

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

**MINUTES**

DATE: April 13, 2009

TIME: 6:00 p.m.

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

Members Absent:     None

SIGN IN SHEET:     Mr. & Mrs. A. Muniz     Gary Martin         Roger Saucedo  
                              Hank Cortez             Bennie F. Cass     Henry Hannasch  
                              Otto Moellering         Jeremy Gonzalez     A. J. Vince  
                              Madeline Slay           Patrick Mayo         Alicia Colunga  
                              Alan Langford           Dean H. Nelson

**CALL TO ORDER AND RECORDING OF QUORUM**

Quorum present.

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

Councilwoman Pohl gave the invocation and led pledges.

**CITIZENS TO BE HEARD:**

Convention Visitors Bureau Report was heard before Citizens To Be Heard per Mayors request.

Former Mayor Jim Craven came up and recognized Mayor Pro-Tem William Johnson for his dedication and accomplishments while serving on the council.

**1. PRESENTATIONS and REPORTS:**

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

Director, Visitor Initiatives Lorenzo Nastasi updated council on highlights of report.

**2. CONSENT AGENDA ITEMS:**

- a. Approval of minutes for Regular Meeting of March 9, 2009.
- b. Approval of the March 2009 Check Register.
- c. Approval of Financial Report for month of March 2009.

MOTION: I would like to make a motion we approve in its entirety.

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

**BOARD AND COMMISSION APPOINTMENTS:**

3. Consideration and **ACTION** regarding Council Member's, Place 3 appointment to Convention Visitors Bureau Board. (Matthies)

MOTION: To reappoint Madeline Slay to Convention Visitors Bureau Board.

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

**PUBLIC HEARINGS:**

**ACTION ITEMS:**

4. Consideration and **ACTION** to approve an Interlocal Agreement between the City of Balcones Heights and the San Antonio Water System for the water and sewer work proposed on Bobbies Lane Project.

City Administrator advised council that San Antonio Water System would like to front \$5,000.00 for the proposed work to adjust the valves in the manholes along Bobbies Lane. Staff's recommendation is to approve Interlocal Agreement.

MOTION: I make a motion to approve.

Motion by: Mayor Pro-Tem Johnson      Second: Councilman Gillian 5/0/0    PASSED

5. Redevelopment Task Force update, discussion and **POSSIBLE ACTION** regarding the Fredericksburg Road Corridor Project and VIA-BRT project. (Lorenzo)

Director, Visitor Initiatives came up and explained, updated, and advised council of challenges the city will face with corridor project.

No Action taken.

6. Consideration and **ACTION** to accept Generations Community Federal Credit Union's Special Warranty Deed for lots 13, 14, 15, and west 5 feet of Lot 16, County Block 5771.

City Administrator stated the restrictions of the deed and recommended acceptance of warranty deed.

MOTION: I make a motion we approve the warranty deed and in conjunction with that also send a letter of appreciation from the city for this property.

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

7. Consideration and **ACTION** to adopt an ordinance to amend the budget dated September 8th, 2008 for mid-year review. (Griffin)

City Administrator and Finance Director went over the city's financial status and adjustments needed.

MOTION: I would like to make a motion we approve as Ordinance 2009- to be assigned.

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

8. Consideration and **ACTION** regarding improvements and upgrades to the impound facility.

Police Chief passed out information to council and went over figures.

MOTION: I make a motion we approve.

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

9. Consideration and **ACTION** to adopt a resolution for new credit card application.

City Administrator explained that this resolution was to establish credit with bank and establish authorized representatives.

MOTION: I make a motion we adopt the resolution.

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

10. Consideration and **ACTION** to support Trey Martinez Fischer bill relating to the regulation of dangerous and vicious dogs. (Gillian)

Councilman Gillian stated that the City of San Antonio gave its endorsement to this bill and believes city should do the same by letting Congressman know Balcones Heights supports it.

MOTION: I make a motion that we write a letter to the congressman's office letting him know that we support his bill and also pass a resolution in that same manner.

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

11. Consideration and **ACTION** to approve an ordinance adopting supplement S-15 to the Code Book of Ordinances.

MOTION: I make a motion we approve.

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

12. Consideration and **ACTION** to accept certification of unopposed candidates and adopt an ordinance declaring the May 9, 2009 General Election cancelled.

MOTION: I make the motion we approve.

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

13. Consideration and **ACTION** to include city council members on the current cell phone contract or reimburse them for the use of their privately provided cell phones. (Gillian)

Councilman Gillian suggested council members be provided cell phones or reimburse for using personal cell phone while serving their term to conduct business for city.

MOTION: Provide cell phones for city council members on the city contract for the time that they are in office.

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

**DISCUSSION:**

**EXECUTIVE SESSION:**

Open meeting closed at 7:07 p.m. to go into closed door executive session.

14. Consultation with attorney regarding pending litigation Tex. Gov't Code Ann. Sec. 551.071(1). *Arthur A. Lefton and David Lefton v. The City of Balcones Heights, Texas* Cause No. 2008-CI-10075, 150<sup>TH</sup> Judicial District Court of Bexar County, Texas (Twin Lane Trailer Park)

**RE-CONVENE IN OPEN SESSION:**

Open meeting re-convened at 8:04 p.m.

15. Consideration and Action on the review and possible approval of a settlement agreement regarding pending litigation in *Arthur A. Lefton and David Lefton v. The City of Balcones Heights, Texas* Cause No. 2008-CI-10075, 150<sup>TH</sup> Judicial District Court of Bexar County, Texas (Twin Lane Trailer Park).

MOTION: I make a motion Mayor be authorized to sign the settlement agreement subject to proper certification of the electrical engineer on the project.

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

**ADJOURNMENT:**

Meeting adjourned at 8:05 p.m.

City of Balcones Heights, Texas

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

Approved by City Council May 11, 2009