



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Tuesday, July 19, 2016

MINUTES

The City Council of the City of Leon Valley, Texas met on the 19th day of July, 2016 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, Pledge of Allegiance.

Mayor Riley called the Regular City Council Meeting to order at 6:03 p.m. Mayor Riley welcomed everyone then 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, Monica Alcocer, Belinda Ealy, Benny Martinez and David Jordan.

Also in attendance were:

City Manager Kelly Kuentler, ACM/Human Resource (ACM/HR) Director Crystal Caldera, City Secretary Sandra Passailaigue, Public Works Director Melinda Moritz, Assistant Public Works Director David Dimaline, Communication Director Kristie Flores, Fire Chief Luis Valdez, Finance Director Vickie Wallace, Assistant Police Chief Ray Lacy and Firefighter/Paramedic Todd Morgan .

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. Council Member Martinez pulled Item #7a.

There were no citizens to speak.

Presentation of letter of commendation from the Fire Chief and recognition of Leon Valley Fire Department Engineer, Jaaron Thomas, for earning his Associates in Applied Sciences in Emergency Medical Services from San Antonio College and earning his Master Firefighter certification from the Texas Commission on Fire Protection.

Fire Chief Luis Valdez presented the item recognizing Jaaron Thomas for his accomplishment of earning his Associates in Applied Sciences in Emergency Medical Services and earning his Master Firefighter certification. Firefighters from A shift were all present and thanked for their service.

Presentation of the street ranking information. M&C #2016-07-19-02 (M. Moritz)

Public Works Director Melinda Moritz gave a presentation to explain the 2016 Street Ranking Project; explain the expected results; to plan and maximize use of limited Street Maintenance Tax Funds; and to assure proper repairs and longevity of City streets. The presentation was concluded by Public Works Director giving the recommendation that City Council finish the street ranking project; hold a workshop to determine Capital Projects construction funding and plan; and for streets, drainage, other Capital Projects as defined by Mayor, City Council and City Manager.

Presentation of Leak Detection Survey for the City of Leon Valley Water Utility. M&C #2016-07-19-03 (D. Dimaline)

Assistant Public Works Director David Dimaline presented this item reminding the City Council and citizens that in 2015, the City of Leon Valley was awarded a matching grant to perform a leak detection survey as part of the Edwards Aquifer Authority (EAA) Groundwater Conservation Grant Program. The EAA supports conservation efforts through projects that help reduce water use. Water loss is the difference between the amounts of water pumped (metered) in a certain time period versus the amount of water that is sold. All water systems experience water loss, and, although water loss cannot be eliminated, it can be greatly reduced. Reducing this loss is the fastest, most economical way for a water utility to increase both revenue and the amount of water available, and is considered a Best Management Practice (BMP). A leak detection survey should be performed every 2-3 years, to consistently manage revenues and conservation practices.

The study consisted of an acoustic leak detection survey on thirty-seven linear miles of water distribution piping. A total of 2,250 water service connections, fire hydrants, and distribution valves were inspected and 35 leaks were detected during the evaluation. The leaks were mapped and provided in a final report to the City. City crews then repaired the leaks. An inspection was conducted by the EAA to verify that each leak was repaired before the City received the grant funds. The types of leaks ranged from main line, service line, fire hydrants, meter boxes, and customer side leaks. A 15% water loss is generally considered acceptable for water utilities. The water loss percentage for Leon Valley during the six month period prior to the survey was 10.76%. After the study was completed and the repairs were made, the average water loss was reduced to 4.78%, during the same six months.

Assistant Public Works Director Dimaline concluded his presentation saying that the fiscal impact of this survey was \$23,050. The City received a grant from the EAA in the amount of \$14,200. The remaining balance of \$8,850 was funded from the Fiscal Year 2016 Water Utility operating budget.

- Olen Yarnell asked if this study was something that could be done for the water system.
 - Assistant Public Works Director Dimaline said yes and that it is done annually.

Presentation by the Leon Valley Historical Society – Update on Strategic Plan and working with Bexar County. - Kathy Hill.

Leon Valley Historical Society (LVHS) Member Kathy Hill and Mark Eisenhauer presented the updated LVHS Strategic Plan. Mayor Riley gave condolences on the passing of Mr. Patrick H. Butler III, Ph.D.

Mayor Riley recognized the LVHS Board members that were present this evening.

CONSENT AGENDA

Approval of City Council Minutes. (S. Passailaigue)

- a) **June 21, 2016 Special and Regular City Council Meeting**
- b) **June 23, 2016 City Council Emergency Meeting**

Consider, discuss and possible action on Resolution No. 16-017R re-appointing members to the Library Board of Trustees. M&C #2016-07-19-04 (S. Passailaigue)

Consider, discuss and possible action to approve the Quarterly Investment Report for the quarter ended June 30, 2016. M&C #2016-07-19-05 (V. Wallace)

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to approve Consent Agenda Item #7b (June 23, 2016 City Council Emergency Meeting), Item #8 (Resolution No. 16-017R), and Item #9 (Quarterly Investment Report) as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan to approve Consent Agenda Item #7a (June 21, 2016 Special and Regular City Council Meeting) as amended.

- Olen Yarnell asked that the minutes be revisited to include information in a note he handed the City Secretary.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan to approve Consent Agenda Item #7a (June 21, 2016 Special and Regular City Council Meeting) as amended; and to include Mr. Yarnell's comments as requested. Upon a unanimous vote, Mayor Riley announced the motion carried.

REGULAR AGENDA

Consider, discuss and possible action on the Forest Oaks Pool Property Presentation by the Forest Oaks Community Pool Committee – Larry Proffitt. M&C #2016-07-19-06 (D. Dimaline)

Assistant Public Works Director David Dimaline presented the item for the purpose of briefing the Mayor and City Council on the Forest Oaks Pool and to recommend several items that will need to occur prior to any deed transfer of the Forest Oaks Pool property to the City. The Forest Oaks Pool Committee was created and tasked with determining the feasibility of the City owning, operating, and maintaining the Forest Oaks Pool property. The two main areas of focus are the financial component and the operations of the entire property, to include the pool, tennis courts, and clubhouse. The Committee consists of eleven members, with representatives appointed by the Mayor and City Council being members from the Park Commission, Leon Valley EDC, and the Beautification Committee. The Chairman of the Committee is Mr. Larry Proffitt. The Committee has reviewed the operations, finances, by-laws, schedule, and fee structure of the property. An operating budget, schedule, and attendance breakdown for the Community Pool from the 2015 season was also provided. As a follow up to the June 21st briefing, following is a list of recommended action items and a proposed schedule: 1) The Forest Oaks Community Association would need to provide a written Notice of Intent to approve the gift deeding of property to the City; 2) Once the City is in receipt of the Notice of Intent, the City could then schedule an inspection of

the premises to take place. Clear Blue Water Pool Repair and Services, LLC provided an evaluation report of the City of Leon Valley Community Pool in 2014, prior to contracting out the management of the pool. It is recommended they provide an inspection and report of the Forest Oaks Pool to the City; 3) The City Attorney would then draft the necessary documents for title transfer and deed filing and the City Engineer would prepare the exhibits. Fees will include a title search, property survey, and title transfer; 4) The City has contracted with San Antonio Pool Management to operate the Community Pool. The contract expires this year and will need to be re-bid. The City would prepare a bid package for the Community Pool and include the Forest Oaks pool and related amenities as a bid alternate; and 5) The Forest Oaks Pool Committee will continue to develop a fee schedule to assist in the operations of both pools, and bring this item back the Mayor and City Council for further action. The Committee is also working to identify additional recreation components that could be offered to citizens. Opportunities exist with membership, classes, pool rental, and concessions. Cash handling options will be included in this briefing.

The Costs associated with recommendations #1, and #2 can be funded from the current Fiscal Year 2016 Public Works General Fund budget. Staff warns that approximately \$60,000 for the proposed Fiscal Year 2017 Public Works General Fund budget might need to be added if the Council votes to take over the Forest Oaks Pool as a City facility. There will also be a possible revenue addition to the Fiscal Year 2017 budget based on the committee's and council's decisions.

A motion was made by Council Member David Edwards and seconded by Council Member David Jordan to table the item until the written Notice of Intent to approve the gift deeding of property to the City and the pay for an inspection of the pool and provide the inspection report to the City. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on an In Kind Grant request by American Legion Post #336 for use of the Leon Valley Conference Center at 6427 Evers Road for their 911 Patriot Day Remembrance and Post Installation. M&C #2016-07-19-07 (K. Flores)

Communications Director Kristie Flores presented the item saying the City Council adopted an In Kind Grant process by which organizations and stakeholders can request in kind services from the City. The American Legion Post #336 is requesting in kind grant use of the Leon Valley Conference Center on Sunday, September 11, 2016 for their annual 911 Patriot Day Remembrance and Post Installation. The request includes the use of the facility, podium, microphone, security and the waiver of all fees. The City has approved waivers for this event in the past. The set-up and use of the Center will be during non-business hours on a Sunday evening. The Post is requesting security for 100 guests and will be providing their own set-up and clean-up. The purpose of the event is to commemorate 911 and have their post installation ceremony and dinner. This is not a fundraising event and provides free food to American Legion members and guests. The Post has indicated that any excess food would be donated to the Leon Valley Fire Department as in years past. In reviewing the Conference Center calendar and City resources the date and facility are available for use. The In Kind Grant Committee consists of representation from Public Works, the Leon Valley Library, the Administration/Human Resource Department and the Communications Department.

Communications Director Flores concluded by saying the In Kind Grant Committee met and evaluated the request based on the criteria outlined in the In Kind Grant Policy and Guidelines. A scoring matrix was created to further evaluate the request. Per the matrix the maximum score is 100. In evaluating the request, a score of 70 or above results in an affirmative recommendation by the committee member, to then forward to Council for final consideration. The American Legion's

request scored a median average of 61.75 resulting in a recommendation of denial to be forwarded to the City Council for final consideration.

There was a lengthy discussion with Mr. Walter Geraghty present to answer questions.

Council Members David Jordan and Benny Martinez disclosed that they are members of the American Legion Post 336.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Belinda Ealy to waive rental and podium fee but do not waive the security or cleaning. Upon vote of three (3) for and two (2) opposed, with Council Members David Edwards and Benny Martinez casting the negative votes, Mayor Riley announced the motion carried.

A Public Hearing to consider a preliminary Replat #2016-460, to replat approximately 0.5372 acre tract of land, being Lot 37, Block J CB 4446A to Lots 49 and 50, Block J, CB 4446A out of the Linkwood Additions Subdivision generally located at 7705 Linkview Drive. Attendees include Jesus and Maria Hurtado (property owners) and John DeHan, their Surveyor. M&C #2016-07-19-08 (E. Carol)

Community Development Director Elizabeth Carol presented the item for the purpose of this plat is to properly subdivide one (1) lot into two (2) lots. The newly proposed subdivision is Lot 50. The owner intends to sell the property to be developed as a single-family residence. Thirty notices were mailed to adjacent property owners advising them of the proposed replat. The applicant paid a fee of \$1,117.00 for consideration of this preliminary replat application. The City's contracted engineer Sia Sayyadi, reviewed the preliminary replat and supporting documents and found the replat to be in substantial conformance to Chapter 10 – Subdivision and the Texas Local Government Code; approval is recommended.

Mayor Riley opened the public hearing at 9:07 p.m.

There being no public comment, Mayor Riley closed the public hearing at 9:07 p.m.

Consider, discuss and possible action accepting a donation from the Homeowners Association of The Ridge at Leon Valley of approximately 2.255 acres to be used as a detention pond and a City Park. M&C #2016-07-19-09 (E. Carol)

Community Development Director Elizabeth Carol presented the item saying the Home Owners Association (HOA) owns the detention pond and the adjacent small parcel of land at the end of Samaritan and Grass Hill, and Caraway Bend, at Cilantro Place which totals approximately 2.255 acres. The smaller parcel is an attractive nuisance, as it is frequently used as a cut through and a place to dump without being detected. The Ridge at Leon Valley neighborhood does not have a park, and this land could be used as a Pocket Park, as recommended by Parks Plan. The HOA would like to donate land, there are no back taxes, and there are not any other encumbrances. In consideration for the donation, the City would generate title transfers and pay a small document recording fee. Funding for improvements to this area are proposed in next year's budget. Additional funding will be proposed in the future, in collaboration from the neighborhood.

Community Development Director Carol concluded the presentation saying that staff recommends the acceptance of the land donation and plan for improvements in future fiscal years, with neighborhood collaboration.

Council Member David Jordan disclosed that he is a resident of the Ridge Subdivision and HOA Board Member.

Mayor Riley introduced the Ridge HOA President Martez Lowery and Vice-President Bret Lederle. Also introduced was the previous HOA President Marian Slaughter.

A motion was made by Council Member David Jordan and seconded by Council Member Monica Alcocer to table the item until cost of cleaning the land is available. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on the approval of an Ordinance Repealing and Replacing Leon Valley City Code of Ordinance Appendix A Fee Schedule. M&C #2016-07-19-10 (E. Carol)

Community Development Elizabeth Carol presented the item for the purpose of presenting to City Council for consideration of an amendment to the Leon Valley City Code, Appendix A Fee Schedule. The new rates are designed to allow for cost recovery, compare level of service, and enhance the building permit process. In 2015 BB Inspection Services, LLC, provided an analysis of permitting fees between the suburban cities, and noted that the Leon Valley Fee structure no longer covers existing operating expenses and limits the ability of the department to expand its services. The fees in Leon Valley have not been raised in five years, and there is room for service enhancements. There are several new fees that are being proposed to reflect the addition of new applications primarily the additional review process associated the Sustainability Overlay District. Staff is proposing the following new fees: Master Sign Plan, Site Plan Fee, and in the near future will be recommending the addition of a technology fee. Other enhancements include streamlining the application process for the trade permits. The Food Establishment Permit Fees are being raised to add an education component for restaurants operating in Leon Valley. The Health Inspector will be proactively meeting with each establishment to provide a "hands-on" approach to ensuring that the operators are aware of applicable Local and State Health Codes. An increase in the Building Permit fees is also being proposed for construction of projects valued at over \$25,000; additionally, the Residential Building Plan Review fee is increasing from 15% to 25% and the Commercial fee from 25% to 35% respectively. In addition to building plans, the Community Development Department also evaluates and ensure conformance to Specific Use Permit, Site Plans, and Master Sign Plans, in addition to providing a comprehensive technical assessment on behalf of Zoning and Board of Adjustment applications. The fee increases proposed for these plans are designed to cover operating expenses and are consistent with the fees in our neighboring communities. The existing fee structure for each of the trades (electrical, heating and plumbing) is currently a piecemeal process that requires tracking up to 45 different fees that need to be individually entered onto the application and into Incode. In its place, is a proposal for a flat fee, for residential/commercial projects; which will save time. Other fee increases include raising the Certificate of Occupancy from \$60.00 to \$125.00; this fee includes the cost of an initial inspection. Raising the Fence and Sign Variance Fee from \$100.00 to \$200.00. Also included in the fee increase is a proposal to charge a 5% engineering service/administrator fee, and \$30.00 increase to the Temporary Storage Facility Fee. The proposed fee structure for the Floodplain Development Fee is increasing from \$150.00 to \$200.00 for Homestead Exempt properties, and \$1,500.00 for Non-Homestead Exempt properties respectively. These increases are designed to cover the additional cost associated with these reviews. While comparing fees it is also important to compare resources, the City of Helotes and Alamo Heights are similar in population to Leon Valley, and their Development Department includes a Director, a planner/engineering tech and a permit clerk. The additional staff of a Planner would enable the department to be more pro-active in its delivery of services, which would include a quicker permit turnaround time, and provide new resources to

include site visits with proposed developers on behalf of future projects. The proposed fee increases are comparable with the surrounding communities, and is anticipated to raise approximately \$50,000.00 for the General Fund.

- Olen Yarnell, Zoning Commission Chair, said he supports this ordinance.

A motion was made by Council Member David Jordan and seconded by Council Member Benny Martinez to adopt Ordinance No. 16-025 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action to authorize the City Manager to enter into negotiations with IDS Engineering Group for the purpose of design, engineering, and construction management of the Evers Road Bridge. M&C #2016-07-19-11 (M. Moritz)

Public Works Director Melinda Moritz in September of 2015, the City Council approved an initial study of the Evers Road Huebner Creek bridge reconstruction and directed staff to develop options for such reconstruction. In November of 2015, the City Council approved a bridge design. In December of 2015, the design and application for funding were submitted to the Alamo Area Metropolitan Planning Organization (MPO) for their consideration. The project was approved by the MPO in April of 2016. The engineering and design portion of the project may now begin.

In April of this year, the City Council directed staff to advertise a Request for Qualifications (RFQ) for the project. The RFQ was advertised for a period of 30 days and the City received eleven RFQ's from engineering firms. A Committee was formed to score the firms and the top three firms were interviewed. The firms that submitted an RFQ were: Bain Medina Bain, Inc.; Unintech Consulting Engineers; Halff & Associates; I.S. Engineers, LLC; Poznecki Camarillo Inc.; Slay Engineering Company, Inc.; Pape Dawson Engineers; Volkert; IDS Engineering Group; RPS Klotz Associates; and LNV Engineers. The top three scoring firms were LNV Engineers, RPS Klotz and Associates, and IDS Engineering Group. The Committee chose IDS Engineering Group for the project.

The City Manager will negotiate a contract with recommended firm. If the terms are non-negotiable, she will then negotiate with the second ranked firm, and so on, until an agreement can be reached with another engineering firm. Once an agreement has been reached, Staff will return to the City Council for a budget adjustment.

The estimated timeline for this project is as follows: July – August 2016 Engineering and design; September – January 2017 TxDOT & utility review; February Final design, TxDOT approval; March Bid advertisement; April Council approval of bidder, start construction; and Construction complete in December/January 2018, weather permitting.

Staff recommends that City Council authorize the City Manager to enter into negotiations with IDS Engineering Group for the purpose of designing, engineering, and construction management of the Evers Road Huebner Creek Bridge; and if non-negotiable, authorize negotiations with the second ranked firm, and so on, until agreement can be reached with an engineering firm. Staff will then return to City Council to request a budget adjustment to fund this portion of the project.

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to enter into negotiations with IDS Engineering Group for the purpose of designing,

engineering, and construction management of the Evers Road Huebner Creek Bridge. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider, discuss and possible action on the approval of a Budget Adjustment and Related Ordinance in the amount of \$44,674 for Supplemental Appropriation to the Special Events Budget for funds received from booth rentals, wristband sales, beverage sales, and sponsorships. M&C #2016-07-19-12 (K. Flores)

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez to adopt Ordinance No. 16-026 authorizing a budget adjustment in the amount of \$44,674 for Supplemental Appropriation to the Special Events Budget for funds received from booth rentals, wristband sales, beverage sales, and sponsorships. 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:**

- **Sign Ordinance LED**
- **Hand Gun Policy**
- **Citizens Police Advisory Committee**

c) **Upcoming Important Events:**

- **Coffee with the Mayor and City Council, Saturday, July 23, 2016, 9:00 a.m. to 11:00 a.m. at the Leon Valley Conference Center.**
- **Budget Workshops**
 - **August 31st at 5:30 p.m. – First Tax Public Hearing**
 - **September 6th at 7:00 p.m. – Second Tax Public Hearing**
- **August 30th – VIA Public Meeting regarding January service changes and to inform citizens of the Primo route and the modification of this route in Leon Valley.**

Citizens to be heard.

Olen Yarnell, Zoning Commission meeting at 5:30 p.m. next Tuesday. Mr. Yarnell also discussed concerns he has with the new building.

Irene Baldrige, Parsley Hill, asked about the future Hand Gun Policy which CM Kuenstler said was forthcoming.

Announcements by the Mayor and Council Members.

Council Member Benny Martinez reminded everyone of the Leon Valley Chamber of Commerce meeting tomorrow.

Council Member David Jordan attended two grand openings this week and encouraged everyone to support local businesses.

Council Member Belinda Ealy is excited about new business and said that the July 4th event was wonderful.

Mayor Riley invited everyone to the coffee this Saturday, July 23rd and announced that both she and Council Member David Edwards would be out of town but that Mayor Pro Tem Jordan would fill in for her at the August 2nd meeting.

Adjournment.

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

These minutes approved by the Leon Valley City Council on the 2nd day of July, 2016.

APPROVED



**DAVID JORDAN
MAYOR PRO-TEM**

ATTEST:



**SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY**

