

Item 5

LEON VALLEY CITY COUNCIL

MINUTES

REGULAR MEETING

TUESDAY, SEPTEMBER 17, 2013

7:00 P.M.

LEON VALLEY CITY COUNCIL CHAMBERS

6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238

At 7:02 p.m. Mayor Riley convened the Regular City Council Meeting, confirmed a quorum was present, and asked Fire Chief Luis Valdez lead the Pledge of Allegiance.

City Council Present: Ricardo Ruiz, Art Reyna, Abraham Diaz, Jack Dean, Paul Bieber

Staff Present: Manuel Longoria, Jr., City Manager; Leticia Callanen, Interim City Secretary; Claudia Mora, Economic Development Director; Vickie Wallace, Finance Director; Randall Wallace, Police Chief; Melinda Smith, Interim Public Works Director; Fire Chief Luis Valdez; Assistant Fire Chief Bill Lawson; Charles Zech, City Attorney.

Item 2. Citizens to Be Heard and Time for Objections to the Consent Agenda.

Ms. Carrie Macias, 6622 Huebner, spoke to the Mayor and Council in reference to her service call to the City regarding a street flooding issue in front of her house.

Mr. Al Uvietta, 6923 Sunlight Drive, spoke to role of the Bond Program Oversight Committee to monitor the progress on what was promised to the citizens.

Ms. Liz Maloy, 7411 Chenal Point, spoke to her concerns about Evers Road being reduced to two lanes.

Ms. Patty Maneas, 6103 Britania Court, spoke in opposition of a proposed change to the number of City Council Meetings held each month. Ms. Maneas discussed an application she submitted for the LVEDC and stressed the need for better communication and openness within the City.

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There being no further citizens wishing to speak, Councilman Diaz made a motion to approve the Consent Agenda. Councilman Reyna seconded the motion. The motion passed by unanimous vote.

CONSENT AGENDA

4. Consideration of the following board appointments **M&C 2013-09-17-4**
(Callanen):
 - a. The appointment of Mr. John Cervantes to serve on the Board of Adjustment and the 2012 Bond Oversight Committee
 - b. The appointment of Mrs. Irene Baldrige to the Tree Advisory Committee
5. Consider the approval of the September 3, 2013 Regular City Council Meeting Minutes. (Callanen)
6. Consider approval of a budget adjustment and related ordinance in the amount of \$15,000 from the Library Reserve Fund to the General Fund for the purpose of finalizing the Library Children's Wing Expansion Project. **M&C 2013-09-17-6** (Smith)
7. Consider a request by Los Leones Student Arts Festival Planning Team for a fee waiver to pay only half the amount required for Temporary Food Permits this year and every year thereafter that the event is held. **M&C 2013-09-17-7** (Flores)

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Item 3. MPO's pedestrian Safety Action Plan Update by Allison Blazosky.

Mayor Riley introduced and welcomed Ms. Allison Blazosky, Bicycle/Pedestrian Transportation Planner at the San Antonio – Bexar County MPO.

Ms. Blazosky presented a PowerPoint presentation related to Pedestrian Safety Action Plan Update. The presentation included information related to walkable communities, traffic calming measures, and other initiatives designed to reduce vehicle crashes while increasing trips by walking.

Ms. Blazosky provided examples of best practice approaches that could be utilized for Leon Valley, and stated that their goal is to have all municipalities adopt resolutions in support of the MPO Pedestrian Safety Action Plan.

In response to a question from Mayor Riley regarding mid-block pedestrian staggered crossings, Ms. Blazosky explained that if considering Bandera as an example, the Right-of-Way width would need to be considered, then the pedestrian pathways would need to be studied to identify locations of accidents. Ms. Blazosky further discussed ways to utilize a committee process to explore this and other ideas where the action plan could be applied to the City of Leon Valley.

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Item 8 Consider the reappointments of Herman Segovia (Place 1), Claude Guerra (Place 3) Mike McCarley (Place 5), and Georgia Zannaras (Place 7) to the Leon Valley Economic Development Corporation Board, for a two-year term. **M&C 2013-09-17-8**

Mayor Riley introduced this item and explained that it was originally on the consent agenda, but was moved to the Regular meeting agenda for discussion purposes. She stated that in the past, LVEDC board applicants have been interviewed by City Council and she urged her colleagues to do the same this year, and also requested that they consider the application of Ms. Maneas who submitted an application on September 11th in the evening.

Discussion ensued regarding the current board and volunteer application process which was utilized in this instance, however, in this case a due date was advertised, yet a time was not established for the deadline submission.

City Manager Longoria explained the rationale for the proposed action to reappoint the existing sitting members of the Board. He discussed that an announcement was advertised on the website, and likewise, the current members were polled to determine their interest in continuing to serve on the Board. All current Board members notified staff that they were interested and submitted their applications and resumes before the September 11th deadline.

Mr. Biever discussed his opinion that currently, there is not a clear process for appointing board members. Mr. Biever pointed out that the LVEDC isn't listed on the general application for volunteers, and believes interviewing potential members is critical for this Corporation. In addition he requested that in moving forward with these appointments, he asked the City Manager and staff to develop some clear steps on the procedure.

Mr. Reyna discussed performance measurements for board members, and concurred with his colleague by stating his desire to have staff develop a policy for all board and committee members by the end of the year.

Further City Council discussion ensued regarding the need for a clear process to be established and applied to future application processes.

City Attorney Zech offered a suggestion to place this item on a future agenda for consideration.

Mayor Riley requested further clarification on whether the current board would stay in their positions until procedures are to be developed.

Ms. Mora, Economic Development Director, clarified for Council that the current board will serve until they are reappointed, or if someone else is appointed in their place.

Mr. Longoria stated his agreement that there needs to be consistency in the process and will have staff develop procedures, and will provide in December.

Councilman Dean made a motion to continue this item to a future meeting when staff comes back with recommendations for policies and procedures. Mr. Reyna seconded the motion.

Mayor stated that the process should not be too overly cumbersome that it would deter citizens from volunteering.

Mr. Longoria clarified that he wants to have staff look at all boards and commissions to provide some consistency on how recommendations will be brought to City Council.

Councilman Reyna stated that parameters and performance measures should be developed and utilized to help make decisions on appointments and discussed the role of committees as “advisory” only, with policy decisions made by City Council.

Councilman Diaz stated his support for moving forward with making appointments of the four applicants presented in the agenda item and compared the process to standard practices used to receive proposals, such as a Request for Proposals (RFP) process that requires strict cut off times in order to be accepted.

Councilman Ruiz asked whether other cities have policies in place to manage the application process. In response to Councilman Ruiz, Mr. Longoria explained that they do have policies, but they differ from city to city on how they process appointments.

At this time, City Council voted on the motion to place this item on a future agenda when staff comes back with recommendations for parameters and policies and procedures for Volunteer Boards, Commissions and Committee appointments. Voting Aye: Ruiz, Reyna, Diaz, Dean, Biever. Voting Nay: None. The motion passed.

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Item 9. Presentation of the City of Leon Valley Economic Development Corporation (LVEDC) proposed Fiscal Year 2014 Budget, and Consideration of a resolution of the City Council of the City of Leon Valley approving and adopting the budget for the City of Leon Valley Economic Development Budget Year 2014 to support the City Of Leon Valley Economic Development Corporation’s operation, programs and projects.

Ms. Mora, Economic Development Director, provided a Power Point presentation on the proposed budget of the LVEDC, and responded to questions by the Mayor and Council related to the Reserve Fund, potential projects for 2014, and other outreach initiatives targeting economic growth.

Ms. Mora discussed the Corporations’ focus on their strategic planning process and their current work with the Retail Coach, which is scheduled to be completed in December. From these two efforts, recommendations for better outreach and promotional activities will arise. In addition, Ms. Mora discussed that future projects would be developed and anticipates that they would need to be designed with a phased approach.

Mayor Riley provided favorable comments about the Retail Coach that is being utilized by the Corporation.

Councilman Diaz made a motion to approve the proposed resolution adopting the LVEDC Budget. Councilman Ruiz seconded the motion. The motion passed by unanimous vote. Voting Aye: Ruiz, Reyna, Diaz, Dean, Biever. Voting Nay: None. The motion passed.

A RESOLUTION 2013R-09-17-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY APPROVING AND ADOPTING THE BUDGET FOR THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT BUDGET YEAR 2014 TO SUPPORT THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION'S OPERATION, PROGRAMS AND PROJECTS

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Item 10. Public Hearing and Consideration of an action to amend the frequency of the City Council Regular Meetings. **M&C 2013-09-17-10**

- a. Open Public Hearing for Comment
- b. Close Public Hearing
- c. Consider an ordinance amending Chapter 1, Section 1.04.001, entitled "Meetings" modifying the Regular City Council Meeting schedule by holding one meeting per month, on every second Monday.

City Manager Longoria provided a PowerPoint presentation related to the proposed changes to the Council Meeting schedule by moving from two meetings a month to one meeting a month. Mr. Longoria provided background information regarding the initial recommendation which began on May 31, 2013, during the City Council deliberation and development of the 2013-2014 Strategic Goals.

Mr. Longoria explained that this measure would support the goal to Provide Efficient Use of City Resources, by providing a more efficient City Council meeting schedule that would correspond with available staff resources.

Mr. Longoria read aloud the current section of the Code which says, "Sec. 1.04.001: "A regular council meeting shall be held on both the first and third Tuesdays of each month beginning at 7:00 p.m. Special meetings may be called as provided by law. Meetings of the council shall always be open to the general public except as may be specifically provided by state law, and no vote or action of any kind shall ever be taken by the council except at a regular meeting or at a lawfully called special meeting."

Mr. Longoria noted that this section of the Code has been in effect since 1972, and explained the proposed change would move the regular meeting day from the 1st and 3rd Tuesday to the 2nd Monday of each month.

Mr. Longoria explained the amount of staff time that is spent preparing for meetings reduces staff's ability to effectively attend to day to day public service operations. Mr. Longoria added that a benchmark for the effect of this change will be seen in improved quality in the preparation of the materials for City Council, which will enable a better product to be brought forward for Council consideration.

Discussion ensued by Council regarding recommendation of holding meetings on Mondays instead of Tuesday. Mr. Longoria responded that it fits well the fiscal cycle of City business and corresponds to the City Attorney's availability.

Mayor Riley spoke in opposition to the proposed plan and discussed her concern that a change would minimize the opportunity for citizen input, negatively impact businesses to come to the City, and would shift the majority of the work to management of staff. Mayor Riley also stated that the new meeting schedule would conflict with meetings by the Parks Commission and the Library Board.

Councilman Biever discussed the strategic planning session and suggested that some things that need to be looked at is the proposed effectiveness of this change, and suggested that, perhaps, instead staff augmentation through an internship program may be necessary to address the current workload.

Mayor Riley opened the public hearing at 8:29 P.M. and called for citizen comments.

Ms. Liz Maloy, 7411 Chenal Point, read a prepared statement in opposition to the proposed change.

Mr. Benny Martinez, 6319 Rue Sophie, spoke in opposition to the proposed change.

Mr. Pat Martinez, 6319 Rue Sophie, spoke in opposition to the proposed change.

Ms. Lynn Joseph, 6423 Trotter Lane, spoke in opposition to the proposed change.

Mr. Walter Geraghty, 7315 Ellerby, spoke in opposition to the proposed change.

Ms. Kathy Hill, 6326 Mary Jamison, spoke in opposition to the proposed changes.

Ms. Irene Baldrige, 6368 Parsley Hill, spoke in opposition to the proposed changes.

Mr. Olen Yarnell, 7230 Sulky Lane, spoke in opposition to the proposed changes.

Mr. Pedro Esquivel, 7207 Forrest Meadow, spoke in opposition to the proposed changes.

Ms. Patty Manea, 6103 Britania Court, spoke in opposition to the proposed change.

Ms. Kim Campbell, 7007 Forrest Mont, spoke in opposition to the proposed change.

Ms. Mary Francis Uptain, 6101 Sawyer Road, spoke in opposition to the proposed change.

Ms. Monica L Donahue-Alcocer, 5985 Aids Dr., spoke in opposition to the proposed change.

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Mayor Riley closed the public hearing at 9:02 p.m.

Mayor Riley read the caption into the record: "Consider an ordinance amending Chapter 1, Section 1.04.001, entitled "Meetings" modifying the Regular City Council Meeting schedule by holding one meeting per month, on every second Monday."

Councilman Reyna made a motion to approve the ordinance. Councilman Diaz seconded the motion.

Councilman Reyna, provided comments on how the recommendation was developed as part of the Strategic Planning session, and that it has to do with efficiency and was meant to compliment the newly established monthly Coffee with the Mayor and Council, in order to have more opportunity to discuss topics directly with citizens. Councilman Reyna recalled Council meetings of twice of month under previous manager's which lasted very long, and compared those to recent meetings under the current City Manager that have not often lasted too late into the evening. Councilman Reyna also spoke to his accessibility to residents by phone and email, his responsiveness to all his communications with residents, and commented that the issues that he is called about typically get referred to the City Manager to address. Councilman Reyna stated that by having this type of relationships with residents, lessens the need for those constituents to come before Council to voice their concerns.

Councilman Biever discussed the number of meetings a year under the current schedule is 24, and offered his support of continuing to conduct two meetings a month. Councilman Biever also stated he doesn't like the perception that this proposal is being presented for devious reasons; however, he reiterated his support for maintaining the current schedule.

Councilman Dean agreed with his colleague that the perception appears bad, whether it is real or not. Councilman Dean suggested that this proposal be studied further or removed from consideration, as it is their duty to the citizens to do so.

Councilman Diaz stated that when campaigning for his place on Council, he supported change in order to increase efficiency at the City. Councilman Diaz stated that he handles calls by phone and by email like his colleagues. After further comment, Councilman Diaz suggested a trial period of four to five months to study the efficiency of the change; and then bring it back to Council to deliberate it again.

Councilman Ruiz commented that he shares Councilman Diaz' sentiments, and supports the idea of trial period and that he is committed to his Council role.

Discussion ensued among the Council regarding their preferred length of the trial period.

After further discussion, City Attorney Zech provided parliamentary guidance on how they can structure the motion to adopt the ordinance as written, and consider a second motion to bring the ordinance back for reconsideration at a certain date.

After further deliberation, Councilman Reyna made a motion to approve the proposed ordinance as written to amend the meeting schedule to one meeting a month, to be held on the second Monday of every month. Councilman Diaz seconded the motion. Voted Ayes: Reyna, Diaz, Ruiz. Voting Nay: Dean and Bieber. The motion passed.

ORDINANCE NO. 2013-09-17-01

AMENDING CHAPTER 1, ARTICLE 1.04, SECTION 1.04.001 ENTITLED "MEETINGS," MODIFYING THE SCHEDULE OF REGULAR CITY COUNCIL MEETINGS TO ONE PER MONTH; AND MAKING THOSE CHANGES CONSISTENT WITH THE OPEN MEETINGS ACT.

Councilman Reyna made a Second Motion to place an item on the agenda in 9 months to reconsider this Ordinance. Councilman Diaz seconded the motion. Voting Aye: Ruiz, Reyna. Voting Nay: Diaz, Dean, Bieber. The motion failed.

Councilman Reyna made another motion to place an item on the agenda in 6 months to reconsider this Ordinance. Councilman Diaz seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Bieber. Voting Nay: Dean. The motion passed.

Mayor Riley announced the decision and noted that the next City Council Meeting will occur on Monday, October 14, 2013.

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Item 11. Consider authorizing the execution of a contract with the Bexar County Elections Administrator for election services for the November 5, 2013 special election, for an estimated amount of \$5,489.66. **M&C 2013-09-17-11**

Ms. Leticia Callanen, Interim City Secretary, provided a brief PowerPoint presentation that outlined the proposed Council action, and highlighted key dates for residents of Leon Valley as follows:

- Deadline to Register to Vote: October 7, 2013
- Early Voting: Monday, October 21 – Friday, November 1 at Leon Valley Conference Center
- Election Day : Tuesday, November 5, 2013 at City Hall
- New Voter ID law now in effect for this election – Information available at LeonValleyTexas.gov

Councilman Reyna made a motion to approve the action. Councilman Diaz seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, Bieber. Voting Nay: None.

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Item 12 Public Hearing and Consideration of an ordinance adopting Fiscal Year 2013-2014 Budgets and associated Capital Acquisition Plans. **M&C 2013-09-17-12**

City Manager Longoria provided his final presentation of the proposed Budget for Fiscal Year 2013-2014 and associated Capital Acquisition Plans.

Mr. Longoria highlighted key elements in the budget illustrating the City's good financial situation, current service levels continued, while maintaining good financial reserves. Mr. Longoria spoke to the Council's request to fund additional improvements to the community center for better flooring, and agreed to have staff reassess the options available, which may require a future budget adjustment.

Discussion between City Council and the City Manager ensued regarding employee benefits and the process used to solicit proposals for the City's health coverage provider, the merit and longevity pay system, and the upcoming compensation study.

Mayor Riley opened the Public Hearing at 10:00 p.m.

Mr. Olen Yarnell, 7230 Sulky Lane, requested information on whether the City considered joining an insurance pool to lower costs and discussed his concern with the current merit pay system and longevity pay.

Mr. Longoria, addressed Mr. Yarnell's questions and explained that their liability is covered by a risk pool. He further explained the proposal process in which TML declined to submit because of the City's high incident rate. He also discussed employee benefits related to merit pay and longevity pay, explaining that the budget includes funds to address inequities in the pay plan that may be discovered through the Compensation Study.

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Mayor Riley closed the Public Hearing at 10:09 p.m.

Councilman Biever made a motion to approve the ordinance. Councilman Reyna seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, Biever. The motion carries unanimously.

AN ORDINANCE 2013-09-07-02

APPROVING THE BUDGETS AND ASSOCIATED CAPITAL ACQUISITION PLANS OF THE CITY OF LEON VALLEY, TEXAS FOR THE FISCAL YEAR OF 2014 AND THE SAME FILED WITH THE CITY SECRETARY AND THE BEXAR COUNTY CLERK

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Item 13 Vote to ratify the General Fund Fiscal Year 2014 Budget that will raise more total property taxes than last year's Budget by \$150,812 Or 4.9639% and of that amount \$31,021 is tax revenue to be raised from new property added to the roll this year.

Ms. Vickie Wallace, Finance Director, provide a brief description of the agenda item stating that it is in accordance with State statute.

Mayor Riley opened the public hearing.

There being no citizens signed up to speak, Mayor Riley closed the public hearing.

Councilman Reyna made a motion to ratify the General Fund Fiscal Year 2014 Budget that will raise more total property taxes than last year's Budget by \$150,812 Or 4.9639% and of that amount \$31,021 is tax revenue to be raised from new property added to the roll this year. Councilman Dean seconded the motion. The motion passed. Voting Aye: Ruiz, Reyna, Diaz, Dean, Bieber. Voting Nay: None. Motion carries unanimously

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Item 14 Consider an ordinance setting The 2013 Tax Rate for the Maintenance and Operation Fund at \$0.476752 and Interest and Sinking Fund at \$0.106163 for a total Tax Rate of \$0.582915 which is 4.567560 percent higher than the Effective Tax Rate of \$0.557453. This Tax Rate will support the FY 2014 Budget. **M&C 2013-09-17-14**

Councilman Reyna made a motion to adopt the 2013 Tax Rate for the Maintenance and Operation Fund at \$0.476752 and Interest and Sinking Fund at \$0.106163 for a total Tax Rate of \$0.582915 which is 4.567560 percent higher than the Effective Tax Rate of \$0.557453. This Tax Rate will support the FY 2014 Budget. Councilman Dean seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, Bieber. Voting Nay: None. The motion passed unanimously.

AN ORDINANCE 2013-09-17-03

RATIFYING THE FY 2014 BUDGET THAT WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$150,812 OR 4.9639% AND OF THAT AMOUNT \$31,021 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE ROLL THIS YEAR.

Item 15. **City Manager's Report**

City Manager Longoria discussed the status of the Library renovation project and announced that a soft opening will occur on Saturday morning September 21st, with a grand opening ceremony being coordinated for mid-October.

Mr. Longoria announced plans for the first Coffee with the Council, occurring Saturday, September 21, from 9-11 a.m. at the Conference Center. Mayor Riley requested that the Manager send her regrets to the citizens that attend and asked that volunteer forms and general information flyers be taken to the event.

Fire Chief Valdez provided a PowerPoint presentation and discussed the recent 911 Memorial Tower Climb that the Fire Department participating in with other area Fire Stations at the Tower of the Americas on September 11, 2013.

Police Chief Wallace briefed the Council on plans for the 30th Anniversary of National Night Out, occurring October 1st from 6-10 p.m. Chief Wallace announced that fee waivers were available to residents that request one for a street closure for this event.

Mr. Longoria discussed the future agenda items list:

- Panhandling ordinance at October 14
- Payday loan regulations slated for November
- Two executive session items on October 14th beginning at 5:30 or 6:00 p.m.
- Results of the Recycling Survey
- Feral Cat update in December
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Item 16 **Citizens to be Heard**

Mr. Benny Martinez stated his dissatisfaction with the decisions made by Councilmembers who voted in support of the modifications to the meeting schedule.

Ms. Lynn Joseph, spoke to her overall dissatisfaction with the decision by Council to modify the meeting schedule.

Mr. Olen Yarnell made a brief comment about the current time of the meeting.

Kathy Hill spoke to her concern with the animal control policy in place, and to her dissatisfaction with the decisions made related to the meeting schedule.

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Item 17 **Announcements by Mayor and City Council:**

Mayor Riley discussed a letter she received from Ms. Sinclair, who is concerned about Forrest Meadow's appearance. Mayor Riley offered congratulations to Library Director Joyce Trent, who received two additional grants for the Library. Mayor Riley thanked the American Legion for hosting the 911 Remembrance celebrations; provided a reminder to the audience about the next Walk and Talk with the Mayor; announced a meeting of the MPO to conduct at the conference center on Tuesday, September 24th; and announced that she would be attending the TML Conference in Austin, October 9-11th.

Lastly, Mayor Riley discussed her recent ride-along with Officer Casey Marshall, and discussed her favorable experience.

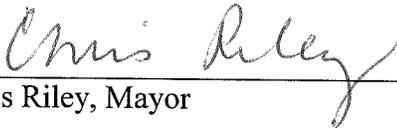
Councilman Biever announced an upcoming Festival Committee meeting with Mr. Mike DeLaGarza to be held October 3rd, in the Council Chambers at 6:30.

Councilman Reyna asked that Council keep Mr. Rudy Garcia in their prayers as he recently went through heart bypass surgery.

Councilman Ruiz spoke to the Diez y Seis event that was hosted by the Mexican Consulate and was pleased that the City of Leon Valley was well represented.

Mayor Riley announced the upcoming strategic planning meeting on Saturday, November 16th, at which time the discussion will relate to the City's 3 to 5 year plan.

At 10:41 p.m., Mayor Riley adjourned the City Council Meeting.


Chris Riley, Mayor

ATTEST:


Leticia Callanen, Interim City Secretary

