

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

Minutes

DATE: August 26, 2024

TIME: 6:00 p.m.

Members Present:	Johnny A. Rodriguez, Jr. Juan M. Lecea, Jr.	Jack Burton Mark Saenz	David Sellars Miguel C. Valverde
Members Absent:	None		
Signed in Sheet:	Rudy Flores V. Andres Urbano Irene Garza Janessa Lecea Rudy Perez Eduardo Garcia Gustavo Rodriguez Lisa Rodriguez Diana & Ernest Moncivais Madeline Slay	Suzanne de Leon Gloria Cantu Elisa Rodriguez Dean Nelson Charles White Tracy Ebersole Lamar Gillian Jose Rodriguez Margaret L.	Neira White Leticia Rodriguez Agnes Lecea Ian Fischer Angelica Garcia L. Houston Ingelore U. Gillian Monica Moncivais Alexa P.

CALL TO ORDER AND RECORDING OF QUORUM

Meeting was called to order and quorum was present.

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

Miguel Valverde gave the invocation and led pledges. Mayor Rodriguez recited the Lord's prayer.

PUBLIC COMMENT PERIOD

Councilmember Lecea – Status on council

Suzanne de Leon – Staff departures and Letter sent to Balcones Heights residents

Mark Saenz – Item #1 State of the City, Item 24

Charles White – Citizens to be heard – Item #11 and Item #14

Jimmy Hernandez – Dispatch and Budget

Neira White – Item #8

PRESENTATIONS:

CONSENT AGENDA ITEMS:

- a. Approval of minutes for Special/Workshop Meeting of July 8, 2024
- b. Approval of minutes for Regular Meeting of July 22, 2024
- c. Finance Report for the month of July 2024

MOTION: Motion to approve the consent agenda items.

Motion by: Mark Saenz Seconded by: Juan Lecea Record Vote 5/0/0 PASSED

BUSINESS ITEMS:

1. Mayor Johnny Rodriguez, August 26, 2024 State of City Address. (Mayor)

- Wonderland of the Americas
- Shortfall, loss of revenues, high salaries
- Lack of oversight
- Political dynamics
- Proposed solutions – audit
- Reasses and streamline workforce
- Re-evaluate Collective Bargaining
- Citizen collaboration
- Involve residents
- Empower
- Outsource dispatch and increase of property taxes
- Challenges
- Unite – Strong
- Visit website

2. Retirement Announcement and Acceptance of Gilbert Perales, City Administrator effective September 20, 2024. (Mayor)

Mayor Johnny Rodriguez read the retirement letter submitted by City Administrator Gilbert Perales and read his letter of response to the City Administrator.

3. Retirement Announcement and Acceptance of Delia R. Sanchez, City Secretary Effective September 30, 2024. (Mayor)

Mayor Johnny Rodriguez read the retirement letter submitted by City Secretary Delia Sanchez.

4. Council will hold a **PUBLIC HEARING** to receive public comments on amending Section 153.3.1.16 of the Zoning Code for the property located at 7001 W IH 10 to allow the installation of a 55 ft. electronic sign with the dimensions of 15 ft. by 30 ft.

Power point presentation was given by Mr. Albert Lara on the following:

- Property description and location
- Proposed Revisions
- Example of Proposed Sign and Location
- Current Pole Signs in the area
- Benefits of Proposed Sign
- Recommendation

Ian Fischer, Operating Partner came up to brief council on his request.

Public Hearing opened at 7:10 p.m.

Charles White – concerns with lighting

Jimmy Hernandez – Other advertising on sign and sales tax revenue question

Public Hearing closed at 7:27 p.m.

5. The City Council will consider and take **ACTION** on the Planning and Zoning Commission's recommendation regarding the request submitted by Tamir Enterprises LTD to allow the installation of a 55 ft. electronic sign for property located at 7001 W IH 10. (A. Lara)

MOTION: I make a motion to accept the Planning and Zoning's recommendation to approve.

Motion by: Mark Saenz Seconded by: Juan Lecea Record Vote 5/0/0 PASSED

Mayor Rodriguez called for a recess at 7:27 p.m. and reconvened at 7:43 p.m.

6. Property Manager Sid Weiss to discuss issues pertaining to Wonderland of the Americas (WOTA). (Mayor)

Sid Weiss, Property Manager of WOTA informed council by letter of accusations made by a former councilmember. He did not speak on it publicly but stated he would meet with council individually if interested.

7. Property Manager Sid Weiss to present power point presentation to discuss general plan to move the City's 2040 Strategic plan. (Mayor)

Patricia K. Joiner, AICP gave a power point presentation on the following:

- Demographics
- Purpose and Statement of Need
- HUD information
- Housing
- Regional Demographic Trends
- Community Profile Strategies
- Balcones Heights Implementation Strategies from 2023 City Plan
- Examples of when you revitalize
- Balcones Heights Revitalization Concepts
- Wonderland of the Americas

8. Discussion and **ACTION** to consider providing continued HOT Fund Financial Assistance to the Sociedad Cultural Hispano Americana for their annual event October 13, 2024 at the Wonderland of Americas. Sociedad Cultural Hispano Americana to present power point presentation. (Mayor)

Neira White, representing Sociedad Cultural Hispano Americana, San Antonio, Texas gave a power point presentation on the following:

- Introduction
- Mission Statement

- Vision
- SCHASA Country Members
- Board of Directors
- Events
- Hispanic Trails Cultural Festival
- SCHASA Scholarships
- SCHASA Culture Conferences
- SCHASA promotes talented students
- SCHASA International Culture Conference – Spain and Other engagements
- 2024 Festival Expenditures Budget
- Why Sponsor our Festival

Request was made for \$6,000.00.

MOTION: I would like to make a motion that we do the sponsorship as budgeted as past years for \$4,000.00.

Motion by: Juan Lecea Seconded: Mark Saenz Record Vote 5/0/0 PASSED

Amended Motion: to waive food and beverage permit fees.

by: David Sellars Motion died for lack of a second

Madeline Slay donated the \$2,000.00 needed to complete the requested amount.

9. The council will hold a **PUBLIC HEARING** to receive public comments regarding the adoption of the City of Balcones Heights property tax abatement guidelines and criteria.

Public Hearing opened at 8:44 p.m.

City Attorney Frank Garza briefed council on the ordinance on guidelines and criteria for tax abatements.

Charles White – another tool for city to use

Public Hearing closed at 8:49 p.m.

10. Discussion to adopt a tax abatement ordinance with guidelines and policy statement on establishing criteria for tax abatement guidelines and evaluating incentive applications. (Perales)

Q & A period.

MOTION: I make a motion to table.

Motion by: Jack Burton Seconded by: David Sellars

Amended Motion: I would like to amend that motion to table to the next budget meeting.

Motion by: Mark Saenz Seconded by: David Sellars Record Vote 5/0/0 PASSED

Mayor called for a recess at 9:10 p.m. and reconvened at 9:16 p.m.

11. Consideration and **ACTION** to adopt a resolution to approve the exclusive franchise agreement with Frontier Texas Ventures I, LLC for the collection, hauling and disposal of municipal solid waste. (Perales)

City Administrator Gilbert Perales briefed council on the agreement with Frontier Texas Ventures.

MOTION: I would like to make a motion to approve the resolution to approve the exclusive franchise agreement with Frontier Texas Ventures.

Motion by: Mark Saenz Seconded by: Jack Burton Record Vote 4/1/0 PASSED

NAY VOTE: David Sellars

12. Discussion and Action to initiate process of contacting various educational colleges and universities to recruit retain and implement the use of unpaid interns to be independently assigned to assist with the operations of Mayor's Office, City Administrator, City Secretary, Police, Community Development, Community and Public Affairs Departments respectively. (Mayor)

Mayor Rodriguez informed council of his initiative to get interns to help the mayor's office and staff with interns.

Recommendation made that we have total cost on equipment, space, and possible stipend to allow for interns. Direct department heads to develop a plan to have in place.

MOTION: I make a motion for department heads to develop those work plans and look into the equipment and space needed for potential interns.

Motion by: Mark Saenz Seconded by: Miguel Valverde 5/0/0 PASSED

13. Discussion and Action on utilizing best management practice to review and amend salary compensation, Job Description and duties of City Secretary. Upon completion of review the employment opportunity needs to be publicly advertised for the solicitation of applicants for the job opening of a City Secretary for the City of Balcones Heights (Mayor)

City Administrator informed council of the succession plan for City Secretary to provide for continuity.

MOTION: I would like to make a motion that we keep going with the practice that we have succession plan and keep moving forward.

Motion by: Juan Lecea Seconded by: Mark Saenz *a vote was not taken on the main motion*

Amended Motion: To hire an internal candidate from the city as an interim and advertise for the position as a permanent City Secretary look at the applicants.

Amended Motion: Miguel Valverde Seconded by: Jack Burton Record Vote 4/1/0 PASSED

NAY VOTE: David Sellars

14. Discussion and Action on City Council Accepting Gilbert Perales, City Administrator Notice of Retirement effective September 20, 2024. Retain the executive recruitment services of Clear Career Professionals. In the interim prepare and offer a temporary contract for no more than 90 days employment to City Administrator Gilbert Perales at 50% reduction of his current salary in the spirit of goodwill/care and consideration of the city's severe budget deficit. Clear Career Professionals can provide a temporary city administrator and city secretary at a discounted hourly rate.

City Administrator Gilbert Perales respectfully declined any extension to his contract. Last day of employment with the city is September 20, 2024.

15. Discussion and possible action to request current City Administrator, Gilbert Perales, remain in role at current pay until a replacement, either temporary or full-time, has been hired, with a period of two weeks to transfer duties and bring the replacement City Administrator up to speed on city business. (CM Saenz)

As noted in Item #14.

16. Discussion and possible action to amend the Code Book of Ordinances Section 31.27 to include a requirement that any individual filling the role of City Administrator meet the minimum qualifications as detailed in the City Administrator Job Description. (CM Saenz)

MOTION: Amend the code book of ordinances section 31.27 include the requirement that any individual filling the role of City Administrator meet the minimum qualifications as detailed in the City Administrator job description.

Motion by: David Sellars Seconded by: Mark Saenz Record Vote 4/1/0 PASSED

NAY VOTE: Jack Burton

17. Discussion and Action to discuss and address concerns to retain Davidson Troilo Ream & Garza, to conduct the search for City Administrator and the potential of a Conflict of Interest under the Texas Rules of Disciplinary Rules of Professional Conduct. (Mayor)

City Attorney stated law firms are allowed to provide services that are not legal related. He stated in 35 years he has not had a complaint made to the bar and that he and his law firm declined doing the search for City Administrator. When asked by Councilman Lecea why he mentioned that. He stated that the mayor does feel it is a violation and was considering filing a complaint if retained.

18. Discussion and recommendation to hire the law office of Davidson Troilo Ream & Garza, P. C. to search for City Administrator. (Lecea)

As noted in Item #17.

19. Discussion and **Action to not outsource** The Balcones Heights Police and Fire Dispatch Services. (Mayor)

Discussion was had on concerns with outsourcing dispatch vs status quo. Mayor Rodriguez wanted to go on the record that he was against outsourcing dispatch.

MOTION: Motion to table to next budget cycle.

Motion by: Juan Lecea Seconded by: Mark Saenz Record Vote 4/1/0 PASSED

NAY VOTE: Jack Burton

20. Consideration and **ACTION** to consider application received from Marshall F. Hebert to serve on the Board of Adjustments and Appeals for the term of June 2024 – June 2026.

MOTION: I make a motion to approve.

Motion by: Jack Burton Seconded by: Mark Saenz Record Vote 4/1/0 PASSED

NAY VOTE: Juan Lecea

Councilmember Juan Lecea left the meeting at 11:09 p.m.

21. Consideration and **ACTION** regarding the nomination phase for the 2025 Election of Bexar Appraisal District Board of Directors. (Mayor)

This item not discussed.

22. Discussion and **ACTION** to consider the EDC Board's recommendation for a joint EDC/City Council meeting hosted by the EDC. (Perales)

MOTION: So, moved.

Motion by: Miguel Valverde Seconded by: Jack Burton Record Vote 3/1/0 PASSED

NAY VOTE: David Sellars

23. Discussion and possible action to require that all meeting agenda items proposed by Mayor or City Council that may have possible action include supporting documentation. (CM Saenz)

MOTION: I move to make a motion that city councilmembers and mayor are required to include the information when they submit items on the agenda if they require action.

Motion by: Mark Saenz Seconded by: David Sellars Record Vote 4/0/0 PASSED

24. Discussion and Action to respectfully request Councilmembers to make an extra effort to begin working together to build collaboration and make suggestions and place items on the agenda that are constructive and conducive to solving the dire financial needs of our city, helping our community, fellow citizens and promoting business community prosperity. (Mayor)

This item was not discussed.

25. Department Reports and Q&A (Police Department, Fire Department, Community Development, and Economic Development & Public Affairs)

Reports were included in packet and there was no discussion.

ANNOUNCEMENTS, COMMENTS, AND REQUESTS:

26. Announcements/Comments by Mayor and Council Members.

- Councilmember Burton requested to get information on what funds were received from Bexar County and where that money is. (Mr. Perales)

27. Announcements by City Administrator.

No announcements.

28. Agenda Item Requests by Mayor and Council Members to be placed on a future City Council agenda.

Mayor - To create an internal affairs department for police and fire but mainly police so that we can have a citizen's oversight committee that we can establish that we can possibly see complaints that come in.

Mayor – Salary audit and employee compensation study

EXECUTIVE SESSION:

RE-CONVENE IN OPEN SESSION:

ADJOURNMENT:

Meeting adjourned at 11:18 p.m.

Submitted by:

Delia R. Sanchez
City Secretary

The minutes were approved at the City Council Meeting held on September 23, 2024