CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
SEPTEMBER 18, 2012

The City Council of the City of Leon Valley, Texas, met on the 18th of September, 2012 at 5:30 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

SPECIAL JOINT MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL AND THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS, 5:30 P.M.

1. Call the City of Leon Valley Special City Council Meeting to Order, and Determine a Quorum is Present. Mayor Riley called the Special Joint City Council Meeting with the LVEDC to order at 5:30 p.m. with the following City Council members in attendance: Hill, Reyna, Baldrige, and Dean. Councilman Biever’s absence was excused due to an out-of-town commitment.

The following staff members were in attendance: City Manager Longoria, City Secretary Willman, and Economic Development Director Mora.

2. Call the City of Leon Valley Economic Development Corporation (LVEDC) Board of Directors Special Joint Meeting to Order, and Determine a Quorum is Present.

LVEDC President Abraham Diaz called the Special Joint Meeting LVEDC Meeting to order at 5:30 p.m. with the following LVEDC Board members in attendance: Mr. Claude Guerra, Ms. Nancy Marin, and Mr. Mike McCarley.

3. Quarterly Update and Dialogue Between the City of Leon Valley City Council and the City of Leon Valley Economic Development Corporation Board of Directors, M&C# 09-09-12.

The discussion focused on a number of topics including the revisions to the City of Leon Valley Economic Development Policies and Guidelines for Funding which the LVEDC discussed at its meeting on September 15, 2012. The guidelines were originally developed to establish an administrative review process for making grants and loans using 4b sales tax funds.

LVEDC Board members noted the review process and that City staff would be responsible for applications review based on their expertise (in their respective fields); Economic Development Director Mora and City Manager Longoria, economic development; Vickie Wallace, finance; and Kristie Flores, planning, zoning, and any associated permitting matters. It was noted that upon completion of the process, staff would bring back a recommendation to the LVEDC including all applications meeting and not meeting the program criteria; with the application review process to be completed within 3 weeks including assessment designed to ensure the application is complete before the review is started. The LVEDC noted that at times some financial information is and has been lacking from submitted applications. It was discussed that once the guidelines are streamlined; the process will ensure a people-user friendly guide to applying for loans and grants. It was further noted that the new revised guidelines will require banking or financial institution statements documenting creditworthiness.

The City Council was informed that as a part of the LVEDC’s discussion, the question was raised about whether loans or grants should be extended to businesses that don’t
generate sales and/or property tax. It was indicated that the LVEDC attorney is reviewing the law to advise the LVEDC Board regarding that consideration. A further consideration or suggestion is that the LVEDC not give outright grants. Some LVEDC Board Members don’t agree that any kind of funding considerations should be removed. The discussion on funding sources (loans versus grants) was meant to ensure that businesses have at least as much at stake as the LVEDC to discourage dependency on outside sources of funding; that dollars invested seek alignment in terms of the revised guidelines with the economic development strategy of the City of Leon Valley through its City Council and LVEDC Board. It was noted that the LVEDC Board’s goal is to get the guideline revisions streamlined and completed by the LVEDC’s next regular meeting on September 26, 2012.

A question was raised if a matrix would be provided regarding the guideline revisions and their use on individual application reviews. As this was a process-related question, Economic Development Director Mora pointed out the review process needs to be more subjective once all the respective reviews are completed; financials, Community Development, fire and safety, and all the quality checks required have been completed.

Finally, a question was raised as to how the new guideline revisions would be communicated to new businesses interested in applying for funding. Ms. Mora indicated the new guidelines would be posted to the City’s website, pushed out using the City’s quarterly newsletter, the Weekly ENews, and using other media outlet opportunities.

There was some brief discussion about future LVEDC projects being considered. It was noted that El Sol will be considered for a combination loan and grant request consisting of $37,500 in a loan, $10,000 in a grant total funding.

Mayor Riley announced that the City Council will conduct an Executive Session on Monday, October 1, during a special called meeting for the purpose of interviewing the three applicants for the LVEDC Board Appointments in Places 2, 4, and 6. Economic Development Director Mora is coordinating the interview times to ensure adequate posting to meet the Texas Open Meetings Act.

Also discussed was signage for the City’s businesses with the LVEDC participating through the establishment or use of LVEDC funding for sign replacement for existing businesses. The two boards discussed the future installation of monument signs and LVEDC funding.

In closing, some City Council members noted that the LVEDC has a healthy bank balance and that the City Council would like to see the funding is spent to increase economic development in Leon Valley.

4. Adjourn.
A. The Leon Valley City Council adjourned its meeting at 6:49 p.m. without objection.
B. The City of Leon Valley Economic Development Corporation Board of Directors adjourned its meeting at 6:50 p.m. without objection.
1. Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance. Mayor Riley called the Regular City Council Meeting to order at 7 p.m. with the following City Council members in attendance: Hill, Reyna, Baldridge, and Dean. Councilman Biever’s absence was excused due to an out-of-town commitment.

The following staff members were in attendance: City Manager Longoria, City Attorney McKamie, City Secretary Willman, Community Development Director Flores, Economic Development Director Mora, Finance Director Wallace, Assistant Fire Chief Lee, Human Resources Director Caldera, Police Chief Wallace, Public Works Director Vick, and Stormwater Manager Marisa Flores. Also in attendance: Code Enforcement Officer Eddie Tijerina.

Deputy Fire Marshall Luis Valdez and Fire Engineer Jimmy Garcia led the assembly in reciting the Pledge of Allegiance. Other Fire Department personnel joined Mr. Valdez and Mr. Garcia in leading the Pledge of Allegiance.

2. Report on Stephen Siller Run by Participating City of Leon Valley Firefighters, M&C # 09-10-12. This agenda item allowed the City Council to receive a report on the Stephen Siller Run by participating City of Leon Valley Firefighters. Assistant Fire Chief Robert Lee introduced Deputy Fire Marshall Luis Valdez. Mr. Valdez detailed the progress of the challenges, training, and progress that occurred over a number of months. He cited as inspirational the personal challenges that William Ripps, Ricardo Lopez, Justin Latifi, Joy Auger, and Jimmy Garcia encountered and overcame.

3. Citizens to be Heard and Time for Objections to the Consent Agenda. Al Uvieta, 6923 Sunlight Drive, addressed the City Council to report on a VIA Bus Rapid Transit (BRT) Meeting which Mayor Riley requested his representation for the City of Leon Valley. Mr. Uvieta reported the scheduling of the final construction of stops for the VIA BRT in early December which would include service in and out of Leon Valley. Mr. Uvieta noted some challenges related to the construction work which will be addressed as they go. He reported that the next part of the construction work would be done at the University of Texas at San Antonio, and the final construction work would be done in the City of Leon Valley. The first public meeting to consider funding is scheduled on September 19.

Consent Agenda

Motion by Councilwoman Baldridge and second by Councilwoman Hill to approve the Consent Agenda items as presented. Voting Aye: Hill, Reyna, Baldridge, and Dean. Absent: Biever. Mayor Riley announced the motion carried.

4. Consider Approval of the Meeting Minutes of the following City Council Meetings:
   A. Special City Council Meeting of August 15, 2012
   B. Regular City Council Meeting of September 4, 2012
   C. Special City Council Meeting of September 11, 2012

This agenda item will allow the City Council to consider the draft minutes of the above enumerated meetings.
Regular Agenda

5. Consider Approval of a Resolution Authorizing the Placement of a Plaque on the Well Located in the Leon Valley Conference Center Complex During the 60th Anniversary Commemoration Activities of the City of Leon Valley, M&C # 09-11-12.

Councilwoman Baldridge introduced Mrs. Carol Poss, 7201 Huebner, to address the City Council regarding the history of the water well. The historic heritage of the original Leon Valley School and the importance of the well to the School and the surrounding community was noted. It was announced that the Northside School District is excited about the installation of a plaque on the well documenting its history.

Following City Council deliberation, the staff was directed to expand the language to include more of the story as detailed by Mrs. Poss. The City Council directed that the plaque be appropriately enlarged to accommodate the expanded language. It was noted that the larger plaque could be paid for out of the $10,000 included in the proposed Fiscal Year 2013 Budget set aside for the expenses related to the commemoration events in October 2012. A request was also made to have some kind of appropriate installation ceremony when the plaque is readied.

Motion by Councilman Reyna and second by Councilman Dean to adopt the Resolution reflecting the wording, "This picturesque well in front of the Leon Valley Conference Center originally served the 1894 Evers School, the first school in Leon Valley. The School was located near the Northeast corner of Huebner and Evers Roads. When Huebner Road was widened, the well was in danger of being demolished. At the suggestion of Mayor Marcy Meffert, the well was moved to its present location in 2001. An Eagle Scout project restored the well with the assistance of the Public Works Department. This plaque is dedicated in honor of Leon Valley’s 60th Anniversary of Incorporation, October 2012”

Voting Aye: Hill, Reyna, Baldridge, and Dean. Absent: Biever. Mayor Riley announced the motion carried.

Adopted Resolution No. 12-013 – A resolution of the City Council of the City of Leon Valley authorizing the installation of signage at the well located on City of Leon Valley Property on the Conference Center Complex grounds in support of the City of Leon Valley’s 60th Anniversary Commemoration Activities in October 2012.

6. Conduct a Public Hearing and Consider Action on Attached Ordinance Approving and Adopting Fiscal Year 2012-2013 Budgets and Associated Capital Acquisition Plans including the General Fund, the Water and Sewer (Enterprise) Fund, the Debt Service Fund, the Community Center Fund, the Building Security Fund, the Child Safety Fund, the Street Maintenance Tax Fund, the Municipal Court Technology Fund, the Police Forfeiture Fund, the CIED Fund, the Grant Fund and Capital Project Fund, M&C # 09-12-12.

Following City Manager Longoria’s presentation, the City Council conducted a public hearing and considered action on an ordinance.
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A. **Open Public Hearing.** Mayor Riley opened the Public Hearing at 7:55 p.m.

B. **Close Public Hearing.** Mayor Riley closed the Public Hearing at 7:55 p.m. there being no speakers to address the City Council during the Public Hearing.

C. **City Council to Consider Action.**

Motion by Councilman Dean and second by Councilman Reyna to approve and adopt the ordinance as presented. Voting Aye: Hill, Reyna, Baldridge, and Dean. Absent: Biever. Mayor Riley announced the motion carried.

**Adopted Ordinance No. 12-024 - An Ordinance Approving the Budgets and Associated Capital Acquisition Plans of the City of Leon Valley, Texas, for the Fiscal Year of 2013 and the SameFiled with the City Secretary and the Bexar County Clerk.**

7. **Vote to Ratify the General Fund Fiscal Year 2013 Budget That Will Raise More Total Property Taxes Than Last Year’s Budget by $29,155 or .9690% and of That Amount $37,725 is Tax Revenue to be Raised from New Property Added to the Roll This Year, M&C # 09-13-12.**

Following City Manager Longoria’s briefing on this agenda item, the City Council considered action on an ordinance.

Motion by Councilman Reyna and second by Councilwoman Hill to approve and adopt the ordinance as presented. Voting Aye: Hill, Reyna, Baldridge, and Dean. Absent: Biever. Mayor Riley announced the motion carried.

**Adopted Ordinance No. 12-025 - An Ordinance Ratifying the FY 2013 Budget That Will Raise More Total Property Taxes Than Last Year’s Budget by $29,155 or .9690% and of That Amount $35,725 is Tax Revenue to be Raised From New Property Added to the Roll This Year.**

8. **Consider Action on an Ordinance Setting the 2012 Tax Rate for the Maintenance and Operation Fund at $.476752 and Interest and Sinking Fund at $.097530 for a Total Tax Rate of $.574282, Which is 6.776812 Percent Higher Than the Effective Tax Rate of $.537834, M&C # 09-14-12. (Record Vote)**

Following City Manager Longoria’s briefing on this agenda item, the City Council considered action on an ordinance.

Motion by Councilwoman Hill and second by Councilman Reyna to approve and adopt the ordinance as presented. Vote: Hill – Aye, Reyna – Aye, Baldridge – Aye, Dean – Aye. Absent: Biever. Mayor Riley announced the motion carried with 4 votes in favor and no votes against the motion.

**Adopted Ordinance No. 12-026 – An Ordinance Establishing and Adopting for the Purpose of Taxation; the Calendar Year; Levying a Tax of $.476752 for Maintenance and Operations and $.097530 for the Interest and Sinking Fund for a Total Tax Rate of $.574282 on All Property Subject to Taxation and Situated in the City of Leon Valley, Texas, on the First Day of January 2012; Establishing the Rate of Said Levy; Determining that Taxes for the Calendar Year 2012 Shall Become Due and Payable October 1, 2012, and Delinquent on February 1, 2013; Determining that All Delinquent Taxes Shall Bear Interest at the Rate of One Percent (1%) for Each Month or Part of a Month from the Date of Their Delinquencies; Determining That If Any**
Person fails to pay the taxes imposed by the City of Leon Valley, Texas, upon his or her property on or before the 31st Day of January 2013, then a penalty for each successive month such taxes remain unpaid (or any part of such month) shall be paid upon such taxes; and determining and enacting other matters pertinent, necessary, and incident to the subject, and providing a savings clause.

9. **Consider Action on an Ordinance Repealing and Replacing Appendix A Fee Schedule, Schedule Article A11.000 Water and Sewer Fees Section A11.001 and Providing a Conflicts Provision, a Request to Approve the Water and Sanitary Sewer Rate Increases for Fiscal Year 2013 (FY13) by 3 Percent Effective with the November 2012 Billings, M&C # 09-15-12.**

Following a briefing and presentation by Stormwater Manager Marisa Flores, the City Council considered action on an ordinance.

Motion by Councilman Reyna and second by Councilwoman Baldridge to approve and adopt the ordinance as presented. Voting Aye: Hill, Reyna, Baldridge, and Dean. Absent: Biever. Mayor Riley announced the motion carried.

**Adopted Ordinance No. 12-027 – An Ordinance Repealing and Replacing Appendix A Fee Schedule Article A11.000 Water and Sewer Fees Section A11.001 and Providing a Conflicts Provision.**


Following a briefing and presentation by Community Development Director Kristie Flores, the City Council considered action on an ordinance.

Motion by Councilman Reyna and second by Councilman Dean to approve and adopt the ordinance as presented. Voting Aye: Hill, Reyna, Baldridge, and Dean. Absent: Biever. Mayor Riley announced the motion carried.


11. **Consider Action on Resolution with Attached M&C # 09-17-12, a Request to Approve and Adopt the City of Leon Valley Economic Development Corporation’s (LVEDC) Proposed Budget for Fiscal Year 2013.**

Following a briefing and presentation by Economic Development Director Mora, the City Council considered action on a resolution.

Motion by Councilman Reyna and second by Councilwoman Hill to approve and adopt the resolution as presented. Voting Aye: Hill, Reyna, Baldridge, and Dean. Absent: Biever. Mayor Riley announced the motion carried.
Adopted Resolution No. 12-014 – A Resolution of the City Council of the City of Leon Valley Approving and Adopting the Budget for the City of Leon Valley Economic Development Budget Year 2013 to Support the City of Leon Valley’s Economic Development Corporation’s Operation, Programs and Projects.


Following a briefing and presentation by Community Development Director Kristie Flores, the City Council considered action by minute order.

Motion by Councilman Reyna and second by Councilman Dean to approve the sign variance as requested by the Owner/Applicant. Voting Aye: Hill, Reyna, Baldridge, and Dean. Absent: Biever. Mayor Riley announced the motion carried.

Discussion Agenda


Community Development Director Kristie Flores introduced the report to the City Council as representing data for a three-year period, 2009, 2010, and 2011, to inform the City Council on all code violations addressed over a three year period to include the top code violations. The purpose of the study is to allow the City Council to make an informed decision as to whether to proceed with studying the property maintenance code or to leave things as they currently exist in the City’s Code of Ordinances. The top five Code violations for Leon Valley include: snipe signs, graffiti, high weeds and grass on both residential and commercial properties, and junk and debris.

Ms. Flores noted the anticipation for using some software that is free from Linebarger. The software looks like it would be beneficial to the City of Leon Valley. The software would complement what the Community Development Department is using. The City Council asked if electronic reporting and ticketing would be a part of using the new software. Ms. Flores indicated that the use of electronic reporting and ticketing using laptops is not a part of software based on cost.

The City Council also asked about the differences between what was being reported and the code violation language provisions presented in the original property maintenance code ordinance being considered at the beginning of 2012. Ms. Flores indicated that what is being presented in tonight’s report is comprehensive in terms of actual and current code violations based on the City’s ordinances. Staff noted that property owners have rights and that as long as they make an effort to maintain their property staff’s hands are tied because they are complying within the allotted 10 days.
The City Council asked about repeat offenders and what can be done to get property owners not only to clean up their property but to maintain them to the City's code enforcement standards. Code Enforcement Officer Eddie Tijerina was asked about repeat offenders. Mr. Tijerina indicated that a number of calls are made to Code Enforcement complaining about situations which are not actual code violations in the City of Leon Valley. Regarding the matter of repeat offenders, Mr. Tijerina explained that the City of San Antonio has an ordinance designed to address repeat offenders. The City of Leon Valley's ordinance allows the property owner 10 days to take care of the code violation. If that code violation is abated within the 10 days, then the matter is considered closed.

The City Council discussed different options to deal with repeat offenders; shortening the time period allowed to abate the code violation, and issuing citations with increased fines for repeat offenses. It was also brought up that abandoned properties and other property-related issues such as damaged fencing need to be addressed in the Code.

City Attorney McKamie noted that Code Enforcement is difficult for a number of different reasons; limited resources, policy issues, and political considerations. He addressed some of the code violations on the report with immediacy resolutions. Some of the violations can be addressed immediately in municipal court to seek fines. No time has to expire. The property owners, landlords, and the residents all have to be liable in order address the matter so that whomever is charged with the crime does not get off. Health-related issues can be abated immediately. High weeds and grass, junk and debris, similar violations which we want to abate and issue liens, we don't get the liens if we don't give the violaters 10 days notice. He noted that when the City has recalcitrant absentee owners, the City just keeps building up the bill for abatement. Property owners are entitled to the notice especially where the statutes so predicate. The real solution is to file a nuisance case in court for continued debris, substandard conditions; seek remedy in state court but it is expensive because you have to hire an attorney. Things like holes in the roof are answered as a part of substandard structures. The damage has to be considerable and authorized by statute as enforceable violations. Mr. McKamie indicated there are things which can be addressed that may be a matter of legislative changes which the Texas Municipal League and the Texas Legislature may consider in the next legislative session.

It was noted that the City of Leon Valley's substandard ordinance may need some additional study. It was also suggested that perhaps a one month campaign of heavy code enforcement clean-up would get some positive attention on the need to clean-up and maintain clean properties. Mr. McKamie indicated that Linobarger is involved because properties with serious code violations are matched up with the delinquent tax roll and those properties are the ones which are foreclosed.

Mayor Riley asked the City Council for a consensus and direction as to how to proceed. It was suggested to wait until the end of the year before going any further. The City Manager was asked for his input. Mr. Longoria asked the City Council for time to put together a report with some service enhancements he is considering. The City Manager indicated that the City may be able to negotiate neighborhood sweeps as part of its new solid waste contract as well as changes to the City's current ordinances which may be brought to the City Council before the end of the year.
14. City Manager’s Report. (Longoria)
   A. Informational updates, as may be required.
      City Manager Longoria reported that with the heavy weekend rains and the Edwards Aquifer rising to an acceptable level, that the City of Leon Valley will remain in Stage 2 Water Conservation Measures.
      Mr. Longoria reported that the Mayor, Olen Yarnell, and he met with Ms. Burley of CPS Energy regarding partnership opportunities related to the new construction of the Municipal Services Complex, as authorized in the May 2012 Bond Election. One of CPS design persons will assist the City of Leon Valley during the schematic design / phase focusing on incorporating design elements that will accommodate future technological improvements.
      Mr. Longoria reported that the Mayor and he met with representatives of the City of San Antonio, and representatives of Bexar County to discuss the coordination of Crystal Hills Park with the Leon Creek (LC-17) Project tie-in. Segment II of the LC-17 Project will occur between April 2013 – 2014. Project partners will include the City of San Antonio, the City of Leon Valley, the Catholic Archdiocese Office and Northside Independent School District.
      Contact has been made with Raising Cane’s and the company is interested in donating funds for a dog park in Crystal Hills Park.


   C. Monthly Departmental Reports. There were no City Council comments or questions about this agenda item.

   D. Future Agenda Items
      (2) Executive Session to Interview Prospective Candidates for the City of Leon Valley Economic Development Corporation Board of Directors, October 1, 2012.
      (3) Texas Department of Transportation Presentation on Super Street Model.
      (4) City Council Conducts Executive Session to Interview Prospective City Attorney Candidates and Considers Awarding City Attorney Contract, October 16, 2012.
      (5) First Regular City Council Meeting has been moved to Monday, October 1, 2012, to allow for the participation and observance of National Night Out.
      (6) National Night Out City Council Meeting, Tuesday, October 2, 2012, 6:45 p.m. to Approximately 10 p.m. Neighborhoods interested in participating in the Leon Valley National Night Out should contact Police Lt. Victor Reyes at 210-684-3215 or by emailing v.reyes@leonvalleytexas.gov.
      (7) Consider Ordinance Granting Waivers for the City of Leon Valley Related to Food Trucks and Alcoholic Beverages in City of Leon Valley Raymond
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Rimkus Park for the City of Leon Valley 60th Anniversary Commemoration
Events on October 19-20, October 1, 2012.

(8) Consider Ordinance Designating Official Newspapers for the City of
Leon Valley, for Fiscal Year 2013, October 1, 2012.

(9) Staff Update/Presentation on the Progress of the Sun setting
Process for the City of Leon Valley’s Boards, Committees, and
Commissions, October 16, 2012.

15. Citizens to be Heard. There was no one to address the City Council on this agenda
item.

16. Announcements by the Mayor and Council Members.
A. 9-1-1 Remembrance (Patriot Day) Event, Sunday, September 16, 2012, with
the American Legion Post No. 336, 5 p.m. – 8 p.m. Leon Valley Community
Center, 6427 Evers Road. Event co-sponsored by the City of Leon Valley.

Councilwoman Hill announced that Ancira Winton donated a $5,000 sponsorship in
support of the upcoming commemoration activities for the City of Leon Valley.

Councilman Reyna announced the street maintenance legislation to allow an election to
allow the voters to permanently adopt the street maintenance sales and use tax is being
drafted.

Mayor Riley announced that the Earthwise Living Committee would like for the City to
consider conducting a survey about recycling services during the January 2013 Town
Hall Meeting on a date to be announced.

Mayor Riley informed the City Council that resident Raymond Diaz communicated about
a feral cat presentation he thought might benefit the City of Leon Valley. This may be a
future agenda item.

Mayor Riley reported that she received a letter from one of the City of Leon Valley’s
former Sister Cities, the Mexican State of Jalisco. The program was established when
Councilwoman Baldridge was Mayor. The letter seeks to re-establish the partnership in
the very near future.

Executive Session

17. The City Council of the City of Leon Valley reserves the right to adjourn into Executive
Session at any time during the course of this meeting to discuss any of the matters listed
on the posted agenda, above, as authorized by the Texas Government Code Sections
551.071 (consultation with attorney), 551.072 (deliberations about real property),
551.073 (deliberations about gifts and donations, 551.074 (personnel matters), 551.076
(deliberations about security devices), and 551.087 (economic development).

No Executive Session was conducted under this agenda item.
18. **Adjourn.** Motion by Councilman Reyna and second by Councilman Dean to adjourn the meeting at 9:38 p.m. without objection.

[Signature]

Mayor Chris Riley

ATTEST:

[Signature]

Janie Willman, City Secretary