

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
OCTOBER 18, 2011**

The City Council of the City of Leon Valley, Texas, met on the 18th of October 2011 at 7:00 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:

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 7:00 p.m. Mayor Riley asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, Baldrige, and Dean. Councilman Biever was excused from the meeting due to a prior commitment.

City Staff in attendance: City Manager Longoria, City Attorney Onion, City Secretary Willman, Finance Director Wallace, Human Resources Director Caldera, and Police Chief Wallace.

Mayor Riley led the assembly in the Pledge of Allegiance.

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 concerning Economic Development Director Rose Ryan:

Ogden Chamberlain.

Gail Tribble, 6003 Forest Bend, Leon Valley.

Al Baldrige, 6368 Parsley Hill, Leon Valley.

Steven Price, 6300 Rue Marie Lyne, Leon Valley.

Rose Ryan, Leon Valley Economic Development Corporation Staff Liaison, and Economic Development Director. Ms. Ryan read a petition into the record of business owners supporting Ms. Rose Ryan.

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

Tony Flores, President, Leon Valley Area Chamber of Commerce.

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.

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Motion by Councilman Reyna and second by Councilman Dean to approve Consent Agenda Items 3,4, 5, 6, 7, and 8. Voting Aye: Hill, Reyna, Baldrige, and Dean. Voting Nay: None. Absent: Biever. Mayor Riley announced the motion carried.

3. **Consider Approval of the Meeting Minutes of the September 27, 2011 Special City Council Meeting. (Willman)**
4. **Consider Approval of the Meeting Minutes of the October 3, 2011 Regular City Council Meeting. (Willman)**
5. **Consider Approval of the Meeting Minutes of the October 4, 2011 Special City Council Meeting (National Night Out). (Willman)**
6. **Consider Approval of the Quarterly Investment Report for the Quarter Ended September 30, 2011, M&C # 10-08-11. (Wallace)**
7. **Consider Approval of the Annual Investment Report, M&C # 10-09-11 (Wallace)**
8. **Conduct Annual Review and Consider Adoption of the City of Leon Valley's Amended Investment Policy with Ordinance, M&C # 10-10-11. (Wallace)**

Regular Agenda

9. **Conduct a Public Hearing on Taxing Tangible Personal Property in Transit Which Would Otherwise Be Exempt Pursuant to Texas Tax Code Section 11.253 and Consider Adoption of an Ordinance That Authorizes The City To Continue To Tax These Goods, M&C # 10-11-11. (Wallace)**

Finance Director Wallace informed the City Council this agenda item allows the City of Leon Valley to continue to tax tangible personal property in transit if the ordinance presented is adopted. During the 2011 Special Legislative Session, the Texas Legislature updated section 11.253 of the Texas Tax Code, which was originally passed in the 2007 Legislative Session. The updated Section 11.253 requires a taxing unit to take action after October 1, 2011 but before December 31, 2011, if it wants to continue to tax these goods.

- A. **Open Public Hearing.** Mayor Riley opened the Public Hearing at 7:34 p.m.
- B. **Close Public Hearing.** Mayor Riley closed the Public Hearing at 7:34 p.m. as no one came forward to speak.
- C. **Action by City Council.** Motion by Council Member Baldrige and second by Council Member Hill to adopt an ordinance of the City of Leon Valley to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253. Voting Aye: Hill, Reyna, Baldrige, and Dean. Voting Nay: None. Absent: Biever. Mayor Riley announced the motion carried.

Discussion Agenda

10. **Report on Initiation of the Process to Obtain a Provider for Towing Services for the City of Leon Valley, M&C # 10-12-11. (Chief Randall Wallace)** Police Chief Wallace informed the City Council about the process proposed to obtain a provider for towing services for the City of Leon Valley. Chief Wallace detailed the process outlined including an advertisement period for a minimum of two weeks and scoring criteria that will be used to evaluate the Requests for Proposals (RFPs) received. He noted that the criteria will consist of company qualifications, driver qualifications, pricing, additional services, revenue, and storage facility with points awarded within each category.

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The City Council asked that the advertisement period be extended to 30 days. They discussed potential wrecker responses.

Steven Price, 6300 Rue Marie Lyne, asked the City Council to ensure that liability insurance is included in the criteria process. Staff affirmed that liability insurance is a requirement of the State and is therefore contained in the RFP criteria.

Don Banis, Banis Towing, 6213 Grissom, addressed the City Council affirming his Towing services.

11. Report on Elections Legislation-Mandated Changes Regarding Senate Bill (SB) 100, M&C # 10-13-11. (Willman)

City Secretary Willman updated the City Council on the effect of Elections-mandated changes regarding Senate Bill (SB) 100. Ms. Willman explained that SB 100 is Texas' effort to implement federal legislation designed to help overseas military personnel participate in elections. She noted that two key changes included moving the date from primary runoffs from April to May in even-numbered years for Presidential Primary Elections. This change causes primary runoffs to overlap with local government elections. In order to give county elections administrators some options, the Legislature authorized county elections administrators the right to refuse to handle municipal elections. Willman pointed out the additional cost of electronic voting machines promulgated by the Help America Vote Act in 2006, and the added cost of additional staffing during the overlap period. She emphasized that in Bexar County, Ms. Jacque Callanen, Bexar County Elections Administrator, had agreed to continue providing municipal elections support, and that the City of Leon Valley's cost of the estimated additional \$20,000 will be ten percent. It was noted that the City Council will need to authorize a budgetary adjustment to offset the estimated additional cost next Spring. The uniform Election Date in May 2012 is Saturday, May 12, 2012.

12. Update on Progress of Town Center Project, M&C # 10-14-11. (Longoria) City Manager Longoria reported no new developments other than business points had been completed on the Development Agreement. Mr. Longoria reported on October 3 that the the business points are under review and being evaluated. A mediation meeting on the Town Center Project is scheduled for October 27.

13. City Manager's Report. (Longoria)

- A.** Informational Issues. It was reported that the Police Department will be serving as a collection site for dangerous controlled substances on Saturday, October 29 between the hours of 10 a.m. and 2 p.m. as part of the U.S. Drug Enforcement Administration's program, Living Drug Free Starts at Home. Mayor Riley announced that Walgreen's also has an ongoing program that supports the collection of unused medications.

The City Council will participate in a photography session preceding the next City Council Meeting on November 1. The photos taken will be used on the City's new website. Staff will inform the City Council of the time to come for the photo session.

Mr. Longoria highlighted some of what he and the City Council learned at the Texas Municipal League Conference in Houston.

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- B. Monthly Departmental Reports. There were no questions regarding the Monthly Departmental Reports.
 - C. Approved Minutes of City-Affiliated Boards, Committees, and Commissions. The City Manager explained this item will be carried on a regular basis on future agendas with copies of approved meeting minutes. This will allow the City Council to be informed of the work of its boards, committees, and commissions. Staff liaisons will begin providing approved minutes effective for meetings held in September 2011.
 - D. Financial Statement for the Month of September 2011. Finance Director Wallace shared highlights of the September 2011 Financial Statement.
 - E. **Future Agenda Items.**
 - (1) Appointments to the LVEDC Board.
 - (2) Report Activities to Strengthen the City of Leon Valley's Code of Ordinances, November 2011.
 - (3) Smoking Ordinance Report, November, 2011.
 - (4) Report on Activities to Commemorate the 60th Anniversary of the City of Leon Valley and to Commemorate the Sesquicentennial (150th) Anniversary of the Huebner-Onion House, November, 2011.
14. **Citizens to be Heard.** Rudy Garcia, 6819 Evening Sun Drive, asked the City to resolve the issues related to Economic Development when possible so that the City can re-focus its efforts on Economic Development.

Steven Price, 6300 Rue Marie Lyne, asked the City Council to consider a spot near the InTown Suites which is lacking concrete which creates a problem for persons using disability carts for transportation. He noted that without sidewalks there is no access on that side of the street for the disabled.

15. **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 or Council Announcements:

Council Member Hill shared that the Texas Municipal League Conference was a very good opportunity to learn more about how other cities deal with the same kinds of issues that the City of Leon Valley faces. She noted that there were lots of opportunities to learn about economic development, code enforcement, and youth leadership programs.

Councilman Reyna indicated that this year's TML Conference was a good one. He shared that information is available on the TML website following the conference. Staff was requested to place a web link to the TML Conference materials on the City's website.

Council Member Baldrige announced that the Leon Valley Historical Society still has tickets available for its annual fund raising dinner on October 28.

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Councilman Dean expressed the City Council's sympathy of the loss of Mayor Riley's father over the weekend.

Mayor Riley thanked the Council and staff for its support during the recent loss of her father. She spoke of her father and his legacy of his family and values. She continued speaking about the positive experience of the TML Conference noting social media including Twitter and Facebook website use by other cities. She noted that the City of Brownsville amongst others banned plastic bags. She asked the City Council to look at its ordinance and encouraged Leon Valley to become the leader of that initiative in Bexar County. She announced the \$3 million grant through VIA which will include an extension of the VIA Primo into Leon Valley. She announced the press conference at the VIA Administration on Friday at 1:30 p.m. and invited the City Council to attend. Mayor Riley announced that Early Voting begins on October 24 for the Street Maintenance Sales Tax Election.

Executive Session

16. 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 held under this agenda item.

17. **Adjourn.** There being no other business to come before the Council, Mayor Riley adjourned the meeting at 8:20 p.m.



Mayor Chris Riley

ATTEST:


Janie Willman, City Secretary

