

LEON VALLEY CITY COUNCIL

MONDAY, MARCH 10, 2014

**LEON VALLEY CITY COUNCIL CHAMBERS
6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238**

MINUTES

Ceremonial Items – 6:45 p.m.

MAYOR & COUNCIL PRESENT: Chris Riley, Art Reyna, Abraham Diaz, Jack Dean, Paul Biever, and Ricardo Ruiz

STAFF PRESENT: Manuel Longoria, City Manager; Crystal Caldera, HR Director/Interim City Secretary; Kristie Flores, Community Development Director; Claudia Mora, Economic Development Director; Melinda Moritz, Public Works Director; David Dimaline, Assistant Public Works Director, Luis Valdez, Fire Chief; Randall Wallace, Police Chief; Charlie Zech, City Attorney.

Item 1 The Mayor requested Mark Kroeze from the Texas A&M Forest Service, Kristie Flores, Community Development Director, and Irene Baldrige, Tree Advisory Board member to join her as she recognized them with a Proclamation for being recertified as a Tree City USA community.

Item 2 The Mayor presented Walter Geraghty with a Good Neighbor Award for being selected for the 2014 Allied Mission to Israel. Mr. Geraghty expressed his appreciation for the award and shared his experiences with the trip and encouraged everyone to visit if provided the opportunity.

Regular City Council Meeting Agenda – 7:00 p.m.

MAYOR & COUNCIL PRESENT: Chris Riley, Art Reyna, Abraham Diaz, Jack Dean, Paul Biever, and Ricardo Ruiz

STAFF PRESENT: Manuel Longoria, City Manager; Crystal Caldera, HR Director/Interim City Secretary; Kristie Flores, Community Development Director; Claudia Mora, Economic Development Director; Melinda Moritz, Public Works Director; David Dimaline, Assistant Public Works Director, Luis Valdez, Fire Chief; Randall Wallace, Police Chief; Charlie Zech, City Attorney.

Item 3 Call to order 7:00 P.M., Determine a Quorum is Present, Pledge of Allegiance.

At 7:06 the Mayor called the meeting to order, asking Councilman Ricardo Ruiz to lead the Pledge of Allegiance

Item 4 Citizens to Be Heard and Time for Objections to the Consent Agenda.

There were no citizens wishing to address the City Council at this time

Councilman Jack Dean made a motion to approve the Consent Agenda. Councilman Abraham Diaz seconded the motion. The Motion passed by consensus vote.

CONSENT AGENDA

5. Approval of the February 10, 2014, City Council Minutes. (Caldera)

6. Approval of Ordinance No. 2014-03-10-01 and M & C# 2014-03-10-01 Amending the City Fiscal Year 2013-2014 Budget as to the Community Center Fund in the Amount of \$15,000 for improvements to the floor and sound system in the Community Center building and the Police Forfeiture Fund in the Amount of \$41,055 for Tasers. (R. Wallace & Flores)

7. Approval of Amending Plat#2014-001 M & C # 2014-03-10-02 – Amending lot line and acreage between Lots 3 and 4, Block 1, CB 4429F, Ancira Subdivision Units 3 and 4, and to add a water easement. (Flores)

8. Approval of Amending Plat# 2014- M & C # 2014-03-10-03 - Removing the lot lines between lots 54, 55, 56 and 57 and assigning a new legal description being lot 105, CB 5955, Leon Valley Ranches Subdivision. (Flores)

9. Accepting the Resignation of City Prosecutor, Michelle S. Lanfear M & C # 2014-03-10-04.

REGULAR AGENDA

Item 10 Approval of Ordinance No. 2014-03-10-02 and M & C # 2014-03-10-05 Appointing the law firm of Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C. as the City of Leon Valley Prosecutor's Office and their attorneys as prosecutors for Leon Valley Municipal Court.

City Manager Manuel Longoria Jr. presented that on February 27, 2014 Michelle S. Lanfear resigned as the Prosecutor for the City of Leon Valley Municipal Court. He stated that due to her resignation staff is requesting that the City Council appoint, as prosecutor for the Municipal Court, the law firm of Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C., who is also the law firm retained by the City to serve as the City Attorney.

The Mayor inquired about a request for proposals for the Prosecutor services and if the fees for services had increased with Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C..

City Manager Manuel Longoria Jr. responded state law specifies that the City Attorney should serve as the Prosecutor for the Municipal Court. Further, he stated that there is a provision allowing for an exception and that's how Ms. Lanfear was appointed seventeen (17) years ago. City Manager Longoria continued by stating that there was no increase in fees with hiring our City Attorney as the Municipal Court Prosecutor.

Councilman Art Reyna made a motion to approve the appointment of law firm of Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C. as the City's Municipal Court Prosecutor. Councilman Jack Dean seconded the motion. The Motion passed by consensus vote.

Item 11 Approval of Resolution No. 2014-03-10-01R and M & C # 2014-03-10-06, Authorizing the City Manager to enter into a local project advance funding agreement with the Texas Department of Transportation for the purpose of obtaining transportation related funds for construction of a hike and bike trail. (Moritz).

Public Works Director, Melinda Moritz presented information on the local project advance funding agreement (LPAFA) with TxDOT. She stated that the LPAFA will address the proposed Hike and Bike Trail, from State Highway 16 (Bandera Road) to Raymond Rimkus Park on Evers Road in the City of Leon Valley. Ms. Moritz explained, the LPAFA defines the scope of work and addresses the funding, Right-of-Way acquisition, preliminary engineering, construction costs and the amounts and percentages that are eligible for reimbursement by the Federal Highway Association (FHWA) through TxDOT; further, the LPAFA must be adopted by resolution. She described the fiscal impact would be determined by the LPAFA; however, the City's share of the project is typically 20% of the total cost. The total preliminary cost estimate is \$1,128,800, which indicates a City portion of approximately \$225,760. Costs could be higher or lower, depending on the final construction costs of the trail. The City's portion would be taken from the CIED fund.

Mayor Chris Riley asked if the agreement required MPO approval and if MPO had to approve it first. Ms. Moritz confirmed that the MPO did have to approve it and it was not an issue if the

City approved it first. Mayor Chris Riley expressed her concerns with the future funding in order to complete the project.

Councilman Art Reyna made a motion to approve the Resolution No. 2014-03-10-01R and M & C # 2014-03-10-06, authorizing the City Manager to enter into a local project advance funding agreement with the Texas Department of Transportation for the purpose of obtaining transportation related funds for construction of a hike and bike trail. Councilman Paul Biever seconded the motion. The Motion passed by consensus vote.

DISCUSSION AGENDA

Item 12 Staff presentation, discussion and directions to proceed with regard to the Leon Valley Community Pool M & C # 2014-03-10-07. (Dimaline)

Assistant Public Works Director David Dimaline reported on findings and conditions at the Leon Valley Community Swimming Pool located at 6600 Strawflower. Mr. Dimaline addressed some deficiencies found during an inspection of the pool noting the following:

- The current circulation and filtration equipment for the main swimming pool is simply too small to meet the current State of Texas code requirements (TAC, Title 25, Part 1, Ch. 265, Subchapter L, Sec. 265.188 and 265.189).
 - The current pool volume is 165,000 gallons, and it is currently equipped with three (3) 1.5 h.p. pumps and three (3) 30” top mount sand filters. In order to achieve the required six hour turnover rate for 160,000 gallons of water, they recommend four (4) 36” top mount sand filters and three (3) 3 h.p. pumps.
- The baby pool pump room is also outdated, and it was recommend that a new pump and filter be installed

Assistant Public Works Director David Dimaline emphasized, in order to get the pool up to code, it would cost the City \$23,918.00. Further, he anticipates the bids for a pool management company could be as high as \$50,000 with expected revenue of \$15,000, leaving the General Fund negative about \$59,000.

Councilman Paul Biever requested further information as to how many people the pool served and how much revenue was generated last summer.

Councilman Jack Dean requested a three year cost analysis of the City's pool expenditures.

Some discussion ensued on possible alternatives for the use of the space.

City Manager Longoria assured the City Council that the item will go before the Parks Commission and staff would bring back their findings at the next City Council meeting.

Item 13 City Manager's Report

a. Monthly Departmental Reports

Provided in City Council packet

b. Approved Minutes from Boards, Commission and Committees

Provided in City Council packet

c. Municipal Facility Project Recognition

The City Manager expressed his appreciation to all that were involved in getting the Municipal Facility Project started and as a token of appreciation gave participants a crystal paper weight.

d. City Employee news and update

The City Manager stated that Sandra Passailaigue has been selected, subject to City Council confirmation, as the City of Leon Valley's new City Secretary.

e. Update on \$100,000 Park Improvement Fund

City Manager Manuel Longoria Jr. expressed that the assessment of the park has been completed and a plan has been set forth to include: new B-B-Q pits, renovation of tennis and basketball courts, revitalization of the running trail, some new playground equipment and water fountains. Mayor Chris Riley inquired about City Council approval, City Manager Longoria assured her that all large expenses would be brought forth to City Council for approval.

f. Follow-up on the Coffee with Mayor & City Council Agenda items

City Manager Longoria gave an update on the code issue behind Hobby Lobby. He communicated to City Council that our Code Enforcement Officer talked to the property owner and hoped to have the area cleaned up over the next few weeks.

City Manager Longoria addressed the Timberhill speeding issue by stating that we are investigating fire trunk friendly speed humps.

Mayor Chris Riley conveyed her concerns with the material being used on the new Municipal Facility. Stating that she met with the architects that completed the library where limestone was utilized and that they did not relay any major concerns with the use of that material.

City Manager Longoria clarified that the architects are tasked with trying to match the materials that are on the existing buildings. It so happens that the existing library structure was already limestone. The architect that is doing the municipal building is tasked with matching stucco. This may contribute to the architect's difference in opinion, as to which material to utilize on the buildings.

g. LC 17 Project Meeting with Bexar County Staff

City Manager Manuel Longoria gave synopsis of the County meeting that took place on February 6, 2014. He stated that should bid out the project by January 2015 and select a contractor by May 2015. They estimate an 18 month construction time and should convey the property to the City in January 2017.

City Manager Longoria discussed the grading issue, explaining that the majority of grading is on the creek bed. The County agreed to work with the City on it.

Finally the City Manager Longoria explained the topic of tree preservation, stating that Bexar County will be conducting another tree survey and then getting back with the City on a plan. He followed by expressing how beautiful the area will be because they have decided to use natural vegetation.

h. Future Agenda Items:

- LVEDC Board Appointments
- Moratorium on predatory lending businesses
- Six month review of one Regular City Council meeting a month trial period
- Capital Facilities Monthly report of Municipal Facilities Bond Budget
- Report on Compensation Study
- Regulations pertaining to home boarding and limiting the number of commercial vehicles parking in residential areas

Item 14 Citizens to be Heard.

At this time no citizens had signed up to speak. A Motion was made by Councilman Dean and seconded by Councilman Art Reyna, to suspend the citizen participation guidelines. The Motion passed by consensus vote.

Resident Pete Esquivel of 7207 Forest Meadow expressed his appreciation to our Fire Department, by sharing a story about an incident involving firefighters that occurred on his trip from Denver.

Resident Walter Geraghty 7350 Ellerby Point expressed his support of the Moratorium on predatory lending businesses. Informed the City that the lights are out on the Water Tower located on Bandera and Seneca. He then thanked the Council for the action they have taken to minimize panhandles and raised the issue of a possible traffic concern at Bandera and Grissom Rd.

Item 15 Announcements by the Mayor and Council Members. At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of

social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.

Councilman Paul Biever reminded the community that the Festival Committee will be meeting on March 20, 2014. Councilman Biever also requested that staff and City Council get together with the neighborhoods that may be impacted by the festivals, to address any concerns they may have.

Mayor Chris Riley thanked the Council for their support and participation at the Earthwise Living event.

Item 16 Executive Session. The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

No executive session at this time

Item 17 Adjourn.

The Mayor Adjourned the meeting at 8:16 p.m.

Attendance by Other Elected or Appointed Officials:

It is anticipated that members other City boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These members of other City boards, commissions, and/or committees may not deliberate or take action on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL was posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at www.leonvalleytexas.gov. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To make arrangements, call (210) 684-1391, Extension 216.



ATTEST:


CRYSTAL CALDERA
INTERIM CITY SECRETARY

APPROVED


CHRIS RILEY
MAYOR