

**LEON VALLEY CITY COUNCIL
REGULAR MEETING -7:30 P.M.
MONDAY, DECEMBER 9, 2013
LEON VALLEY CITY COUNCIL CHAMBERS
6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238**

MINUTES

At 7:31 P.M. Mayor Riley called the meeting to order, after it was determined that a quorum of the City Council was present. Mayor Riley led the Pledge of Allegiance, and thanked everyone involved in the annual Christmas Tree Lighting, which took place immediately prior to the Council Meeting.

At this time, Mayor Riley discussed the procedures for citizens to be heard portion of the agenda, whereby, citizens wishing to address an item on the agenda have up to three (3)3 minutes to speak. She further requested that all citizens speak into the microphone listing their name and home address for the recording device.

City Council Present: Ricardo Ruiz, Art Reyna, Abraham Diaz, Jack Dean, Paul K. Bieber

Staff Present: Manuel Longoria, City Manager; Leticia Callanen, Interim City Secretary; Crystal Caldera, HR Director; Vickie Wallace, Finance Director; Melinda Moritz, Public Works Director; Kristie Flores, Community Development Director; Claudia Mora, Economic Development Director; Luis Valdez, Fire Chief; Randall Wallace, Police Chief

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Item 1 Presentation and Consideration of the 2014 Parks and Open Space Master Plan as Recommended by the City of Leon Valley Parks Commission. (Bert Thomas) **M&C 2013-12-09-2**

Ms. Melinda Moritz, Public Works Director and liaison to the Leon Valley Parks Commission, provided an introduction of Mr. Bert Thomas, Chairman of the Leon Valley Parks Commission. Mr. Thomas provided a thorough PowerPoint presentation that outlined updates made to the Parks Master Plan:

- Update and remove obsolete information
- Establish goals
- Review latest citizen surveys
- Physically visit each Park Zone
- New Recommendations

Discussion between the Mayor and the Leon Valley Parks Commission Chairman ensued regarding background information and the basis of survey data that was presented, and whether the Commission coordinated their planning efforts with the Leon Valley Historical Society.

Further discussion ensued related to the current budget and the request by the Mayor to prioritize initiatives and conduct a cost analysis of the goals listed in the Master Plan.

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Mr. Al Uvietta, 6923 Sunlight Drive, spoke to Regional Park planning for the natural areas and to his support of the park plan being updated. He further spoke to budgetary issues that have never before come before the Leon Valley Parks Commission in the past, and to his objection to the Leon Valley Historical Society being consulted with since the parkland is owned by the City.

Mr. Bieber stated that it is an ideal time to discuss the working relationships of Leon Valley Parks Commission and staff, and encouraged working together to move forward with this current budget.

Councilman Bieber made a motion to approve the Master Plan. Mr. Reyna seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, Bieber. Voting Nay: None. The motion passed.

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Item 2 The Leon Valley Economic Development Corporation (LVEDC) will provide a status report on current board activity and the proposed façade and signage program. (Stephen Ynostrosa/Herman Segovia) **M&C 2013-12-09-3**

Mr. Ynostrosa spoke to the great team that has developed with the Board, City Council and staff. He proceeded to report on the new façade and signage program. Mr. Ynostrosa commented on the eligibility criteria and the two (2) application periods – February 1 through March 15, and June 1 through July 15. Mr. Herman Segovia then presented information on attending ICSC conferences and working with The Retail Coach. He commented on the successful meetings with prospective retailers at the Dallas conference. In addition, Mr. Segovia explained how The Retail Coach provided good information and advice to the LVEDC and staff to prepare for the meetings with retailers. Ms. Mora, staff liaison to the LVEDC, then discussed the strategic planning process, and gave a budget update.

Councilman Bieber complimented the LVEDC and stated this is the direction that he had hoped to see. He then asked how the façade and signage program would work for a property owner (of a strip mall) who wanted to make improvements to his property. Specifically, would the matching funds be limited to \$10,000? Mr. Ynostrosa explained that the LVEDC would work with one business, and then work with the property owner to seek other interested businesses so that they could maximize use of the program. Each application would be considered on a case by case basis.

Councilman Diaz asked who will be reviewing the applications. Mr. Ynostrosa responded that staff would review the applications as they are received; then, they will be presented to the LVEDC. When asked about the timetable for review, the response was 45 days, to keep it open and a 30-day review period. After that time, applications would be considered by the Board. Councilman Diaz then asked how much money is set aside for program. Ms. Mora indicated that at this time, the Board did not want to restrict the amount in order to launch the program since there are not any competing projects.

Councilman Reyna asked if the LVEDC Board had considered requiring a guarantee from the property owner that rent does not get raised once the renovations are complete. Mr. Ynostrosa replied that the Board had not considered it; however, that being a great recommendation, he will bring up at the next Board meeting so that the Board could explore working with the property owners on this matter. Councilman Reyna commented that the presentation was the best economic development and LVEDC presentation he has seen.

Mayor Riley asked how the LVEDC will invest the funds; whether it would be in bonds. Mr. Ynostrosa stated that the LVEDC will not relinquish the funds for anyone to handle; that the Board will make sure that funds on hand are securely deposited within the constraints of public fund investment. The Mayor then asked for an approximate amount of sales tax deposited into the LVEDC account each month. Ms. Mora replied that, on average, approximately \$16,000 to \$23,000 has been collected each month in 2013. She also commented that there has been an approximate increase of 7% in sales tax collected in 2013 over the previous year. The Mayor asked what the license plate study revealed. Ms. Mora replied that busiest retail center in Leon Valley is the HEB Marketplace, and that it is attracting vehicles from outside LV. When asked when The Retail Coach contract was ending, Ms. Mora replied the work will finish this month and the LVEDC will make the final payment in January.

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Mr. Benny Martinez stated that he doesn't feel that the City and the LVEDC are moving fast enough with economic development. He asked about the Kinman House and when El Sol Bakery was coming to Leon Valley. Mr. Martinez then commented that in past meetings people have mentioned the (ugly) train car located just outside the city limits. He recommended that the City annex that area to square off the city and to clean it up.

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Ms. Mora stated that economic development does not occur overnight -- it takes time. In addition, she said that the City and LVEDC are planning for the future by working on an economic development strategic plan. Ms. Mora reported that El Sol Bakery has indicated that they are not looking to expand and will be staying at their current location.

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Item 4 **Citizens to Be Heard and Time for Objections to the Consent Agenda.**

Mr. Geraghty, 7315 Ellerby Point, discussed roadway signs with the city population to reflect current census data. Mr. Geraghty also spoke to the traffic on Bandera at Grissom Road, and suggested having TxDot make a welcome sign on the ramp off 410 to indicate Leon Valley "business district".

Mr. Olen Yarnell, 7230 Sulky Lane, spoke to language on the agenda regarding quorums of other elected or appointed board members being present at Council meetings and whether the statement precludes individuals from speaking on agenda items.

Ms. Judith Green, representing Texas Parks and Wildlife, discussed the importance of conserving acres of the natural area.

Ms. Carolina Macias, 6602 Huebner Rd., shared her appreciation of City staff and Council for actively addressing her water ponding on her street.

Ms. Lynn Joseph, 6424 Trotter, spoke to her concerns related to the panhandler issue occurring in front of Whataburger; graffiti in the Evers Road area; and potential flooding in the proposed hike and bike pathways which could impact the deer population.

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Councilman Reyna made a motion to approve the Consent Agenda in total. Councilman Diaz seconded the motion. The motion passed through consensus vote.

CONSENT AGENDA

Item 5 Approval of the November 18, 2013 Regular City Council Meeting Minutes.
(Callanen)

Item 6 Approval of the tax roll for the City of Leon Valley, Texas, for the 2013 tax year.
(V. Wallace) **M&C 2013-12-09-6**

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REGULAR AGENDA

Item 7 Presentation of the Development Process for the Huebner Creek Hike and Bike Trail (Jess Swaim, P.E./Moritz) **M&C 2013-12-09-7**

Mr. Jess Swaim, VP, IDS Engineering, provided a brief description of his professional background and introduced his fellow colleague, Mr. Thong Le, who were present to discuss their recent working efforts related to the Huebner Creek Hike and Bike Trail.

- January 9, 2014 a public meeting to get citizen input
- January 13 will discuss at council meeting

Following the presentation, discussion ensued between Mayor Riley and Mr. Swaim regarding the timeline for when he was contracted and began working on draft schematics presented; budget and expenditures; and communication issues.

City Manager Longoria discussed the work that is being done concurrently with the Bexar County LC 17 project. However, access to the Bexar County property will not occur until 2016-2017. In response to budgetary questions, Mr. Longoria also stated that the intent is to not seek any additional funds over what has already been budgeted.

Further discussion ensued among City Council and the consultant regarding the stages of the study needed to address environment impact questions, such as whether there are any protected plants or animal species that may be impacted.

In reply to a question posed by Councilman Ruiz, Mr. Swaim explained that his team has not yet coordinated with Fire and Police but will be doing as emergency service is critical when planning a project.

Mr. Benny Martinez, 6319 Rue Sophie, spoke against any encroachment into the natural area, and further spoke in opposition of any kind of motor vehicle allowed in a natural area.

Mr. Darby Riley, 6939 Forest Way, representing the Leon Valley Historical Society, spoke to the 10-year lease with the City and proposed to work with the City to come up with a way to leave the natural area as is.

Ms. Ann Gramling, 6113 Rue Sophie, spoke to her experience living near the natural area since 1970, and spoke in opposition to paved trails.

Dr. Otis Burnside, 6938 Forest Way, spoke in support of maintaining the natural area and wildlife, and to concerns with other public parks that have high bike traffic.

Ms. Kristina Koger, 6727 Sunlight Drive, spoke in opposition of concrete paths.

Ms. Rita Burnside, 6938 Forest Way, spoke to a brochure about Leon Valley and a concern with the direction the City is moving, and further spoke in opposition to the trail.

Ms. Irene Baldrige, 6360 Parsley Hill, spoke in support of the idea of placing "Welcome to Leon Valley" signage; and in opposition to adding concrete to the natural area.

Ms. Lynn Joseph, 6423 Trotter, spoke in support of placing the trails along the exterior of the natural areas, and in opposition to paved trails.

Mr. Charles Biasioli, 8701 Stirrup Circle, spoke to his concerns with budget and associated costs.

Mr. Matt Hodde, 5813 El Verde, asked if any consideration has been given to how the routes would be designed near the homes on El Verde, which he believes could be nice, but is concerned if it is routed along the exterior of the natural area, the trails would be even closer to front doors of residences on El Verde.

Mrs. Carol Poss, 7201 Huebner Road, spoke of her involvement with the Leon Valley Historical Society and giving tours to Boy Scouts that earn badges for identifying wildlife, and to her concern that proposed trails would wash away in rain.

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Mayor Riley read from a local ordinance regarding the natural areas that can serve as spaces for passive activities, and referenced a section regarding changes to the use of the park that is thought to require an election by the citizens.

Mr. Swaim addressed the question of moving a trail way near the front doors of residences and explained that there are things that can be done to maintain privacy on El Verde, and that residential concerns would be taken into account when developing the design of the trail.

Mayor Riley spoke to her concerns with the timeline.

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Mr. Olen Yarnell asked why the City is doing this before the Bexar County project is complete, and stated that he doesn't understand the rush.

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Mr. Longoria responded that he doesn't feel that we are rushing the process, considering it is 2014 money and we are just at the start of the process. He further stated that any concern related to the timeline, Mayor and Council could extend the process beyond January; however, as part of the process the first meeting we are having is the conversation tonight. Mr. Longoria also clarified for the public that there is not a "proposed trail" as of yet.

In responses to questions regarding the impact of delaying the process, Mr. Longoria explained the background of the Bexar County LC 17 project.

Mayor Riley clarified that based on her understanding of the MPO funding process, that there is not a rush to expend the funds, and stated that projects can be requested to be moved forward without losing funding. Mayor clarified for the record, that this was a conceptual design and showed a map of the trail alignment that she has used in conversations with the public.

Councilman Diaz discussed his knowledge of the project and understands the purpose of the public meeting on January 9th, and would like to see the item to come back in February to deliberate, which provides the engineer enough time to gather citizen input.

City Manager Longoria reiterated that we are at the beginning of the process, and doesn't want any misconception that there have been any decisions on the routes.

Councilman Biever discussed that the plan that was presented to the MPO was a conceptual plan used for the proposal.

Councilman Reyna asked what action will be proposed at the January 13th meeting.

In reply to Councilman Reyna, City Manager Longoria explained that after the public meeting on the 9th, the idea is to come back to council on the 13th to provide two options of how to proceed. In the meantime, Mr. Longoria stated he will be developing costs associated with the options.

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Vickie Jamvold, 7203 Poss Road, resident since 1968, spoke in opposition to the idea of a hike and bike trail.

Ms. Monica Donahue Alcocer, 5985 Aids Rd., requested information as to what will be presented on January 9th.

Mr. Swaim stated that he is planning on preparing large schematic drawings and will provide forms for citizens to fill out to provide feedback. Mr. Swaim will compile the comments and report back to City Council at the January 13th City Council Meeting.

In conclusion, Mr. Longoria clarified that the item on January 13th meeting will be used to hear the citizen feedback, and then take that feedback and come back in February for a final decision by City Council on the final trail routes.

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Item 8 Report and Possible Action on Feral Cat/Spay-Neuter-Release Initiative (R. Wallace) **M&C 2013-12-09-8**

Chief Wallace presented a PowerPoint presentation in which he recommended a method for implementing a Feral Cat-Spay-Neuter-Release Program for the City of Leon Valley to control the increased feral cat population.

Discussion ensued regarding the costs associated with the proposed veterinary options evaluated by staff.

Mayor Riley spoke to her experience to helping feral cats at her office downtown.

Councilman Diaz spoke to his observations of the local feral cat problem and asked questions related to cats that may be trapped yet have homes, and also asked about the facility proposed to temporarily hold spayed/neutered cats. Chief Wallace explained that the program would be for cats that appear to not have owners or homes, and that the facility to be used would be a holding area to keep the cats in their carrying cages, and out of the elements for the 24-hour required recovery period.

Councilman Diaz further spoke in support of other feral cat colony efforts such as those managed in the City of San Antonio.

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Lyn Joseph, 6423 Trotter, posed a question about the facility and the potential for volunteers.

Judith Green, representing Texas Parks and Wildlife, referenced a white paper available on their website related to feral cats and the impact to natural areas.

Vickie Jamvold, 7203 Poss Road, spoke in support of the benefits of this program.

Ms. Ann Gramling, 6113 Rue Sophie, as a member of the cat coalition, spoke to responsible ownership.

Councilman Reyna asked for clarification of the action being requested by Council.

Chief Wallace stated that staff was seeking direction to proceed with the recommended program for one year.

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Nicole Poor, 5614 Red Canyon, San Antonio Cat Coalition, explained that a Trap Neuter Release program is not a perfect solution; however, it is working in the City of San Antonio and other towns are realizing the benefits.

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Councilman Reyna made a motion to approve the recommendation by staff for a one year trial. Councilman Dean seconded the motion. The motion passed by consensus vote.

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Item 9 Presentation and discussion on Boards and Commissions Policy
(Callanen/Longoria) **M&C 2013-12-09-9**

Interim City Secretary provided a PowerPoint presentation of a proposed policy for handling board appointments, as directed by Council at the September 2013 City Council Meeting.

After the presentation, discussion ensued regarding the merits of the policy to streamline the process and provide a fair and equitable way to consider appointments and reappointments.

Councilman Reyna, spoke in opposition of the recommendations of adding term limits for Boards and Commissions, and spoke in support of all other recommendations, and requested an evaluation of the number people serving on each board and current vacancies.

Councilman Biever spoke to Tier I Boards and Commissions and his opinion that for only this tier, relatives should be ineligible to serve on the same board.

Mayor Riley discussed her role as Mayor and being solely responsible for recommending Boards and Commission member appointments for Council's approval, and to the privilege of appointing members as the Mayor and stated her disagreement with this switch to having it up to the full City Council. Mayor Riley also spoke in opposition to term limits and limiting spouses serving on boards other than Tier I boards and commissions. Mayor Riley spoke in favor of less restrictive residency requirements to allow for a broader base of expertise.

Councilman Reyna spoke in favor of the policy and the opportunities for members of the community who could be considered those who live and work in the city, but perhaps other can be ex-officio, or non-voting members, of a board or commission. Councilman Reyna further spoke to his confidence in staff to take the guidance given by Council to find other efficiencies in drafting a process.

Further discussion ensued related to holdover provisions and the impetus for this recommended policy; and to recruitment, the ethics and open meetings act training requirements for appointed members, as well as suggestions made for voluntary training opportunities.

Councilman Biever spoke in response to the Mayor's comments about the recruitment process and stated that he doesn't foresee the recruitment methods changing from individual recruitment efforts.

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Mr. Olen Yarnell spoke to his concern that this is addressing a problem that really hasn't been identified.

City Manager Longoria discussed the direction that was received from City Council to address inconsistencies in the current process.

Mr. Esquivel provided his observations and professional experience and suggested that the term performance plans shouldn't be used.

Direction was given to staff to incorporate input by City Council and bring policy back at the January 13th City Council Meeting.

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Item 10 At 12:05 a.m., Tuesday, November 10, 2014, the Council convened into closed session for the purpose of holding a discussion related to a proposed moratorium on non-charted financial institutions, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney).

The Mayor reconvened the regular City Council meeting at 12:34 a.m., and announced that no action was taken.

Ms. Flores, Community Development Director, provided a PowerPoint presentation related to the number of payday loan establishments in the City of Leon Valley, and provided information on the requirements in order to order a moratorium.

Chairman Guerra of the Zoning Commission provided recommendations by Zoning Commission. Further discussion ensued related to the next steps required to proceed and ideas for collaboration with TML and Bexar County Commission of Mayors to prepare for the Legislative Session.

Mayor Riley opened Public Hearing on Proposed Moratorium on Non-Chartered Financial Institutions at 12:40 a.m. at which time, there were no citizens wishing to speak.

Mayor Riley closed the public hearing at 12: 40 a.m.

Discuss and consider an ordinance adopting a moratorium on issuance of certificates of occupancy for Non-Chartered Financial Institutions pursuant to Chapter 51 of the Texas Local Government Code.

Councilman Reyna made a motion to approve the first reading the ordinance. Councilman Biever seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, Biever. Voting Nay: None. The motion carried.

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There being no further business, Mayor Riley adjourned the meeting at 12:45 a.m., Tuesday, December 10, 2014.

Chris Riley

Mayor Riley

Leticia Callanen

Leticia Callanen

Interim City Secretary

