

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, APRIL 3, 2007 AT 7:00 P.M.

The City Council of the City of Leon Valley, Texas, met for a Regular City Council Meeting on the 3rd day of April 2007 at 7:00 p.m., in the Leon Valley City Council Chambers, for the purpose of the following business, to-wit:

Call to order and Pledge of Allegiance.

Mayor Riley called the meeting to order and asked that the minutes reflect that the following members of Council were present: Maloy, Reyna, Dean and Rangel.

City Manager Lambert, City Secretary Feutz, Fire Chief Irwin, Police Chief Wallace, Library Director Trent, HR Officer/ Assistant City Secretary Schendel, and City Attorney Jacobson were also present.

Mayor Riley asked Jacqueline Hassanieh, a guest in the audience from the Pape Dawson Engineering Firm, to lead the Pledge of Allegiance.

Mayor Riley recognized students from Northwest Vista College in attendance and announced that it was officially Spring.

Mayor Riley also announced that Agenda Item Number 14, "Consider Memorandum of Understanding between the Greater Edwards Aquifer Alliance (GEAA) and City of Leon Valley for Application to the Environmental Protection Agency for Technical Assistance Grant (TAG)", would not be considered at this meeting.

Consider approval of minutes of the City Council Meeting of March 20, 2007.

Mayor Riley asked that the minutes be amended on Page 3, under the agenda item "Consider Resolution approving participation in the U.S. Mayors Climate Protection Agreement". She stated that she used the words "philosophical commitment" for the community to reduce its use of fossil fuels but after she read the minutes she meant to have said a "moral" commitment as she feels that we are stewards of the planet and asked if Council would consider adding that change to the minutes.

Councilman Reyna asked that the corrections that were in the minutes at the dias for the Councilmembers be added when the motion was made. These corrections included announcements from both the City Secretary and Mayor Riley made at the March 20, 2007 meeting and will be corrected on the official copy of the minutes for record.

A motion was made by Councilman Reyna, seconded by Councilmember Rangel, to approve the minutes from the City Council Meeting of March 20, 2007 as amended and corrected. Upon a unanimous vote, the motion carried.

Proclamation Declaring the Week of April 15 - 25, 2007 as National Library Week in Leon Valley.

Mayor Riley proclaimed the week of April 15 - 25, 2007 as National Library Week in Leon Valley and encouraged all residents to visit the library to take advantage of the wonderful library resources available and thank our librarians and library workers for making information accessible to all who walk through the library's doors. Mayor Riley presented the proclamation to Library Director Joyce Trent. Ms. Trent reported that several activities were planned for the

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week to include a special pre-school story-hour and a visit by Joy Fischer Heim, an illustrator, who will be presenting information on her work for a book on Texas wildflowers on Sunday, April 15th. Ms. Trent reminded Council that the Library would be getting ready for their 30th Anniversary in May 2007.

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

Mayor Riley asked Council if they wished for any Consent Agenda item to be removed for further discussion. Hearing no requests, Mayor Riley asked if anyone in the audience wished to address the Council.

Resident Marcy Meffert addressed Council thanking them for appointing a Special Events Coordinator, Elsa Dominguez. She stated that Ms. Dominguez had been very helpful with the Los Leones Art Festival.

Seeing no one else, Mayor Riley asked for a motion on the Consent Agenda item.

Consent Agenda

Consider M&C # 04-01-07 - Appointing another member to the Citizen Neighborhood Progress Committee (Mayor Riley).

Consider Ordinance 07-016 - Appointing a member to the Community Events Committee (Caldera).

Consider M&C # 04-03-07 with attached Ordinance - Revising Chapter 10 "Fire Protection", Section 10.301 "Fire Code Adopted" and Section 10.305 "Exceptions" (Irwin).

A motion was made by Councilmember Maloy, seconded by Councilmember Rangel, to approve the Consent Agenda. Upon a unanimous vote, the motion carried.

Regular Agenda

Presentation and update by the Zoning Commission of Leon Valley (Chairman Guerra III).

Zoning Commission Chairman Guerra presented an overview of the Zoning Commission and its members. He stated that in 2006, the Commission had completed the review of the 2006 Zoning Code and had made recommendations on three rezoning requests and twelve Specific Use Permit requests and began its dual role as the Capital Improvements Advisory Committee (CIAC). He stated that for the year 2007, the Zoning Commission had begun the review of the 2007 Master Plan starting with a review of the Linkwood Addition and Monte Robles Park neighborhood areas, had made one recommendation on a rezoning request and had heard a report by Leonard Young on the City's Capital Improvements. Chairman Guerra thanked the Council for their support and staff members, Kristie Flores and Melinda Smith, for their help in training and case preparation.

Councilmembers thanked Mr. Guerra for stepping up to accept the role of Chairman of the Commission and complimented the Zoning Commission for considering developing a

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Comprehensive Master Plan with action items. City Manager Lambert also thanked Mr. Guerra for his presentation and service.

Presentation by the Alamo Regional Mobility Group Advisory Committee.

Mayor Riley announced that members of the Alamo Regional Mobility Authority (ARMA)'s Bandera Road Group Advisory Committee, Al Uvietta, Marcy Meffert and Phillip Manea, represent Leon Valley in their review of options for traffic congestion on Bandera Road. She stated that Mr. Manea would not be available this evening, but that Mr. Uvietta and Ms. Meffert would present an overview of the progress of the Group.

Mr. Uvietta addressed Council giving a short overview of the group's process for evaluating recommendations for the Bandera Road corridor traffic. He explained that ARMA's funding options are limited to tolling. He stated that the group is reviewing twenty-one identified options for Bandera Road. He stated that it is the Leon Valley representatives' view that a proposed limited-access roadway build out fails to resolve traffic congestion on Bandera Road, and albeit funding constraints, some mitigation/corrective actions are needed. He stated that recent data suggested that traffic congestion on the Bandera Road corridor results from a unique feeder road configuration. He stated that the data indicates that only 6.5% of the total traffic traveling along Bandera Road is transiting between 1604 and 410. He stated that the balance of the traffic enters and exits via feeder roads along the corridor. He also presented a circle map from Northside Independent School District (NISD) which illustrated projected residential development to be heavy north and northwest of Bandera Road suggesting that additional traffic capacity should be directed at Highway 211 and 151 rather than along Bandera Road.

Answering questions from Council, Mr. Uvietta explained that the focus of their group is only the Bandera Road corridor; therefore, the Leon Valley representatives recommend that their recommendations regarding consideration of using other roadways to alleviate traffic congestion in the northwest area, other than a Bandera Road toll road, be forwarded to TXDOT from the Committee. Mr. Uvietta reported that only two or three options are tolling options of the 21 options being considered by the ARMA Advisory Committee.

Ms. Meffert stated that the NISD projections have been historically proven to be quite accurate and suggested that connections from Grissom to Culebra be improved. She also suggested that the overhead Loop 410/Bandera Road lane project should be completed and then the traffic problem reviewed to see how the elevated access lane improves traffic flow.

Council thanked the committee members for their service and report.

Public hearing to consider Replat #06-100- A request by Pape-Dawson Engineers, agent for Brazos De Santos (Bill Miller BBQ), applicant and property owner, to replat the property at 6009 and 6021 Bandera Road, being approximately 1.133 acres of land, Lots 8 and 11, to new Lot 13, Block 1, CB 4429, Bill Miller - Bandera Road and Wurzbach Road Subdivision (Smith).

City Manager Lambert explained to Council that he would present that cases for the Community Development Director this evening. He addressed Council stating that the request by Pape-Dawson Engineers was on behalf of the property owner, Brazos De Santos (Bill Mill BBQ) to replat approximately 1.133 acres of B-2 (Retail) zoned land at 6009 and 6021 Bandera Road.

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He reviewed the Master Plan recommendations for the area and stated that there were no requested variances or outstanding items on this case. He stated that of five letters sent to surrounding property owners, no letters were received opposed to the case nor returned undeliverable and one letter was received in favor of the case. He stated that staff recommended approval of the case.

There were no comments from the applicant. Mayor Riley opened the public hearing at 7:55 p.m., asking if anyone in the audience wished to address Council on the case. Hearing no one, Mayor Riley closed the public hearing at 7:56 p.m.

A motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve Replat Case # 06-100 as presented. Upon unanimous vote, the motion carried.

Public hearing to consider Replat #07-103- A request by Gibbons Mapping and Surveying, agent for Sidney Gold, applicant, to replat the property in the 6600 block of Poss Road, being approximately 2.503 acres of land, Lot 62, to Lots 64 and 65, Block 3, CB 5784, Greenway Park Subdivision (Smith).

City Manager Lambert addressed Council stating that the request by Gibbons Mapping and Surveying, for applicant Sidney Gold, was to replat approximately 2.503 acres of land in the 6600 block of Poss Road, a B-3 (Commercial) zoned district. He reviewed the recommendations from the 2003 Master Plan 4CC Grissom Road Corridor and stated that there were no outstanding items on this case nor were there any requested variances. He reported that three letters were sent to property owners of surrounding properties, but no letters were received in favor nor in opposition to the case and no letters were returned undeliverable. He stated that staff recommended approval.

Applicant, Sid Gold, addressed Council thanking Community Development Director Smith and her staff for their assistance in bringing their case to the Council. He presented an overview of his company which provides wholesale and retail on-line footwear sales.

Mayor Riley opened the public hearing at 8:08 p.m., asking if anyone in the audience wished to address Council on the case. Hearing no one, Mayor Riley closed the public hearing at 8:09 p.m.

A motion was made by Councilmember Dean, seconded by Councilman Reyna, to approve Replat Case # 07-103 as presented. Upon unanimous vote, the motion carried.

Consider M&C # 04-02-07 with attached Ordinance - Approval of budget adjustments to the Police Forfeiture Trust Fund to purchase Police firearms (R.Wallace).

Police Chief Wallace presented the request to Council explaining that the current Glock .40 caliber pistols used in the Leon Valley Police Department had been in service for over seven years and the company recommends replacement of these weapons every five to eight years. He proposed the purchase of Sigarms P226 chambered .40 caliber weapons at a cost to the City of \$341 each. He stated that the costs included a \$300 credit to the City for each Glock traded in. He also proposed the purchase of two additional patrol rifles at a cost of \$772 each and additional ammunition. He explained that the funding would come from the Police Forfeiture Trust Fund leaving a balance in the fund of \$ 259,688.

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A motion was made by Councilman Reyna, seconded by Councilmember Rangel, to approve the request and attached ordinance as presented. Upon unanimous vote, the motion carried.

Consider M&C #04-04-07 - Request by Ricky's Video Place, at 5736 Wurzbach Road, for an Exemption to the Location Restrictions in Chapter 34 of the City Code "Adult Entertainment Establishments" (R.Wallace).

Police Chief Wallace addressed Council stating that in 1993 City Council passed an ordinance regulating adult entertainment establishments within the City. He explained that adult entertainment establishments operating prior to the date of the ordinance must annually request an exemption from Council to continue to operate as a non-conforming use. He reviewed the criterion for the exemption and presented findings that indicated no criminal activity attributed to the business nor had property values appeared to be affected detrimentally by the business. He stated that the property manager had indicated that there had not been any vacancies caused by having the business at its current location.

A motion was made by Councilmember Rangel, seconded by Councilmember Maloy, to approve the exemption as requested. Upon vote, the motion carried.

Consider Resolution to create a Community Advisory Group, the Superfund/EPA Advisory Group (Lambert).

City Manager Lambert explained that the Resolution was to create a Community Advisory Group but that appointment of members for the group would be brought back to the Council for their consideration at a later meeting.

Mr. Lambert announced that the Superfund Site in Leon Valley had been officially announced in the Federal Register. He explained that it was important for representatives to have a forum to discuss and present needs and concerns related to the Superfund decision-making process. Mr. Lambert explained that the Community Advisory Group (CAG) would provide that public forum for community representatives to present and discuss needs and concerns related to the Superfund decision-making process. He stated that the proposed Resolution defines and names the CAG, establishes the Group size and general operating procedures, but that the Group would chose their own Chair and set their bylaws once established.

Discussion suggested that staggered terms be given to members of the group and Mr. Lambert stated that the issue could be addressed when the Group forms their by-laws.

A motion was made by Councilman Reyna, seconded by Councilmember Rangel, to approve the Resolution to create a Community Advisory Group.

Discussion Agenda

City Manager's Report (Lambert).

He announced that the next City Council meeting would be at the Conference Center and would include a reception honoring the Council-appointed volunteers for Committees, Boards, and Commissions starting at 5:45 p.m. before the actual meeting. He stated that he hoped this

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would be an annual event to express appreciation for the service and dedication of Leon Valley volunteers.

Citizens to be heard.

None.

Announcements by Councilmembers and Mayor.

Councilmember Rangel asked the Fire Chief about a new chair being used in transporting patients. Chief Irwin demonstrated the use of the new stair chair. He stated that the chairs cost approximately \$2,300 and the Department has three chairs. Councilmember Rangel reported that there were 60 vendors signed up for the Trade and Market Day's first market day of 2007 to be held on April 14, 2007. He invited everyone to attend and thanked Council for keeping Elsa Dominguez on staff working with the Trade and Market Day. He also announced that the Community Events Committee had begun its work on the July 4th Parade, to be held on Wednesday, July 4, 2007 and invited the Councilmembers to participate in the parade.

Councilmember Dean thanked the members of the ARMA Committee for the comprehensive report and for their service on the committee.

Councilman Reyna stated he would have his fire truck back for the 4th of July Parade. He announced that the Citizen Neighborhood Progress Committee met at the NISD Red Schoolhouse at Grissom and Bandera Road and that the minutes were included in the Council packets.

Councilmember Maloy complimented the Fire Department for their services to residents regarding changing smoke detectors in their homes and thanked the Department for their community education efforts regarding smoke detectors.

Mayor Riley announced that April 12, 2007 was the last day to register to vote so that a voter can vote in the May 12, 2007 General Election. She announced that she had received a call from Bruce Pearson of the American Backflow Prevention Association inviting Councilmembers to be their guests at the Association's April 12th dinner/meeting at which water cisterns were going to be discussed. She announced that CPS Energy would be holding their 2nd Annual Greenfest at Eisenhower Park this Saturday, April 7, 2007.

Adjourn.

After asking if there was any other business or comments, Mayor Riley announced the meeting adjourned at 8:39 p.m. and reminded everyone that Council would meet next time at 5:45 p.m. at the Conference Center on April 17th.

ATTEST:

Chris Riley
Mayor

Marie Feutz
City Secretary

Approved by unanimous vote of City Council at the April 23, 2007 City Council Meeting