonds, and restitution and possible **ACTION** to adopt a resolution approving a penalty to defray the cost of collection under Article 103.0031, Texas Code of Criminal Procedure. (Griffin,Wells)

Carrie Wells from the law firm of Linebarger Goggan Blair & Sampson presented the collection program and how it works and the need to adopt resolution approving a penalty to defray the cost of collection.

MOTION: I make a motion to approve this resolution.

Motion by: Bill Johnson                      Second: Miguel C. Valverde    5/0/0    PASSED

8. Consideration and **ACTION** to approve a contract between the City of Balcones Heights and Linebarger Goggan Blair & Sampson, LLP, for the collection of fines and fees . (Griffin,Wells)

City Attorney Frank Garza informed council he reviewed contract and made minor revisions that were agreed upon by both parties.

MOTION: I make a motion to approve.

Motion by: Lamar Gillian                      Second: Miguel C. Valverde    5/0/0    PASSED

Item 16 was addressed at this time.

9. Consideration and **ACTION** to adopt a resolution approving a contract with Givler Engineering, Inc. for Community Development Block Grant project on Bobbies Lane. (Pate)

City Administrator made recommendation council approve contract with Givler Engineering, Inc. for Bobbies Lane project.

MOTION: Make a motion we approve the contract and sign.

Motion by: Lamar Gillian    Second: Miguel Valverde                    5/0/0    PASSED

10. Consideration and **ACTION** to adopt an ordinance amending ordinance nos.1994-51 and 2004-21 on Hotel Occupancy Tax.

MOTION: Make a motion we approve the ordinance.

Motion by: Lamar Gillian    Second: Miguel Valverde                    5/0/0    PASSED

11. Consideration and **ACTION** to adopt a resolution implementing an Energy Efficiency Program.

MOTION: I make a motion we should pass this resolution.

Motion by: Bill Johnson    Second: Linda Pohl                            5/0/0    PASSED

12. City Council may review, discuss and take **ACTION** on “special project” requests submitted for funding in the 2007/08 budget plan, if any.

Councilman Valverde recommended another fulltime maintenance employee be added if budget allows.

Councilman Matthies recommended some pavilions and benches in the park be added at Rogiers Park.

City Administrator stated staff will take recommendations under review.

13. Consideration and **ACTION** to approve 2007 ad valorem tax exemptions and 2007 debt service requirements.

MOTION: I make a motion we leave it as it is.

Motion by: Bill Johnson    Second: Linda Pohl                            5/0/0                    PASSED

14. Consideration and **ACTION** to update pay scale job classification schedule to include Finance Clerk. (Pate)

City Administrator explained the purpose and intent of this update of the pay scale to include Finance Clerk.

MOTION: I make a motion to accept this.

Motion by: Miguel C. Valverde      Second: Linda Pohl      5/0/0      PASSED

15. Discussion and possible **ACTION** regarding security in council chambers. (Gillian)

There was discussion and ideas shared as to how to secure council chambers.

Recommendation was made to get prices on metal detectors.

16. Discuss and consider the engagement of Southwest Securities as the city's financial advisor and McCall, Parkhurst & Horton, L.L.P. as the city's bond counsel.

Victor Quiroga, Jr., Senior Vice President of Southwest Securities addressed this item.

MOTION: So move. (Southwest Securities as city's financial advisor and McCall, Parkhurst & Horton, L.L.P. as city's bond counsel)

MOTION: Lamar Gillian      Second: Charles Matthies      5/0/0      PASSED

17. Discuss and consider an ordinance authorizing the issuance, sale and delivery of "City of Balcones Heights, Texas general obligation refunding bonds, series 2008"; securing the payment thereof by authorizing the levy of an annual ad valorem tax; approving and authorizing the execution of all instruments and procedures related thereto including a paying agent/registrar agreement, an escrow agreement and an investment letter; delegating to the mayor and the city administrator the authority to approve all final terms of the bonds and select the outstanding bonds to be refunded with proceeds of the bonds; and declaring an effective date.

MOTION: I make a motion we approve to include that it will lock in the three (3) percent.

Motion by: Bill Johnson      Second: Charles Matthies      5/0/0      PASSED

Item 6 was addressed at this time.

18. Discussion and possible **ACTION** to approve other city facilities to be included on property located across from Justice Center. (de Leon)

Council discussed ideas and concerns with building other city facilities in addition to the new fire station. Recommendation was made to have a schematic design made to allow for future use of the land for other facilities.

**WORKSHOP:**

**DISCUSSION ITEMS:**

19. Discussion regarding Texas Department of Transportation (TxDot) allowing Static Electronic (Digital) Displays pursuant to TxDot rules. (Mayor)

City Attorney gave council an update on this item. He stated Lamar Advertising would like to use digital signs now that they have been approved.

20. Update from Park Committee. (Matthies)

City Administrator stated he received three bids to fence the skate park.

21. Update on staff directive to investigate the possibility of motion detector that dials to dispatch when tripped after hours. (Pate)

City Administrator stated the Police Chief recommended not placing the motion detectors at this time because vandalism has decreased with the increased surveillance.

22. Update on staff directive to investigate the possibility of placing cameras at the city park. (Pate)

Recommendation was also made to hold off on purchasing cameras. Police Chief stated the best idea for now is to place lighting at Rogiers Park.

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

Meeting adjourned at 8:09 p.m.

City of Balcones Heights, Texas

By: \_\_\_\_\_  
Delia Flores  
City Secretary, TRMC

Minutes approved by City Council - July 14, 2008