

**CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, NOVEMBER 2, 2009**

The City Council of the City of Leon Valley, Texas, met on the 2nd day of November 2009 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 WORKSHOP MEETING - 5:30 P.M.

Call to order.

Mayor Riley called the Special City Council Workshop Meeting to order at 5:40 p.m. and asked that the minutes reflect that the following members of Council were present: Garcia, Baldrige, Dean and Nelson. Mayor Riley announced that Councilman Reyna was called out of town on business and had an excused absence.

City Manager Lambert, City Secretary Feutz, HR Officer/Assistant City Secretary Caldera, Library Director Trent, City Accountant Wallace, Fire Chief Irwin, Police Chief Wallace, Economic Development Director Ryan, and Community Development Director Flores were also present.

Presentation from Halff and Associates on progress toward a master redevelopment plan and Council to consider possible action as may be appropriate to the discussion.

Jim Carrillo, Director of Planning for Halff Associates, presented details of the town center and Bandera road strategies for the redevelopment master plan. He outlined a timeline for the next two months of the meetings that involve Council workshops and public hearings with the Council and Zoning Commission to implement development standards for the redevelopment plan. Mr. Carrillo explained that the redevelopment plan will provide overlay district recommendations and requirements, a town center framework concept, overall redevelopment plan, a master plan view, companion recommendations in report format and strategies for redevelopment. He also noted that broader redevelopment ideas will follow after the end of the moratorium in December and that any new redevelopment must work with market forces. Mr. Carrillo presented slides illustrating possible standards that will, over time, provide a more pedestrian-friendly, connected City with business and residential areas connected with multi-level buildings and with better visibility of those businesses that front Bandera Road. He provided recommendations for alternatives for building footprints, parking, landscaping, traffic circulations between business sectors, and suggestions for architectural design standards for the future. He presented an option for the City to consider a lake within the current Bandera Road natural area that could perhaps benefit the Huebner Creek downstream flooding and provide a water feature, visible from Bandera Road, that would be a positive feature for the City and those that visit the City's park and green areas.

Council discussed their concerns on how the redevelopment would affect businesses, how the changes could be financed, changes that would enhance the Bandera Road corridor and be a positive enhancement to businesses in Leon Valley, and the need for public input on the proposed plan before Council takes formal action.

Consider additional meeting, on Saturday, November 14, 2009 from 8:30 a.m. - noon, to receive public input on the proposed Master Redevelopment Plan before it is finalized (Mayor Riley).

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Mayor Riley asked Council to consider adding a special workshop meeting for public input on the proposed overlay district for the master redevelopment plan to be held Saturday, November 14, 2009. Mayor Riley stated that it has been a year since the redevelopment and the SDAT meetings with the public and Council agreed that input from both the residential and business communities was important for this project. By consensus Council agreed to have staff coordinate the workshop meeting for November 14th and to informing the public of the meeting.

Adjourn

Hearing no further business, Mayor Riley announced the workshop meeting adjourned at 7:00 p.m.

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

Call to order and Pledge of Allegiance.

Mayor Riley called the Regular City Council Meeting to order at 7:10 p.m. and asked that the minutes reflect that the following members of Council were present: Garcia, Baldrige, Dean and Nelson. Mayor Riley apologized for the meeting delay and announced the Councilman Reyna had an excused absence due to a work commitment out of town.

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

Mayor Riley welcomed everyone and asked American Legion Post No. 336 Commander Geraghty to lead the assembled group in reciting the Pledge of Allegiance.

Presentation of Good Neighbor Certificate to Matt Olmsted from N.I.S.D.(Mayor Riley/Councilmember Nelson).

Councilmember Nelson recognized Northside Independent School District's Matt Olmsted reporting on how she had come across Mr. Olmsted caring for an injured dog on the side of Bandera Road in early September. Mayor Riley and Councilmember Nelson presented a "Good Neighbor" certificate to Mr. Olmsted and thanked him for his service to the community.

Presentation of Good Neighbor Certificate to Craig Ferrell (Mayor Riley).

Mayor Riley presented a "Good Neighbor" certificate to resident Craig Ferrell for his generous donation to the Fire and Police Departments on September 11th. Mayor Riley explained that Mr. Ferrell cooks and delivers a meal to the departments on September 11th as a way of thanking these public safety employees for their service to the community. Mr. Ferrell thanked the Fire and Police Department staff for their work.

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Presentation of Good Neighbor Certificates to Fire Prevention Week Donors (Mayor Riley)

Deputy Fire Marshal Luis Valdez reported that for more than 27 years, the Leon Valley Fire Department visits local elementary schools and child care centers to promote fire safety during Fire Prevention Week. He explained that the fifth graders participate in a poster contest which provides a creative theme to demonstrate what they have learned about fire safety. Marshal Valdez explained that local businesses have been very generous in donating prizes for the poster contest.

Mayor Riley joined Deputy Fire Marshal Valdez in thanking the business representatives for their generosity and community support: Dan Brunner from "Freedom Debt Relief," Rosa Zertuche from "Only Hairs and Nails," Mary Ann Zamorano from "Floor Covering Unlimited," Rudy and Steven Pena from "Pena Brothers Upholstery," Leonard Chacon and Rocky Montez from "BCS Sports," Art Zulaica from "Renegade Classics," and Elizabeth Montemayor from "Lacks Furniture."

Proclamation for Texas Recycles Day 2009 - November 15, 2009 (Mayor Riley/Earthwise Living Committee).

Mayor Riley proclaimed November 15, 2009 as Leon Valley Recycles Day and reminded everyone of the importance of recycling, reusing, and buying products made from recycled products. She announced that the Earthwise Living Committee was sponsoring this project and she reminded everyone that the City's goal was to have, by the year 2020, 90% of the City of Leon Valley will participate in the recycling program.

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 for further discussion. Councilmember Nelson asked that Agenda Item # 12 for M&C # 11-04-09 for further discussion. Hearing no further objections, she asked if anyone in the audience wished to speak for the "Citizens to be Heard" portion of the meeting.

Walter Geraghty, Commander for American Legion Post No. 336 and members of Post No. 336 presented a framed certificate of appreciation from the American Legion to the City for its support of the Post's September 11, 2009 event. Commander Geraghty announced that there are now almost 216 members in this new Leon Valley-based Post and he encouraged those considering membership to contact him.

Resident Al Uvietta commended Mayor Riley and City Council for working tirelessly in pressing for the need to have Bandera Road removed from the ARMA and MPO plan for toll funding for Bandera Road improvements. Mayor Riley announced that the MPO approved considering alternative funding for Bandera Road improvements and removed Leon Valley's portion of Bandera Road from the toll funding plans. She thanked Council and other local officials for their support of Leon Valley's efforts on this issue.

Seeing no one else to come forward for the "Citizens to be heard" portion of the meeting, Mayor Riley thanked everyone for bringing their comments to Council and asked for a motion to approve the following Consent Agenda items:

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Consent Agenda

Consider action to approve minutes of the Regular City Council Meeting of October 5, 2009 and the Special City Council Meetings of October 12, 2009 and October 15, 2009 (Feutz).

Consider action to approve the Quarterly Investment Report - July 1, 2009-September 30, 2009 and on the Annual Investment Report for the period of October 1, 2008 - September 30, 2009 (V. Wallace).

Consider action on M&C # 11-01-09 with attached Resolution - annual review and revisions to city investment policy (V.Wallace).

Consider action on M&C # 11-02-09 - a request to approve continuation of the cooperative agreement between the Police Departments of the City of Leon Valley and the City of San Antonio for the High Intensity Drug Trafficking Area (HIDTA) initiative (Chief Wallace).

Consider action on M&C # 11-03-09 with attached Resolution - a request for approval to proceed with filing an application with the State Energy Conservation Organization (SECO) for the Energy Efficiency and Conservation Block Grant (EECBG) and authorizing the City Manager to act on behalf of the City of Leon Valley in all matters related to the application; and pledging that if a grant is received the City of Leon Valley will comply with the grant requirements of the State Energy Conservation Organization (SECO), The State of Texas, and the American Recovery and Reinvestment Act (ARRA) of 2009. Grant funding is requested for retro-fitting and weatherization of City Hall and has no local match funding required (Word).

A motion was made by Councilmember Nelson, seconded by Councilmember Dean, to approve the Consent Agenda items as listed above. Upon unanimous vote, Mayor Riley announced the motion carried.

Action Agenda

Consider action on M&C # 11-04-09 with attached Resolution - a request for approval to proceed with filing an application with the Texas Department of Transportation (TXDOT) for State Transportation Enhancement Program (STEP); authorizing the City Manager to act on behalf of the City of Leon Valley in all matters related to the application; and pledging that if a grant is received the City of Leon Valley will comply with the grant requirements of the TXDOT and the State of Texas. Grant funding is requested for transportation projects (Word).

Grant Writer Word addressed Council explaining that TxDOT was accepting applications for funding assistance under the STEP program for transportation projects and stated that the call for applications has very short time line. She asked that Council approve submitting the application that will request funding for Bandera Road beautification efforts. She noted that the projects must be at least \$250,000 and requires a twenty percent (20%) matching

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contribution by the City. Ms. Word asked that, with Council's approval, she provide an approved resolution when she meets with TxDOT for technical assistance and right of way support. Ms. Word stated that she would return to Council with better defined costs for the grant project at the next Council meeting. The City Manager explained that they would consider new lighting and relocating power lines, landscaping along Bandera Road, and will ask if CIED funds can be used as part of the City's matching contribution for this grant.

A motion was made by Councilmember Nelson, seconded by Councilman Garcia to approve the request. Upon vote, Mayor Riley announced the motion carried.

Consider action on M&C #11-05-09 - with attached ordinance - a request by Mary Light, applicant and property owner to the City Code of Ordinances Chapter 3, Building Regulations," Section 3.05.003(a), "Dimensions and Appearance - Residential Fences," to allow construction of an eight foot (8") privacy fence at 7308 Linkmeadow Drive, being Lot 51, Block G, CB 4446A, Linkwood Addition Subdivision.(Flores)

Community Development Director Flores presented the variance request to Council which asks to allow an eight-foot tall privacy fence to be constructed at 7308 Linkmeadow. Ms. Flores stated that the property owner reports that the topography and elevation of the backyard along with the pool and patio is three feet higher than their adjacent neighbors. Ms. Flores noted that there were no similar variances in the area and provided information from the City Code which allows justification for granting a variance. Ms. Flores also reported that letters were sent to surrounding property owners, but no responses in favor of nor in opposition to the variance had been returned to the City.

Variance applicant Mary Light addressed Council stating that she is requesting the eight-foot tall fence on the three sides of her yard and she emphasized that a new residence has been constructed recently and because that house is built up, their new neighbors can look right into their backyard.

Councilmembers expressed their concern about how one house with an eight-foot fence will appear among all the other six-foot fences and the precedent that would follow with this variance request. Council's discussion continued around the need for a variance on all fence sides versus just the one side with the new house construction, air flow with the higher fence height, and how that fence would be constructed.

Following discussion, a motion was made by Councilmember Dean, seconded by Councilmember Baldrige, to postpone action on the case until November 17, 2009 and Council requested that the applicant provide a detailed fence plan for the entire fence project and recommended that the adjoining neighbor provide some input on this fence. The applicant agreed that they will bring better plans and input from the adjoining neighbor regarding any objections to the plan. Upon vote, Mayor Riley announced that action on the case would be postponed until November 17, 2009.

Consider action on a Resolution casting votes to elect a candidate for the Bexar Appraisal District Board of Governors for the term of January 1, 2010 - December 31, 2011. The City of Leon Valley has nine votes (Mayor Riley).

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Following brief discussion, a motion was made by Councilmember Baldrige, seconded by Councilmember Dean, to cast all nine votes for nominee Bill Kiel for the Bexar Appraisal District Board of Governors. Upon unanimous vote, Mayor Riley announced the motion carried.

Discussion Agenda

City Manager's report.

A. Monthly Reports for September 2009

City Manager Lambert announced that monthly reports were included in the Council packets and asked if they had any questions. Hearing none, he moved to the Financial report.

B. Financial Report for September 2009

City Manager Lambert provided details of the General Fund, Enterprise Fund, Street Maintenance Sales Tax, and Trade and Market Days revenues and expenses. He reported that sales tax revenue for FY 2009 was still down about 3.5%, but he added that one more month of revenue from sales tax receipts will be credited to the FY 2009 account. He also reported that overall revenue for licenses, fees, and fines were also lower for FY 2009 than originally planned. Mr. Lambert asked if Council wanted to pursue another hotel occupancy tax audit in the future, but he noted that the cost for the previous audit was almost as much as the City recovered from the audit's review. Mr. Lambert reported that the new fire truck was due to be delivered in the next week. He also reported that the grant for a new floor in the Conference Center was not successful and that staff would be returning to Council to request a budget adjustment to rollover FY 2009 funding for the floor.

C. Report on Meeting with Bexar County Flood Control from October 27, 2009.

Mr. Lambert reported that the Bexar County has agreed to again evaluate the whole project flood control project along Huebner Creek, following comments made by Bexar County Commissioner Elizondo at the October 27, 2009 meeting. He announced that the County will require City approval of an agreement for the city to maintain the property in the area where any houses are removed. Discussion expressed concern on not receiving answers to questions submitted to Bexar County following the City's meeting in October with residents.

D. Graffiti monitoring camera installed

City Manager announced that a hunting camera had been installed to help the City fight graffiti. The camera will monitor areas that have been hit several times with graffiti. Mr. Lambert announced that he will report back to Council with the results.

E. CPS Franchise Agreement update

Mr. Lambert announced that the next meeting of the five cities who have agreed to work together as a team in negotiating their franchise fee agreement with City Public Service will be held later in November. He reported besides franchise fees, the group would ask for consideration to remove restrictions on the use of CIED funds.

F. Status report on Local Government Services Contract services

Mr. Lambert reported that the audit has not started yet, but the contract is signed.

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Citizens to be heard.

None.

Announcements by Councilmembers and Mayor.

A. Report on TML Annual Conference

Mayor Riley reported that she, the City Manager, and Councilmembers Nelson, Garcia and Reyna attended the conference in Fort Worth. Councilmembers reported on sessions that they attended during the Conference.

B. Report on MPO Meeting of Oct. 26, 2009

Mayor Riley thanked Council for their support and again briefly reported on the MPO meeting results.

C. Los Leones Arts Festival - November 7, 2009 - sponsored with NISD

Mayor Riley reported that the Los Leones would be held on Saturday from 8:30 a.m. - 2:00 p.m. at the Community and Conference Centers, as a joint project of Northside Independent School District and the City.

D. Trade and Market Day - November 14, 2009

Mayor Riley reminded everyone of the next Trade and Market Day on November 14, 2009.

E. 1st Annual Arbor Day with Tree Planting Class and Tree Giveaway - Saturday, November 21, 2009, 9:00a.m. to 12:00 p.m. (noon)

Mayor Riley encouraged everyone to plan to attend the Arbor Day event and to attend the tree planting class for the tree giveaway on November 21st.

F. Public forum for comments on proposed Master Redevelopment Plan.

Mayor Riley announced that Council would hold a workshop to receive public input on the Master Redevelopment Plan on Saturday, November 14, 2009 at City Hall.

G. Report on Leon Valley Historical Society Fall Fiesta Event

Councilmember Baldrige reported on a successful Historical Society event which was well attended and enjoyed by all.

Adjourn.

Mayor Riley, Councilmembers, staff and the audience extended birthday greetings to Councilmember Baldrige and City Manager Lambert.

Hearing no further business or discussion, a motion was made by Councilmember Dean, seconded by Councilmember Nelson. Mayor Riley announced the meeting adjourned at 8:45 p.m.

Mayor Chris Riley

City Secretary

Minutes approved by unanimous vote of City Council at the Regular City Council meeting of Nov. 17, 2009.