



**BALCONES HEIGHTS
ECONOMIC DEVELOPMENT CORPORATION**

Regular Meeting
Agenda

September 23, 2021 at 5:30 p.m.

Balcones Heights Justice Center – City Council Chamber
3300 Hillcrest Drive, Balcones Heights, TX 78201

Scott Rausch, Director/Chair
Suzanne de Leon, Director
Miguel Valverde, Director
Madeline Slay, Director

Melissa Aguillon, Director/Vice Chair
Gloria Cantu, Director
Stephen Lara, Director

NOTICE IS HEREBY GIVEN THAT THE ABOVE CALLED MEETING OF THE GOVERNING BODY OF THE BALCONES HEIGHTS ECONOMIC DEVELOPMENT CORPORATION, TYPE B (THE "CORPORATION") 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

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:

PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN THIRTY (30) MINUTES IN ADVANCE OF THE MEETING BY SENDING THEM TO THE CITY SECRETARY DELIA R. SANCHEZ AT dsanchez@bhtx.gov. In the body of the email please include date, your name, your address, phone number, agenda item # if applicable or subject of discussion, and your comments.

1. Review and approval of the minutes for meeting held on August 17, 2021.
2. Wonderland of the Americas Proposal Update (Binford)

3. Discussion and POSSIBLE ACTION regarding the EDC meeting schedule.
4. Discussion and POSSIBLE ACTION regarding the meeting requirements of the current by-laws.
5. Other topics for future discussion.
6. ADJOURN

BALCONES HEIGHTS ECONOMIC DEVELOPMENT CORPORATION, TYPE B

Delia R. Sanchez
Board Secretary

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 be dropped or muted from the call.

The Board of Directors of the Balcones Heights Economic Development Corporation, Type B 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) and § 551.086 (Economic Development)

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 public at all times, and said **Notice was posted on the following date and time: September 15, 2021, at 5:00 P.M.** and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

**BALCONES HEIGHTS ECONOMIC DEVELOPMENT CORPORATION, TYPE B
REGULAR MEETING
In Person and (ZOOM)
Video/Teleconference
MINUTES
3300 Hillcrest Drive
Balcones Heights, TX 78201**

DATE: August 17, 2021

TIME: 5:01 p.m.

Members Present: Scott Rausch Melissa Aguillon Suzanne de Leon
 Gloria Cantu Miguel Valverde Stephen Lara
 Madeline Slay

Members Absent: None

Sign In Sheet: None

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

Gloria Cantu gave the invocation and led pledges.

PUBLIC COMMENT PERIOD:

There was no one signed up for public comment.

1. Review and approval of the minutes for meeting held on July 21, 2021.

MOTION: I make a motion to approve the minutes.

Motion by: Suzanne de Leon Second : Gloria Cantu 7/0/0 PASSED

2. Finance/Budget Report (Harris/Nastasi)

The budget will be presented at a future meeting.

3. Wonderland of the Americas Proposal Update (Binford)

Executive Director Lorenzo Nastasi gave an update on the proposal and informed the board that there are still a few items that need to be settled.

4. Meeting Schedule (Rausch)

The Board agreed that the meetings be held on the third Wednesday of the month at 5:30 p.m.

5. Discussion: Pending Projects (Nastasi)

As the corporation moves forward issues will be brought back i.e., social influencers; business retention grant; branding of the city and Wonderland prospect, strategic plan, etc.

6. Future Agenda Items (Board/Staff)

Proposal and presentation of contract.

7. Adjourn

Meeting adjourned at 5:28 p.m.

Submitted by:

Delia R. Sanchez
City Secretary



September 14, 2021

RE: BALCONES HEIGHTS EDC MEETING – SEPTEMBER 23, 2021

Background Document, Agenda Items:

3. Discussion and POSSIBLE ACTION regarding the EDC meeting schedule.
4. Discussion and POSSIBLE ACTION regarding the meeting requirements of the current by-laws.

TO: EDC Board Members, David Harris, Orlando Jay Juarez, Delia Sanchez

FM: Lorenzo Nastasi, Executive Director

I asked Orlando Jay Juarez (attorney who prepared by-laws) for his interpretation of the monthly meeting requirement in the current by-laws. My question was based on previous Board discussion/consensus relating to pending items such as branding, social influencers, and budget. Consensus was they be placed on hold until the Wonderland of the Americas proposal plays out. Since the Wonderland proposal presentation to the EDC Board has been delayed, there may not be any issues to discuss until the proposal is ready to be presented to the EDC Board.

Mr. Juarez's response:

"A strict reading of the bylaws would require the EDC Board to meet at least once a month, with the time and place of such meeting to be designated by the Board. That said, I am not aware of any consequences that would result as a result of a failure to comply with this monthly meeting requirement—particularly when there is no business to be considered by the Board. When there is no business to conduct, I'd advise that Notice be circulated and posted as follows: "There being no items for consideration, the EDC meeting scheduled for [Day], [Date] is cancelled. The next regular meeting is scheduled for [Day], [Date]."

"The by-laws can be amended to change the meeting requirement. Section 501.064 of the Development Corporation Act requires the amendment to be approved by both the EDC Board and City Council. The by-laws can be amended to change the meeting requirement. Section 501.064 of the Development Corporation Act (as recited in Article IV, Section B of the Bylaws) would require the amendment to be approved by both the EDC Board and City Council."

Fiscal Impact: None

Staff Recommendation:

Amend the by-laws to allow for monthly meetings when there is business to be discussed and possibly act upon; and to eliminate the need of convening a meeting when there is no business to discuss and no possible action.