

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, MARCH 18, 2008**

The City Council of the City of Leon Valley, Texas, met for a Special City Council Workshop Meeting on the 18th day of March 2008 at 5:30 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 AND ZONING COMMISSION WORKSHOP - 5:30 P.M. - 6:30 P.M.

Call to order.

Mayor Riley called the special workshop meeting to order at 5:33 p.m. and asked that the minutes reflect that the following members of City Council were present: Manea, Reyna, Baldrige Dean and Nelson. Zoning Commissioner Chair Guerra announced that the following Zoning Commissioners were present: Olen Yarnell, Hal Burnside, Pedro Esquivel, and Sharon Hendricks.

City Manager Lambert, City Secretary Feutz, Development Director Madison, Assistant Development Director Flores, and Police Chief Wallace were also present.

Open meeting for discussion on how the City approaches the zoning/rezoning process.

Mayor Riley expressed her appreciation for the attendance of all members of the group and informed the group that she and Chairman Guerra had met previously to set up this opportunity for a dialogue between the Council and the Commission. Chairman Guerra stated that he felt the meeting was a good opportunity for both groups to hear from each other and expressed concerns voiced by the Commission that there was a disconnect between how both the Council and Commission review cases.

Development Director Madison was asked by the Mayor to provide a short presentation on the background of the City's zoning process from the inception of the first Zoning Commission being created in 1961 and the creation of master plans and zoning codes. Ms. Madison reviewed changes anticipated with the 2007/2008 Master Plan Review. Ms. Madison then presented a sample time line for the processing of zoning cases from the time the case is delivered to the City through the time the public hearing comes before City Council. She explained that under law, a zoning case must be heard at a public hearing within 70 days of the date of assignment of a docket number and she explained other mandated deadlines for notifying the public and Council hearing the case.

Councilmembers discussed their concerns about having such a short amount of time between when they are notified about an upcoming zoning case and when the public hearing is heard before Council. Members of the group expressed their concerns about how Council was notified about upcoming zoning cases and it was suggested that the Council receive notification of a zoning case when the Zoning Commission is notified.

Councilman Reyna suggested that Council could be notified earlier, before the Zoning Commission, and then meetings could be held between the zoning case applicant and the citizens who are affected, which could perhaps reduce some conflicts between residents and developers.

Discussion within the group continued on whether the current Zoning Code should be amended, whether early meetings would resolve controversial cases, the use of mediators to resolve

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controversy, whether to move the date of Zoning Commission meetings to two weeks before the meeting at which Council will hold a public hearing on a zoning case, lobbying of voting groups, notification of Council when cases are filed with the City, and the need to balance the rights of all concerned. Councilmembers expressed their concerns about the limited amount of time they have to review an entire case and the Zoning Commission's recommendations.

Mayor Riley commended Chairman Guerra for expanding the Commission's report given to the Council during a zoning case's public hearing so that Council could hear the recommendations and any special considerations the Commission deliberated on for that case.

Group members also expressed their optimism that the upcoming work with the AIA group for gathering information on goals and vision for future City development.

Councilman Reyna moved that although the meeting was posted for 60 minutes, he moved to extend the meeting by another five minutes, the motion was seconded by Councilman Dean. Upon vote, the motion carried. Commissioner Burnside moved to extend the Zoning Commission meeting, Commissioner Yarnell seconded the motion, and upon vote, the motion carried.

Before adjournment, the group summarized challenges including changes to the process of the zoning cases that would extend the time from when a case was submitted to the City until a docket number was assigned to the case, the need to seek legal opinion for allowed prerequisites to setting a filing date of zoning cases, early notification to Council when zoning cases are submitted to the City for consideration, extending time for both Commission and Council to review case particulars, and an explanation on the Zoning Commission's discussion that led to their decision on cases to be provided by the Zoning Commission Chair during the Council meeting. Ms. Madison asked if staff could return to Council with recommendations that may improve the process in which cases are reviewed to allow sufficient time for all parties to review the case.

Adjourn.

Mayor Riley thanked everyone for their comments and asked Ms. Madison and Flores to return with recommendations. Mayor Riley announced that the meeting would need to be adjourned so that the Regular City Council meeting could begin on time. A motion was made by Councilman Reyna, seconded by Councilmember Dean to adjourn the Special City Council Workshop. Upon vote, Mayor Riley announced the motion carried.

A motion was made by Zoning Commissioner Yarnell to adjourn the Zoning Commission meeting; the motion was seconded by Commissioner Hendricks. Upon vote, Chairman Guerra announced the motion carried. Mayor Riley announced the meeting adjourned at 6:38 p.m.

Zoning Commission Chairman

Chris Riley

Mayor

ATTEST:
Marie Feutz

City Secretary

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

The City Council of the City of Leon Valley, Texas, met for a Regular City Council Meeting on the 18th day of March 2008 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.

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 that the following members of Council were present: Manea, Reyna, Baldrige Dean and Nelson.

City Manager Lambert, City Secretary Feutz, HR Officer/Assistant City Secretary Caldera, Police Chief Wallace, Development Services Director Madison, City Accountant Wallace, Fire Chief Irwin, and Assistant City Attorney Onion were also present.

Mayor Riley asked Tyler Dreher, a government student from Northwest Vista College, to lead the assembled group in the Pledge of Allegiance. Mayor Riley welcomed students from the college in attendance.

Presentation to Green Bin Instant Winners (Mayor Riley).

Mayor Riley announced that there were four more winners in the Green Bin Instant Win program. Mayor Riley announced that \$900 have been awarded to Green Bin Instant Winners since September 2007 and thanked Waste Management, Inc., who she stated had donated the funding for the program to encourage recycling in Leon Valley. She presented checks to winners Silverio Cantu and Tracy McCray. She also announced winners not in attendance and stated that the checks would be mailed to those winners: Katie Gross and Jeff Griffith.

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. Councilman Reyna asked that Consent Agenda Item No. 5 "Consider M&C # 03-03-08 - request to approve appointments to Steering Committee to work with American Institute of Architects' Sustainable Design Assessment Team (SDAT) (Madison)" be removed for further discussion. Hearing no further requests, Mayor Riley then asked if anyone in the audience wished to address the Council. Hearing no one, Mayor Riley asked for a motion to approve the following Consent Agenda:

Consent Agenda

Consider approval of minutes of the Council Workshop and Regular City Council Meeting of March 3, 2008 (Feutz).

Consider M&C # 03-04-08 - request for approval to authorize City Manager to submit Walkable Community Program Application to Bexar County-San

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Antonio Metropolitan Planning Organization (Mayor Riley).

Consider M&C # 03-05-08 with attached ordinance - request for approval of budget adjustment for patrol car replacement (Chief Wallace).

Consider M&C # 03-06-08 with attached ordinance - request for approval of budget adjustment for the Building Security Fund (\$1,600) for a part time, temporary Court Bailiff (Wallace).

Consider M&C # 03-07-08 - Approval of a request for City sponsorship to waive all fees for use of the Conference Center for an employee training program to be co-hosted by the City and the Texas Municipal League - Intergovernmental Risk Pool (Feutz).

A motion was made by Councilman Manea, seconded by Councilmember Baldrige, to approve items 4, 6, 7, 8, and 9 on the posted agenda. Upon unanimous vote, Mayor Riley announced that the motion carried.

Action Agenda

Consider M&C # 03-03-08 - request to approve appointments to Steering Committee to work with American Institute of Architects' Sustainable Design Assessment Team (SDAT) (Madison).

Councilman Reyna expressed his concerns about appointing members to the Steering Committee who had not responded to the invitation to accept an appointment to the Committee.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the appointments to the Steering Committee with the exception of those nominated, who had not responded to the invitation to accept an appointment, and that their names would be replaced with the names of others. Upon vote, the motion carried.

Consider Ordinance to appoint a member to the Earthwise Living Committee (Mayor Riley).

Mayor Riley asked for approval to appoint Rose Zuniga Dent Ryan to the Earthwise Living Committee.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the requested appointment. Upon unanimous vote, Mayor Riley announced the motion carried.

Consider M&C # 03-08-08 - request to authorize the City Manager to enter into contract for engineering services for the City's street program (Lambert).

City Manager Lambert addressed Council stating that a contract had been negotiated with the engineering firm of Gonzalez-De La Garza and Associates for engineering services for the City's street program. He stated that the cost would be nine percent (9%), and that he understood that the going rate was up to twelve percent (12%). Mr. Lambert stated that the contract review by the City Attorney was incomplete, and Mr. Lambert recommended that the

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contract be approved pending final review and recommendations by the City Attorney so that the City could move forward once the contract was finalized.

Assistant City Attorney Onion stated that his firm was still working on the agreement together with Mr. Vick from the Public Works Department.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the contract with Gonzalez-De La Garza and Associates for engineering services for the street maintenance program pending final review and recommendations by the City Attorney. Upon unanimous vote, Mayor Riley announced that the motion carried.

Discussion Agenda

Discussion on a fraud, waste, and abuse policy (Lambert).

City Manager Lambert addressed Council stating that the City's auditor had recommended implementation of a fraud, waste, and abuse policy during this year's audit and Mr. Lambert reminded Council that the same recommendation had been made after last year's audit. Mr. Lambert reminded Council that they did not approve such a policy last year because of concerns about anonymous complaints, but stated that Council could amend the presented policy requiring that all complaints be signed.

Councilmember Dean expressed his concern about anonymous complaints against supervisors and questioned what benefit this would be for the City if there is already a policy in place to address grievances against supervisors.

City Accountant Wallace addressed Council stating that when the Enron financial problems surfaced, fraud, waste and abuse policies were recommended as a pro-active measures to protect companies from internal abuse.

Councilmembers asked if there was a policy for employees to report complaints of fraud, waste, and abuse within the City. Ms. Wallace stated that there was such a policy and those grievance complaints would be signed by the complainant.

Councilman Reyna recommended that City policy should contain a provision that states that if an employee submits an unsigned complaint of fraud, waste and abuse, and that complaint cannot be verified, then no further action will be taken.

After further discussion, Councilmembers recommended that no further action be taken because the City has a grievance policy in place and employees are protected under the Whistleblower's Act from retaliation after reporting misdeeds by supervisors.

Discussion on proposed contract with Leon Valley Community Association for pool operations for 2008 pool season (City Manager Lambert).

City Manager Lambert asked Council to consider agreeing to have the Leon Valley Community Association again manage and operate the city's pool for the 2008 pool season. He stated that Gail Nelson was going to come to tonight's meeting to present the needs of the pool for the 2008 season, but was not able to attend.

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Councilmember Nelson read a prepared letter from Gail Nelson, the Leon Valley Community Association's President, regarding the pool management for the 2008 season. Mr. Nelson's letter notified the Manager and Council of items that were not repaired from the 2007 swim season and those that needed to be repaired for the 2008 season. Councilmember Nelson stated that meetings had been held between Mr. Nelson and the Public Works Directors to review the list of items to be repaired at the Grass Valley pool site.

Mayor Riley asked that a copy of the items that need attention be given to Council and Mr. Lambert stated that the list would be sent to Council in the Friday letter. Mayor Riley also asked to see a copy of the pool's annual budget.

City Manager Lambert stated that he felt that the City was fortunate to have the Community Association manage the pool for the 2008 pool season.

Mayor Riley thanked Councilmember Nelson and the Leon Valley Community Association for their work with the City pool.

Discussion on bike patrol and volunteer park patrol programs (Al Uvietta).

Vice Chairman of the Park Commission Al Uvietta, addressed Council stating that the Raymond Rimkus playground enhancements have generated increases in park visitors which are taxing available parking, and resulting in increased vandalism, leash law violations, and tagging. Mr. Uvietta described the planned park expansion and trails' programs to be implemented in the future and additional park land expansion in other areas of the City. Mr. Uvietta stated that the Park Commission recommended security measures focused on park visitor safety, park infrastructure integrity, and areas adjacent to the park and trail system would benefit from the addition of law enforcement park patrols. Mr. Uvietta presented a proposal for a volunteer park patrol program that would have patrol members trained to observe conditions and identify risks which would be communicated to the City's dispatchers. He added that the park patrol volunteers could also serve as park information officers providing information to park visitors while on duty. Mr. Uvietta explained that Police Chief Wallace had met with the Park Commission and after reviewing the costs for hiring certified police officers to provide park patrol, the volunteer park patrol appeared to be a reasonable alternative for the City to consider.

Police Chief Wallace informed the Council that training would be provided for the park patrol volunteers who will extend the ears and eyes of the Police Department into the park area. Training was discussed for first aid, conflict resolution, and park policies, but that oversight of the program would be handled by the Police Department beginning with five volunteers who have expressed an interest in serving with the new program..

Mayor Riley thanked Mr. Uvietta, the Park Commission, and Chief Wallace for their work on this program.

City Manager's report.

Financial Report for February 2008 (Wallace).

City Accountant Wallace addressed Council presenting an overview of the February 2008 revenue and expenses. She reported that sales tax revenue decreased by ½%

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but that ad valorem tax revenue was doing well. She reported that the contract with Linebarger had helped to increase revenue in the court system from \$65,000 in February 2007 to \$159,000 in February 2008. Ms. Wallace expressed her concerns of the expected increases in supply and fuel costs and explained that she is watching those expenses closely. She stated that a budget adjustment would be coming before Council for fees that will be due to Linebarger because they have exceeded the amount originally budgeted. Ms. Wallace reported that Hotel/Motel Tax income was down and she attributed that to the rising fuel costs for travelers. She also reported increased rentals of the City's conference and community centers and thanked Sylvia Gomez for the work in promoting those rentals.

Mr. Lambert reported on his attendance at the City of Boerne's meeting with RUDAT from the American Institute of Architects on March 13, 2008. He stated that although the AIA had informed the City that the project manager for Leon Valley's SDAT had not been identified as of yet, he felt better about the program after attending a meeting in Boerne which introduced the steering committee and RUDAT managers and gave a overview of the program to attendees.

Citizens to be heard.

Resident Tracy McCray addressed Council with complaints about an increased number of unleashed dogs in the park and she expressed her appreciation for the proposed volunteer park patrol program.

Announcements.

Councilmember Nelson reported that Scout Troop 351 will meet with the Mayor at 6:00 p.m. on April 1, 2008, to learn more about government.

Councilmember Dean expressed his appreciation for ideas shared in the workshop with the Zoning Commissioners and reported seeing a wild turkey in the Park.

Councilmember Baldrige wished everyone a "Happy Easter".

Mayor Riley presented a plaque for the City received from Vista Fibers, who recognized the recycling efforts of Leon Valley including 374.22 tons of recycled items of which 273.52 tons were papers to be recycled. She stated that recycling statistics could provide the City with a base for the El Verde by 2020 program in the future.

The Mayor reported on receipt of two letters from the TxDOT's Interim District Director, Julia Brown. Mayor Riley stated that one letter indicated that TxDOT will provide an update on the elevated intersection lanes at Loop 410 and Bandera Road on May 5, 2008 at 7:00 p.m. at the Conference Center and the second letter provided information about the pedestrian walkway over Huebner Creek at Bandera Road. She reported that the funding for the pedestrian walkway will be discussed at the March 24, 2008 MPO meeting.

Mayor Riley thanked Chief Irwin, Chief Wallace, and Al Uvietta and the City Manager for setting up a tour of San Antonio's Emergency Operations Center.

Adjourn.

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After wishing everyone a “Happy Easter,” Mayor Riley asked for any other business. Hearing none, a motion was made by Councilman Reyna, seconded by Councilmember Dean, to adjourn. Following the motion, Mayor Riley announced the meeting adjourned at 7:55 p.m.

ATTEST:

Chris Riley
Mayor

Marie Feutz
City Secretary

Minutes approved by majority vote of Leon Valley City Council at the Regular City Council Meeting of April 1, 2008.