

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

**Regular Meeting
MINUTES**

DATE: July 8, 2013

TIME: 6:00 p.m.

Members Present: Suzanne de Leon (Mayor) Lamar Gillian (Mayor Pro Tem)
Miguel Valverde Charles White
Jack Burton Madeline Slay

Members Absent: None

Sign in Sheet: Henry Hannasch Lucille Wohlfarth Damon Mason
Roger Lawhead Bill Johnson Lili Cruz
Stephan Lara Luis Gomez "Rico" Mark Barker
Rudy Perez Jimmy Hernandez Anita Herrera
Mary A. Espinoza Rosendo Valdez Joe R.
Jay Johnson Helen & Jack Nicholson Otto S. Moellering III
Richard Espinoza Antonio Medina Rene Contreras
Kip Torres

CALL TO ORDER AND RECORDING OF QUORUM

Meeting was called to order and quorum was present.

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

The Fire Chief came up and asked for everyone's prayers for the families of the 19 firefighters who lost their lives.

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

Councilman White gave the invocation and led pledges.

PUBLIC COMMENT PERIOD

Damon Mason – more urban land use

1. PRESENTATIONS and REPORTS:

City Administrator informed council that the reports for Items 1a, b, c, and d will not be given because information was not available on time to submit for this meeting. Reports for June and July 2013 will be given at the August 2013 meeting.

- 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.

MOTION: Motion to approve.

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

BOARD AND COMMISSION APPOINTMENTS:

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

MOTION: I would like to make a motion to approve the appointment of Mr. Hernandez.

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

Item #7 was addressed before Item #4.

PUBLIC HEARINGS: Public Hearing opened at 6:11 p.m. with Item #7.

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.

Rico Gomez came up and stated he is just waiting for approval of the SUP to open his 50's Hamburger Diner.

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.

No one came up to speak during public hearing.

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.

No one came up to speak during public hearing.

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.

Public Hearing opened at 6:11 p.m. with item #7 then continued with Item 4, 5, and 6.

Sign Up Sheet Against Rezone:

Rudy Perez – brought forth a petition with 80 signatures against the rezone

Lucille Wohlfarth – Not opposed but as Ex-Mayor remembers plans for that property to be different from the proposed project.

Michael Espinoza – Concerns with the city not having HUD approval, untimely information, bid process and how NRP was chosen.

Sign Up Sheet In Favor of Rezone:

Carlos de la Garza - does not see problem with rezoning the property

David Marquez from Bexar County Economic Development spoke in favor of rezone for project

Stephen Lara – in support of rezone because of changes he has seen in the area where he works with similar circumstances

Mark Barker – in support of rezoning

Jimmy Hernandez – in support of rezone – believes it can serve as a catalyst for future progress

Public hearing closed at 6:33 p.m.

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.

MOTION: I would like to make a motion to approve Rico's Diner (SUP) for the mall.

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

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.

MOTION: I make a motion that we approve the rezone (to C-1).

Motion by: Councilwoman Slay Second: Councilman Burton 5/0/0 PASSED

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

Finance Director came up and explained the Crime Control budget.

MOTION: I make a motion we approve this budget.

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

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

City Administrator Amy Buckert came up and gave a presentation on the following topics:

- Proposal
- Why Does the City Support This?
- When Values Go Up, Tax Rate goes down
- Property Values
- What About the Fire Station?
- So Why haven't I heard anything?
- Affordable Housing is Not Section 8 Housing

- Affordable Housing – Housing that does not exceed 30% of the households income
- Article – The Landings at Brooks City Base
- Tonight's Action

Michael Espinoza – Property belongs to citizens

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

Councilman White stated he placed this item on the agenda for discussion after the actual vote taken on item #15 not as a presentation. He discussed other uses for the property on Hillcrest and Gentleman.

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)

Councilman/Mayor Pro Tem Gillian came up and gave a presentation on the following topics:

- Develop or Decline
- What's Happening Now?
- The Economic Challenges Facing our City
- How do we pay our bills – short/long term?
- The Revenue Equation – A Look at the Past
- The Challenge – Our Public Infrastructure Needs
- Show Me the Money!
- Develop or Decline – Why?
- Questions/Comments

Tony Medina – concerned with the look of the proposed project

Rosalie Barrera – concerns with another apartment structure and the crime rate

Rosendo Valdez – question on revenue and property taxes the city will receive

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

Dan Markson from NRP gave a powerpoint presentation on the following topics:

- Experience Matters
- From Concept to Completion
- Trusted Name Throughout the State
- What makes a community work?
- Proposed Balcones Lofts
- Proposed Development Site
- Examples of other Developments
- Quality housing benefits the community
- Contact Information

Fire Chief – Does not believe Fire Department will have major issues with the proposed project because of the quality. Although he would like a new fire station he stated that the city does not have money for that and that the city has already put money into the existing fire station and that it will be good for at least 4 to 7 years.

Kip Torres – Had questions regarding what other urban renewal programs the city has looked at and compared?

Michael Espinoza – Concerns with the proposed project, 60% affordable housing, rather would like to condemn existing apartments and replace with this type of project instead of using city property.

Councilman Gillian – the idea of this project is to change the demographics of the city

Tony Medina – Area is convenient but he feels building lacks character and looks like Haven for Hope.

Henry Hannasch – Spoke in favor of change and the proposed project.

Jimmy Hernandez – Opportunity is here and will revitalize the area

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).

Mayor read a petition submitted by Rudy Perez with 80 signatures against the rezoning.

Michael Espinoza – explained his understanding of low income housing.

Dan Markson – Came up to explain the difference between Section 8 and low income housing (housing tax credit).

Rudy Perez – stated it was his right to sign petition

Rosalie Barrera – concerns with low income housing term

MOTION: Mayor I would like to make a motion we approve the rezone.

Motion by: Councilman Gillian Second: Councilwoman Slay 4/1/0 PASSED

Nay Vote: Councilman White

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

Fire Chief’s recommendation was to continue with Acadian Ambulance Service.

MOTION: I make a motion to approve.

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

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

City Administrator brought this forth in an effort to meet council’s request to get information out in a more timely matter for review. Recommendation was made to have council meeting later in the month.

4th Thursday of the Month – City Administrator

- If council meeting starts later than 6:00 p.m. recommendation was made to have a workshop an hour prior to the council meeting to avoid the separate meetings Administrator is having with each council member throughout the day of the meeting.
- Attorney available on the 4th Monday, 2nd and 4th Thursday,

MOTION: I make a motion to move the meeting to the 4th Monday at 6:30 p.m. (Workshop/Briefing would start at 6:00 p.m.)

Motion by: Councilman White Second: Councilman Burton 0/5/0 Failed

MOTION: I would like to make another motion for the 2nd Thursday at 6:00 p.m.

Motion by: Councilman Gillian withdraw motion

MOTION: 4th Thursday 6:00 p.m. pre-council 6:30 p.m. council meeting.

Motion by: Councilman Gillian no second (Motion fails)

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

MOTION: I make a motion not to take any action.

Motion by: Councilman Gillian Second: Councilman Burton 5/0/0 Passed

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)

MOTION: Motion for 2nd budget workshop to be held at 6:00 p.m. so citizens can attend.

Motion by: Councilman White Second: Councilwoman Slay 5/0/0 Passed

DISCUSSION ITEMS:

EXECUTIVE SESSION: 8:56 p.m.

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: 9:21 p.m.

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

No action taken.

ADJOURNMENT:

Meeting adjourned at 9:21 p.m.

Submitted by:

DELIA FLORES, TRMC
City Secretary

Minutes approved at the August 12, 2013 City Council meeting.