



CITY OF HILL COUNTRY VILLAGE  
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**MINUTES  
CITY COUNCIL MEETING  
116 ASPEN LANE  
CITY OF HILL COUNTRY VILLAGE, TEXAS  
THURSDAY, JANUARY 17, 2013  
5:00 P.M.**

The City Council for the City of Hill Country Village met for a Regular Council Meeting Thursday, January 17, 2013 at 5:00 p.m. at City Hall, 116 Aspen Lane, Hill Country Village, Texas. This was an open meeting subject to the open meetings law of the State of Texas.

*Members Present:*

Mayor Gabriel Durand-Hollis  
Councilwoman Elizabeth Worley  
Councilwoman Jane Cronk  
Councilman George "Rick" Evans  
Councilman Carl A. Register

*Members Absent*

Councilman James Allen

*City Staff Present:*

Frank Morales, City Administrator and Police Chief  
Jennifer Gonzales, Administrative Assistant

**1. Call to order.**

Mayor Durand-Hollis called the meeting to order at 5:00 p.m.

**2. Moment of Silence and Pledge of Allegiance.**

Mayor Durand-Hollis led those present in a moment of silence and led us in the Pledge of Allegiance.

CONSENT AGENDA:

*The following items are of a routine or administrative nature. The City Council has been furnished with background and support material on each item, and/or it has been discussed in a previous meeting. All items can be acted upon by one vote without being discussed separately, unless requested by a Council Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in their normal sequence*

*after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one motion and vote of the City Council.*

**3. Discussion/action approving the minutes of the Regular Council Meeting of November 15, 2012.**

**4. Discussion/action approving an ordinance ordering the 2013 city officers election as required by state law.**

**5. Discussion/action approving an ordinance authorizing the execution of a contract for election services with the Bexar County Elections Administrator.**

**6. Discussion/action accepting a report from the Police Department regarding Racial Profiling for calendar year 2012 as mandated by Senate Bill 1074 of the 77th Legislature.**

**7. Discussion/action approving a resolution certifying the 2012 Tax Roll from the Bexar County Tax Assessor-Collector.**

**8. Discussion/action approving a resolution of the City of Hill Country Village in regard to the adoption of the City of Hill Country Vllg FBP Cafeteria Plan and Summary Plan Description.**

*Councilman Register moved to approve the consent agenda, seconded by Councilman Evans. Motion passed unanimously.*

INDIVIDUAL ITEMS FOR CONSIDERATION:

**9. Citizens to be heard.**

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 TWO MINUTES PER SPEAKER IS PERMITTED; THE COUNCIL MAY EXTEND THIS TIME AT THEIR DISCRETION.

*No one signed up to speak.*

**10. Discussion/action accepting the Delinquent Tax Collection report for the period of October 2011 – September 2012 from Linebarger Goggan Blair and Sampson, LLP.**

*Ms. Carri Wells from Linebarger Goggan Blair and Sampson, LLP made a presentation on the cities delinquent tax collection report. Ms. Wells explained as usual the vast majority of citizens paid their taxes on time and there were very few collections.*

*Councilman Evans moved to accept the Delinquent Tax Collection report for the period of October 2011 – September 2012 from Linebarger Goggan Blair and Sampson LLP, seconded by Councilman Register. Motion passed unanimously.*

**11. Discussion/action on a presentation, regarding acceptance of the FY 2011-12 annual audit including communications with the Audit Committee and personnel from Thompson, Biediger, Kaster and Young, LC.**

*Ms. Janet Pitman with Thompson, Biediger, Kaster and Young, LC informed council that the firm had merged January 1, 2013 with Alonzo, Bacarisse, Irvine and Palmer. Ms. Pitman made a presentation on the cities audit report. She explained the audit and answered all questions members of the city council had.*

*Mayor Durand-Hollis requested the record to show that Thompson, Biediger, Kaster and Young, LC merged with Alonzo, Bacarisse, Irvine and Palmer.*

*Ms. Pitman related the summary of net assets has increased in the last year compared to the previous year. She then informed council that cash in the Economic Development Corporation has gone down and we only have about four years of money left in it and about eight years left to pay off the bonds.*

*Councilman Register asked if we could pay off the bonds early.*

*Frank Morales, City Administrator advised everyone the bonds have been available to be paid since January 2010.*

*Councilman Register suggested a session to talk about the bonds.*

*Councilman Register moved to approve the FY 2011-12 annual audit, seconded by Councilwoman Cronk. Motion passed unanimously.*

**12. Discussion/action accepting a resolution of the City of Hill Country Village, electing not to require the remittance of a Public, Educational and Government (PEG) Fee by holders of a state issued certificate of franchise authority.**

*Frank Morales, City Administrator informed the council this is a 1% fee that is charged to the residents in their cable bill. He also mentioned we are probably one of the last cities that have not passed a similar resolution.*

*Mr. Morales further related the reason cities are passing this resolution is because spending this money is very restrictive if a city does not have PEG channels. If passed we will no longer receive the money and the residents will then save 1% on their cable bill.*

*Councilman Register moved to approve a resolution of the City of Hill Country Village, electing not to require the remittance of a Public, Educational and Government (PEG) Fee by holders of a state issued certificate of franchise authority, seconded Councilman Evans. Motion passed unanimously.*

### **13. Discussion on the road/drainage project.**

*Mayor Durand-Hollis requested this item be placed on the agenda. He related he would like to discuss with the council to see what direction the city wants to go. He also mentioned that appointing a task force to work with our city engineer on the shaping of a package is probably our best avenue with this project.*

*Frank Morales, City Administrator related we are currently budgeted for our city engineer to put together a package for our city.*

*Mayor Durand-Hollis asked the council if we should ask the city engineer to put together a package of 1.2 million or something higher than that.*

*All council members discussed the matter and the consensus was to ask the city engineer to put together a package of up to 1.5 million.*

*Mayor Durand-Hollis then directed staff to obtain updated cost estimates for a new bid for up to 1.5 million. He also requested footnotes for ribbon curbing and bike trails.*

*Councilman Register asked if bike trails needed to be discussed. He also replied he was in favor of ribbon curbing. Councilman Register further related that he wasn't in favor of depleting the entire road maintenance account.*

*Councilman Evans related he was in favor of ribbon curbing as well.*

*Councilwoman Cronk added she likes the ribbon curbing and asked if any grants were available to get funding.*

**14. Discussion/action approving a Memorandum of Understanding with the Bexar County Sheriff's Office for Special Weapons and Tactics Team Support.**

*Chief Morales informed the council he had spoken to Deputy Chief Hamilton, Capt. Molina and Lt. Schuler all officers with the Bexar County Sheriff's Office. All of the officers related they are willing to continue to support HCV in any matter that we would need their SWAT team.*

*Mr. Morales related there was no MOU currently in place because of the newly elected sheriff and her staff looking over all the MOUs the sheriff's office has with several cities.*

*No action taken due to not having a current Memorandum of Understanding.*

**15. Discussion/action approving the purchase of 10 patrol rifles for the police department with FY 2012-13 funds and having officers fully reimburse the city through payroll deduction within 12 months.**

*Councilman Register related he had some issues with this item. He also wanted to know what created the need to provide rifles for our officers. Councilman Register went on to say if the officers really do need them then why can't we put a rifle in every car that is on duty.*

*Councilman Register also voiced his concerns on the issue of the city basically giving a loan to the officer and wondered if it was even legal.*

*Frank Morales, City Administrator related he had contacted the city attorney and was informed as long as the city owns the rifles then we would be okay.*

*Morales informed the council the weapons are assigned to each individual officer because they are sighted in for each specific officer.*

*Mayor Durand-Hollis asked if in the current environment we are in and in light of some of the incidents we have had that if we didn't have the weapons would it be compromising the safety of our residents.*

*Morales responded by saying that it very well could because you just don't know when it could happen.*

*Councilman Evans wanted to know what the process would be to sighting in the weapon.*

*Sgt Fox related the rifles are sighted in specifically to the officer. He believes the liability is huge to the city if someone fires a rifle that is not sighted in specifically for them. Sgt Fox*

*informed the council that in the incident we had on Axis Trail we were completely out gunned and that having the rifles would have put us in a better situation.*

*Councilman Evans asked Morales if he knew of any alternate methods to pay for the rifles.*

*Morales related the only other method he knew was the one mentioned where the city pays for the rifles and the officers reimburse the city.*

*Mayor Durand-Hollis then asked for a vote because he said they had been deferring this item.*

*Councilman Register related if the officers need the rifles then the city should pay for them and they should be city property.*

*Councilman Register made a motion to purchase 10 rifles for the police department out of FY 12-13 funds, seconded by Councilman Evans. Motion passed unanimously.*

**16. A public hearing, discussion, and possible action on recommendations to the Hill Country Village City Council on proposed amendments to Sections 78-19, 78-23 and 78-24 of Chapter 78 (Zoning) of the Code of Ordinances of the City of Hill Country Village, Texas, at the Hill Country Village City Hall, 116 Aspen Lane, Hill Country Village, Texas, at 5:00 p.m. on January 17, 2013.**

*Mayor Durand-Hollis closed the regular meeting at 6:17 p.m.*

*Mayor Durand-Hollis opened the public hearing at 6:17 p.m.*

*Mr. Frank Morales, City Administrator spoke about the proposed amendments. He informed council that over the past years we have had some issues with people serving on the boards. Mr. Morales talked with Mayor Durand-Hollis and our City Attorney regarding the proposed amendments. Marc Schnall, City Attorney suggested the proposed amendments in having less members as our number of members were too big.*

*Mayor Durand-Hollis closed the public hearing at 6:18 p.m.*

*Mayor Durand-Hollis opened the regular meeting at 6:19 p.m.*

*Councilwoman Cronk made a motion to accept recommendations to the Hill Country Village City Council on proposed amendments to Sections 78-19, 78-23 and 78-24 of Chapter 78 (Zoning) of the Code of Ordinances of the City of Hill Country Village, Texas, at the Hill Country Village City Hall, 116 Aspen Lane, Hill Country Village, Texas, at 5:00 p.m. on January 17, 2013, seconded by Councilman Evans. Motion passed unanimously.*

**17. Discussion/action reappointing seven members to the Board of Adjustment.**

*Councilman Register made a motion to reappoint Lonnie Wulfe, Dan Hansen, Jeff Garvens, John Dulske, Doug Boom, Bill McGehee and Buddy Swift to the Board of Adjustment, seconded by Councilman Evans. Motion passed unanimously.*

**18. Discussion/action reappointing seven members to the Zoning Commission.**

*Councilman Evans let everyone know that Mr. Kirk Francis would like to be on the Zoning Commission. He thinks Mr. Kirk Francis would be an asset, however, the council would have to agree to remove one of the existing members due to the number of members allowed on the commission.*

*Councilman Register commented that it wasn't really fair to just randomly pick someone and remove them without prior notice.*

*Mr. Frank Morales briefed council it would probably be best to table this item until the March meeting.*

**19. Discussion/action on reappointing seven members to the Business District Construction Review Board.**

*Councilwoman Worley made a motion to reappoint Buddy Swift, Dean Perry, Bill Aniol, Greg Blasko, Steve Marceau, Jeff Garvens and Deanna Yates to the Business District Construction Review Board, seconded by Councilman Evans. Motion passed unanimously.*

**20. Discussion/action on reappointing two members to the Economic Development Corporation.**

*Councilwoman Worley made a motion to reappoint Jeff Garvens and Greg Blasko to the Economic Development Corporation, seconded by Councilman Evans. Motion passed unanimously.*

**21. Discussion/action regarding the November 30, 2012 and the December 31, 2012 financial statement.**

*Councilman Register wanted council to keep in mind that we were roughly \$13,500.00 behind so far this year in sales tax.*

*Councilman Register made a motion to accept the November 30, 2012 and the December 31, 2012 financial statements, seconded by Councilman Evans. Motion passed unanimously.*

**22. Mayor's Report to Council.**

*Mayor Durand-Hollis related he thought Mr. Kirk Francis would be a good addition to the Zoning Commission.*

**23. Communication with the City Administrator/Chief of Police.**

*Chief Morales wanted to express his thanks to council regarding the police rifles.*

**24. Adjourn**

*There being no further business to come before the City Council, the meeting was adjourned at 6:38 p.m.*

Approved this 28th day of March 2013.

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Gabriel Durand-Hollis  
Mayor

ATTEST:

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Frank Morales  
City Administrator  
Acting City Secretary