

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

**MINUTES**

DATE: February 9, 2009

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:* Antonio Diaz Bennie F. Cass Steve Walker  
Clemente Rocha Alan M. Langford Ambrose Vince  
Otto Moellering John Dorsey Gabriel Q. Velasquez  
Julie Marquez Cesar Chavez Nephtali de Leon  
Alejandro Siller Celia L. Araceli Herrera  
Sylvia Don Yolanda Gomez Albert Gomez Jr.  
Michael Evans Francisco Zuniga Roger Saucedo  
Roland F. Mena

**CALL TO ORDER AND RECORDING OF QUORUM**

Quorum present.

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

Councilman Johnson gave the invocation and pledges.

**CITIZENS TO BE HEARD:**

This item was addressed after item 2 in order to wait for those signed up to return to meeting room.

The following spoke on concerns regarding violations of Civil Rights and racial profiling.

Antonio Diaz  
Gabriel Velasquez  
Carlos de Leon  
Araceli Herrera  
Alejandro Siller  
Bruno de Leon  
Julie Marquez

**1. PRESENTATIONS and REPORTS:**

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

Director, Visitor Initiatives stated the highlights of the report.

b. Redevelopment Task Force update regarding progress of VIA and Bus Rapid Transit.  
(Mayor, Nastasi)

Director, Visitor Initiatives gave an update from the RTF committee on progress with VIA and Bus Rapid Transit.

**2. CONSENT AGENDA ITEMS:**

- a. Approval of minutes for Regular Meeting of January 12, 2009.
- b. Approval of the January 2009 Check Register.
- c. Approval of Financial Report for month of January 2009.

MOTION: I make a motion we approve.

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

**BOARD AND COMMISSION APPOINTMENTS:**

**PUBLIC HEARINGS:**

Public Hearing Opened at 6:33 p.m.

3. City Council will conduct a **PUBLIC HEARING** to hear public comment regarding Council consideration of a 90 day Moratorium of Commercial and Multi-Family Development.

City Attorney explained the process of initiating a moratorium.

Chairman of Planning and Zoning came up to speak on reasons for having a moratorium of commercial and multi-family development.

Public Hearing closed at 6:37 p.m.

**ACTION ITEMS:**

4. First Reading of Ordinance issuing a Moratorium for 90 days on Commercial and Multi-Family Development and approving the required findings as required by State Law and setting date for Special Council meeting to conduct a Second Reading of Ordinance. (Slay)

Chairman of Planning and Zoning gave the first reading of the ordinance for a 90 day moratorium on commercial and multi-family development.

Staff recommendation is to approve the first reading of the ordinance for a moratorium on commercial and multi family development.

MOTION: So move.

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

MOTION: To approve date of February 18, 2009 for special meeting to deliver the second reading of ordinance for moratorium of development.

Motion by: Councilman Valverde      Second: Linda Pohl      5/0/0      PASSED

5. Consideration and **POSSIBLE ACTION** regarding Terra Design Groups proposed Professional Services Agreement and related Scope of Services to work on the City's Master Plan and relative zoning ordinance. (Pate, Nastasi)

Director, Visitors Initiatives, City Administrator, and City Attorney spoke regarding this item. Item 6 was then addressed before approving Item 5.

MOTION: I make a motion that we approve the contract with Terra Group for the master plan and zoning ordinance rewrites.

Motion by: Councilman Gillian      Second: Councilwoman Pohl      5/0/0      PASSED

6. Consideration and **POSSIBLE ACTION** regarding a proposal to enter into a loan agreement and repayment schedule to borrow funds from the City's Hotel Occupancy Tax (HOT) for the purpose of funding master planning and zoning projects. (Pate)

City Administrator stated as long as the loan did not exceed the 10 years, it would be a non interest bearing loan.

MOTION: I want to make a motion that we approve the loan agreement for a (10) ten year period.

Motion by: Councilman Gillian      Second: Councilman Valverde      5/0/0      PASSED

7. Consideration and **ACTION** to authorize Officer Alan Langford to apply for Police Department grants excluding any grants requiring matching funds. (Langford)

Officer Langford came up to explain that grants are available and stated authorization from council is needed for them to proceed.

MOTION: I make a motion we approve.

Motion by: Councilman Johnson      Second: Councilman Matthies      5/0/0    PASSED

8. Consideration and **ACTION** to adopt an ordinance regarding the establishment of a purchasing policy for the city.

City Administrator stated a new purchasing policy was needed to replace the antiquated purchase policy we presently have.

MOTION: So move. (To adopt purchasing policy)

Motion by: Councilman Gillian      Second: Councilman Valverde      5/0/0    PASSED

9. Consideration and **ACTION** to approve a resolution ordering a General Election to be held jointly with Bexar County on Saturday, May 9, 2009.

MOTION: I make a motion we approve.

Motion by: Councilman Johnson      Second: Councilwoman Pohl      5/0/0    PASSED

**DISCUSSION:**

10. Discussion regarding the creating of a City run vehicle impound facility. (Stannard)

There was discussion regarding start up cost versus the estimated revenue in creating the impound facility and questions and answers regarding the process.

11. Discussion regarding 2008-2009 Fiscal Year projects.

City Administrator updated council on the city's finances for the 2008-09 budget year.

**EXECUTIVE SESSION:**

City Council convened in closed door executive session at 7:23 p.m.

12. Discussion pursuant to Section 551.074, Personnel Matters of the Texas Government Code, to consider City Administrator, Sean Pate's employee evaluation.

**RE-CONVENE IN OPEN SESSION:**

Re-convened in open session at 7:44 p.m.

13. Council may take **ACTION** regarding discussion during Executive Session.

No action taken.

**ADJOURNMENT:**

Meeting adjourned at 7:44 p.m.

City of Balcones Heights, Texas

By: \_\_\_\_\_  
DELIA FLORES – City Secretary, TRMC

Minutes approved by City Council on March 9, 2009