



CITY OF LEON VALLEY
CITY COUNCIL SPECIAL AND REGULAR MEETING
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Tuesday, May 17, 2016

MINUTES

The City Council of the City of Leon Valley, Texas met on the 17th day of May, 2016 at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business.

SPECIAL CITY COUNCIL MEETING

Call to order.

Mayor Riley called the Special City Council Meeting to order at 6:05 p.m.

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, Community Development Director Elizabeth Carol, Assistant Finance Director Wesley Jackson, Police Chief Randall Wallace, Fire Chief Luis Valdez, Assistant Public Works Director David Dimaline, Library Director Sandy Underwood and Assistant Library Director Theresa Brader.

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

None.

Recognition of Council Member Carmen Sanchez for her years of service to the City of Leon Valley.

Mayor Chris Riley thanked Council Member Carmen Sanchez for her dedication to the City of Leon Valley. Mayor Riley presented Council Member Sanchez with a clock in appreciation of her time spent on City Council.

Council Member Benny Martinez said he would miss Council Member Sanchez and thanked her for fighting for the citizens with him.

Council Member Monica Alcocer also thanked Council Member Sanchez.

Council Member David Jordan thanked Council Member Sanchez for always having a steady hand and thanked her for her friendship and her service.

Council Member David Edwards thanked Council Member Sanchez for her service.

Administration of the Oath of Office and presentation of the Certificate of Election to Council Member-Elect Benny Martinez Council Place 4; Council Member-Elect Belinda Ealy Council Place 2; and Mayor Chris Riley by Bexar County Judge Nelson W. Wolff.

City Manager Kelly Kuentler introduced Bexar County Judge Nelson W. Wolff. Judge Wolff commended Leon Valley for its clean air and thanked Carmen Sanchez for the work she did on Council as well as the work she does at University Hospital.

Judge Nelson W. Wolff administered the Oath of Office to Mayor Chris Riley, Council Member Benny Martinez and Council Member Belinda Ealy.

Mayor Riley presented Judge Wolff with a Leon Valley fiesta pin and a Leon Valley Fire Department shirt as a token of appreciation.

Mayor Riley listed the accomplishments of the City Council in the past year. Some of these accomplishments were eliminating the four page volunteer application; hiring a new city manager and new city attorney; reorganizing the Leon Valley Economic Development Corporation; and these are just a few of many accomplishments.

Mayor Riley called for a recess at 6:39 p.m. and invited Council and guests to a reception honoring Councilor Carmen Sanchez and newly sworn Leon Valley Councilors in the City Hall Foyer at this time.

Mayor Riley reconvened the meeting at 7:02 p.m.

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.

Mayor Riley moved Item 8 to follow immediately after Item 5 of tonight's agenda.

Recognition of Peace Officer Henry Lopez for his thirty-three years of service to the City of Leon Valley.

Mayor Riley presented Peace Officer Henry Lopez a certificate of appreciation for his years of service to the City of Leon Valley.

Presentation of a proclamation recognizing May 15th as Peace Officers Day and the week of May 15-21, 2016 Police Week. (Mayor Chris Riley)

Mayor Riley called up Police Chief Randall Wallace and all officers present and proceeded to present them with a proclamation recognizing May 15th as Peace Officers Day as well as the week of May 15-21, 2016 as Police Week in Leon Valley.

Presentation of a proclamation declaring May as National Bike Month and the Walk & Roll Challenge. (Chief Luis Valdez)

Leon Valley Fire Department Captain Blake Wade and "A" Shift presented this item and encouraged all citizens and staff to join in the challenge.

Mayor Riley presented a proclamation declaring May as National Bike Month.

Presentation of a proclamation declaring the week of May 15-21, 2016 Public Works Appreciation Week. (Mayor Chris Riley)

Mayor Riley presented a proclamation declaring the week of May 15-21, 2016 Public Works Appreciation Week to Assistant Public Works Director David Dimaline.

Presentation of the Tree City USA and Growth Award by Mark Kroeze with the Texas A&M Forest Service.

Mark Kroeze with the Texas A&M Forest Service presented the City with the Tree City USA and Growth Award and a special hat to Mayor Riley. Mayor Riley followed Mr. Kroeze's presentation with her own presentation of a proclamation in honor of the award.

Presentation of Oak Wilt in Bexar County by Mark Kroeze with the Texas A&M Forest Service.

This item was placed on the City Council agenda to provide an update on Oak Wilt in Bexar County from the Texas A&M Forest Service. The Texas A&M Forest Service has also provided Leon Valley with an updated map, indicating the recent expansion of Oak Wilt in the community.

Presentation of the Tree Advisory Board (TAB) Annual Report by Chairperson Denise Berger.

Tree Advisory Board Chairperson Denise Berger presented the annual report highlighting the activities that were developed for the Master Plan.

TxDOT presentation regarding relieving congestion on Bandera Road and suggested options by Clayton Ripps, Advanced Planning Engineer, TxDOT, San Antonio District.

Clayton Ripps, Advanced Planning Engineer, TxDOT, San Antonio District gave a presentation regarding options to relieve traffic congestion on Bandera Road.

City Manager Kelly Kuenstler stated that “for the record, when the City of Leon Valley request that we be allowed to assist in the identification of stakeholders that we be allowed to do that. However, when an open record request was made to see the list of stakeholders, only one Leon Valley business owner that submitted a survey form, that was Council Member Martinez, was on that list. The other stakeholders were staff members of representatives, offices and city councilor’s offices. There were no true stakeholders at this meeting.” City Manager Kuenstler added that it isn’t her job to define what a stakeholder is but that it is her job to make sure that the City of Leon Valley has a seat at the table.

- Olen Yarnell, Sulky Lane, questioned the cost sharing of the project.

CONSENT AGENDA

Approval of City Council Minutes. (S. Passailaigue)

- a) May 03, 2016 Special City Council Meeting**
- b) May 03, 2016 Regular City Council Meeting**
- c) May 07, 2016 Special City Council Workshop**

Consider, discuss and possible action on Ordinance No. 16-017 appointing the Municipal Court Judges of the Leon Valley Municipal Court for a term of two (2) years expiring May 2018. M&C 2016-05-17-01 (S. Passailaigue)

Consider, discuss and possible action on the cancellation of the July 05, 2016 Regular City Council meeting with a caveat to reschedule in an effort to conduct City business. M&C 2016-05-17-02 (S. Passailaigue)

Council Member Monica Alcocer asked that Item 13b be pulled

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to approve Consent Agenda Item #13a and #13c (May 03, 2016 Special City Council Meeting and May 07, 2016 Special City Council Workshop), Item #14 (Ordinance No. 16-017), and Item #15 (Cancellation of the July 05, 2016 Regular City Council meeting) as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to postpone Consent Agenda Item #13b (May 03, 2016 Regular City Council Meeting) to reassess the minutes at the June 7, 2016 Regular City Council meeting. Upon a unanimous vote, Mayor Riley announced the motion carried.

REGULAR AGENDA

Consider, discuss and possible action on the Proposed Library Policy Manual. M&C #2016-05-17-03 (S. Underwood).

Library Director Sandy Underwood presented the item with proposed written policies to establish the framework for what will or will not be done. They are a philosophy, standard, or criterion that helps employees exercise good judgment. A policy manual will: Improve quality of work by reducing errors; Increase productivity by standardizing processes, creating a

consistent way of doing things; Serve as training aids; Serve as a checklist for complicated or little-used processes; and Provide a basis for improvement. Library Director Underwood is recommending that the City Council approve the Library Strategic Plan for 2016 – 2020.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to adopt the Library Strategic Plan for 2016 – 2020 as amended. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action authorizing the City Manager to Enter into a Contract with the Edwards Aquifer Authority (EAA) to Participate in the Aquifer Storage & Recovery (ASR) Program. M&C #2016-05-17-04 (D. Dimaline).

Assistant Public Works Director David Dimaline presented the item for City Council consideration of authorizing the City Manager to enter into a contract with the EAA to participate in the Aquifer Storage and Recovery (ASR) Program to lease 400 acre feet (AF) of water to the San Antonio Water System (SAWS) for a period not to exceed one year. By participating in the program, the City will realize a reduction in our annual EAA fees. Assistant Public Works Director Dimaline continued by saying that the City of Leon Valley is authorized to pump 1,907 acre feet (AF) of water per calendar year. The City's water use has consistently averaged 1,167 AF for the past eight years. This leaves the City with approximately 740 AF of water that is unused and unrecoverable. The City used to receive an annual rebate from the EAA for unused water rights; however, the rebate program ended in 2013, due to the implementation of the Habitat Conservation Plan (HCP), as the HCP requires fees be collected from all aquifer users. The HCP is a required part of an application for an Incidental Take Permit, a permit issued under the United States Endangered Species Act (ESA). The Federal mandate exists to protect endangered species in the San Marcos and Comal Springs. The EAA is now implementing a program called the Aquifer Storage and Recovery (ASR) Pooling Program. SAWS's Twin Oaks ASR is below ground and located in south Bexar County. The ASR is slowly filled with Edwards Aquifer water. In March, the ASR hit the 100,000 AF milestone, and has kept SAWS customers out of deeper watering restrictions during recent years of drought. The benefits of the ASR Pooling Program include (1) allowing users of the Edwards Aquifer to lease unused water to SAWS; and (2) reduce fees paid to the EAA for the HCP implementation. Leasing 400 AF to SAWS will reduce the amount paid to the EAA for the HCP, basically "recovering" that water. Staff manages and monitors the City's water rights very closely, especially during periods of Critical Management. The lease will be reviewed annually to ensure adequate water resources continue to exist for Leon Valley residents.

Current EAA fees are \$160,219.75; the lease structure (400 AF at \$120 per AF) \$48,000.00; Refund of the Aquifer Management Fee is \$33,600.00; for a total savings of \$81,600.00; and Estimated EAA fees due next fiscal year at \$78,618.75. EAA fees are currently paid under the Water Utility Budget – Contractual Services and are collected from all water customers.

Rick Illgner with Edwards Aquifer Authority was available to answer questions.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Belinda Ealy, to authorize the City Manager to Enter into a Contract with the Edwards Aquifer Authority (EAA) to participate in the Aquifer Storage & Recovery (ASR) Program for 500 acre

feet (AF) for a period of one year. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action authorizing the City Manager to enter into a Community Development Block Grant (CDBG) Program Agreement to Provide CDBG Program Funds for the Timberhill Dr. and Huebner Drainage Improvement Project, and Approve the Attached Ordinance for a Budget Adjustment in the amount of \$282,000 from the Stormwater Fund Balance to Fund this Improvement. M&C #2016-05-17-05 (D. Dimaline).

Assistant Public Works Director David Dimaline presented the item for City Council consideration of authorizing the City Manager to enter into a CDBG grant agreement with the Bexar County CDBG Department and approve a budget adjustment. The Agreement is between Bexar County and City of Leon Valley and would provide program funds in the amount of \$175,000 to be used for the Timberhill Dr. and Huebner Drainage Improvement Program. A budget adjustment in the amount of \$282,000 will be required from the Stormwater fund balance to fund this improvement.

Public Works Director Dimaline continued by saying that in 2015, the City of Leon Valley submitted an application for consideration for the 2015 CDBG program. Individual meetings were held with participating cities to discuss their plans and to identify needs in their ETJ. The City of Leon Valley is in Bexar County Precinct 2. The City Engineer completed design of the Huebner / Timber Hill Drainage Improvement Project to address flooding that occurs during heavy rainfall events at the intersection of Timberhill Dr. and Huebner Rd., and flooding that has occurred at 6818 Timberhill. The project scope includes the installation of curb inlets, inlet extensions, a junction box; 24" drain pipe, new asphalt, curbs and sidewalks. The estimated project cost is \$282,000. The grant application was evaluated to ensure the project met HUD guidelines. In July 2015, the Bexar County Commissioners made their final selection of projects and recommended funding for this project in the amount of \$175,000.

Public Works Director Dimaline added that the estimated project cost is \$282,000. A budget adjustment from the Stormwater Fund would be required to cover the project costs. Once the project is completed, Bexar County CDBG will reimburse the City up to \$175,000.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards, to authorize the City Manager to enter into a Community Development Block Grant (CDBG) Program Agreement to Provide CDBG Program Funds for the Timberhill Dr. and Huebner Drainage Improvement Project, and Approve the Attached Ordinance for a Budget Adjustment in the amount of \$282,000 from the Stormwater Fund Balance to Fund this Improvement. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on an In Kind Grant request by Cassandra Miranda of Northside Independent School District, for use of the Leon Valley Conference Center at 6427 Evers Road for the annual Northside Education Foundation Planning Retreat. M&C #2016-05-17-06 (K. Flores).

Communications Director Kristie Flores presented the item by saying that the City Council adopted an In Kind Grant process by which organizations and stakeholders can request in kind

services from the City. Northside Education Foundation (NEF) is the first to request an in kind grant for their annual Northside Education Foundation Planning Retreat at the Leon Valley Conference Center on June 22, 2016. The request includes the use of the facility, podium and microphone and the waiver of all fees.

Communications Director Flores added that historically, in 2014 and 2015 the City has approved NISD/NEF's use of the Conference Center. The set-up and use of the Center would be during regular City business hours. Additionally, NISD/NEF will bring and set-up their own tables and audio visual system and they will remove their tables and equipment the day after the event. Communications Director Flores said in reviewing the Conference Center calendar and City resources the dates and facility are available for use. The In Kind Grant Committee consists of representation from Public Works, the Leon Valley Library, the Finance Department and the Communications Department. The In Kind Grant Committee met and evaluated the request based on the criteria outlined in the grant policy and guidelines. If approved, the grant would waive the following fees: Cleaning Fees \$145; Podium/Microphone \$30; Rental Fees \$280 with a total waiver of \$455.

The In-Kind Grant Committee recommends approval of the grant by means of a score of 75.5. The Committee noted that a more mutual partnership could be fostered for future collaboration between the City, NISD and NEF. The Committee also requested that NISD/NEF consider utilizing a Leon Valley business for their catering needs for other events hosted in the City.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards, to approve the In Kind Grant request by Cassandra Miranda of Northside Independent School District, for use of the Leon Valley Conference Center at 6427 Evers Road for the annual Northside Education Foundation Planning Retreat as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on an action on an Ordinance establishing the authority and rights, structure and membership, duties and responsibilities, and sunset provision for the Police Department Citizens Advisory Committee. M&C #2016-05-17-07 (K. Kuenstler).

City Manager Kelly Kuenstler presented the item for City Council consideration on an ordinance establishing the authority and rights, structure and membership, duties and responsibilities, and sunset provision for the Police Department Citizens Advisory Committee.

This request came from Leon Valley citizens, during the January 2016 Town Hall Meeting, where it was suggested that the City Council develop a Police Department Citizens Advisory Committee. If developed, this committee would serve as an advocate for programs, ideas, and methods to improve the relationship between the police and community and to enhance the quality of life and safety in our community. The Committee will provide an update to the City Council on a quarterly basis, or as requested by the Mayor and City Council. The Committee will be an independent citizens group that meets monthly with the Police Chief or a representative of the Police Department in the Police Chief's absence. Residents will apply for commission membership and will be appointed by City Council for two (2) year terms with optional extensions for one year upon approval by the Mayor and City Council. The Committee will be responsible to the Mayor and City Council of Leon Valley and to the general public. The

Committee shall be comprised of 13 voting members representing geographic areas of Leon Valley and appointed by the Mayor and City Council. The Committee Chair will provide an update to the City Council on a quarterly basis or as requested by the Mayor and City Council.

City Manager Kuentler added that the committee shall advise and assist the Police Department in the following ways: Create dialog and explore the perceptions of the Police Department, and the community concerning the inter-relationship with each other regarding public safety issues within the community; Receive information concerning the Police Department programs and operations; Assist in developing new programs that will increase the public safety activities of the Police Department and strengthen the bond between the police and the community; Provide input to the Police Department regarding service needs within the community; Assist the Police Department in assessing the effectiveness of department operations and programs; Identify gaps in services and/or communication; Enhance the community understanding of the capabilities of the Police Department in providing services to the community; Identify potential Police-Community partnerships to address public safety related issues within the community; Identify community resources and support for public safety activities; and give input concerning perceived effectiveness; and Provide input on assisting Community Policing initiatives to enhance awareness. The authority and rights of the Committee will be set forth in the "City of Leon Valley Police Department Citizens Advisory Committee Charter".

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan, to adopt the ordinance establishing the authority and rights, structure and membership, duties and responsibilities, and sunset provision for the Police Department Citizens Advisory Committee. Upon a vote of four (4) for and one (1) opposed, with Council Member Monica Alcocer casting the negative vote, Mayor Riley announced the motion carried.

City Manager's Report:

a) Approved Minutes from Boards, Commissions and Committees

b) Future Agenda Items:

- **Sign Ordinance LED**
- **Hand Gun Policy**

c) Upcoming Important Events:

- **Joint Primary Election, City Hall, Early Voting is May 16th through May 20th and Election Day is May 24th.**
- **City Council Orientation, Council Chambers, Friday, May 20, 2016, 8:30 a.m. to 11:30 a.m.**
- **Neighborhood Renewal Program (NRP), Saturday, May 21, 2016, 7:30 a.m. to Noon.**
- **City Offices will be closed Monday, May 30, 2016, in observation of Memorial Day.**

City Manager Kelly Kuentler reminded everyone that the City Manager's report is now on the Leon Valley website.

Citizens to be heard.

None

Announcements by the Mayor and Council Members.

None

Adjournment.

Mayor Riley announced the meeting adjourned at 10:36 p.m.

These minutes approved by the Leon Valley City Council on the 7th of June, 2016.

APPROVED



**CHRIS RILEY
MAYOR**

ATTEST:



**SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY**

