

Item

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
NOVEMBER 1, 2011**

The City Council of the City of Leon Valley, Texas, met on the 1st of November 2011 at 6:30 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 CITY COUNCIL MEETING – 6:30 P.M.

1. Call to Order and Determine a Quorum is Present.

Mayor Riley called the Special City Council Meeting to order at 6:29 p.m. Mayor Riley asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, Baldrige, Dean, and Bieber.

City Staff in attendance: City Manager Longoria, City Attorney McKamie, City Secretary Willman, Community Development Director/Interim Economic Development Director Flores, Human Resources Director Caldera, and Police Chief Wallace.

2. Executive Session in Accordance with the Texas Government Code.

A. The City Council of the City of Leon Valley convened in Executive Session at 6:30 p.m., pursuant to Section 551.074, Personnel Matters, to deliberate the duties and responsibilities of Public Officers, the City of Leon Valley Economic Development Corporation Board Members, Related to Upcoming Appointments to the Board of the City of Leon Valley Economic Development Corporation, M&C # 11-01-11.

B. The City Council of the City of Leon Valley reconvened into Open Session at 7:15 p.m. and took no actions resulting from the Executive Session.

3. Adjournment. Motion for adjournment by Councilman Reyna and second by Council Member Baldrige at 7:15 p.m. There being no other business to come before the Council, Mayor Riley adjourned the meeting at 7:15 p.m.

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 7:16 p.m. Mayor Riley asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, Baldrige, Dean, and Bieber.

City Staff in attendance: City Manager Longoria, City Attorney McKamie, City Secretary Willman, Community Development Director/Interim Economic Development Director Flores, Fire Chief Irwin, Human Resources Director Caldera, Library Director Trent, and Police Chief Wallace.

Council Member Baldrige 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

Item

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
NOVEMBER 1, 2011**

requestor or request that the issue be placed on a future agenda for discussion by the Council.

Olen Yarnell, 7230 Sulky Lane, addressed the City Council regarding his suggestion about a Library Bucks Program. He suggested that the program be copied after the Parks Bucks Program.

The following persons addressed the City Council concerning Rose Ryan's employment status:
Al Baldrige, 6368 Parsley Hill Lane.
Rose Ryan, former Economic Development Director.
Mike Davis, 6634 Grist Mill.

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.

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

3. **Consider Approval of the Meeting Minutes of the October 18, 2011 Regular City Council Meeting. (Willman)**
4. **Consider Approval of the Meeting Minutes of the October 19, 2011 Special City Council Meeting. (Willman)**

Mayor Riley announced that there was one correction to Consent Agenda Item 5 and that would be the appointment of Mr. Ruiz only to the BOMA and the Community Events committees due to the Capital Facilities Committee being at full membership capacity.

Motion by Councilman Reyna and second by Council Member Baldrige to appoint Mr. Ricardo Ruiz to the BOMA and Community Events committees. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

5. **Consider Action on M&C # 11-02-11, Appointing Members to the City's Boards, Committees, and Commissions: Business Managers' and Owners' Alliance Committee (BOMA), Community Events Committee, and the Capital Facilities Committee. (Mayor Riley)**

Discussion Agenda

6. **Discussion and Update of the American Textile Recycling Service (ATRS) Boxes for Future Consideration of the Expanded Use of the ATRS Boxes, M&C # 11-03-11. This agenda item is a follow-up report to the City Council on the initial six month trial of a non-attended recycling bin for textiles and recycling service program-related materials. (Jonathan Vela, ATRS)** On February 1, 2011, the City Council authorized

Item

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
NOVEMBER 1, 2011**

the City Manager to allow a single ATRS box for a six month trial basis to evaluate the program. This agenda item is the follow-up discussion on the six month trial basis.

Jonathan Vela, Community Relations Coordinator for ATRS, updated the City Council on the following points regarding the un-attended donation station textiles recycling box. He noted changes in the box logo, the success in keeping the box clean and graffiti free, that the City has been paid \$250 since the program began resulting from the two plus tons of textiles recycled using the collection box. Mr. Vela asked that the Council place four more additional boxes throughout the City in high-trafficked areas to increase collection and to grant ATRS the exclusive right to provide this kind of service to the City.

The Council's input included various location suggestions for additional boxes, whether or not to add this use to the zoning table of uses, whether to authorize additional un-attended donation station boxes, whether to grant ATRS an exclusive contract, and the attendant issue of equity to other potential providers for the same kind of service. City Manager Longoria committed to bringing back a report on an approach of how best to proceed with this program.

7. **Community Yard Sale, M&C # 11-04-11.** *This agenda item is to allow the Council to discuss community yard sales in response to an idea proposed by a resident during the City Council's National Night Out meeting. (Mayor Riley)*

Mayor Riley introduced this agenda item. The Council discussed the different aspects of a community yard sale including advertising, the positive benefits of recycling through the re-sale of still serviceable items, and the attraction of persons from outside the City. Mr. McKamie indicated that the City Council could authorize a community yard sale by taking a vote on it. Mayor Riley indicated she would contact the resident who raised the topic.

8. **Report Update on Initiation of the Process to Obtain a Provider for Towing Services for the City of Leon Valley, M&C # 11-05-11.** This agenda item is to allow the City Council to receive an update on the progress of process to obtain a provider for towing services in the City of Leon Valley; initially reported to the Council on October 18, 2011. **(Chief Wallace)**

Chief Wallace detailed how the point system would be built into the Request for Proposals (RFP) for Towing Services for the City of Leon Valley. He went through a presentation that specified the criteria for assigning points as part of the RFP evaluation process.

The City Council questioned and discussed several specific areas of how the scoring will work in the RFP. The first question was about whether the towing companies will be bound by the tow pricing provided in the RFP answers. Staff answered that based on the information being provided was in response to a specific scenario, that the towing companies will not be bound to the pricing provided. A question was raised regarding the charge of administrative fees, as to whether it would be figured on percentages or a dollar figure. The City Manager answered that typically companies will describe it in RFPs and agreements as a percentage of the tow fees the towing company is

Item

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
NOVEMBER 1, 2011**

assessing. It was noted that some administrative fees are described in numbers of dollars. Mr. Longoria noted that the City of Leon Valley is leaving this area open for towing companies to describe how the administrative fees will be assessed. Another area questioned is how the number of points will be assigned based on companies joining together in joint ventures to quantify the number of years of experience. There was discussion about whether amounts for administrative fees should be quantified in dollars versus percentages. Also discussed was the effect of wait versus actual tow or work time.

City Manager Longoria suggested to the Council that staff will do a survey of other cities to see what kind of percentages they have applied to the contracts and report the finding of the survey to the City Council before the RFP scoring matrix is finalized.

The issue of equity was raised, Council inquired about ensuring that historically underutilized businesses be approached to ensure access to the City's procurement. City Manager Longoria assured the Council that the City is using the State-prescribed procurement process. He detailed the complexity of adopting and using a HUB-based policy as requiring very extensive study and cost to assess disparity in treatment as the basis for its need, use, and adoption. Council asked the City Manager to do what he can to ensure small businesses have the opportunity to compete in the procurement process in Leon Valley.

9. **Discussion of Chapter 6, "Health & Sanitation," Article 6.05, "Smoking Regulations." M&C # 11-06-11.** *This agenda item is to allow the City Council to receive a report from the Department of Community Development on a concern from a resident about enforcement of the City's Smoking Ordinance. (Flores)*

Community Development Director Flores reported to the Council that this complaint had been thoroughly checked. She answered the City Council's questions regarding the City's Smoking ordinance and regulations. Ms. Flores reported that smoke fumes and smell were determined to be unfounded during the incident investigation. The property manager, Greenblum Investments, installed a power vent at the expense of \$2,500 and engaged two third party contractors to report back regarding the complaint of smoke or the presence of nicotine in the air. The contractors reported that Bandera Bowling Alley's air quality was found to be acceptable and there was no nicotine present. It was noted that there are nine additional vented charcoal filters installed with regular maintenance. It was further noted that smoking is not allowed during family friendly hours from 8 a.m. to 7 p.m. Staff's recommendation of that the current smoking ordinance appears to be adequate and that no change to the smoking ordinance be made at this time unless so directed by the Council. The Council thanked Ms. Flores and her staff for their thorough work on this complaint. The Council did not direct any changes to the City's current Smoking Ordinance and regulations.

10. **Discussion for Future Consideration of Revisions to Chapter 3, "Signs," Article 3.04.013, "Temporary Signs." M&C # 11-07-11.** *This agenda item is to allow the City Council to receive a report and discuss the proposed temporary sign revisions as developed through the work of the ad-hoc Sign Committee. (Flores)*

Item

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
NOVEMBER 1, 2011**

Community Development Director Flores detailed the history of this agenda item and how the revisions were studied and brought forth through the Council's ad-hoc committee. Council discussed the rubric and made some suggestions. Council discussed the need to educate the City's businesses of the proposed changes using the Business Owners and Managers Alliance (BOMA), the City of Leon Valley Economic Development Corporation, and the Leon Valley Area Chamber of Commerce. It was discussed that what is proposed seems to be a reasonable compromise between what was and what is proposed. There was some question about code enforcement of garage sale permits and signs placed too early or left out after the permitted sale time. It was suggested to change the Saturday 6 a.m. start time to Friday evening at 6 p.m. with Sunday at 8 p.m. being fine as the time to remove signs. The Council reached a consensus to leave holiday weekends as suggested. Staff agreed to make the recommended changes and bring the agenda item back to allow the Council to officially consider adopting the changes at a future meeting.

- 11. Update on Progress of Town Center Project, M&C # 11-08-11.** *This agenda item is to allow the City Council to receive a status report from the City Manager regarding the progress of the work on the Town Center Project. (Longoria)*

City Manager Longoria reported that there was mediation meeting the week before. There is an Executive Session later this evening to report on the legal issues related to the ongoing Town Center Project work.

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

A. Informational Issues. City Manager Longoria asked the City Secretary to report on the upcoming Elections dates, times, and important events relating through the end of the Special Election for the Street Maintenance Sales Tax. City Secretary Willman noted important facets of the Special Election through the anticipated date of the Election Canvass on November 15.

Mr. Longoria also reported that over 200 pounds of drugs were turned in to the Police Department as part of the U.S. Drug Enforcement Administration's program to collect and dispose of outdated and unused narcotic medications. Mayor Riley noted that there is a program that residents may call for hazardous waste one time per year based on a countywide grant.

The City Manager announced the upcoming VIA-BRT (Bus Rapid Transit) Planning Workshop Meeting on Thursday, November 10 from 1 p.m. to 5 p.m.

Mr. Longoria introduced the next agenda item informing the Council that starting with the September 2011 approved meeting minutes of the Council's different boards, this will be a standing agenda item to encourage linkage between the work the boards do and the City Council. He indicated it is a furtherance of transparency and allows the community to remain current on the meetings of the various City boards and committees.

Mr. Longoria reported that the City Council has set a goal of completing the appointments process to the Economic Development Corporation by the

Item

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
NOVEMBER 1, 2011**

January 17, 2012 City Council Meeting.

Regarding the upcoming agenda item on strengthening the Code of Ordinances, the City Manager indicated focus will be given on Code Compliance-related programs such as the one demonstrated in the City of Farmers Branch at the recent TML Conference.

B. Approved Minutes of City-Affiliated Boards, Committees, and Commissions. *This agenda item is to allow the City Council to review the work of its boards, committees, commissions, and affiliated City boards through the publication of approved meeting minutes on an ongoing basis.*

(1) Leon Valley Economic Development Corporation Meeting Minutes of September 28, 2011.

(2) Leon Valley Zoning Commission Meeting Minutes of September 27, 2011.

(3) Earthwise Living Committee Meeting Minutes of September 13, 2011.

C. Future Agenda Items.

(1) Appointments to the Leon Valley Economic Development Corporation Board.

(2) Medical Director Contract, November 15, 2011.

(3) Canvass the Results of the Street Maintenance Sales Tax Election, November 15, 2011.

(4) Report Activities to Strengthen the City of Leon Valley's Code of Ordinances, November 15, 2011.

(5) 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, December, 2011.

Council Member Hill reported that the first meeting is planned on the commemoration activities before Thanksgiving. She indicated she has been talking with a number of persons who want to be involved to increase the available pool of people available to add to the energy and ideas in staging the event.

13. Citizens to be Heard. There were no citizens to be heard.

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:

Early Voting through 11-04-11

Street Maintenance Sales Tax Election Early Voting Begins at the Leon Valley Conference Center, 6421 Evers Road, and continues through 10 – 28 from 8 a.m. to 6 p.m., 10 – 29 from 10 a.m. to 6 p.m., 10 – 30 from 12 p.m. to 6 p.m., 10 – 31 through 11 – 04 from 8 a.m. to 8 p.m., Election Day, 11 – 08, 7 a.m. – 7 p.m.

Item

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
NOVEMBER 1, 2011**

- 11-03-11 **Community Meeting at 6:30 p.m., Bexar County Flood Control, Leon Valley Conference Center, 6427 Evers Road, Leon Valley.**
- 11-10-11 **VIA Bus Rapid Transit (BRT) Charrette, 1 p.m.-5 p.m., Leon Valley Conference Center, 6421 Evers Road, Leon Valley.**
- 11-12-11 **Annual Leon Valley Arbor Day, Saturday, 9 a.m. – 12 Noon, Leon Valley Public Library and Leon Valley Conference Center Courtyard, 6421 Evers Road, Leon Valley.**
- 12-03-11 **Breakfast with Santa, Saturday, 8:30 a.m. – 10:30 a.m., Leon Valley Community Center, 6427 Evers Road, Leon Valley.**
- 12-05-11 **Leon Valley Tree Lighting Ceremony, Monday, 6:30 p.m. – 8:30 p.m., Leon Valley Community Center, Leon Valley.**
- 12-11-11 **Holiday Concert, Sunday, 2:30 p.m. – 4 p.m., Leon Valley Community Center, 6427 Evers Road, Leon Valley.**

Council Member Baldrige thanked those persons who attended and participated in the Annual Fund Raiser hosted by the Leon Valley Historical Society to benefit the historic Huebner-Onion House.

Councilman Biever indicated the TML seminar on Code Enforcement was a good program.

Mayor Riley announced that the Leon Valley Historical Society is partnering with the Jesus Christ of Latter Day Saints Mormon Church in the community to work an upcoming clean-up event of the natural area.

The City Council presented Council Member Baldrige with a birthday cake, a card, and sang the birthday song honoring her recent birthday.

Executive Session

- 15. **Executive Session in Accordance with the Texas Government Code.**
The City Council of the City of Leon Valley convened in Executive Session at 8:55 p.m. regarding the Fiesta Dodge Property, M&C # 11-09-11.
 - A. Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information 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.
 - B. The City Council of the City of Leon Valley reconvened into Open Session at 10 p.m. and did not take any actions resulting from the Executive Session.
- 16. **Executive Session in Accordance with the Texas Government Code.**
The City Council of the City of Leon Valley convened concurrently in Executive Session at 8:55 p.m. regarding the Town Center Project, M&C # 11-10-11.
 - A. Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body Seeks to

Item

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
NOVEMBER 1, 2011**

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.

- B.** The City Council of the City of Leon Valley reconvened into Open Session at 10 p.m. and took no actions resulting from the 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).

There was no Executive Session held under this agenda item.

- 18. Adjourn.** Motion by Councilman Reyna and second by Councilman Biever to adjourn. With no other business to come before the City Council, Mayor Riley adjourned the meeting at 10 p.m.



Mayor Chris Riley

ATTEST:


Janie Willman, City Secretary

