

**REGULAR CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, APRIL 15, 2008**

The City Council of the City of Leon Valley, Texas, met for a Regular City Council Meeting on the 15<sup>th</sup> day of April 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.**

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**Call to order and Pledge of Allegiance.**

Mayor Riley called the meeting to order at 7:03 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, Interim Development Director Flores, Fire Chief Irwin, Police Chief Wallace, and City Attorney McKamie were also present.

Mayor Riley asked Boy Scout Travis Nelson, of Troop 351, to lead the assembled group in the Pledge of Allegiance.

**Presentation by Bexar County Court at Law No. 1 - Judge Alfonso Alonzo on Bexar County's Drug Court Program**

Mayor Riley introduced Judge Alfonso Alonzo and provided the Council and audience his biographical information.

Judge Alonzo presented information for the audience on the impact of drug and alcohol abuse on the criminal justice system and the strategies used by the justice system to deal with alcohol and substance abuse. Judge Alonzo explained how Drug Court programs operate and how they reduce overcrowding in jails and reduce recidivism of nonviolent drug-addicted offenders. He presented statistics on the effects of alcohol and drug abuse on DUI and crime in general. Judge Alonzo asked the audience to consider the role of the Drug Courts which, instead of isolating an offender in prison, force the participants to confront their addiction and require them to repair the damage they have done. He outlined the ten components of the drug court program which includes drug treatment, counseling, education, partnerships with other community agencies and continued evaluation of the offender. Judge Alonzo explained that the sources for program funding are: grants, private donations, government funding and others. He noted that it costs society about \$2500 per year per drug court participant versus \$20,000 - \$50,000 per incarcerated prisoner.

Mayor Riley thanked the Judge for his information and for the work that he does with the Drug Court.

Northwest Vista College student Matthew Valdez asked general questions of Judge Alonzo about the Drug Court Program.

**Presentation of annual report by the Historical Society of Leon Valley (D. Riley).**

The Historical Society of Leon Valley's President, Darby Riley, addressed Council presenting the third annual report on the natural area leased by the Historical Society from the City. Mr.

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Riley reported on the activities held for the natural area during the past year which included: several cleanup projects, new signage, a review by an area entomologist, who identified several types of bugs present in the natural area, and he described the property maintenance done to preserve the fire break between the residential area and the natural area.

Mr. Riley invited everyone to an ice cream social on May 18, 2008 at the homestead site being held with the San Antonio Conservation Society. He stated that during that the unveiling of historical markers for the Huebner-Onion Homestead and stagecoach stop, tours will also be held for the public.

Mr. Riley reported on the goals of the Society for the next year at the natural area which included: working with the City to obtain funding for a driveway and "green" parking area on the Bandera frontage at the Bandera/El Verde traffic light, working with the City and others to re-vegetate the degraded area along Huebner Creek, and working with NISD on curricula to be held on the site at the homestead and natural areas.

In response to a question from Council, Mr. Riley explained that the Pageant Association was the original nonprofit group that eventually became the Historical Society of Leon Valley.

**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 to have any Consent Agenda item removed for further discussion, Mayor Riley then asked if anyone in the audience wished to address the Council.

Businessman Jerry McCall of Texas Guns, 7122 Bandera Road, addressed Council with complaints about the City's code enforcement activity requiring him to remove his trailer, which he parks in front of his business. He complained about his trailer being called a "sign." Mr. McCall complained that other businesses along Bandera Road were also parking business vehicles with business signs on them in front of their businesses and questioned why he was being penalized for his trailer. City Manager Lambert read the definition of a sign aloud from the City's Sign Code to provide clarification about the trailer being designated a "sign."

Interim Development Director Flores provided further information to the Council from the Sign Code and stated that Code Enforcement was also contacting other businesses with these same types of signs. Ms. Flores explained that when a signed vehicle's use is only incidental to the business and where the apparent use of the signed vehicle to advertise a product or to direct people to a business or activity, then the vehicle is serving as a sign. Ms. Flores indicated that due to limited staffing for code enforcement, sign code enforcement has not been consistent. She informed Council that she was personally assisting with informing businesses of code violations.

Mr. McCall asked Council to consider that he has been at the business site for eight years; he uses his trailer to deliver products; and he felt that the trailer was not being used as a sign.

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

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**Consent Agenda**

**Consider approval of minutes of the Council Workshop and Regular City Council Meeting of April 1, 2008 and Special City Council Workshop Meeting of April 3, 2008 (Feutz).**

**Consider Quarterly Investment Report (Lambert).**

A motion was made by Councilmember Dean, seconded by Councilman Reyna, to approve the Consent Agenda as presented. Upon vote, Mayor Riley announced that the motion and the Consent Agenda were approved.

**Action Agenda**

**Consider M&C # 04-06-08 with attached ordinance - a request for a budget adjustment for the Water and Sewer Fund Balance for incorporation costs for the Leon Valley Groundwater Protection Association (Lambert/Dusenbury).**

City Manager Lambert addressed Council stating that in the past other groups have attempted to become the Technical Assistance Grant (TAG) managers, but for various reasons were unsuccessful. He informed Council that the Bandera Road Site - Community Advisory Group (CAG), who have been meeting with EPA officials, is requesting assistance to incorporate as a nonprofit group so that they can apply for a TAG. He stated that a TAG grant can be awarded for up to \$50,000 for the first request, but the group needs funding to pay for legal fees and supplies with the incorporation process. He also stated that if the TAG is awarded, the group, which is calling itself "The Leon Valley Groundwater Protection Association," may be able to reimburse the City for the incorporation fees.

Paul Dusenbury, a member of the Leon Valley Groundwater Protection Association, addressed Council stating that the TAG will allow the members to hire expert advisors to make sure that all is being done by the EPA to educate the neighborhood and to find the source of the contamination and to clean any contamination at the site properly. He explained that the EPA's TAG advisor would be meeting with the entire Community Advisory Group on May 7, 2008 to provide assistance with this process.

City Manager Lambert informed Council that the City Attorney's office would be assisting with drawing up the incorporation papers for the TAG.

Following discussion, a motion was made by Councilman Reyna, seconded by Councilmember Dean, to approve the requested budget adjustment for the Water and Sewer Fund in the amount of \$5,000 for incorporation costs for the Leon Valley Groundwater Protection Association.

**Consider M&C # 04-07-08 with attached ordinance - a request for a budget adjustment to the General Fund Balance to hire an additional Code Enforcement Officer (Flores).**

Mayor Riley provided background information about a workshop held earlier in the month where much discussion was held on the need to beautify the City and how to sustain City as it ages..

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Interim Development Director Flores provided an overview of the current staffing level and time spent enforcing codes with only one full time Animal Control/Code Enforcement Official. She provided historical background of fluctuating full time and part time code enforcement officers since 1988 and she reviewed the increased need for code enforcement assistance with the new efforts to insure that tree preservation and graffiti laws are enforced in the City. She updated the Council on the progress of the volunteer Code Enforcement program which has three volunteers who help patrol the City and proactively report code violations. Ms. Flores presented costs for both a full time and part time Code Enforcement Officer for the rest of FY 2008.

Councilmembers discussed the need for a full time staff member and that the citizens are asking for this kind of help to improve the City's appearance.

Following discussion, a motion was made by Councilmember Baldrige, seconded by Councilman Reyna, to approve the budget adjustment for the General Fund Balance for a full time Code Enforcement Officer for the rest of this fiscal year. Upon unanimous vote, Mayor Riley announced the budget adjustment was approved.

Councilmember Baldrige asked for a report on the progress of the additional staff member and the City Manager stated that the monthly report will include information on just code enforcement activity. Councilmembers also asked that the citizens be notified about this additional code enforcement support so that they will know that the City is being proactive in educating them to prevent future code violations and notifying them about any code violations.

Council continued discussion about how citizens can report code violations - through the City's website, phone, and email.

**Consider M&C # 04-08-08 - a request to accept bids for a 100-114 foot platform Quint fire apparatus and authorize the City Manager to approve the purchase of the vehicle from Hall-Mark Fire Apparatus, Texas. (Irwin).**

City Manager Lambert asked Council if the request can be withdrawn from consideration as the bid analysis was not complete. After consulting with the City Attorney, Mayor Riley agreed to allow the request to be withdrawn.

**Discussion Agenda**

**Discussion on feline spay/neuter/release program (City Veterinarian Meier).**

City Veterinarian Meier addressed Council asking their approval of a Trap/Neuter/Release (TNR) policy for feral cats in Leon Valley. Sandee Bowman of the San Antonio/Bandera County Animal Welfare Society (AWS) also addressed Council explaining details of the TNR program. They explained that grant money is available, but must be used prior to May 31, 2008 with additional grant moneys being requested for 2009. Dr. Meier stated that euthanasia was not the solution to a feral cat population in the City, but rather, the TNR program was the preferred solution. He explained that the program has \$ 7500 that must be used by the end of May 2008 for a TNR program, but if the \$7500 grant was not used by the end of May, a \$10,000 grant for 2009 may not be awarded to this group. He stated that Castle Hills, Alamo Heights, Windcrest, Balcones Heights and San Antonio have programs started for TNR. He stated that stray cats are a problem in Leon Valley, and under the City's current laws any stray, feral cat is euthanized

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if not claimed or adopted within a short amount of time. Dr. Meier described that once the City's Animal Control Officer (ACO) traps a feral cat, he would neuter the animal and give it a rabies vaccination, and then the City's ACO would return the cat to its colony and it would continue to be fed with its colony.

Councilmembers expressed the dilemma of citizens not wanting stray cats loose in their yards, and those that wish to stop euthanizing stray cats in the City.

Sandee Bowman of the Animal Welfare Society of Bexar County addressed Council stating that feral cats only live about four years. She stated that the TNR program will produce a zero population growth of the feral cat colonies.

City Attorney McKamie asked what diseases, that could affect human and domesticated cats in Leon Valley, could be transferred from these feral cats colonies. Dr. Meier stated that feline leukemia, and feline aids, and feline infectious peritonitis could be transmitted to other cats, but feline parasites could be transmitted to humans.

Mayor Riley asked that the issue be placed on the May 6, 2008 City Council meeting agenda.

Resident Mary Frances Uptain, 6601 Sawyer Road, addressed Council expressing her disagreement with a TNR program being a good program for Leon Valley. Ms. Uptain stated that free ranging feral cats benefit no one, wildlife suffers, and feral cats can become a source of disease to pet cats. She described how the number of birds and other wildlife on her property have significantly decreased with the increased number of stray cats wandering from the neighborhood onto her property. She urged Council not to approve a TNR program in Leon Valley.

**City Manager's report.**

**A. Presentation of monthly financial report - March 2008.**

City Manager Lambert reported that the City had received a check in the amount of \$26,143, the 2006-2007 equity return for workers' compensation, liability, and property funds, from TML-IRP. He explained that the check was for our loss ratio and that TML-IRP thanked the City of its successful efforts in controlling losses.

Mr. Lambert presented information on the financial status of the City as compared with March 2007 and the overall budget for expenditures and income. He noted that sales tax and ad valorem taxes were flat and predicted a tight budget for FY 2009.

**B. Update on SDAT project.**

City Manager Lambert announced that the City had received news that James Sherrell, an architect with Polis Studio in Chattanooga, Tennessee, as agreed to act as the team leader for the Leon Valley SDAT program. He stated that he hoped that the meetings would begin in June for the SDAT project. Mayor Riley announced other winners of SDAT projects this year by the American Institute of Architects including Fort Worth, Morristown, New Jersey, Tampa, Detroit, Leon Valley and about six others across the country.

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**C. Update on Leon Valley ENews project.**

City Manager Lambert announced that staff was ready to begin the news subscriber program for the City using the City's website. He presented an overview of the types of information that would be sent out and how users of the website can subscribe and unsubscribe from the service online. After brief discussion, Council expressed no objections to naming the service "Leon Valley ENews". Mr. Lambert announced that the program should be running by the end of the week and as soon as we receive subscribers.

**D. Update on Budget for Street Maintenance Sales Tax Funds**

City Manager Lambert asked that Council will need to provide guidance on whether they want all of the anticipated \$400,000 from the street maintenance sales tax spent on street maintenance or if they wished to use all or part of the moneys on reconstruction of some streets.

Council recommended a workshop for further discussion on the subject with the engineers and staff to be held on May 6, 2008 from 5:30 p.m. - 7:00 p.m.

**Citizens to be heard.**

Resident Al Uvietta addressed Council stating that if they choose to support a TNR program, the City will need to change the its laws which require cats to be on a leash.

Resident Daniel Parker addressed Council about a scam being mailed to Leon Valley residents by Canadian mail. He asked that the City get the word out to warn other citizens about this scam.

Chief Wallace informed Council that two members of the City's new Leon Valley Now Volunteers, Daniel Parker and Lupe Carpio, were present in the audience. Chief Wallace commended the work of the volunteers and showed vests to the Council that will be worn by members of the new volunteer Park Patrol.

**Announcements.**

Councilman Manea announced that citizen Wendy Phelps was working with the Relay for Life to be held in Helotes on May 9, 2008, at 6:30 p.m. He encouraged everyone to turn out to support the Relay for Life for one hour at 6:30 p.m.

Councilmember Baldrige announced the official unveiling a plaque at the Huebner-Onion Homestead and Stagecoach Stop. She explained that the plaque would mark the homestead site as officially on the National Register of Historic Places and invited everyone to attend an Ice Cream Social to be held at the homestead on May 18, 2008 at 2:00 p.m. - 4:00 p.m. Ms. Baldrige reported that putting the recycle sign in her front yard appears to be having a positive impact on her neighborhood, as she is observing an increase in the number of recycling program participants and in the number of items being put out in recycling bins each week since the sign went up in her front yard.

Councilmember Dean thanked Ms. Carpio and Mr. Parker for their volunteer time on the Leon Valley Now Code Enforcement team.

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City Secretary Feutz reminded everyone about the "Meet the Candidates Night" to be held on Thursday, April 17, 2008 at 7:00 p.m. at the Conference Center and to be hosted by the League of Women Voters. She also reminded everyone that early voting by personal appearance would begin on April 28, 2008 and continue through May 6, 2008 with extended and weekend voting hours. She also reminded voters that the closest early voting site was the Kinman House on Evers Road.

Mayor Riley reported that visitors from the sister-city, Agropoi, Italy would tour City Hall at 3:00 p.m. on Tuesday, April 29, 2008 and announced a Volunteer Appreciation Event to be held that same day at 6:30 p.m. at the Conference Center. Mayor Riley also informed everyone of a public meeting with CPS Energy to be held from 9:00 a.m. - 10:00 a.m. on Saturday, May 3, 2008 at City Hall for citizens who want more information on the new power poles in their neighborhood. Mayor Riley announced a meeting with TxDOT officials at the Conference Center for May 5, 2008 at 7:00 p.m. to provide an open forum for the City to hear an update on the progress of the Loop 410 and Bandera Road elevated lanes' project and for residents to ask questions. She also announced that the Bandera Road Site - Community Advisory Group (CAG) would be meeting on Wednesday, May 7, 2008 at 5:30 p.m. in the Conference Center and that would be followed by a public session hosted by the EPA to provide information to the City on progress with the water contamination plume. She publically thanked artist/poet Jesse Castro for his work with the National Poetry Month and displayed the fabric art he incorporated into her shirt.

**Adjourn.**

Hearing no further business, a motion was made by Councilman Reyna, seconded by Councilmember Dean, to adjourn the meeting. Hearing no objections, Mayor Riley announced the meeting adjourned at 9:17 p.m.

ATTEST:

Chris Riley  
Mayor

Marie Feutz  
City Secretary

*Approved by City Council majority vote at the Regular City Council Meeting of April 15, 2008.*