The City Council of the City of Leon Valley, Texas, met on the 3rd day of March 2009 at 5:00 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 WORKSHOP MEETING - 5:00 P.M.**

**Call to order.**

Mayor Riley called the meeting to order at 5:04 p.m. and asked that the minutes reflect that all members of Council were present: Manea, Reyna, Balbridge, Dean, and Nelson.

City Manager Lambert, City Secretary Feutz, HR Officer/Assistant City Secretary Caldera, Economic Development Director Ryan, Police Chief Wallace and City Attorney McKamie were also present.

**Discussion on “Articles of Incorporation” for the Leon Valley Economic Development Corporation (LVEDC) for submittal to the State of Texas for approval of a Certificate of Incorporation and language for the LVEDC's “Bylaws” (Ryan).**

Mayor Riley led the discussion explaining that a time line was needed to move forward with the Articles of Incorporation, the bylaws for the LVEDC, and the appointments to the LVEDC.

Economic Development Director Ryan reviewed the process for the 4B Sales Tax thus far and outlined the steps needed next: approval of the Articles of Incorporation and bylaws for the Economic Development Corporation, the Articles of Incorporation and bylaws must be then sent to the State of Texas for issuance of a “Certificate of Incorporation,” the City Council establishes a seven-member Board of Directors for the Economic Development Corporation, and the Board of Directors creates the Corporation’s bylaws & elects its officers.

Ms. Ryan reviewed primary duties of the Board of Directors of the LVEDC and explained that under statutes, projects costing more than $10,000 must be brought forward for public hearing and City Council approval. She also stated that the Board would operate its activities as a nonprofit corporation, probably a 501© 6, as would be established in their bylaws. Ms. Ryan reported that the deadline for accepting applications for the Board of Directors was Monday, March 9, 2009 and she had received seven applications thus far. Ms. Ryan reviewed the key elements of the Articles of Incorporation and how the Articles could be amended in the future.

Councilmembers discussed whether a member of City Council should be on the Board of Directors and interviews would be scheduled after all the applications were reviewed. Mayor Riley recommended that the Board of Directors be members from a broad area to provide additional expertise to the group. Councilmembers also discussed whether terms of Board of Directors should be staggered and that the Economic Development Director would serve as the City Manager’s designee for the LVEDC.

The City Attorney provided additional information on how money can be spent by the LVEDC and the role of the City Council in that process and agreed to make changes recommended by the Council to the proposed draft of the Articles of Incorporation.
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Adjourn.

Hearing no further discussion, a motion was made by Councilmember Dean, seconded by Councilman Reyna, to adjourn the workshop meeting. Mayor Riley announced the workshop adjourned at 6:30 p.m.

REGULAR CITY COUNCIL MEETING - 7:00 P.M.

Call to order and Pledge of Allegiance.

Mayor Riley called the meeting to order at 7:00 p.m. and asked that the minutes reflect all members of Council were present: Manea, Reyna, Baldrige, Dean, and Nelson.

City Manager Lambert, City Secretary Feutz, HR Officer/Assistant City Secretary Caldera, Fire Chief Irwin, Police Chief Wallace, Economic Development Director Ryan, Community Development Director Flores, Assistant Public Works Director Stolz, and City Attorney McKamie were also present.

Mayor Riley asked Scout Travis Nelson to lead the assembled group in reciting the pledge of allegiance.

Mayor Riley welcomed visitors from Northwest Vista College in attendance at the meeting.

Presentation of annual status report by the Zoning Commission (Chairman C. Guerra).

Zoning Commission Chairman Claude Guerra provided a synopsis of the past year’s activities for the Commission. He thanked and complimented the ten-member Commission for their conscientious commitment to the work brought to the Commission. He highlighted the three zoning change cases and the six Specific Use Permit cases heard by the Commission over the last year and commented on issues that will need to be addressed in the code for the percentage of business/residential uses and the site master plan for mixed use zoning properties. He stated that the Commission also reviewed ordinances for noise, tree preservation, smoking, and renters’ registration during the previous year and worked on the completion of Comprehensive Master Plan. In closing Chairman Guerra thanked the Community Development Director, the Chief of Police, City Manager and City Council for their support over the last year and recognized members of the Commission in attendance.

Mayor Riley thanked the Chair and the Commission for their work.

Proclamation declaring the week of March 16 - March 22, 2009 as “Clean-Up, Fix-Up, and Paint-Up Week. Items for disposal must be curbside by 7:00 a.m., Monday, March 23, 2009 (Stolz).

Mayor Riley proclaimed the week of March 16, 2009 - March 22, 2009 as “Clean-Up, Fix-Up and Paint-Up Week and encouraged everyone consider recycling usable materials and to utilize the service being offered by Waste Management, Inc. for materials not able to be recycled. The Assistant Director of Public Works accepted the proclamation and reminded everyone that the
refuse piles were limited to eight cubic yards and that all items to be picked up must be curbside by 7:00 a.m. on Monday, March 23, 2009.

Citizens to be heard and time for objections to the Consent Agenda.

Mayor Riley asked Councilmembers if they wished for anything on the Consent Agenda to be removed from that agenda for further discussion. Hearing no requests, Mayor Riley then asked if anyone in the audience wished to address the Council.

Travis Nelson reported on his recent service as a Senate Page in Austin and presented photos of the day spent at the Capitol.

Sarah Guerra, Manager for the Seaworld Medical Center Super 8 Hotel at 5336 Wurzbach Road, asked for Council’s help in working with TxDOT to replace or install signage on Loop 410 to mark the approaching exit number for Exchange Parkway, Bandera Road, and signs for Bandera Road. She described her visit to TxDOT where she was directed to their sign vendor, but was told she needed additional support. Ms. Guerra also asked for a billboard to advertise the City’s lodging, gas, eateries, etc. to bring people to Leon Valley off Loop 410. Sharif Kahn, owner of the property, expressed the same issues as being issues for the previous property owner. He stated that he needed the City’s support to have a successful business.

Mayor Riley invited the manager and the property owner to the SDAT workshop for March 7, 2009 and the City Manager stated that the Mayor and he would go with the Manager to TxDOT to ask assistance on signs during the construction work on Bandera Road and Loop 410.

Seeing no one else to come forward for the “Citizens to be heard” portion of the meeting, Mayor Riley asked for a motion to approve the following Consent Agenda items:

Consent Agenda

Consider action to approve minutes of the Regular City Council Meeting of February 17, 2009 (Feutz).

Consider action on M&C # 03-01-09 - a request to authorize the City Manager to execute the inter-local agreement with Bexar County for the FY 2008 Community Development Block Grant (CDBG) program for an accessible footbridge for Raymond Rimkus Park (Stolz).

Consider action on M&C # 03-02-09 with attached ordinance - a request to amend Article A11.000(1.5), “Sewer Service Impact Fees,” to update the fee amount prescribed by San Antonio Ordinance 2006-06-15-0704 (Flores).

A motion was made by Councilmember Dean, seconded by Councilmember Baldridge, to approve the Consent Agenda Items as listed above. Upon vote, Mayor Riley announced that the motion carried and Consent Agenda items described above were approved.

Action Agenda
Zoning Case # 08-381 with attached ordinance - a request by A&A Best Investments LLC, applicant, to rezone approximately 5.35 acres of land from B-2 (Retail) to MX-1 (Mixed Use), being Lots 3, 4, and the remainder of Lot 5, Block 1, Ginger Subdivision, and a portion of Lot 2, Block 1, CB 4445, Canterfield Subdivision Unit #6, in the 7400 block of Huebner Road, at the intersection of Evers Road. This case was originally considered, following a public hearing, on December 2, 2008 and Council action was postponed to the first regular Council meeting of March 2009. On Feb. 25, 2009, applicant has submitted written notice withdrawing this rezoning request.

A. Status report by Community Development Director Flores.
Community Development Director Flores addressed Council reporting that the applicant has requested that his case be withdrawn as they have found another site for their project in San Antonio.

B. Council considers action on Zoning Case # 08-381 request.
A motion was made by Councilman Reyna, seconded by Councilmember Nelson to deny Zoning Case # 08-381. Council discussion followed expressing concerns as to when a zoning case could return to Council for that same parcel of land. Following discussion, the motion was withdrawn by both Councilmembers Reyna and Nelson.

A motion was made by Councilman Reyna, seconded by Councilmember Nelson, to accept the request from the applicant to withdraw their request for rezoning. Upon vote, Mayor Riley announced the motion carried and Council accepted the applicant’s request to withdraw Zoning Case #08-381 from further consideration.

Consider action on M&C # 03-03-09 with attached Resolution - a request for consideration and approval of a Resolution authorizing the staff of the City of Leon Valley, Texas, as well as First Southwest Company, as its financial advisor, and Fulbright & Jaworski L.L.P., as its bond counsel, to undertake and proceed with preliminary actions necessary for the issuance and sale of the “City of Leon Valley, Texas Public Property Finance Contractual Obligations, Series 2009”, and other matters in connection therewith (Lambert).

City Manager Lambert reviewed information presented previously by First Southwest Company on financing options for the new fire truck. He explained that the request before Council would formally authorize First Southwest Company to proceed with preliminary actions necessary for the issuance and sale of the City of Leon Valley, Texas Public Property Finance Contractual Obligations, Series 2009. Michelle Argon, from First Southwest Company, was present to answer Council’s questions.

Mr. Lambert reviewed the projected analysis for the bonds based on an estimated interest cost of 4.0%, with an average annual debt service of $78,296, the first payment being due February 1, 2010 and the debt being amortized over twenty years with level debt service. He reviewed four scenarios - pay off the debt on the existing 2006 Refunding Bonds, not paying off the debt on those bonds before starting the new debt or paying off the existing debt over the next two years.
A motion was made by Councilmember Baldridge, seconded by Councilman Manea, to approve the Resolution authorizing the staff of the City of Leon Valley, Texas, as well as First Southwest Company, as its Financial Advisor, and Fulbright & Jaworski L.L. P., as its Bond Counsel, to undertake and proceed with preliminary actions necessary for the issuance and sale of the “City of Leon Valley, Texas Public Property Finance Contractual Obligations, Series 2009”, and other matters in connection therewith. Upon vote, Mayor Riley announced the motion carried and the resolution was approved.

In answer to Council’s questions as to how long the Bond Counsel had been working with the City, Ms. Argon clarified that Fulbright & Jaworski LLP had worked with the 1998 bonds and had also served as Bond Counsel for the 2006 Refunding Bond Series. Councilman Reyna proposed that the City go out for proposals for Bond Counsel in the future.

Discussion on new development moratorium in Leon Valley and consider appropriate action to follow(Councilmember Reyna/City Attorney McKamie).

Councilman Reyna stated that he had thought this subject may be a good idea for the City to consider, as the City of Boerne has done. He stated that after he had read everything provided by the City Attorney, he did not agree with the moratorium plan but rather to wait for the workshop scheduled for March 7, 2009 to see what restrictions may be needed for development in the City with the limited space left for development.

A motion was made by Councilman Manea, seconded by Councilmember Dean, to postpone consideration of this item indefinitely. Upon vote, Mayor Riley announced the motion carried.

Consider action on Resolution to adopt the "Articles of Incorporation" for the Leon Valley Economic Development Corporation (LVEDC) for submittal to the State of Texas for approval of a Certificate of Incorporation, consider approval of language for the LVEDC’s “Bylaws”(Ryan).

Economic Development Director Ryan summarized work from the workshop that preceded this Council meeting. She reminded Council that they can amend the Articles of Incorporation and Bylaws at any time.

A motion was made by Councilman Reyna, seconded by Councilman Manea, to adopt the Articles of Incorporation, as per the City Attorney’s incorporation of information collected during the workshop held at 5:00 p.m. this evening, and for staff to submit the Articles of Incorporation with the Secretary of State. Councilmember Nelson asked for clarification that this Resolution does not include the Bylaws, and that was confirmed. Upon vote, the Mayor announced the Resolution was approved.

Consider action on M&C # 03-04-09 - a request to cancel or reschedule the Regular City Council Meeting of March 17, 2009 (Mayor Riley).

A motion was made by Councilman Reyna, seconded by Councilmember Dean to reschedule the Regular City Council Meeting to Tuesday, March 24, 2009 at 5:00 p.m. Upon vote, Mayor Riley announced the motion carried.
Discussion Agenda

Strategic Plan update (Lambert/Gonzalez).

City Manager Lambert updated Council on progress made toward meeting the City’s seven Strategic Goals. Mr. Lambert reviewed each goal and provided an update on actions taken to meet the objectives and highlighted actions still to be taken as follows:

**Strategic Goal #1 - Economic Development**

- **Completed:** activated Citizens Neighborhood Progress Committee, held Economic Development (ED) Election held on November 4, 2009 approving an additional 1/8 of a cent toward 4B projects, hired ED Director Rose Ryan, adopted the Street Maintenance Sales tax, set up city maps for purchase in Community Development Department, completed the Developer’s Guide, hired a new Code Enforcement Officer, created the volunteer program, LV NOW, adopted graffiti, tree preservation, and new fence ordinances, audited hotel/motel tax program and will be checked again in 2010, heard home rule report from the City Attorney, and updated and approved the Comprehensive Master Plan was updated in January 2009.

- **To be completed and ongoing:** analyze vacant spaces in Leon Valley, continue National Night Out and crime awareness programs - next workshop March 21, 2009 by Chief Wallace, prepare a City welcome packet, continue Beautification/Xeriscape Annual Award program with judging set for May of this year; continue to pursue use of volunteers for Code Enforcement programs like the City of Houston, monitor legislator’s progress on hotel/motel tax changes, pursue use of volunteers or scouts for a city-wide heritage tree survey, develop a city-wide landscape program, pursue new uses for the old Albertson’s building, establish a unique street sign program, continue to pursue a health/grocery store north of 410 in the City, continue opposition of any toll roads on Bandera Road, and develop sustainability plan in response to SDAT reports scheduled for March 2009.

**Strategic Goal #2 - Safety and Security:**

- **Completed:** studied Police and Fire staffing, ordered new ladder truck with delivery expected in July 2009, expanded neighborhood patrols and the Reserve Officer Program, updated Emergency Annex Plans, continued two emergency simulations per year, recertified the EMS program, updated EMS fees and billing and expanded warrant collections, expanding neighborhood watch training and recodified City Code thus allowing an up-to-date Code to be posted on the City’s website for the public to easily use.

- **To be completed and ongoing:** receive new ladder truck scheduled to arrive in July 2009, propose ISO Audit, but would cost the City between $25,000 - $30,000 and therefore is not funded, consider Fire Station expansion and study - not funded, continue annual full scale emergency exercises, use forfeiture funds efficiently, consider new EMS billing collection agency, consider extension or new contract for warrants collection later in 2009, keep City Codes updated, consider maximizing fines, and provide CPR training programs will be ongoing.
Strategic Goal #3 - Transportation:

**Completed:** updated Street reconstruction priority plan, BOO analysis, study of traffic calming and speed limits, acquired radar traffic trailer and put into service, and evaluated traffic light at Seneca.

**To be completed and ongoing:** set Years 3 and 4 of Street Maintenance Tax projects, analyze 410 elevated ramp impact when project completed and will need some engineering analysis, consider video monitoring of 410/SH 16 elevated ramp system but is not funded, and update warrant study.

Strategic Goal #4 - Infrastructure/Capital Plan:

**Completed:** updated Capital Improvements Plan annually, provide annual Consumer Confidence Water Report, and Linkwood Sidewalk Program.

**To be completed and ongoing:** adopt annual budget in September, study City building expansion and relocation - unfunded, update the City’s water resource plan to be presented in April 2009, continue Sewer Maintenance Program, BOO funding remains unfunded, track Huebner Creek Flood Plan from Bexar County expected in the summer 2009, address need for one new water well and water tower, continue City's sidewalk program ($40,000 funded for FY 2009), and install new SCADA system in April 2009.

Strategic Goal #5 - Environmental Sustainability

**Completed:** initiate water conservation initiatives, develop and implement El Verde by 2020 Plan, expanded recycling program, study new construction LEEDS program standards, audit of City’s energy use, provide new VIA bus stop shelters, consider City rebid of refuse collection, implement and complete Green Bin incentive program, promote employee wellness program, initiate City’s Affiliate City status with the Texas Round-Up program, and add hybrid vehicles to City's inventory.

**To be completed and ongoing:** implement Volksmarch - March 2009, expand recycling program for businesses and apartments, bid out implementation of measures to meet more efficient energy use standards, promote and monitor Mass Transit Plan and program, complete construction of the five remaining bus stop shelter with VIA, adopt new green building standards, implement city-wide clean-up campaign, continue work with EPA for Superfund Site remediation, and update 2009 Water plan.

Goal 6 - Citizen Involvement -

**Completed:** updated City Codes and recodified document, established City ENews program, expanded Neighborhood Watch Program, developed LV NOW volunteer code enforcement program, established Leon Valley Park Patrol program, publishing Lion’s Roar more often (every two months), support Trade and Market Days with good community reaction, renew the Sister City Program, expanded Library collection, implemented “Live at the Library” program, and recently completed the 2009 Community Leadership Program.
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To be completed and ongoing: expand the library facility, promote the annual Community Leadership Program, develop Animal Care School Program, restart Pet Parade - May 2009, encourage successful Community Associations, implement Teenage Drunk Driving and High School Day at City Hall, schedule Volksmarch for March 14, 2009, and postpone Sister City visit due to the economy.

Goal # 7 - Parks, Recreational Green Space and Culture

Completed: constructed new playground equipment for children, developed Volunteer Park Patrol program, but lack volunteers, saturated police park patrol, instituted weekend Animal Control Officer assistance, constructed Trail Grant Project - Phase 1, adopted new Park ordinance, expanded use of Community and Conference Centers, adopted Leon Valley Folkloric group, audited Trade and Market Days program, conducted walkable community study and studied Shadow Mist Park - a joint park system.

To be completed and ongoing: construct accessible bridge for the park in Summer 2009, consider bicycle patrol for park, construct FY 2009 Trail Grant programs, purchase additional park property, recruit additional volunteers for both park patrol and LV NOW programs, coordinate with City of San Antonio funding to develop joint Shadow Mist Park, sponsor a Chili Cook-Off, expand hike and bike trails, revitalize the Huebner-Onion Homestead area, promote city local culture and arts programs.

In response to questions from Council, Fire Chief Irwin clarified that the ISO rating would not be affected by Leon Valley reaching a 10,000 population mark and stated that the last time the ISO study was done in Leon Valley was in 2001 or 2002.

Discussion on TXDOT sunset document (Mayor Riley/Al Uvietta).

Mayor Riley reported that Representative Joaquin Castro had provided her with a 300+ page Sunset Advisory Commission Study on TxDOT. She stated that she asked resident Al Uvietta to review the document and asked him to provide a brief report on the study.

Mr. Uvietta summarized key findings and the Sunset Advisory Commission’s recommendations on six issues:

1. Until trust in the Department of Transportation is restored, the State cannot move forward to effectively meet its growing transportation needs;
2. The State’s complicated Transportation Planning and Project Development process frustrates understanding of how independent decisions are made;
3. TxDOT does not meet the high expectations placed on it to ensure consistent, meaningful public involvement;
4. Elements of TxDOT’s contract functions lack efficiency and could expose the State to unacceptable levels of risk;
5. Key elements of TxDOT’s regulation of motor vehicle dealers, salvage vehicle dealers, and household goods carriers do not conform to commonly applied licensing practices; and
6. Key elements of TxDOT’s regulation of outdoor advertising do not conform to commonly applied licensing practices.
Mayor Riley thanked Mr. Uvietta for his thorough review of the document and his report.

**Discussion on options available for management and redevelopment of City Website (Lambert).**

Mr. Lambert explained that the current website manager, Michael Lampkin, has submitted a letter to the City invoking its 90-day withdrawal clause on February 23, 2009. Mr. Lambert asked for guidance from the Council and recommended that Councilman Manea lead a special committee to review proposals for a new website management company.

Councilman Manea recommended that the City’s website be redesigned to come up to current standards. He stated that it would cost about $4,000 - $6,000 to redevelop the site and with a new contractor the City should budget for a monthly maintenance fee of $800 - $1,000 per month or hire a part time worker to fulfill those duties. He volunteered to redevelop the website at no cost and then the newly developed site would be ready to go and be maintained by someone else.

Council thanked Councilman Manea for his offer.

**City Manager’s report (Lambert).**

**Report on Edwards Aquifer Authority legislative update.**

Mr. Lambert reported that unless the weather changed, water restrictions for Stage I would begin shortly, when the test well reaches 660 feet. He explained that under Stage I, the City will be required to reduce their overall water consumption to 1400 acre feet. He stated that the city’s current average consumption is 1600-1200 acre feet. Mr. Lambert stated that if the City does not meet the targeted 20% water consumption reduction, it will be penalized. He noted that in Phase II, the City must reduce again reduce their water consumption by another 30% to 1260 acre feet. Mr. Lambert stated that educating our citizens and businesses and active Code Enforcement will be key in reaching compliance.

**Report drought management regulations in Leon Valley.**

Mr. Lambert provided Council with copies of information that will be used to educate everyone on drought management.

**Citizens to be heard.**

Hearing no one, Mayor asked for announcements.

**Announcements.**

A. **Report on MPO 2035 Mobility Planning Workshop - Feb. 24, 2009.**

Mayor Riley reported that members of Council, staff members, and members of the community attended the meeting and stated that the meeting was to gain citizen input.

B. **Report on VIA Celebrity Roadeo held on Feb. 21, 2009 (Nelson).**
C. **Update on Economic Stimulus Programs**
City Manager Lambert stated that he has not received any notice of funding for Leon Valley. He reported that he and Mayor Riley would ask for its share of stimulus funding in Washington. Mayor Riley also reported that our economic stimulus request was also forwarded to state representatives.

D. **Report on Earthwise Living Day Event - Feb. 28, 2009; 9 am - 2 pm.**
Mayor Riley reported that the event was a big success and the extra advertising paid for by grant funds really helped get the word out to the community. She complimented Rita Burnside, the “Earthwise Evangelist”, as designated in a recent article in the Express News. Mayor Riley thanked the Committee, staff, vendors, and the participants for a great Earthwise Living Day. Mayor Riley also reported that 5 ½ truckloads of electronics were recycled.

E. **Announce Council Workshop - March 7, 2009 8:30 a.m - 12:30 pm - City Hall on SDAT Followup.**
Mayor Riley invited everyone to attend the workshop on Saturday.

F. **Volksmarch - March 14, 2009 8 am - noon and finish by 3 pm.**
Mayor invited everyone to join the Volksmarch to be held March 14, 2009 with its 10 k. or 6.2 mile route through the City.

G. **Trade and Market Day returns - 9:30 a.m - March 14, 2009.**
Mayor Riley also announced the beginning of the 3rd year with Trade and Market Days and announced that the Sauerkrauts would be performing for this event.

H. **2009 Congressional Cities Conference - March 2009.**
Mayor Riley reported that the City Manager and she would attend the conference from March 15 - March 19, 2009 in Washington and that they hoped to lobby congressional representatives for assistance.

**Adjourn.**
Hearing no further business, a motion was made by Councilmember Baldridge, seconded by Councilman Manea, to adjourn the meeting. Hearing no objections, Mayor Riley announced the meeting adjourned at 9:03 p.m.

ATTEST:

Chris Riley
Mayor

Marie Feutz
City Secretary

*Minutes approved by majority vote of City Council at the Regular City Council Meeting March 24, 2009*