

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
MARCH 15, 2011**

The City Council of the City of Leon Valley, Texas, met on the 15<sup>th</sup> day of March, 2011 at 6 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:

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**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 5:58 p.m. and asked that the minutes reflect that the following City Council Members were present: Garcia, Reyna, Baldrige, Dean, and Nelson.  
  
The following staff members and invited guests were present: Interim City Manager Brummett, Assistant City Attorney Onion, City Secretary Willman, and Attorney Ryan Henry, Attorney, Denton, Navarro, Rocha & Bernal, P.C.
  2. **Executive Session in Accordance with the Texas Government Code**  
The Leon Valley City Council convened in Executive Session at 5:58 p.m. as authorized by Texas Government Code, Section 551.071, Consultation with Attorney, Regarding the Elijah Group, Inc. v. the City of Leon Valley, Civil Action # SA-08-CV-0907 OG NN.
  3. **Re-convene into Open Session and Take Any Action Necessary Resulting from Executive Session.** The Leon Valley City Council reconvened into Open Session at 6:40 p.m. No action was taken.
  4. **Adjournment.** Motion by Council Member Baldrige and second by Councilman Garcia to adjourn the meeting at 6:40 p.m.
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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 7:00 p.m. and asked that the minutes reflect that the following City Council Members were present: Garcia, Reyna, Baldrige, Dean, and Nelson.  
  
The following staff members and invited guests were present: Interim City Manager Brummett, Assistant City Attorney Onion, City Secretary Willman, Community Development Director Flores, Economic Development Director Ryan arrived at 7:11 p.m., Fire Chief Irwin, Public Works Director Vick, and Assistant Public Works Director Stolz. Grant Writer Kathryn Word and Park Commission Chair Bert Thomas were present.  
  
Boy Scouts from Troop 271 of St. Matthews Church lead the assembly in the Pledge of Allegiance. The Boy Scouts were Joshua Seta and Tristan Garza.
2. **Park Commission Annual Report Presentation. (Bert Thomas, Chair)** Bert Thomas, Park Commission, Chair, addressed the City Council summarizing a number of topics

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that have come up since the last annual report. The topics Mr. Thomas addressed involved limited financial resources, the need for additional park furnishings including park tables and benches, and overcrowding and overuse of the park, particularly in the back area of Raymond Rimkus Park. Regarding the overcrowding, he mentioned that Park Commission Members would love to see people congregating on and blocking the Park's sidewalks discouraged and eliminated. He indicated the Park Commission Members recommended that Leon Valley Police Officers walk the Park every so often.

A question was raised regarding problems with littering. Staff indicated littering comes from persons attending ball games. City personnel are in the Park every day at 7 a.m. cleaning up. There is an additional fee assessed to large groups to offset the cost of this clean-up effort.

Mr. Thomas answered questions regarding space requirements for a dog park. He indicated that quite a bit of land has to be allocated in a minimum of four areas. He noted that the dog parks are costly to maintain, not including staffing to monitor dog park activities. The recommendation of the Park Commission is for the City of Leon Valley to wait until Crystal Hills Park in the City of San Antonio is built.

Mr. Thomas indicated that a question had been raised as to whether there is need for additional tennis courts. He affirmed that existing tennis courts provide sufficient capacity for play.

He cited a need for grants. He reported that almost all of the Master Plan items have been addressed, few items remain to be completed.

He informed the City Council about an upcoming park survey using the same language and format from three years earlier. He mentioned overflow parking along Poss Road, and plantings near the baseball diamond. A question was raised about allowing persons who want to picnic being allowed to reserve a table overnight.

He reported the Park Commission unanimously approved the Parks Bucks Program. Their suggestion was to accept contributions by rounding off to the next higher dollar on water bill payments.

3. **Citizens to be Heard and Time for Objections to the Consent Agenda.** There were no citizens to be heard.

*"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.*

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**Consent Agenda**

Council Member Nelson requested that Consent Agenda Item 8 be removed for separate consideration.

Motion by Council Member Nelson and second by Council Member Baldrige to approve Consent Agenda Items 4 through 7. Voting Aye: Garcia, Baldrige, Dean, and Nelson. Voting Nay: None. Absent from the Council Chamber: Reyna. Mayor Riley announced the motion carried.

*All of the following items on the Consent Agenda are considered to be self-explanatory by the Council or have been previously discussed 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 March 1, 2011 Minutes of the Regular City Council Meeting. (Willman)**
5. **Consider Approval of the March 7, 2011 Minutes of the Special City Council Meeting. (Willman)**
6. **Consider Action on M&C # 03-06-11 Making Appointments to City Boards, Committees, and Commissions by Minute Order. (Mayor Riley)**
7. **Consider Action on M&C # 03-07-11 with Attached Ordinance Approving Amendments to the Original Fiscal Year 2011 Budget for the Purchase of 35 Acre Feet of Water Rights through the Regional Water Resource Development Group for a Total Amount of \$195,387. (Stolz)**
8. **Consider Action on M&C # 03-08-11 Preliminary Acceptance of Public Improvements of Lot 2, Block 3, CB 4446E, Bandera Retail Subdivision. (Flores)**

Community Development Director Flores briefed the Council on this agenda item as being to approve the developer's petition for preliminary acceptance of the public improvements done and inspected by the City Engineer Sia Sayyadi and Public Works staff on a sewer line extension and finding the work acceptable. The applicant posted a maintenance bond in the amount of ten percent of the actual cost of construction to guarantee compliance with the one-year maintenance agreement. She noted that correction of any deficiencies will be performed by the owner prior to final acceptance of the work by the City Council.

Motion by Councilman Reyna and second by Councilman Dean for the preliminary acceptance of public improvements of Lot 2, Block 3, CB 4446E, Bandera Retail Subdivision. Voting Aye: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting Nay: None.

**Regular Agenda**

9. **Consider Action on M&C # 03-09-11, with Attached Resolution Authorizing the Rejection of SECO Loan Funding on the Municipal Building Retrofit Project. (Kathryn Word)**

Grant writer Kathryn Word informed the Council that once all of the federal government stipulations were known in order to qualify and monitor the SECO Loan Funding over the

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life of the loan that the City would realize limited funding. This is the basis for the rejection recommendation.

Motion by Councilman Reyna and second by Councilman Garcia to approve the resolution authorizing the rejection of the SECO Loan Funding on the Municipal Building Retrofit Project. Voting Aye: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting Nay: None. Mayor Riley announced the motion carried. Mayor Riley asked that the City emphasize in its letter that the extra cost impacted the City of Leon Valley's decision to reject the SECO funding.

**10. Consider Action on M&C # 03-10-11, with Attached Resolution, a Request for the Taste of Leon Valley Event to be Designated as an Official City Event and Use of Unspent Fiscal Year 2011 Special Events Monies to Support the Event. (Ryan)**

Economic Development Director Ryan made a presentation to the City Council regarding the Taste of Leon Valley Event. Ms. Ryan emphasized that the Event is an opportunity for the City and the Greater Leon Valley Chamber to showcase the City's restaurants. The event presents an opportunity for community unity. She indicated a hope of obtaining 120 sponsor booths at one of four different sponsorship levels.

Councilman Reyna and Councilman Dean indicated they thought the event was a great idea and asked to see a budget for the event. There was some discussion about the number of City of Leon Valley businesses approached including the actual number of Leon Valley restaurants.

Motion by Councilman Reyna and second by Council Member Baldrige to adopt the resolution designating the Taste of Leon Valley Event as an Official City Event and authorizing the use of unspent Fiscal Year 2011 Special Events Monies. Voting Aye: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting Nay: None. Mayor Riley announced the motion carried. Mayor Riley asked that staff bring back a budget for the Council's information.

**11. Consider Action on M&C # 03-11-11, Presentation of Options to Reconstruct Poss Road. (Eddie De La Garza)**

City Engineer Eddie De La Garza made a presentation to the City Council regarding possible options for the reconstruction of the remaining section of Poss Road. Mr. De La Garza's presentation included pavement reconstruction for Poss Road beginning at Bandera Road ending at Cherryleaf. Pavement reconstruction will consist of six inches of reclaimed base material (recycled), new curb and sidewalks along the north or non-park side, new curb and ribbon curb along the east side, and four foot bike lanes / paths. The total length is approximately 1,500 feet. The construction from Cherryleaf to Evers Road will consist of a four foot bike path along the east side and adjacent to the existing ribbon curb, re-stripe lane widths from 12 to 11 feet wide to accommodate a four foot bike lane along the west side. Mr. De La Garza noted items for consideration as being coordination with the Texas Department of Transportation for striping on either side of Bandera on Poss Road, traffic signal loop/VIVDS camera placement, and bike lane signs. He further noted there is a potential for removing approximately 14 Hackberry and Mesquite trees varying from 6 to 24 inches in diameter. The final item to consider is whether or not to install decorative lights along the east side of Poss Road from Peachtree to Evers Road.p

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Interim City Manager Brummett emphasized that the amount in the presentation did not include the City Engineer's fee which would bring the amount to \$310,000. There is some right-of-way set aside through City purchase along the Dairy Queen side of the road. A question was raised about problems with installing lights when flooding is known to occur in the proposed area.

Assistant City Attorney Onion asked if engineering to prevent de-lamination as occurred in 2010 following the completion of the first part of Poss Road was included in this proposal. Mr. De La Garza indicated that the de-lamination that occurred in 2010 was due to the road work not being adequately cured before the heavy rains. Public Works Director Vick spoke to the structural corrections which had been made to prevent this kind of project damage from occurring again. Questions were raised regarding any further road work corrections needed at Peachtree. Mr. Vick discussed the effect of the retaining wall in the 2010 de-lamination and how it contributed to the flooding that occurred. Mr. Vick indicated that all the corrective work that has to be done on the area that previously flooded has been done.

There was some discussion about installing lights along the non-park side of Poss Road as the electrical connections are there. Mr. Vick pointed out that an additional benefit of installing the lights on the non-park side of Poss are there is a drainage ditch allowing water to drain away and thus reducing the risk for flooding. He noted that even on the non-park side staff would have to do work to accommodate the installation of the lights in order to raise them three feet off the ground near or adjacent to the drainage ditch. Council asked if it is possible for CIED funds to be used for solar lighting. Mr. De La Garza indicated staff can start coordinating with CPS Energy. Mr. Vick indicated he agrees with Mr. De La Garza's assessment that the lighting can be done on the non-Park side of Poss Road at the City's cost as disagreement continues over the allowed uses of CIED funds.

The Council discussed and asked about the possibility of going through the Park with the bike trails.

Motion by Councilman Reyna and second by Councilman Garcia to approve the Poss Road Reconstruction with bike trail connecting through the Park. Voting Aye: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting Nay: None. Mayor Riley announced the motion carried.

Motion by Council Member Nelson and second by Councilman Garcia to move the Announcements by the Mayor and Council Members to immediately follow the Citizens to be Heard. Voting Aye: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting Nay: None. Mayor Riley announced the motion carried.

**Discussion Agenda**

**12. City Manager's Report. (Brummett)**

- A. Informational Issues. Mr. Brummett informed the Council that sales taxes are up but the increase is less than last month. He also shared with the City Council that staff had obtained information regarding the matter of cameras in the Council Chambers as being allowed. But in order to minimize the intrusiveness, the

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Council can set rules regarding where the cameras and filming can occur. He further reported on a flood plain fix that occurred for some properties in the Seneca area due to Drainage Area # 1 being corrected. There was some questions about the impact of the correction on the 70 acres in the Seneca area and if homeowners had been notified. Mr. Brummett indicated homeowners would be notified. He announced that a letter had been received from the Texas Department of Transportation about formulating a letter to the MPO. He would like to bring this up for discussion at a future meeting. Mayor Riley interjected that there has been a call for projects. Any work proposed for Bandera Road needs to be included in the call for projects.

- B. Monthly Department Reports. There were no questions about the monthly reports.
  - C. February 2011 Monthly Financial Statement. Mr. Brummett discussed various aspects of the February 2011 Monthly Financial Statement.
13. **Citizens to be Heard.** Olen Yarnell, 7230 Sulky Lane, addressed the City Council regarding a need to think about having a bicycle path along the Park side of Poss Road. He indicated he could foresee bicyclists going down the side of the road instead of traveling along the bike path.
16. **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:**
- A. 3<sup>rd</sup> Annual Volksmarch, March 12, 2011, 8 a.m. – 3 p.m. Mayor Riley announced that the Volksmarch was successful despite not having Trade and Market Days.
  - B. Crime Awareness Breakfast Meeting and Open House, March 19, 2011, 8:30 a.m. – 12:30 p.m. Persons interested in participating are asked to email Police Chief Randall Wallace at [r.wallace@leonvalleytexas.gov](mailto:r.wallace@leonvalleytexas.gov) prior to March 11. Mayor Riley announced there is still opportunity to participate in the Crime Awareness Breakfast. It was confirmed that 23 persons had already signed up to attend.
  - C. A Taste of Leon Valley, Sunday, May 15, 2011, 2 p.m. – 6 p.m., Leon Valley Community and Conference Center, 6427 Evers Road, Leon Valley, 78238. Mayor Riley announced the Taste of Leon Valley Event.
  - D. Walk & Talk with the Mayor, April 2, 2011, 8:30 a.m., meet at the Community Garden. Mayor Riley invited anyone interested in joining the Walk &Talk with the Mayor should come to the Community Garden on April 2.

Mayor Riley announced the Volunteer Appreciation Dinner on April 1. She thanked Administrative Assistant Angela Trejo, HR Director Crystal Caldera, and City Secretary Janie Willman for their efforts in staging the dinner.

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Councilman Reyna extended his apologies to volunteers for not being able to attend the Volunteer Appreciation Dinner on Friday, April 1 due to a commitment for TML Region 7 Business Meeting and Dinner in Bandera, Texas.

Council Member Baldrige announced the Leon Valley Historical Society's upcoming April 23 Inaugural Pioneer Trail/Run Walk. She indicated more details would be coming the next meeting.

Council Member Nelson expressed her heartfelt decision to not run in the next (May 14, 2011) election. She informed the assembly that after due consideration and discussion with her family, she had decided it was time for her to take time with her family. She shared that her son, Travis, had been accepted into a scouting program which is happening on Tuesdays and had been accepted into a special advanced engineering program at the high school level. With her son's activities and husband possibly needing more medical attention, she decided her family's priorities must take precedence. She indicated she might be applying to serve on the Council's committees and commissions to continue her community service to the City of Leon Valley. She concluded her remarks by saying she hopes the community understands and assured those present of her affection.

**Executive Session**

**14. Executive Session in Accordance with the Texas Government Code:**

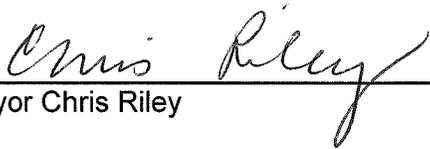
- A. The Leon Valley City Council convened into Executive Session Pursuant to Section 551.074, Personnel Matters, to discuss the employment of a City Manager.
- B. The City Council re-convened into Open Session and to consider any possible actions as appropriate from Executive Session regarding Personnel Matters and the Employment of a City Manager. Mayor Riley announced that no action would be taken this evening but the City Council would be meeting on March 16, 2011 to conduct a candidate interview.

**15. Executive Session in Accordance with the Texas Government Code.**

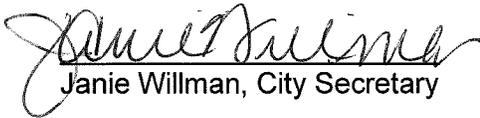
The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (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 under this Agenda Item.

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17. **Adjourn.** Motion by Councilman Garcia and second by Councilman Dean to adjourn at 9:40 p.m.

  
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Mayor Chris Riley

ATTEST:

  
Janie Willman, City Secretary

