



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Tuesday, March 01, 2016

MINUTES

The City Council of the City of Leon Valley, Texas met on the 1st day of March, 2016 at the Leon Valley City Hall located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business:

REGULAR CITY COUNCIL MEETING

Mayor Riley called the Regular City Council Meeting to order at 7:10 p.m. and led the Pledge of Allegiance.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Council Members David Edwards, Carmen Sanchez, Monica Alcocer, Benny Martinez and David Jordan.

Also in attendance were:

City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Roxann Pais Cotroneo, Public Works Director Melinda Moritz, Community Development Director Elizabeth Carol, Fire Chief Luis Valdez, Police Chief Randall Wallace, and Assistant Police Chief Ray Lacy.

Citizens to Be Heard and Time for Objections to the Consent Agenda.

Mayor Riley asked if any of the Council Members wished to pull any item from the Consent Agenda for discussion. No items were pulled.

- Carrie Macias, spoke about the lot on Sawyer Road that needs attention.
- Marcus Semmelmann, 5919 Rimkus, spoke about the Lion's Roar saying it was great and full of information; and about traffic issues on Bandera Road.
- Olen Yarnell asked that the Lion's Roar be sent out on time or cancel it.
- Sharon Hendricks, 6015 Aids, spoke about parking issues at City Hall; and about the need for a safe pedestrian crossing on Evers Road near the library and park.

Presentation and possible discussion honoring Public Works Robert Garcia's contributions and thirty (30) years of service to the City of Leon Valley.

Mayor Riley informed everyone that Robert Garcia was unable to be present tonight but hoped to reschedule this presentation in an effort to bid him farewell and thank him for his many years of service.

Presentation by Earthwise Living Committee Belinda Ealy and Avelino Gomez.

Earthwise Living Committee member Belinda Ealy presented this item first by inviting everyone to the 27th Annual Earth Day Event to be held March 5, 2016. There will be entertainment, presentations, recycling, and healthy food demonstrations. There will also be food vendors and door prizes. The event is free and all are invited. Mayor Riley added that there will also be free trees to give away.

CONSENT AGENDA

Approval of City Council Minutes. (S. Passailaigue)

- a) **January 23, 2016 Annual Town Hall Meeting**
- b) **February 02, 2016 Special City Council Meeting**
- c) **February 02, 2016 Regular City Council Meeting**

Consider, discuss and possible action to Amend Plat #2016-185 for David Smith, to eliminate the lot lines between lots 34 and 35; and create lot 41, Block E, CB 4446 Linkwood Additions II Subdivision. M&C #2016-03-01-01 (Mr. and Mrs. David and Susan Smith/ E. Carol).

Consider, discuss and take action to adopt Ordinance No. 16-006, a budget adjustment and related ordinance for funds to be expended in the amount of \$480,920 from the general fund reserve for a new fire engine. M&C #2016-03-01-02 (L. Valdez).

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to approve Consent Agenda Item #5 (January 23, 2016 Annual Town Hall Meeting, February 02, 2016 Special City Council Minutes and February 02, 2016 Regular City Council Meeting), Item #6 (Plat #2016-185) and Item #7 (Ordinance No. 16-006) as presented. Upon a unanimous vote, Mayor Riley announced the motion carried

REGULAR AGENDA

Presentation and discussion of the City of Leon Valley Town Hall Meeting Summary Report and Recommendations. (K. Kuenstler).

City Manager Kelly Kuenstler presented the summary and recommendations provided by Dr. Romero of the January 23, 2016 Annual Town Hall meeting. City Manager Kuenstler informed

the City Council and guests that this report has been placed on the City's website along with links to view the poll questions and responses.

Consider, discuss and possible action regarding Memorandum of Understanding (MOU) between the Leon Valley Historical Society and the City of Leon Valley. M&C #2016-03-01-03 (K. Kuenstler).

City Manager Kuenstler presented this item for the purpose of City Council consideration to form a partnership with the Leon Valley Historical Society to work on the restoration and eventual opening of a museum at the Huebner Onion Homestead & Stagecoach Stop. Potential Fiscal Impact includes: Staff services for building and grounds maintenance; possible match funds for grant submissions (if approved by Council); staff time working on project with Historical Society and TXDOT. City Manager Kuenstler concluded the presentation by asking that the City Council authorize the City Manager to enter into an MOU with the Leon Valley Historical Society based on the Citizens of Leon Valley's support for this project at the 2016 Town Hall Meeting and at the Special City Council Work Sessions on August 29, 2015 and November 7, 2015. Furthermore, the City of Leon Valley should provide a venue where citizen's ideas, suggestions and concerns can continue to be heard as the project progresses.

- Olen Yarnell, asked that Item B have the wording "and adjacent area" where parking is discussed.
- Mark Eisenhauer, spoke in approval of the MOU and in support of Mr. Yarnell's comment.

Mayor Riley said she would like to see quarterly updates on the progress that comes from this MOU.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to authorize the City Manager to enter into an MOU with the Leon Valley Historical Society and the City of Leon Valley with the amendments made by the City Manager and Mr. Yarnell. Upon a unanimous vote, Mayor Riley announced the motion carried

Conduct a public hearing and consider, discuss and possible action to adopt Ordinance No. 16-007 on Zoning Case #2016-029, to rezone approximately 2.52 acres of land, from B-3 (Commercial) Sustainability Overlay District to B-3 (Commercial) being Lots 67 and 75, CB 5784, Leon Valley Additions Subdivision, near 6740 Poss Road submitted by Applicant Manuel Rubio Sr. M&C #2016-03-01-04 (E. Carol).

Community Development Director Elizabeth Carol presented the item on behalf of the applicant and property owner, Manuel Rubio, Sr., who is requesting rezoning of lots 67 and 75, CB 5784 of the Leon Valley Additions Subdivision from B-3 (Commercial) Sustainability Overlay District to B-3 (Commercial) to build a 2,700 square foot office, and to provide additional parking and storage for his existing business Miracle Body and Paint which is located across the street at 6217 Grissom Road. Staff is recommending that the City Council consider an alternative request. Instead of removing the Sustainability Overlay, as the applicant has requested, change the zoning from Sustainability Overlay to Commercial/Industrial Overlay, which will provide the applicant some additional flexibility and will preserve the Overlay Standards. This proposal is consistent with recent request where the Zoning Commission has recommended approval. The Zoning Commission initially considered the applicants request on January 26, 2016 and requested additional information from the

applicant. At the applicant's request the Zoning Commission held a special meeting on February 9, 2016 and the Zoning Commission continued their discussion.

Community Development Director Carol added that the Zoning Commission has recommended approval of an alternate request on behalf of lot 75 to be rezoned from B-3 (Commercial) Sustainability Overlay District to B-3 (Commercial) Commercial /Industrial Overlay. The Commission noted that the proposed use and design is consistent and compatible with the Leon Valley Master Plan and surrounding zoning. The Zoning Commission then went on to recommended denial of the request for lot 67 to be rezoned. The Commission noted that the lack of information about the proposed use, site plan and design for this lot, meant that the Zoning Commission would be unable to properly determine if the proposed use is consistent and compatible with the Leon Valley Master Plan and surrounding zoning.

Mr. Manuel Rubio, Sr. withdrew his request to rezone Lot 67.

A motion was made by Council Member Benny Martinez and seconded by Council Member Monica Alcocer, to approve as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action regarding a summary of the \$200,000 allocated for the drainage studies; proposed plan on what studies are still needed; and proposed date for the overall drainage plan workshop. M&C #2016-03-01-05 (M. Moritz).

Public Works Director Melinda Moritz presented this item To discuss a city-wide drainage plan and consider a date for a workshop on drainage, flooding, and related matters. It is recommended the Public Works Department complete the study for Seneca Estates Unit 3 and The Ridge at Leon Valley, and present all of this information to the City Council at a workshop, to be held on a Saturday morning at the Conference Center. The purpose of the workshop would be for the formation of a city wide drainage plan. Staff would continue to work with USACE and SARA and present their plan or findings at an appropriate date.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to set the date of the 23rd of April from 9:00 a.m. to 11:00 a.m. for the Overall Drainage Plan Workshop at the Conference Center. Upon a unanimous vote, Mayor Riley announced the motion carried.

Mayor Riley asked City Attorney Roxann Pais Cotroneo if she could go back to the previous item to conduct the public hearing. City Attorney Cotroneo said, she was watching and yes, she could go back as it is still available for discussion.

Mayor Riley asked if any of the public wanted to speak on the public hearing for Item #10.

- Belinda Ealy, 7314 Canterfield, asked that Mr. Rubio add one more component which would be the rain catchment.

Mayor Riley announced that she has excused City Manager Kuenstler to leave the meeting at 8:50 p.m. due to her being under the weather.

Consider, discuss and possible action to adopt Ordinance No. 16-008, a Budget Adjustment of \$37,500 to Purchase a Replacement Maintenance Crew Truck. M&C #2016-03-01-06 (M. Moritz).

Public Works Director Melinda Moritz presented this item asking the City Council to approve a budget adjustment for the purchase of a replacement pickup truck for the Maintenance Crew. The existing truck was involved in a traffic accident and cannot be repaired. Public Works Director Moritz added that both drivers are fine, with the exception of some cuts and bruises. The wrecked vehicle was a 2002 year model and is not expected to generate much revenue, as the insurance agency will only pay market value (\$3000 +/-). This money will go into the revenue side of the City's finances. Staff will negotiate with the insurance agent to get the best settlement possible. The new pickup truck is expected to cost \$35,000. Additional items such as safety lights, protective bed liner, ladder rack, and City logo will cost \$2,500, so the total amount needed is \$37,500. The tool box and overhead lights were salvaged from the existing pickup truck and can be reused. Public Works Director Moritz concluded the presentation saying that staff recommends that City Council approve a budget adjustment in the amount of \$37,500 to purchase a replacement truck for the Maintenance Crew.

Council Member Benny Martinez said he had a problem with the price of the truck and said that he thinks staff needs to be more diligent with the City's money.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to allow Public Works to purchase the replacement maintenance crew truck up to \$37,500. Upon a unanimous vote, Mayor Riley announced the motion carried.

Council Member Carmen Sanchez added that she would like to see a report showing the top three (3) bids indicating where it was purchased at the best price.

Presentation, discussion and possible action to adopt Resolution No. 16-008R, a resolution adopting the City of Leon Valley Economic Development Corporation (CoLVEDC) Proposed Fiscal Year 2015-2016 Budget from February 01, 2016 – September 30, 2016. M&C #2016-03-01-07 (CoLVEDC Chair P. Manea/K. Kuenstler)

City of Leon Valley Economic Development President Patti Manea and Secretary Larry Proffitt presented this item seeking approval of an eight (8) month budget for Fiscal Year 2015-2016 Budget from February 01, 2016 through September 30, 2016 for the City of Leon Valley Economic Development Corporation (CoLVEDC). For Fiscal Year 2015-2016, the CoLVEDC has been operating on these two 60-day budgets:

- On September 29, 2015, the City Council approved a 60-day budget for the LVEDC effective for October 1, 2015-November 30, 2015, in the amount of \$186,107; and
- On November 17, 2015, the City Council approved another 60-day budget for the LVEDC effective for December 1, 2015-January 30, 2016, in the amount of \$85,082.

The CoLVEDC met on February 24, 2016 and approved the budget that has been provided in this evenings meeting packet to fulfill its obligations for the remaining eight (8) months of Fiscal Year 2015-2016 from February 1, 2016 through September 30, 2016, in the amount of \$143,047 and seeks final approval from the City Council. The proposed eight-month CoLVEDC

Fiscal Year 2015-2016 Budget was developed by estimating the expenses for the remaining fiscal year. The total amount of the eight-month budget is \$143,047.

A motion was made by Council Member Benny Martinez and seconded by Council Member Carmen Sanchez, to approve of the CoLVEDC eight (8) months of Fiscal Year 2015-2016 from February 1, 2016 through September 30, 2016 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action to adopt Ordinance No. 16-009 to approve amended articles of incorporation for the Leon Valley Economic Development Corporation. M&C #2016-03-01-08. (CoLVEDC Chair P. Manea/K. Kuenstler)

Mayor Riley asked that agenda items 14 & 15 be presented together.

City of Leon Valley Economic Development President Patti Manea presented this item for the purpose of the City Council to consider and approve an ordinance that will adopt these amendments to the City of Leon Valley Economic Development Corporation (CoLVEDC) Articles of Incorporation:

- Provide for City Council to appoint two (2) persons to serve as alternates;
- Alternates shall be appointed to two (2) year terms, with the same expiration and appointment as Directors;
- Alternates must be residents of Bexar County;
- Alternates must have a "significant interest" in the City of Leon Valley business community, as determined by the City Council;
- If a director(s) are absent, the alternate(s) may assume the duties of the absent board member.
- Alternate board members are encouraged to attend all CoLVEDC meetings.

The ordinance also authorizes the CoLVEDC Board of Directors to file the Certificate of Amendment with the Texas Secretary of State.

City of Leon Valley Economic Development President Patti Manea gave a brief background on this item: *Original Articles of Incorporation* - On March 3, 2009, the City Council approved and adopted articles of incorporation for the CoLVEDC under Resolution No. 09-006. This created the CoLVEDC; *1st Amended Articles of Incorporation* - The articles were 1st amended by the LVEDC Board and, then, approved by the City Council on August 4, 2009 under Resolution No. 09-017. These amendments were a general "clean-up" of the document; *2nd Amended Articles of Incorporation* - The articles were amended again by the City Council on August 17, 2015. These amendments allowed two (2) City Council members to serve as CoLVEDC directors; and *Proposed 3rd Amended Articles of Incorporation* - The CoLVEDC met on February 24, 2016 and approved submitting the attached application to the City Council to adopt an Ordinance that amends the CoLVEDC Articles of Incorporation with these changes:

- Provides for City Council to appoint two (2) persons to serve as alternates;
- Alternates shall be appointed to two (2) year terms, with the same expiration and appointment as Directors;
- Alternates must be residents of Bexar County;

- Alternates must have a “significant interest” in the City of Leon Valley business community, as determined by the City Council;
- If a director(s) are absent, the alternate(s) may assume the duties of the absent board member; and
- Alternate board members are encouraged to attend all CoLVEDC meetings.

Consider, discuss and possible action to adopt Resolution No. 16-009R to approve amended bylaws for the Leon Valley Economic Development Corporation. M&C #2016-03-01-09. (CoLVEDC Chair P. Manea/K. Kuenstler)

The purpose of this M&C is for the City Council to consider and approve a Resolution that will adopt these amendments to the City of Leon Valley Economic Development Corporation (LVEDC) Bylaws:

1. Two (2) directors may be members of the Council;
2. City Council shall appoint two (2) persons to serve as alternates for the Board of Directors;
3. A Board alternate may be removed from office by the Council at will, by a majority vote of the Council present and voting;
4. Monthly and Special LVEDC meetings shall be held at City Hall;
5. If a director(s) are absent, the alternate(s) may assume the duties of the absent board member(s).

Council Member David Jordan asked to amend the Article 2 of the proposed amendment to say “City Council” instead of simply “Council”.

A motion was made by Council Member David Jordan and seconded by Council Member Benny Martinez, to approve the Bylaws of the CoLVEDC with the amendment to Article 2 that states that two directors may be members of the City Council and the Articles of Incorporation. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on Ordinance No. 16-010 declaring unopposed candidates in the May 07, 2016 General City Election, elected to office; canceling the election; providing an effective date. M&C #2016-03-01-09 (S. Passailaigue).

Ordenanza que declara electos a los cargos a los candidatos sin oponentes de elección general de la ciudad del 7 de mayo de 2016; cancela la elección; dispone la fecha de efectividad.

City Secretary Sandra Passailaigue presented the item for consideration of Ordinance No. 16-010 declaring unopposed candidates in the May 07, 2016 General City Election, elected to office; canceling the election; providing an effective date. The General City Election was called for May 07, 2016, for the purpose of electing members to the City Council; and the city secretary has certified in writing that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the City Council to declare the candidates elected to office and cancel the election. The deadline to file for a place on the ballot was 5:00 p.m. on February 19, 2016. The last day a write-in may declare candidacy is

tomorrow, February 23, 2016. The candidates are unopposed and there were no write-ins. Therefore, on May 17, 2016 the candidates will be sworn in and received their Statement of Elected Official and take their Oath of Office. The following candidates, who are unopposed in the May 07, 2016 General City Election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed.

Chris Riley	-	Mayor
Belinda G. Ealy	-	Place 2
Benny Martinez	-	Place 4

The May 07, 2016 General City Election is canceled, and the city secretary is directed to cause a copy of this ordinance to be posted on election day at each polling place used or that would have been used in the election.

A motion was made by Council Member David Edwards and seconded by Council Member David Jordan, to adopt Ordinance No. 16-010 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

City Manager's Report:

- a) Approved Minutes from Boards, Commissions and Committees**
- b) Future Agenda Items:**
 - LED Signs**
- c) Upcoming Important Events:**
 - **27th Annual Earthwise Living Day Event, March 5, 2016 from 9:00 a.m. until 2:00 p.m. at the Leon Valley Community Center and Conference Center.**
 - **Re-dedication of the Leon Valley City Hall and Police Station, April 2, 2016 at 9:00 a.m.**
 - **Volunteer Appreciation Dinner, Wednesday, April 6, 2016 at 6:00 p.m.**
 - **Annual Pet Parade, Saturday, April 30, 2016, 10:00 a.m. – noon.**

Mayor Riley read City Manager Kuenstler report and reminded everyone of the upcoming agenda items as well as upcoming City events.

Citizens to be heard.

- Belinda Ealy, 7314 Canterfield, added that a clothing collection station would also be available at the Earthwise Living Event on March 5th.

Announcements by the Mayor and Council Members.

City Attorney Roxann Pais Cotroneo wanted everyone to know that she is "happy here!"

Council Member David Edwards congratulated Mayor Riley, returning City Council members and incoming City Council member.

Council Member Carmen Sanchez said it has been a pleasure serving the City of Leon Valley.

Council Member Monica Alcocer congratulated the unopposed candidates.

Council Member David Jordan congratulated everyone.

Mayor Riley announced with great pride and great honor that Council Member David Jordan was selected as the Elected Public Official of the Year by the National Association of Social Workers of the Alamo Region. There will be a recognition luncheon on March 14th at Our Lady of the Lake University.

Adjournment.

Mayor Riley announced the meeting adjourned at 9:59 p.m.

These minutes approved by the Leon Valley City Council on the 15th of March, 2016.

APPROVED



**CHRIS RILEY
MAYOR**

ATTEST:



**SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY**

