

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
JUNE 18, 2013**

City Council of the City of Leon Valley, Texas met on the 18th day of June, 2013 at 7 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the the purpose of the following business, to-wit:

REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7 P.M.

1. **Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance.** Mayor Riley called the Regular City Council Meeting to order at 7 p.m. with the following City Council Members in attendance: Ruiz, Reyna, Diaz, Dean, and Bieber.

City staff in attendance: City Manager Longoria, City Attorney Zech, City Secretary Willman, Community Development Director Flores, Economic Development Director Mora, Finance Director Wallace, Interim Fire Chief Valdez, Interim Assistant Fire Chief Lawson, Human Resources Director Caldera, Police Chief Wallace, Assistant to the Public Works Director Flores, and City Engineer Sayyadi.

Councilman Dean led the assembly in the Pledge of Allegiance.

2. **Bandera Road Superfund Site Community Advisory Group (CAG) Presentation, M&C # 06-06-13.** John Hoyt, CAG Chair, made a formal presentation related to the Bandera Road Superfund Site and the status of the Record of Decision.
3. **Citizens to be Heard and Time for Objections to the Consent Agenda.** Councilman Reyna asked for Consent Agenda Item 8 to be removed from the Consent Agenda for separate consideration.

Mary Francis Uptain, 6101 Sawyer Road, addressed the City Council asking that the 4th of July Event and Celebration be celebrated on the actual date of July 4.

Liz Maloy, 7411 Chenal Point, noted concern with the idea of City Council Meetings being changed to the frequency of one (1) time per month. She noted that the residents need to be heard; communication can only be done between selves at a public meeting. She noted that it is wrong to change city council meetings to once a month and for the City Council to not meet twice a month. She noted concern about accountability with the City Council's ability to get its work done in only one meeting. She further noted that City leaders have worked for years to build up interest and participation in City Council Meetings. She noted that right now there is suspicion of government at all levels. She stated that there will be suspicions of how the City Council is doing its work, when you have more than two City Council people getting together. She indicated that the City's residents will think that the City Council doesn't want to do its work in front of citizens. That's not who we are; that's not who Leon Valley is. We're too small a City. If two meetings is too much for City Council people to do, then get off of City Council. If that comes to pass, we'll definitely get much more involved if you pursue that.

Motion by Councilman Dean and second by Councilman Bieber to approve Consent Agenda Items 4, 5, 6, and 7. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

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Consent Agenda

4. **Consider Approval of the City Council Meeting Minutes:**
- a. Special City Council Meeting of May 31, 2013 (City Council – City Manager Work Session Retreat)
 - b. Special City Council Meeting of June 4, 2013, 5:30 p.m.
 - c. Regular City Council Meeting of June 4, 2013, 7:00 p.m.

Approved the City Council Meeting Minutes of May 31, 2013, and the June 4, 2013 Special and Regular City Council Meeting Minutes.

5. **Consider Action on Plat Case # 2012-124, to Plat Approximately 2.418 Acres of Land Out of Parcel 29G, Abstract 741, CB 4445, to Lot 7, CB 4445, Dirt V-Murchison-Huebner Subdivision, M&C # 06-07-13.**

Approved the platting of approximately 2.418 acres of land out of Parcel 29G, Abstract 741, CB 4445, to Lot 7, CB 4445, Dirt V – Murchison-Huebner Subdivision.

6. **Consider Action on an Ordinance Appointing a Committee Member to the Bond Oversight Committee, M&C # 06-08-13.**

Appointed Kathy Hill to the Leon Valley 2012 Bond Program Oversight Committee by ordinance.

Adopted Ordinance No. 13-026 – Appointing a Member to the 2012 Bond Program Oversight Committee.

7. **Consider Action on an Ordinance Amending Ordinance No. 13-009, Related to Changes on City Council Subcommittees on Communication, and Festivals, M&C # 06-09-13.**

Adopted Ordinance No. 13-027 – An Ordinance of the City of Leon Valley City Council, Amending Ordinance No. 13-009, Section 1.06.004 “Communications Subcommittee,” and “Special Event/Festival Subcommittee, to Update the Subcommittee Structure and Membership [Appointed Councilman Jack Dean, Chair, and Councilman Abraham Diaz, Vice-Chair, of the Communications Subcommittee. Appointed Councilman Paul K. Biever, Chair, and Councilman Ricardo Ruiz, Vice-Chair of the Special Event / Festival Subcommittee.]

8. **Consider Action on an Ordinance Setting the Schedule of City Council Meetings for the Remainder of the Fiscal Year Ending September 30, 2013, including Cancelling the July 2, 2013 City Council Meeting, M&C # 06-10-13.** Following City Manager Longoria’s briefing on this agenda matter, Councilman Reyna asked if anyone on the City Council would have a problem with moving the July 16 City Council Meeting to July 9. Councilman Reyna noted that when he apprised the City Manager of his absence because of a work commitment on July 16, the City Manager informed him that another City Council Member was going to be absent as well. It was then clarified that Councilman Reyna was requesting the City Council’s permission to be absent on July 16. Councilman Biever announced that he could not be at the July 9 City Council Meeting.

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Mayor Riley asked about how the City Council would handle reducing from two City Council Meetings to one City Council Meeting. Mr. Longoria noted that at the last meeting in September, a schedule will be set for the remainder of the calendar year to follow-up with the objective of the City Council.

Councilman Diaz announced that he too had a previous commitment on July 16 and asked to be excused. He noted that the commitment had been set in April and that he could not get out of it.

Mayor Riley announced that in that case that the remainder of the City Council needed to be at the July 16 meeting in order to have a quorum.

Motion by Councilman Reyna to move approval on the Ordinance. Councilman Reyna announced his withdrawal. Councilman Dean asked that the City Council consider allowing Councilman Bieber to be off on July 9, that the July 16 City Council Meeting be moved to July 9, so that only one City Council Member would be absent instead of two City Council Members on July 16.

There was some discussion about the staff's ability to get the agenda packet prepared in time for the July 9 City Council Meeting. City Manager Longoria noted that the report on the Recycling Program at The Ridge scheduled for July 16 could be moved to an August meeting if it would be acceptable to the City Council.

Councilman Dean made a motion to move the July 9 City Council Meeting to July 16. Councilman Reyna seconded the motion to move the July 9 City Council Meeting to July 16.

Mayor Riley announced the motion as being to change the July 16 City Council Meeting to July 9 due to the attendance of the Council. Councilman Reyna asked for clarification; if the motion included adopting the rest of the schedule that the City Manager recommended for the rest of the fiscal year. Mayor Riley announced that the motion did include the rest of the schedule as recommended by the City Manager. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance No. 13-028 – An Ordinance of the City Council of the City of Leon Valley, Texas, Amending Section 2.104, Chapter 2, "Administration," to establish the meetings schedule for the remainder of the Fiscal Year 2013.

Regular Agenda

9. **Report and Discussion on City Branding, M&C # 06-11-13. (Mora, Mike De La Garza, Consultant)** Economic Development Director Mora introduced Mike De La Garza, Consultant. Mr. De La Garza reported on the Branding Subcommittee's work to date and made a presentation on the recommended City logo. The recommended City logo will be placed on the City's website for public comment through June 30. The public comments will be brought back to the Branding Subcommittee prior to the July 9 City Council Meeting for final approval by the City Council. There was some discussion about developing taglines based on need. There will be another Subcommittee Meeting to determine taglines.

10. **Report and Discussion Related to City Phone System Improvements, M&C # 06-12-13.** Finance Director Wallace introduced the agenda item. Ms. Wallace noted that

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the City can save money for a two year period until the new building is completed without being tied into a longer term contract based on new communications technologies. Ms. Wallace introduced Don Greiner and Jose Medina. Don Greiner addressed the City Council. City Manager Longoria reported that the City staff has started to implement the project which may provide significant savings that will help the City to balance its budget.

11. **Presentation of Financial Statement for the Month of May, 2013.** Finance Director Wallace made a presentation of the Financial Statement for the month of May, 2013.
12. **Discussion on the City's Emergency Management Plan and Report Related to the Flood Event that Occurred on May 25, 2013, M&C # 06-13-13.** Interim Assistant Fire Chief Lawson made a brief presentation to the City Council on things learned and improvements made to the City's Emergency Management Plan. Assistant to the Public Works Director Flores added to the presentation related to the drainage problems located throughout the City.

Councilman Diaz asked when the gate at the end of El Verde will be opened. Mr. Lawson explained any time it rains. Councilman Diaz asked if it would be possible to get a map of the channel to be able to visually see how the channel is going to work behind the houses on Huebner.

Ms. Flores noted that there are improvements that can be made to the drainage easement which will redirect the water flow. It was estimated that the work can be done within 3 to 4 months. She noted that what is key is keeping drainage channels maintained and cleaned. She indicated that as part of the storm water utility, there doesn't have to be any sort of open channel. She noted that in the area being discussed, there is the difficulty of access because the channel is fenced in as it seems to be considered part of someone's lawn.

City Engineer Sayyadi noted that the City has to talk to the homeowners to see if they are interested in hearing ideas about landscaping to allow water to drain away from their homes. He noted that the City cannot improve private property. Mayor Riley stated that perhaps the City can have a Saturday workshop to provide that kind of information.

Sharon Camp, 6418 Huebner Road, addressed the City Council noting that there was not a problem with flooding until after the Buddhists made landscaping changes. She stated that the homeowners can help but the Buddhists should do more. She noted that every time it rains hard, the ditch which is filled with garbage overflows.

Councilman Ruiz stated the City should put in the Lion's Roar an article related to flood prevention to improve the communication between the City and its residents. Councilman Ruiz asked there was any kind of breakaway link fence that can be used for the gate at the end of El Verde Road. Mr. Lawson noted under the revised Emergency Management Plan. It was noted that after the channel work is completed by Bexar County Flood Control that the area will be taken out of the 100 year flood plain and that part of the road will be permanently closed.

Councilman Ruiz asked about flooding to Leon Valley businesses. It was noted that flooding to the two businesses on Bandera south of 410 may be affected by buildup which can possibly be cleaned-out. Ms. Flores indicated she could look into that situation.

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Councilman Bieber asked to return to the question about flooding in residential homes because there are areas in which flooding is occurring and the City may not be aware that flooding is occurring. Councilman Bieber asked if it would be possible to get a message out in the Lion's Roar in order to get a better idea of how significant the flooding problem is throughout the community. He noted that perhaps residents can be advised what to do on their respective properties to alleviate future flooding. City Manager Longoria noted that it would be a good idea to put a notice in the Lion's Roar so that anyone else who had flooding issues could report in and Public Works can do an assessment on what can be done to fix the problem. Councilman Bieber noted that having someone to talk to whose area of expertise is related to alleviating flooding would be helpful.

Councilman Reyna asked if persons putting a drainage ditch on private property are a violation of the City's ordinances related to public safety. He noted that the problem with flooding behind the Huebner homes is not just tall grass. He asked if the City can create an ordinance to compel that to be done. City Attorney Zech stated that state law provides that private property owners cannot divert more water runoff. Mr. Zech explained that the situation being described is a private dispute between property owners; the City cannot get involved. He noted further that whether the City can adopt an ordinance which mirrors state law to do pre-emptive issues to prevent from regulating in the same area.

The Mayor requested that the City stay in communication to see if some relief for the residents can be obtained.

- 13. Report and Discussion Related to 2013-2014 City Council / City Manager Goal Setting Retreat, M&C # 06-14-13.** City Manager Longoria reported on the goals arising from the May 31, 2013 City Council / City Manager Retreat.

Goals for 2013-2014

City Council/City Manager Retreat/ May 31, 2013

- 1. Align City Resources to meet City Council Objectives/Expectations**
 - a. Continue efforts to improve Code Compliance Initiatives

- 2. Continue Work on Capital and Planning Projects**
 - a. Update the City's 2010 Strategic Plan
 - b. Examine Parks System to incorporate LC-17 and Silo Property Conveyance
 - c. Bandera Road Monuments, Landscaping & Lighting
 - d. Fire Station, Police and City Hall Administration Facility
 - e. Library
 - f. Huebner Creek Hike and Bike Trail
 - g. Make Improvements/Investments to Rimkus Park
 - h. Triangle Park
 - i. Reconstruct Evers Road

- 3. Strengthen Communications to the Community**
 - a. Initiate "Coffee with City Council" sessions to allow residents access to the City Council
 - b. Use website, social media and new communications technology to improve information flow to residents

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- 4. Enhance Customer Service**
 - a. Conduct City Employee Market Compensation Analysis and Adjust Pay Plan as necessary
 - b. Use "Hidden-Customer" to identify problem areas
 - c. Conduct Customer Satisfaction Surveys and Report on Results.

- 5. Establish Organizational Culture to Spur Economic Development**
 - a. Continue to Develop Pro-Business Philosophy and Practices
 - b. Establish an Economic Development Training Class for Employees & Citizens
 - c. Pursue Transit Oriented Development (TOD) Opportunities to leverage VIA's BRT Expansion into Leon Valley
 - d. Leverage existing 4th of July activity to promote Leon Valley

- 6. Provide Efficient Use of City Resources**
 - a. Have city staff focus on more efficient time management in order to improve service delivery
 - b. Establish a more efficient City Council Meeting schedule to correspond with available staff resources
 - i. Consider going to one City Council meeting per month

- 7. Pursue Revenue Enhancements to Enhance City Operations**
 - a. Renew the Street Maintenance Tax as allowed by State Law (November 2013)
 - b. Establish a Crime Prevention District using the 1/8 cent sales tax (November 2013)
 - c. Conclude Negotiation of CPS Energy Franchise Fee

- 14. Consider Action Approving a Policy for the Handling of Found Personal Property, M&C # 06-15-13.** Police Chief Wallace made a presentation on a policy developed with the City Attorney's Office for handling found personal property.

Motion by Councilman Biever and second by Councilman Reyna to adopt the Policy as recommended. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

- 15. Presentation and Discussion Related to the Creation of a Crime Control and Prevention District as Authorized by Chapter 363, Local Government Code, with Possible Direction to Staff, M&C # 06-16-13.** City Attorney Zech made a presentation to the City Council regarding the requirements related to creating a Crime Control and Prevention District, as authorized by Chapter 363, of the Local Government Code.

Discussion Agenda

- 16. City Manager's Report (Longoria)**
 - a. **Status/Update on the Evers/Huebner Road Traffic Improvements.** City Manager Longoria noted that delays to traffic improvements were weather-based. The deceleration lane has been installed, helping quite a bit. What remains is the lane markings (commonly known as 'turtles' which have been affected by bad weather, which is why the work has not been done. Once the signs are scheduled, it is one day's worth of work to be done. The City Manager met with staff from the DPS and the site improvements still need to be completed by July 19 in order to be issued the final certificate of occupancy. We are working jointly to get the site

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improvements done as soon as possible. We won't issue the final certificate of occupancy until the site improvements are done.

- b. **Report on the July 4th Parade and Celebration.** City Manager Longoria reported to the City Council on the arrangements for the July 4th Parade and Celebration. He asked that Council Members who were interested in participating contact him directly.
- c. **Monthly Departmental Reports.** There were neither questions nor comments made regarding the Monthly Departmental Reports.
- d. **Future Agenda Items.**
 - 1) Report on the Pilot Recycling Project from The Ridge Homeowners Association, July 16.
 - 2) Schedule of Fiscal Year 2014 Budget Workshop Meetings, July 16.
 - 3) Order Special Elections to be Held on Next Uniform Election Date - November 5, 2013, August.

17. Citizens to be Heard.

Benny Martinez, 6319 Rue Sophie, addressed the City Council with a complaint and stated he wants to file a formal protest about the phone system using hosted voice over internet (VOIP), selected for the City's new telephone system. He noted that VOIP is a bandwidth hog. He detailed issues he saw regarding the new phone system proposal. He stated he met with the City Manager when he first came to work at Leon Valley about upgrading the City's phone system. He stated he was not even contacted about this. He also noted that the shop Leon Valley first is a misnomer because he lives and does business in Leon Valley and was never given an opportunity to participate in the procurement process.

Paul Ottavio, 7415 Chenal Point, reported there was almost another head-on accident in front of the DPS Center located on Huebner Road. Finally put in turn lane on Huebner but as usual, it has been the halfway measure of this developer. There was supposed to be an island in the middle of the driveway to force persons leaving the DPS Center to turn right onto Huebner. Drivers keep turning left towards Evers Road. He noted he has sent numerous emails and stated that the whole situation has gotten out of hand. He suggested having a police officer stand at the location and issue a citation to persons turning illegally.

Liz Maloy, 7411 Chenal Point, addressed the City Council, stating she agreed with everything Mr. Ottavio said. She noted that the Pavona Place HOA Board listens to its residents. The traffic situation is not changing. She stated she doesn't know why Pavona people have to keep coming to the City Council. Still have problems with drivers getting into the center lane; the situation has not changed at all. Signage has been knocked down for 3 weeks. She noted that the City has staff which should be looking at the situation. The location also has weeds close to 4 feet tall. The traffic light continues in disrepair or goes into disrepair when it drizzles. We need help over there.

18. Announcements by the Mayor and City Council Members.

Councilman Reyna announced that on June 14, 2013, Governor Rick Perry signed into law the City's legislative action, Senate Bill 475, allowing for the extension of the Street Maintenance Sales and Use Tax from being re-authorized every 4 years to every 10 years. He expressed deep appreciation for Senator Leticia Van De Putte and State

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Representative Justin Rodriguez for their leadership in the Texas Legislature resulting in the support for the bill.

Councilman Diaz noted his excitement about participating in this year's July 4 Parade and Celebration Events. Thank you to the Committee that is putting it on.

Councilman Dean thanked Councilman Reyna for his work on the Senate Bill resulting in law. He had all the connections in getting the street program legislation passed. It was a combined effort. Art deserves a large portion of congratulations.

Mayor Riley announced that TxDOT Engineer Mario Medina is retiring next week. He has been out district engineer for 5 years. As far as the MPO, Council Member Ray Lopez, who has been the vice chair is now the Chair and the vice chair now is Kevin Wolff from the Commissioners Court. She noted she will be walking during the 4th of July Parade and invited anyone else to join her that would like to participate. She read from a document pronouncing her as a Yellow Rose of Texas issued by Senator Leticia Van De Putte.

Councilman Reyna announced that the Mayor and he participated in the Leon Valley Elementary Leadership Day recently.

July 4th Parade and Celebration, Leon Valley Community Center, 6427 Evers Road, from 10 a.m. to 2 p.m. Texas State Senator Leticia Van de Putte and State Representative Justin Rodriguez are the Grand Marshals for the Leon Valley July 4th Parade.

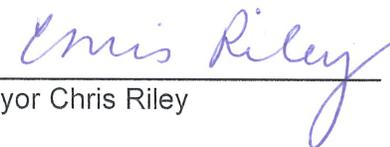
July 6th Walk & Talk with the Mayor, meet at the Leon Valley Public Library Porch at 8:30 a.m. for a walk to the Silo Property located on Huebner Road. Bring water to counter the heat and wear comfortable shoes for the walk.

Executive Session

19. 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). There was no Executive Session conducted under this agenda item.
20. **Adjourn.** Mayor Riley made a motion and Councilman Biever seconded the motion to adjourn the meeting at 9:45 p.m. Mayor Riley adjourned the meeting without objection at 9:45 p.m.

ATTEST:


Janie Willman, City Secretary


Mayor Chris Riley

