

CITY OF LEON VALLEY



Home Rule Charter Commission Meeting
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Wednesday, December 17, 2014

MINUTES

The Home Rule Charter Commission of the City of Leon Valley, Texas met on the 17th day of December 2014 at 6:00 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 and announcement of a quorum.

Chairman Arthur "Art" Reyna called the meeting to order at 6:05 p.m. and determined that a quorum was present.

The minutes reflect that the following Members of the Home Rule Charter Commission were present: Chairman Arthur "Art" Reyna, Vice Chairman Jack Dean, Rudy Garcia, David Jordan, Mike McCarley, Liz Maloy, Darby Riley, Manuel Rubio, Kathy Hill and Al Uvietta. Not in attendance and excused was Victor Rodriguez.

City Attorney Charles Zech, City Manager Manuel Longoria, Jr., Human Resources Director & Commission Staff Liaison Crystal Caldera, and Economic Development Director Claudia Mora were also present.

Adopting the minutes of the December 3, 2014 Home Rule Charter Commission Meeting.

Chairman Reyna asked the Commission if they had any changes to the minutes. Commission Member Al Uvietta made a motion to adopt the minutes as written for December 3, 2014. Commission Member Liz Maloy seconded the motion. The motion passed unanimously.

Discussion, consider and possible action on Article III Mayor and City Council.

City Attorney Zech presented Article III Section 3.02 Part B which was voted on at the last meeting to read as follows:

"No past, current, or future elected official shall serve more than three (3) consecutive terms of office and no more than five (5), terms during a lifetime. For purposes of this subsection an official shall have been considered to have served a term upon taking the oath of office, regardless of whether the official serves the complete term. Any official who has served three (3) consecutive terms shall be prohibited from serving another term for a period of one year and eleven months from the date of the expiration of the third consecutive term."

There was a lengthy discussion on the verbiage "past, current and future" elected officials in the section above. Commission Member Darby Riley proposed that the section above include only future elected officials and add a Part C, which stated past and current elected officials cannot serve more than fifteen years in a lifetime. There was additional discussion on the proposal.

Vice Chairman Dean made a motion to accept the language to include past, current and future elected officials Article III Section 3.02 Part B as presented in the packet. Commission Member Al Uvietta seconded the motion. There was a roll call vote as follows: David Jordan "Nay", Rudy Garcia "Aye", Al Uvietta "Aye", Chairman Arthur "Art" Reyna, "Aye", Vice Chairman Jack Dean "Aye", Mike McCarley "Aye", Liz Maloy "Nay",

Darby Riley "Nay", Kathy Hill "Nay" and Manuel Rubio "Aye". The motion did not pass based on the Commission's rule, which would require seven votes to have an item pass; four opposed six in favor.

Chairman Reyna asked the Commission if they would like to move on, and readdress item 3 at a later date. The Commission Agreed to move forward.

Discuss, consider and possible action on Article VI Initiative, Referendum and Recall

City Attorney Zech stated that he made all the changes as per the request of the Commission at the last meeting which included the following:

- The five member committee would not be the only ones responsible for circulating a petition
- Petitions shall only be circulated by a registered voter of the City

Chairman Reyna asked the Commission if they had any additional changes, there were none. The Commission unanimously agreed on Article VI as presented by City Attorney Charlie Zech.

Discussion, consider and possible action on Article VII General Provision

City Attorney Zech presented samples of Article VII General Provision and the state law regarding conflict of Interest.

There was discussion on Section 7.05 Charter Review Committee Part 1 which reads as follows:

*"The City Council shall appoint a Charter Review Committee in the third (3rd) year after this Charter is adopted and every sixth (6th) year thereafter. The Charter Review Committee shall consist of **ten (10)** citizens"*

The Commission discussed the number of Citizens on the review committee changing from 10 Citizens to 9 Citizens. The Commission agreed to change the number from 10 citizens to 9 Citizens.

There was discussion on 7.07 Notice of Claim which reads as follows:

*"The City shall not be held liable on account of any claim for the death of any person or injuries to any person or damage to any property unless the person making such complaint or claiming such damages shall, within **one hundred-twenty (120) days** after the time at which it is claimed such damages were inflicted upon such person or property, file with the City a written statement, under oath, stating the nature and character of such damages or injuries, the extent of the same, the place where same happened, the circumstances under which same happened and the condition causing same, with a detailed statement of each item of damages and the amount thereof, giving a list of any witnesses known by affiant to have seen the accident."*

The Commission discussed whether to leave it at 120 days or change it to 180 days. The Commission agreed to change the language from the 120 days to 180 days. City Attorney Zech stated that since it coincided with state law then the section was not needed in the Charter. There was unanimous consensus to remove it.

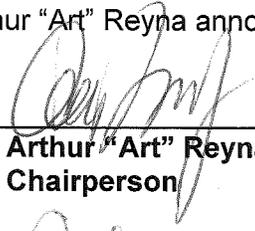
Discussion, consider and possible action on Article VIII Transitional Provision

City Attorney Zech presented Article VIII Transitional Provisions. The Commission agreed to unanimously accept Article VIII as presented by City Attorney Zech.

Adjournment

Chairman Arthur "Art" Reyna announced the meeting adjourned at 7:42 p.m.

APPROVED:



Arthur "Art" Reyna
Chairperson

ATTESTED:



Crystal Caldera
Staff Liaison