

CITY OF LEON VALLEY



CITY OF LEON VALLEY CITY COUNCIL REGULAR MEETING

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Monday, October 13, 2014

MINUTES

The City Council of the City of Leon Valley, Texas met on the 13th day of October, 2014 at 7:00 p.m. at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business:

Call to order, Determine a Quorum is Present.

Mayor Riley called the Regular City Council Meeting to order at 7:00 p.m. Mayor Riley and asked John Von Gruenigen to lead the Pledge of Allegiance.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Councilmen Ricardo Ruiz, Carmen Sanchez, Abraham Diaz, Benny Martinez and Paul Bieber. City Manager Manuel Longoria, Jr., City Secretary Sandra Passailaigue, Human Resources Director Crystal Caldera, Economic Development Director Claudia Mora, Assistant Public Works Director David Dimaline, Police Chief Randall Wallace, Fire Chief Luis Valdez and Assistant Fire Chief Billy Lawson were also present.

Proclamation declaring October 2014 Breast Cancer Awareness Month in the City of Leon Valley, Texas.

Mayor Chris Riley asked City employees Angela Trejo, Administrative Assistant, and Joyce Trent, Library Director, both breast cancer survivors, to join her up at the front. Mayor Riley also pointed out the pink LVFD shirts worn by City Council and many others in attendance this evening. The shirts are dedicated to "Team Marnie 2014" Marnie Lawson, wife of Assistant Fire Chief Billy Lawson, who has recently undergone breast cancer surgery. Mayor Riley told Assistant Chief Lawson that thoughts and prayers for a successful and speedy recovery go out to Marnie. This proclamation is in honor of Marnie and all breast cancer survivors in Leon Valley and our country.

Mayor Riley proceeded to read aloud a proclamation declaring October 2014 Breast Cancer Awareness Month in the City of Leon Valley.

Proclamation declaring October 2014 Fire Prevention Awareness Month in the City of Leon Valley, Texas. M&C 2014-10-13-01 (L. Valdez)

Fire Chief, Luis Valdez and Assistant Chief Billy Lawson presented a "Cooking Safe in Leon Valley" apron to each member of City Council. Mayor Riley read aloud a proclamation declaring October 2014 Fire Prevention Awareness Month in the City of Leon Valley, Texas.

Chief Valdez said that the number one cause of fires in Leon Valley is cooking related. That is the reason behind their campaign on kitchen fire safety. Chief Valdez and Mayor Riley encouraged everyone to check their smoke detectors or contact the LVFD for a free smoke detector with installation.

Presentation in appreciation for 25 years of service to John Von Gruenigen.

Mayor Riley introduced John Von Gruenigen and presented him with a gold watch followed by the reading of a proclamation of appreciation for his 25 years of service to the City of Leon Valley in the Public Works Department.

Presentation in appreciation for 30 years of service to Chief of Police Randall Wallace.

Mayor Riley introduced Randall Wallace and presented him with a mahogany clock followed by the reading of a proclamation of appreciation for his 30 years of service to the City of Leon Valley in the Police Department.

Presentation in appreciation for 34 years of service to Lieutenant Victor Reyes Community Resource Officer.

Mayor Riley introduced Victor Reyes and read aloud a proclamation of appreciation for his 34 years of service to the City of Leon Valley in the Police Department. Lieutenant Reyes was presented an eagle statue on October 7, 2014 at National Night Out.

Citizens to Be Heard

- Al Uvietta – 6923 Sunlight Dr. – Mr. Uvietta wanted to thank Police Chief Wallace, Lieutenant Reyes and Mr. Von Gruenigen for all they do for the City, saying they were “three of the finest employees the City has ever had.”
- Lyn Joseph – 6423 Trotter Ln. – passed on speaking at this time.

CONSENT AGENDA

1. Approval of City Council Minutes. **(S. Passailaigue)**
 - a) September 02, 2014 Special City Council Meeting
 - b) September 08, 2014 Regular City Council Meeting
 - c) September 22, 2014 Special City Council Meeting
 - d) September 27, 2014 Coffee with the Mayor & Council

Councilman Paul Biever requested a correction to the September 8, 2014 City Council minutes to reflect that he was present.

A motion was made by Councilman Paul Biever, seconded by Councilman Benny Martinez, to approve the Consent Agenda as amended. Upon a unanimous vote, Mayor Riley announced the motion carried.

DISCUSSION AGENDA

Presentation by Jim McAden, CPS Energy-External Relations on the CPS Smart Meter Program. M&C #2014-10-13-02 (Mayor Chris Riley)

Mr. John Leal and Mr. Raiford Smith of CPS Energy made a presentation on the Smart Meter Program. Smart Grid is defined as “transformation of the electrical grid through the use of digital information and

communications technology.” The customer benefits are: outage detection, fewer site visits, reduced estimations, remote connections; the customer knows what their use is, and future programs. Benefits to CPS Energy are: remote meter reads, enhanced customer service, improved safety, lower emissions and operational savings. Mr. Smith showed a grid automation video of an outage restoration in Chicago. CPS Energy’s timeline indicates: network installation 2013 thru 2014; meter installation – Fall 2014-2018; commercial installation April 2015; and distribution automation 10 year project. Mr. Smith added that there is an “opt out” option where if the customer notifies CPS Energy of their decision to opt out prior to installation, the upfront charge to exchange the meter is \$0 with a monthly charge for meter reading of \$20. If the customer notifies CPS Energy of their decision to opt out after installation the upfront charge to exchange the meter is \$175 for 1 meter and \$250 for 2 with a monthly charge for meter reading of \$20. For qualified low-income customers the meter exchange charge is \$35 for 1 meter, \$50 for 2 meters with a monthly meter reading charge of \$10. Fees would be applied through the Miscellaneous Charge tariff. CPS Energy has chosen Corix Utilities to conduct the installation of the smart meters.

The presentation was followed by a discussion and questions from the audience.

- John Douglas – 6809 Forest Grove – Spoke about his concerns with Smart Meters and asked questions to which Mr. Smith responded. Mr. Smith asked that the Leon Valley City Council ban the installation of Smart Meters in Leon Valley.
- Lyn Joseph – 6423 Trotter Ln. – Spoke about her concerns with safety from outside the system, rates and response time.

Presentation by Chairperson Denise Berger on the activity of the Tree Advisory Committee. M&C #2014-10-13-03 (D. Berger)

Denise Berger, Tree Advisory Committee (TAB) Chairperson gave the following report on behalf of the TAB. Ms. Berger reported that the Committee met had five meetings this year and five cancelled meetings this year, which were due to summer months being too hot for adoptions and plantings. This year, Tab reviewed the drafted “Tree Preservation” ordinance, which Council adopted, and became Chapter 15 of the City’s Code of Ordinances. The Texas Forestry Service and an intern from Oregon State conducted a 10% sampling of trees in Leon Valley which came to 1,316 trees with a value of \$850,000. The TAB participated in the Leon Valley 2014 Earthwise Living Day. TAB member Irene Baldrige identified a Heritage Oak on Sawyer Rd which will officially be presented to Council for dedication as a note-worthy heritage tree in Leon Valley. In August of 2014 Green Wood Milling Company gave a presentation on repurposing trees. These trees can be repurposed into benches, tables, swings, flooring, lumber, etc. Cost varies from \$1,000 to \$200,000. The county will assist the City to deliver the trees that will be set aside for repurposing, to a location provided by the City. In September 2014, Bexar County Flood Management gave a presentation regarding the trees and a project timeline which is expected to take about eighteen months which should begin summer 2015. Of the 1,316 trees inventoried, 25% will be preserved and 100 new trees will be planted. Mark Kroeze-Forester, staff and TAB member Melinda Dawson walked the LC17 project and found that many of the trees were in decline either by drought, disease and/or Mother Nature and are acceptable for removal. There were 16-20 trees identified for repurposing, and one (1) 39-inch Heritage Oak is being requested to be saved. Lastly, Leon Valley Arbor Day is going pink for cancer awareness & prevention Saturday, November 1, 2014 from 8:00 a.m. to noon at 6417 Evers Road. There will be a walk, run, tree adoption sponsored by CPS Energy with several booths and presentations about trees and personal health and wellness.

Councilman Benny Martinez thanked Ms. Berger for her presentation and said he looked forward to hearing not only the Tree Advisory Committee updates but all the committee updates in the future.

Mayor Riley thanked Ms. Berger for her volunteer spirit and service as well as all of the Tree Advisory Committee members including Ms. Lyn Joseph and Ms. Irene Baldrige who are present tonight.

Discussion and possible action on setting a regular monthly meeting date for the City Council Policy Sub-Committee for the 3rd Monday of each month. M&C #2014-10-13-04 (Mayor Riley & M. Longoria)

There was a consensus among the members of City Council to hold the City Council Policy Sub-Committee meetings on the third (3rd) Monday of the month at 6:00 p.m.

Consideration of optional dates for the November and December 2014 Coffee with the Mayor and Council in order to accommodate the holidays. M&C 2014-10-13-05 (S. Passailaigue)

There was a consensus among the members of City Council to keep the November Coffee with the Mayor & Council at the regularly scheduled date which is November 22, 2014 but to cancel the December 2014 Coffee with the Mayor & Council.

REGULAR AGENDA

Approval of the On-Call Engineer list for various City projects that require engineering, providing the City with options in the selection of such firms for projects such as streets and drainage, water utility, environmental, and other projects. M&C #2014-10-13-06 (D. Dimaline)

David Dimaline, Assistant Public Works Director, gave some background to the City Council and guests saying that the City is authorized to utilize the On-Call Engineer List that we have for various City projects. This provides the City with options to select firms for engineering services such as streets and drainage, water utility, infrastructure improvements, environmental issues, permitting of any regulatory agency compliance type issues. We currently have thirteen (13) firms that we work with and we issued an RFQ (Request for Qualifications) back in August. We have twenty-five (25) firms that we would be adding to the list based on their qualifications, experience with regulatory agencies and references. Many of the firms have full service engineering capabilities. Basically, we contract with each of these firms on an "as needed" basis-determination is based on the type of need for each project. These projects are budgeted by City Council each year, and engineering cost is calculated during that process. Staff recommends that Council authorize the City to utilize the On-Call Engineer List.

Mayor Riley asked how many firms responded to the RFQ to which Mr. Dimaline responded, "26". The one that was eliminated was eliminated due to the firm being located out of town.

Councilman Benny Martinez asked how a firm would be selected. Mr. Dimaline said there are two options: 1) go out for an RFQ; or 2) look at the list and ask for proposals.

Councilman Carmen Sanchez asked Mr. Dimaline what the maximum limit that he would be authorized to use the On-Call List. Mr. Dimaline reminded everyone that the list would only be used for budgeted projects. City Manager Manuel Longoria, Jr. informed the Council and guests that the limit is \$50,000.

- Lyn Joseph – 6423 Trotter Ln. – Asked if any of the companies on the list had been used by the City of Leon Valley and if the City continues to use them.

Councilman Abraham Diaz and Mayor Riley asked that the list be sorted or organized by the various disciplines.

Councilman Paul Biever noted that the City currently has a list of On-Call Engineers but what this does is "enhance that list" up to 25. Mr. Dimaline concurred. Councilman Biever continued to say what we are really doing is that as we go through projects we have more choices to allow us more credibility when selecting a particular firm based on their expertise. This is just expanding a good thing.

A motion was made by Councilman Abraham Diaz, seconded by Councilman Carmen Sanchez, to approve the On-Call Engineer List as per the discussion this evening. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consideration of Ordinance No. 14-022 repealing and replacing the City of Leon Valley's Code of Ordinances, Chapter 8 "Offenses and Nuisances", Article 8.02 "Minors", Division 2 "Curfew". M&C #2014-10-13-07 (R. Wallace)

Police Chief, Randall Wallace began the presentation by saying that in 1994 the City of Leon Valley City Council adopted a juvenile curfew ordinance. This was established by the Mayor and City Council in response to San Antonio creating a similar ordinance. In 1999, the ordinance was reviewed and repealed but replaced by what is currently in effect today. Per the Local Government Code, we must review the juvenile curfew ordinance every three (3) years. Chief Wallace said that as part of the review this year, we decided to do something different and change some aspects of the ordinance. The proposed ordinance prohibits anyone less than seventeen (17) years of age to be in a public place between the hours of 11:00 p.m. and 6:00 a.m.; and 9:00 a.m. to 2:30 p.m. on school days. Parents may also be charged if they knowingly allow such violation. The exceptions are: if the child is accompanied by a parent, guardian or adult approved by the parents; on an emergency errand; was attending a school, government sponsored or religious activity; was engaged in lawful employment or volunteer work; was on sidewalk where minor resides or where minor had permission from parents or guardian to be; was involved in intrastate or interstate transportation; was exercising their First Amendment Rights; or was married or ruled an adult by a court.

Mayor Riley opened the Public Hearing at 8:42 p.m.

There being no public comment, Mayor Riley closed the Public Hearing at 8:42 p.m.

A motion was made by Councilman Abraham Diaz, seconded by Councilman Carmen Sanchez, to adopt Ordinance No. 14-022 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Presentation of the end of summer season report on the Leon Valley Community Pool. M&C #2014-10-13-08 (D. Dimaline)

David Dimaline, Assistant Public Works Director, began the presentation by saying that the City Council awarded a contract to San Antonio Pool Management to manage our City pool. The pool was opened from Memorial Day to Labor Day. The management company provided lifeguards, was responsible for maintaining water quality, updated logs three (3) times a day and monitored membership. San Antonio Pool Management worked well with City staff and notified Public Works of several minor repairs needed during the season. Any requests for after hour's pool parties were directed to the management company. Mr. Dimaline reported that the City received no complaints during the swim season regarding water quality or safety issues. The City did receive two complaints regarding groups from outside of Leon Valley using the City pool. The total attendance during the twelve-week season was 8,357. Sign

in data sheets reflecting a zip code breakdown of attendees indicated 97% were from Leon Valley zip codes and 3% from other zip codes. A total of nineteen (19) after hour parties were held, which were all handled by San Antonio Pool Management and included the staffing for the parties. The average attendance was approximately 136 people per day, with Saturdays and Sundays being the more heavily attended. Operational expenses totaled \$71,430, which included the repairs that were brought to the City Council in May improving the pumps, filters, water and electricity. The budgeted amount for FY 14-15 is \$60,000 which includes the management contract and operations. Staff recommends opening the pool in 2015 at no cost to the public and to continue the contract with San Antonio Pool Management to operate the pool next season.

Mr. Ed Carol of San Antonio Pool Management was present to answer questions.

Councilman Carmen Sanchez suggested that a satisfaction survey be conducted with the people who attended the pool so the Council may justify the additional expense to the City. City Manager said that should be easy to do with the sign in list that also includes visitor addresses.

Councilman Abraham Diaz mentioned complaints he heard about alcohol at the pool and suggested that the Council look into limiting alcohol. Mr. Carol said his staff does watch for excessive use of alcohol at the pool and actually did have one situation that required attention this season, and that the party in question quietly left the pool when approached by staff about it.

Councilman Paul Bieber complimented the staff person at the entrance saying that every time he stopped by that he was impressed with her professionalism. He also mentioned very positive feedback he heard from visitors at the pool. Councilman Bieber also said that people gave positive feedback on the water clarity; the nearby neighbors said they had no issues with noise; children were well behaved; and just generally positive comments. One person did comment in regards to the number of people at the pool, and she said she felt it was too crowded at times. This person also mentioned the use of alcohol at the pool. Councilman Bieber agreed that maybe the Council consider limiting the use of alcohol at the pool.

Mayor Chris Riley asked about the rental fees of the after hour pool party. Mr. Carol stated that there is a \$25 administrative fee and that the other fees are based on the size of the party, how many lifeguards are needed, and whether or not there is alcohol present. Mr. Carol stated that no parties are allowed to go past 11:00 p.m.

There was a consensus among members of Council to have staff and the management company consider adding an extra day to the scheduled "open" days allowing the pool to be open six (6) days a week opposed to five (5). Mr. Dimaline said he would work with Mr. Carol and bring that information back as soon as possible along with consideration of extending the contract for the 2015 pool season.

City Manager's Report

- a. Report on Status of Feral Cat Program**
- b. Monthly Departmental Reports**
- c. Approved Minutes from Boards, Commissions and Committees**
- d. Future Agenda Items:**
 - **Sign Ordinance Amendment – Snipe Signs**
 - **Zoning Ordinance Amendment – R-1 Family**
 - **Silo Property Development Activity-November 2014**
 - **Follow-up Report on Jazz Festival-November 2014**

City Manager Longoria updated the Council on the following items: In December of 2013, the Council approved a Feral Cat Program and although the program has not officially been kicked off, we are making strides in implementing the program. The City has been working with the Humane Society to have the Humane Society do the actual neutering. Key staff has gone through training, and a facility for post-surgery is being built at the Public Works yard. We will be required to keep the cats in this climate controlled facility for 24 hours and then they will be released in the location they were captured from. We are close to implementing this program.

Upcoming Important Events

- **10/15/14 - @ 6:00 p.m. MPO Long Range Planning meeting in Conf. Ctr.**
- **10/16/14 - @ 7:00 p.m. Transportation Town Hall Meeting in Conf. Ctr.**
- **10/17/14 - @ dusk – Movie in Raymond Rimkus Park**
- **10/25/14 - @ 8:30 a.m. to 2:00 p.m. – Los Leones Art Fair Community Ctr.**
- **10/25/14 – 9:00 a.m. to 11:00 a.m. – Coffee w/Mayor and Council at City Hall**
- **11/1/14 – 8:00 a.m. to noon – Arbor Day and 5K run at Library complex**
- **01/24/15- 8:30 a.m. to noon—Annual Town Hall Meeting**

City Manager Longoria announced the upcoming events as captioned. Councilman Martinez questioned whether or not the Movie in the Park be handled by the Festival Committee and brought to Council instead of staff. City Manager Longoria replied that staff acted at the direction of Council to assist State Representative Rodriguez to put on the event. Councilman Martinez also stated that he thinks the Festival and Community Events Committee be merged into one (1) committee. Councilman Martinez also asked that the Silo Property planning stop until public input is given. City Manager Longoria reminded Councilman Martinez that what was told to Council in the budget presentation was that construction and expenditure of the \$20,000 were expected to occur in May/June of 2015. Mr. Longoria continued to say that what we are doing is what we were directed to do and that is to develop a conceptual plan and then Council can give alternative plans as to what we can do on that property. Then the intent was to go to the Park Commission and have some hearings in the springtime to get citizen input.

The City Council shall meet in Executive Session under the following Texas Government Code for the following:

- a. ***§551.072 Deliberation Regarding the Purchase of Real Property located at 6312 El Verde Road.***

Mayor Riley announced that there would be no Executive Session this evening.

Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary.

No action was taken.

Citizens to be Heard

- Irene Baldrige – 6368 Parsley Hill – Announced and invited all to the Historical Society Annual Gala this Friday at the Conference Center. Bill Miller's BBQ will cater the event. Tickets are available for \$40.00.
- Lyn Joseph – 6423 Trotter Ln. – Questioned the lights at the DPS property.
- Vickie Jamvold – 7203 Poss Road – Informed the Council that the Jazz Festival was very nice and that she enjoys the Movies in the Park events as well. Ms. Jamvold added that it would be

nice if the pool could be left open the first week of school so that adults can go enjoy the pool for a week once the children have returned to school.

- Kim Crawford – 7074 Forest Mont – Asked when the next Festival Committee meeting would be held. Ms. Crawford also mentioned her ongoing concern about the recent removal of signs regarding the natural area and wants to know that the person who gave the direction to remove them got “their hand slapped” or reprimanded and that this should never happen again.

Announcements by the Mayor and City Council Members.

Everyone sang *Happy Birthday* to Councilman Biever and Sanchez.

Councilman Ricardo Ruiz thanked everyone who volunteered at the Jazz Festival and said it was a great success.

Councilman Carmen Sanchez said the Jazz Festival was very pleasant, nice music and good food.

Councilman Abraham Diaz thanked the Council and Mayor for letting everyone wear pink today.

Councilman Benny Martinez said the Jazz Festival was fantastic and would like the Council to seriously consider having Mr. Anthony Tobias run it again next year.

Councilman Paul Biever said he hope everyone enjoyed the TML Annual Conference that all Council attended last week and hope they got as much as he did out of it. Councilman Biever also presented a plaque of appreciation from the American Legion for the support given at the recent Patriot Day event.

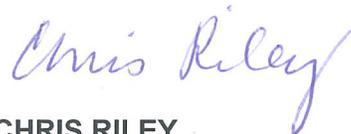
Mayor Riley thanked the citizens for sending all of the Council and City Manager to the TML Annual Conference and reminded everyone that October 7th is National Night Out.

Adjournment

Mayor Riley announced the meeting adjourned at 9:30 p.m.

These minutes approved by the Leon Valley City Council on the 10th of November, 2014.

APPROVED



**CHRIS RILEY
MAYOR**

ATTEST: 
**SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY**

