

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
SEPTEMBER 20, 2011**

The City Council of the City of Leon Valley, Texas, met on the 20TH of September 2011 at 6:00 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 CITY COUNCIL MEETING – 6:00 P.M.

1. **Call to Order and Determine a Quorum is Present.** Mayor Riley called the Special City Council Meeting to order at 6 p.m. and asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, Baldrige, Dean, and Biever.

City Staff in attendance: City Manager Longoria, City Attorney Frank Onion, City Secretary Willman, Community Development Director Flores, Fire Chief Irwin, Finance Director Wallace, Human Resources Director Caldera, Librarian Trent-Miller, and Public Works Director Vick.

Also in attendance: Mr. Mark Granados, Principle, GFR Development Services, and Mr. Trey Jacobson, Director of Economic Development, Drenner & Golden, Stuart Wolff, L.L.P.

2. **Executive Session in Accordance with the Texas Government Code. The City Council of the City of Leon Valley convened in Executive Session Regarding the Fiesta Dodge Property, M&C # 09-07-11.**

The Leon Valley City Council convened in Executive Session at 6:00 p.m.

- A. Pursuant to Section 551.071, Consultation with Attorney, and
- B. Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body has Received from a Business Prospect that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations.

3. **Executive Session in Accordance with the Texas Government Code. The City Council of the City of Leon Valley convened in Executive Session Regarding the Town Center Project, M&C # 09-08-11.**

- A. Pursuant to Section 551.071, Consultation with Attorney, and
- B. Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body has Received from a Business Prospect that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations; or (2) to Deliberate the Offer of a Financial or Other Incentive to a Business Prospect Described by Subdivision (1).

4. **Executive Session in Accordance with the Texas Government Code. The City Council of Leon Valley convened in Executive Session Pursuant to Section 551.074, Personnel Matters, to Deliberate and Discuss the Employment, Duties, Discipline, or Dismissal of the Economic Development Director.**

5. The City Council of the City of Leon Valley having concluded Executive Sessions under Agenda Items 2 A & B, 3 A & B, and 4 reconvened into Open Session at 7:52 p.m. The City Council took no action.

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6. **Adjourn.** Motion by Councilman Reyna and second by Councilman Biever to adjourn the meeting.
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REGULAR CITY COUNCIL MEETING – 7:00 P.M.

1. **Call to Order, Determine a Quorum is Present, and Pledge of Allegiance.**
Mayor Riley called the Regular City Council Meeting to order at 7:53 p.m. Mayor Riley asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, Baldrige, Dean, and Biever.

City Staff in attendance: City Manager Longoria, City Attorney Frank Onion, City Secretary Willman, Community Development Director Flores, Economic Development Director Ryan, Fire Chief Irwin, Finance Director Wallace, Human Resources Director Caldera, Librarian Trent-Miller, and Public Works Director Vick.

2. **Citizens to be Heard and Time for Objections to the Consent Agenda.**

“Citizens to be Heard” is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council for which the subject was not posted on the agenda of that meeting, the Council may receive the information, but cannot act upon it at that meeting. They may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion by the Council.

The following persons spoke during the Citizens to be Heard expressing appreciation and support for Economic Development Director Rose Ryan and her efforts on their behalf as business owners and managers.

George Herrera, The Rockwell Grill & Bar, 6555 Bandera Road.

Mr. Herrera read two letters of support; from Tony Flores, President of the Leon Valley Area Chamber of Commerce, and from John Nikolaou, President, Water Works Car Washes & Detail Centers.

Ed Quisenberry, Optimal Health Therapeutic Body Work, 6502 Bandera Road.

Gayle Tribble, Bob’s Computer and Repairs, 6003 Forest Bend.

Rita Burnside, German Anyone?, 6938 Forest Way.

Walter Geraghty, Geraghty Tennis, 6553 Bandera Road.

Adam Valenzuela, Sari Sari Oriental Market, 5732 Wurzbach Road.

Other speakers in favor of retaining Ms. Ryan as Economic Development Director:
Carmen Sanchez, 7306 Ellerby Point.

Al Uvietta, 6923 Sunlight Drive.

Mike Davis, Leon Valley Economic Development Corporation President, 6634 Grist Mill.

Rose Ryan, Leon Valley Economic Development Corporation Staff Liaison, and Economic Development Director.

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There were petition forms favoring retention of Ms. Ryan as Economic Development Director with signatures from the above speakers and these additional persons: Al Baldrige, Business Owners' and Managers' Alliance Committee Chair, International Realty Plus.

Dr. Michael T. Kusiak, 6727 Cherryleaf.

Olen Yarnell, ECS Handyman Service. Mr. Yarnell spoke during the Citizens to be Heard at the end of the agenda.

Council Member Hill asked for Consent Agenda Item 4 to be removed for separate consideration.

Councilman Reyna asked for Consent Agenda item 6 to be removed for separate consideration.

Motion by Councilman Dean and second by Council Member Baldrige to approve Consent Agenda Item 5. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

5. Consider Approval of the Meeting Minutes of the September 6, 2011 City Council Meeting. (Caldera)

Consent Agenda

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council or have been previously discussed in Open Session and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests.

4. Consider Approval of the Meeting Minutes of the August 31, 2011 Special City Council Meeting Planning Workshop. (Willman)

Motion by Council Member Hill for the approval of the Meeting Minutes of the August 31, 2011 Special City Council Meeting with one correction: that her name be removed from the City Council Members attending. Councilman Reyna seconded the motion for approval. Voting in favor: Hill, Reyna, Baldrige, Dean, and Bieber. Mayor Riley announced the motion carried.

6. Consider Action on M&C # 09-09-11 with Attached Ordinance Providing for the Staggering of Terms of Office for Members of the Board of Directors of the Leon Valley Economic Development Corporation (LVEDC); Creating Place Numbers and Assigning Members to the Various Places on the Board; and Establishing Procedures for Appointment of Members to the Board of Directors of the Leon Valley Economic Development Corporation (LVEDC). (Longoria)

Councilman Reyna asked for a synopsis of the Ordinance before the City Council for consideration. City Manager Longoria addressed the specific Place Number Assignments and Terms of Office for the current Members of the Board of Directors of the Leon Valley Economic Development Corporation.

Motion by Councilman Reyna and second by Councilman Dean to approve the Ordinance as presented. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor

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Riley announced the motion carried.

Regular Agenda

7. Consider Action on M&C # 09-10-11, Approval of A Fund Balance Policy As Required By The Government Accounting Standards Board (GASB) Statement 54 With Attached Ordinance. (Wallace)

Finance Director Wallace introduced this agenda item outlining the specifics as being needed to comply with the Governmental Accounting Standards Board (GASB) Statement 54 issued in February 2009. The new requirements are effective for Fiscal Year ending September 30, 2011. Ms. Wallace explained that the Statement substantially changes how fund balances are categorized. The GASB Statement 54 is intended to improve the usefulness of the amount reported in fund balance by providing more structured classifications. The Statement applies to fund balance reported in the General Fund and does not apply to Enterprise Funds, Internal Service Funds, and extremely restricted reserves. Ms. Wallace further noted that currently fund balance is classified as "reserved" or "unreserved." Unreserved fund balance may be further allocated into designated and undesignated.

Ms. Wallace indicated that purpose of the change is to provide a stable financial environment for the City of Leon Valley's operations that allows the City to provide quality services in a fiscally responsible manner designed to keep services and taxes as consistent as possible over time. The attendant fund balance policy is meant to serve as the framework upon which consistent operations are built and sustained.

Ms. Wallace noted that a major change reflected in the proposed Fund Balance Policy for the Committed Fund Balance is the amount designated for Natural/Man Made Disaster Emergencies. Currently, the City of Leon Valley Natural/Man Made Disaster Emergency Reserve of \$800,000 would only provide enough funds to operate the City for 1.40 months. Financial Advisors recommend that no less than three (3) months be "Committed" as a Natural/Man Made Disaster Emergency Reserve. Based on the FY 2012 budget, a three (3) months reserve would be \$1,720,290. The proposed policy proposes the recommended three (3) months reserve.

Motion by Councilman Reyna and second by Council Member Baldrige for the approval of the Ordinance and Attached Fund Balance Policy. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

8. Consider Action on M&C # 09-11-11, a Request to Award the Bid for Web Services for the City of Leon Valley to Revise in an Amount Not to Exceed \$11,900 Over a Three Year Period and Authorize the City Manager to Negotiate the Contract. (Caldera)

Human Resources Director Caldera introduced this agenda item detailing the process and staff members involved in seeking a new contract for professional services for design and construction of the City website. In defining the scope for a new contract and services, staff determined the purpose of a city website is to establish communication between the City and the public, provide an alternative method for conducting certain business with the City, and the dissemination of information related to policies, activities, and services.

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Ms. Caldera detailed the four phases of the selection criteria. She acknowledged those employees involved on both the Web Site Committee and the Critical Issues Action Team as essential to the selection and final review process. Fourteen proposals received were taken through the entire four phases of the selection criteria. Of the top three finalists, Revize was selected for recommendation.

Motion by Councilman Bieber and second by Councilman Dean to award the bid for web services to Revize in an amount not to exceed \$11,900 over a three year period and to authorize the city manager to negotiate the contract. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

9. Conduct a Public Hearing and Consider Action on M&C # 09-12-11, Amending Chapter 14, "Zoning," Appendix 1, "Land Use Chart," Section 14.02.381, "Permitted Use Table," to Verify that All Uses Listed in the Table are Properly Classified and Validated. (Flores)

Community Development Director Flores detailed the changes for consideration before Council. The proposed zoning amendments are the result of direction by the Mayor and City Council to the City Manager and staff in executive session to initiate review of amendments to the "Permitted Use Table," to verify and review "assembly" type uses and ensure that they are properly classified and validated.

Staff was given a listing of uses to review and together with City Attorneys Mick McKamie, Frank Onion, and TML-IRP assigned Counsel, Attorney Ryan Henry, who reviewed each use and made a recommendation for amendment. Once completed, these amendments were presented to the Zoning Commission and are now being brought back before the Mayor and Council.

The Zoning Commission reviewed the proposed amendments on August 23, 2011 and recommended that "playroom/birthday party room, children only," be moved to the "entertainment-indoor" classification and that all other revisions as noted by the staff be made as directed by legal counsel by a vote of 7-0.

Zoning Commission Chair Guerra addressed the City Council affirming the Commission's study of the use table changes. He noted the Zoning Commission's recommendation, in particular, the move of the "playroom/birthday party room, children only" use to the "entertainment-indoor" classification.

- A. Open Public Hearing.** Mayor Riley announced the Public Hearing open at 9:12 p.m. with the following persons coming forward to speak:
Al Uvietta, 6923 Sunlight Drive, spoke in support of the art gallery / museum change as suggested by Council Member Hill.

George Herrera, 6555 Bandera Road, spoke to the dismissal of uses, indicating that restrictiveness may not be good for the City of Leon Valley. He indicated that the City needs to be as friendly as possible regarding uses allowed in the table.

- B. Close Public Hearing.** Mayor Riley announced the Public Hearing closed at 9:19 p.m., there being no other persons to come forward to speak.

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- C. Action by City Council.** Motion by Council Member Hill and second by Councilman Bieber to approve the proposed zoning amendments with these changes; to consider allowing art gallery / art museum in B1-B2. City Attorney Onion spoke to moving the use of museum into an unspecified category as it would involve large assembly type of gatherings. Following Council discussion, Council Member Hill withdrew her motion and Councilman Bieber withdrew his second.

Motion by Council Member Hill and second by Councilman Bieber to accept the amendment of the permitted use table with the exception of the art gallery which will stay in the B1/B2 category. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Discussion Agenda

- 10. Report and Discuss Activities to Commemorate the 60th Anniversary of the City of Leon Valley and to Commemorate the Sesquicentennial (150th) Anniversary of the Huebner-Onion House, M&C # 09-13-11. (Mayor Riley)**

Mayor Riley announced that she asked Council Member Hill to co-chair the effort of the City of Leon Valley as it plans activities to commemorate the 60th Anniversary of the City of Leon Valley and to commemorate the Sesquicentennial (150th) Anniversary of the Huebner-Onion House. Council Member Hill will be working co-chairing the efforts along with the Leon Valley Historical Society.

- 11. Update on Progress of Town Center Project, M&C # 09-14-11. (Longoria)** City Manager Longoria reported that the progress on the Town Center Project has been delayed due to the Development Agreement never having been finalized during the transitioning between city managers. Mr. Longoria reported that the City of Leon Valley and the City of Leon Valley Economic Development Corporation Board have retained the firm of Drenner & Golden, Stuart Wolff, L.L.P. to aid in moving the City and the LVEDC through the economic development processes related to the Town Center Project. Mr. Longoria announced that development is being done on a performance-based agreement which is designed to eliminate the risk to all parties involved.

- 12. City Manager's Report. (Longoria)**

- A. (1) Informational Issues.** Mr. Longoria announced that the City of Leon Valley City Hall is now Wi-Fi capable so that persons may access the Internet for public use.

Finance Director Vickie Wallace received a Certificate in Excellence in Financial Reporting from the Government Finance Officers Association.

Poss Road Street Construction Update. Public Works Director Vick informed the City Council that the staff signed the contract with San Antonio Constructors as authorized by previous Council action. The work will be from Cherryleaf to Bandera and is expected to take approximately 90 days between September 12 and December 12.

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- (2) Monthly Departmental Reports. No questions were asked of staff regarding the Monthly Departmental Reports.
- (3) Financial Statement for the Month of August 2011. Finance Director Wallace briefed the City Council on the monthly Financial Statement for August 2011.

B. Future Agenda Items.

- (1) Renewal of Juvenile Curfew Ordinance, October 3, 2011.
- (2) Towing Contract, November, 2011.
- (3) Library Architecture Design Service Contract.
- (4) Smoking Ordinance Report, October 3, 2011.
- (5) Report Activities to Strengthen the City of Leon Valley's Code of Ordinances, October, 2011.
- (6) Appointments to the LVEDC Board.
- (7) Elections Legislation-Mandated Update, October 18, 2011.

13. Citizens to be Heard.

Al Uvietta, 6923 Sunlight Drive, remarked on the stability of the work done on the trail stabilization in the Natural Area. He checked the work following a heavy rain. He also thanked the City staff for their work on the triangle in the Natural Area remarking on the clean-up efforts.

14. Announcements by the Mayor and Council Members.

At this time, reports about items of community interest regarding which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley Council or a City official.

Community Events:

Council Member Baldrige announced the Leon Valley Historical Society's 11th Annual Fund Raising Event, the Huebner-Onion Italian Dinner & Silent Auction, benefiting the Historic Huebner-Onion Homestead, on Friday, October 28th at the Leon Valley Community Center. Mrs. Baldrige indicated tickets are available at \$35 per person.

Mrs. Baldrige also announced the Special Educational component that is part of the Tree Advisory Board (TAB) Meeting on September 21st being conducted by Paul Johnson, Regional Urban Forester, of the Texas Forest Service. The TAB Meeting begins at 6:30 p.m. and the public is encouraged to attend and hear a presentation on *Living with Trees During an Exceptional Drought*.

Mayor Riley thanked Leon Valley Public Librarian Joyce Trent for the excellent program provided as part of the recent fund raiser for the Children's Wing of the Leon Valley Public Library. Mayor Riley informed the Council that Waste Management's Albert Perez committed to donating two tickets to a Dallas Cowboys game in December towards the fundraising effort for the Children's Wing.

Next Quarterly Walk with the Mayor takes place on Saturday, October 8th at 8:30 a.m. the Walk will be around the Shadow Mist Subdivision circle of streets. Mayor Riley

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announced a meeting place is being determined and asked the assembly to look for more details in the Weekly ENews.

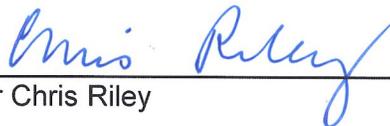
The City Council and staff sang the Birthday Song to the City Secretary whose birthday is on Monday.

Executive Session

15. 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).

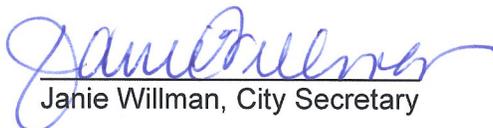
There was no Executive Session held under this agenda item.

16. **Adjourn.** Motion for approval at 9:52 p.m. by Councilman Dean and second by Council Member Baldrige. There being no other business to come before the City Council, Mayor Riley adjourned the meeting.



Mayor Chris Riley

ATTEST:



Janie Willman, City Secretary

