

THE STATE OF TEXAS §  
CITY OF BALCONES HEIGHTS §  
COUNTY OF BEXAR §

Suzanne de Leon, Mayor  
Miguel C. Valverde, Council Member Place 1  
Madeline A. Slay, Council Member Place 2

Lamar Gillian, Mayor Pro Tem  
Jack Burton, Council Member Place 3  
Charles White, Council Member Place 5

**The City of Balcones Heights**  
**REGULAR CITY COUNCIL MEETING**

**AGENDA**

NOTICE IS HEREBY GIVEN THAT THE ABOVE CALLED MEETING OF THE GOVERNING BODY OF THE CITY OF BALCONES HEIGHTS, TEXAS, WILL BE HELD ON **Monday, July 8, 2013, AT 6:00 P.M.**, IN THE JUSTICE CENTER, 2<sup>nd</sup> FLOOR, LOCATED AT 3300 HILLCREST DRIVE, BALCONES HEIGHTS, TEXAS, 78201 TO CONSIDER AND ACT UPON ANY LAWFUL SUBJECT WHICH MAY COME BEFORE SAID MEETING, INCLUDING, AMONG OTHERS, THE FOLLOWING ITEMS TO BE DISCUSSED AND ACTED UPON:

**CALL TO ORDER AND RECORDING OF QUORUM**

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

- *Moment of Silence in remembrance of the 19 Firefighters from Prescott, Arizona who gave their lives fighting the Yarnell Fire.*

**Here are the words to the Texas pledge:**

*"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*

**PUBLIC COMMENT PERIOD**

At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body *so long as that topic is not on the agenda for this meeting*. Citizens may speak on specific agenda items when that item is called for discussion. During the *Citizens to be Heard* section no council action may take place and no council discussion or response is required to the speaker. A time limit of five minutes per speaker is permitted; the council may extend this time at their discretion.

**1. PRESENTATIONS and REPORTS:**

- a. Community Initiatives/CVB Report. (Nastasi)
- b. Police Department Report. (Dominguez)
- c. Fire Department Report. (Prince)
- d. Development Services Coordinator Report. (Boyd)

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

- a. Approval of minutes for Regular Meeting of June 10, 2013.

### **BOARD AND COMMISSION APPOINTMENTS:**

3. Consideration and **ACTION** to appoint an ALTERNATE to the Planning and Zoning Commission. (Mayor)

### **PUBLIC HEARINGS:**

4. City Council will conduct a **PUBLIC HEARING** to hear from the public regarding a Special Use Permit (SUP) submitted by Rico's Diner for catering services within the Wonderland of Americas Mall located at 4522 Fredericksburg Rd.

5. City Council will conduct a **PUBLIC HEARING** to hear from the public regarding a request submitted by Juan F. Torrez Jr. to rezone property located at 204 Crossroads Blvd. from O-2 High Rise Office to C-1 Local Retail.

6. Council will conduct a **PUBLIC HEARING** for the Balcones Heights Crime Control & Prevention District's proposed annual operating budget for the period of October 1, 2013 through September 30, 2014.

7. City Council will conduct a **PUBLIC HEARING** to hear from the public regarding a zoning change request submitted by the City of Balcones Heights to rezone property located at 3230 Hillcrest Dr. and 3224 Hillcrest Drive from Public Property to PUD.

### **BUSINESS ITEMS:**

8. City Council will consider Planning and Zoning's recommendation to approve a request submitted for a Special Use Permit (SUP) for Rico's Diner for catering services within the Wonderland of Americas Mall located at 4522 Fredericksburg Rd.

9. City Council will consider Planning and Zoning's recommendation to approve a request submitted by Juan F. Torrez Jr. to rezone property located at 204 Crossroads Blvd. from O-2 High Rise Office to C-1 Local Retail.

10. Consideration and **ACTION** to adopt a Resolution approving FY 2013/14 Balcones Heights Crime Control & Prevention District Budget. (Griffin)

11. Presentation by City Administrator outlining the rezoning request from the City and why the City is bringing it forward. (Buckert)

12. Councilman White to address the rezoning and use of property across from the Justice Center known as HUD Tracts I & II. (White)

13. Presentation by Councilman Gillian to address the economic need for the project to be located on the property across from the Justice Center. (Gillian)

14. Presentation and project overview by NRP representatives as related to the rezone request submitted by the City of Balcones Heights. (NRP Representatives)

15. Consideration and **ACTION** regarding Planning and Zoning's recommendation to approve request for the City of Balcones Heights to rezone property located at 3230 Hillcrest Dr. and 3224 Hillcrest Drive from Public Property to PUD (Planned Unit Development).

16. Consideration and possible **ACTION** to renew the agreement with Acadian Ambulance Service, Inc. or go out for Request for Proposals. (Prince)

17. Consideration and **ACTION** to adopt an ordinance to set the Regular City Council Meeting date and time. (Buckert)

18. Consideration and **ACTION** regarding submission of Bexar Appraisal District Proposed Budget for 2014. (Mayor)

19. Consideration and **ACTION** to change budget workshop meeting time on August 15, 2013 from 9:00 a.m. to 6:00 p.m. (White)

**DISCUSSION ITEMS:**

**EXECUTIVE SESSION:**

20. Discussion pursuant to Section 551.071 of the Texas Government Code (Attorney/Client Consultation) to discuss credit access businesses.

21. Discussion pursuant to 551.074 (Personnel Matters) of the Texas Government Code regarding City Attorney's remarks to Planning and Zoning commission. (White)

**RE-CONVENE IN OPEN SESSION:**

22. Council may take **ACTION** on items discussed in executive session.

**ADJOURNMENT:**

**DECORUM REQUIRED**

**Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.**

The Balcones Heights City Council reserves the right to adjourn into **executive session** at any time to discuss any of the matters listed above, as authorized by Texas Government Code § 551.071 (Consultation with Attorney) § 551.072 (Deliberations about Real Property) § 551.073 (Deliberations about Gifts and Donations) § 551.074 (Personnel Matters) § 551.076 (Deliberations about Security Devices), and § 551.086 (Economic Development)

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETING**

The City of Balcones Heights City Council meetings are available to all persons regardless of disability. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary's office at 735-9148 or write to 3300 Hillcrest Drive, Balcones Heights, Texas 78201

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the bulletin board, at the Justice Center / City Hall of Balcones Heights, Texas, in a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: **July 5, 2013 at 4:30 P.M.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

**City of Balcones Heights, Texas**

**DELIA FLORES, TRMC**  
**City Secretary**

I certify that the attached notice and agenda of items to be considered by the City Council were removed by me from the posting window at the Justice Center on the \_\_\_\_\_.