MINUTES

LEON VALLEY CITY COUNCIL
WORK SESSION – 6:00 P.M.
&
REGULAR MEETING – 7:00 P.M.
MONDAY, NOVEMBER 18, 2013
LEON VALLEY CITY COUNCIL CHAMBERS
6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238

Mayor Riley convened the City Council Work Session at approximately 6:00 p.m. to discuss the following matter:

1. **WORK SESSION**: Discussion and direction on proposed enhanced 4th of July event and 2014 Fall Jazz Festival as recommended by the City Council Festival Subcommittee. (Biever/Ruiz)

**City Council Members Present**: Ruiz, Reyna, Diaz, Dean, Biever

**Staff Present**: Longoria, Callanen, R. Wallace, Caldera, Dimaline, Flores, Mora, Valdez, City Attorney Jameene Banks.

Councilman Biever provided an overview of the recent activities of the Festival Subcommittee related to recommendations for an enhanced Fourth of July event, and recommendations for a jazz festival.

Councilman Biever explained that it is the recommendation of the subcommittee for the City to hold two signature events in 2014. The first would be the 4th of July event to immediately follow the annual parade. This event could conceivably be a daylong event at Raymond Rinkus Park that would include food and beverage booths, a model airplane show, family-friendly activities, and conclude with a fireworks display.

Councilman Biever further explained that, with the guidance of Mr. Mike De La Garza and Teresa Cox, a turnkey event would be developed. Secondly, the Festival Subcommittee recommended a jazz event as the second signature event to be held in the fall.

Discussion among City Council ensued related to the potential benefits of organizing a multi-day jazz event held in the city on an annual basis. Councilman Biever introduced Mr. Tobias, a local jazz concert promoter, who provided funding considerations to the Council.

Discussion ensued concerning potential costs for a fireworks display at the proposed 4th of July celebration which was estimated to cost $1,200 per minute. Discussion took place regarding possible funding sources, such as utilizing sponsorships, or partnerships with local businesses and the Leon Valley Economic Development Corporation.

Mr. Tobias spoke to his experience with organizing and promoting jazz concerts and suggested that he could bring in nationally recognized musicians that could generate revenue and exposure for the city.
Discussion ensued among Council, about the benefits of holding a 4th of July festival for the local residents and about the necessary consideration given to the park's neighboring residents as ideas and logistics are worked out in greater detail.

Direction was given to the City Manager to explore these ideas further, and to invite the Parks Commission to join the Festival Subcommittee in the development of this project.

City Manager Longoria stated that both groups have asked for an advance in payment. Mr. Tobias is asking for $10,000 to begin the planning activities and the other group is asking for $5,000. Mr. Longoria spoke to tightening the draft contracts to include protections for the City.

Mr. Longoria requested and received direction from Council to engage in negotiations of contracts for jumpstarting these efforts and to formalize the contracts.

In response to a question from Councilman Reyna about budgeted funds, Mr. Longoria stated that $20,000 is currently allocated for events, yet there is concern that the additional money is well above what is already budgeted.

Discussion ensued related to potential sponsorships of the events’ startup costs.

Mr. Tobias spoke to the opportunity for the event to build from a two-day event in the first year and perhaps a three-day event in the future with the highest caliber of musicians. Mr. Tobias also discussed how he would promote this event as the fourth jazz event in the San Antonio area and tie it in to other festivals in the area, in order to provide cross promoting opportunities.

With no citizens wishing to speak, Mayor Riley adjourned the meeting at 6:39 p.m., and stated that the City Council would reconvene at 7:00 p.m. for the Regular City Council Meeting.

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Regular City Council Meeting Agenda

Mayor Riley reconvened the City Council Meeting at 7:02, determined a quorum was present, and requested that Ms. Jameene Banks, City Attorney, lead the Pledge of Allegiance.

City Council Members Present: Ruiz, Reyna, Diaz, Dean, Biever

Staff Present: Longoria, Callanan, R. Wallace, Caldera, Mora, Flores, City Attorney Jameene Banks, L. Valdez, Dimaline, Lawson.

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Item 2 Consideration of a resolution canvassing election returns for the November 5th Special Election.
Ms. Callanen, Interim City Secretary, provided a PowerPoint presentation in order for the Mayor and Council to officially canvass the election returns from November 5, 2013 Special Election.

In summary, both propositions passed as follows:

Proposition 1 - “The Reauthorization of the local sales and use tax in the City of Leon Valley at the rate of one-fourth (1/4) of one percent (0.0025) to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the 10th anniversary of the date of this election unless the imposition of the tax is reauthorized.”

Proposition 2 – “The Creation of the Leon Valley Crime Control and Prevention District dedicated to crime reduction programs and the adoption of a proposed Local Sales and Use Tax at a rate of one-eighth (1/8) of one percent (0.00125).”

The results reflected by the election returns indicate that the first proposition passed by 505 of 606 total votes, and the second proposition passed by 436 votes of a total of 606 votes in favor of the proposition(s).

A motion was made by Biever to approve the resolution. Councilman Dean seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Biever. Voting Nay: None. The motion passed.

RESOLUTION NO. 2013R-11-18-01


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Item 3  Presentation of the Final Architectural Design for the Fire Station, Police Station and City Hall Improvements, and related discussion on the budget for the Project.

Mr. Longoria introduced Mickey Conrad, of OCO, and provided a brief description of the two part presentation that will cover the final design of the new municipal facilities and an update on the project budget.

Mr. Conrad provided a slide presentation that illustrated the floor plans and exterior schematics of the new Fire Station, Police Station, and City Hall Improvements. Mr. Conrad spoke to the energy efficiency elements of the facilities and confirmed that there will not be a need to remove any existing trees.

Mayor Riley opened the floor for citizen comments.

Ms. Lynn Joseph, 6423 Trotter Lane, asked whether the windows are energy efficient, to which Mr. Conrad responded in the affirmative.

Mr. Walter Geraghty, 7315 Ellerby, spoke to the second level of the above the new Police wing and whether it was going to be accessible by elevator at a later date. Mr. Conrad explained that there is not capacity to be able to expand to a second floor level, other than what is being proposed for storage.

After the citizen comments, Mr. Longoria presented the Capital Facilities Expansion Project and budget report. He summarized for Council that the initial budget projections are slightly lower than what the market pricing of labor and supplies are currently reflecting today. The differential is based on market drivers, such as the Eagle Ford Shale, that cause substantial decreases to supply, and thus, increases to the cost of construction materials and labor. However, Mr. Longoria pointed out that because of utilizing the “construction manager at risk” program, where the general contractor works with the architect during the design phase, allows the general contractor to zero in on project costs as the project develops. The general contractor, Bartlett Cocke, will provide a maximum price guarantee to lock in the costs.

(A copy of the presentations by Mr. Conrad and Mr. Longoria are made part of the official documents for this meeting.)

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CONSENT AGENDA

At this time, Mayor Riley asked Council for any objections to passing the Consent Agenda in full. Councilman Reyna requested that Item #5 be pulled for individual consideration.
Councilman Dean made a motion to approve Consent Agenda Items 6, 7, 8, 9, 10. Councilman Diaz seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Biever. Voting Nay: None. The motion passed approving the following items.

6. Approval of the October 14, 2013 Regular City Council Meeting Minutes. (Callanen)
8. Approval of a Sign Variance to relocate a Light Emitting Diode (LED) sign from 5783 Wurzbach to 6111 Bandera Road. M&C 2013-11-18-08 (Flores)
9. Approval of a Sign Variance to utilize an existing pole sign at 6430 Bandera Road. M&C 2013-11-18-09 (Flores)
10. Approval of the annual Services Agreement between the Leon Valley Economic Development Corporation (LVEDC) and the City of Leon Valley. M&C 2013-11-18-10 (Mora)

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Item 5. Approval of the minutes from the September 21st and November 2nd Coffee with the Mayor and the City Council. (Callanen)

Councilman Reyna requested that the minutes of September 21st be amended to reflect that while the Mayor was not present at the meeting, her absence should be noted as “excused.” Also, the minutes of the November 2nd meeting be amended to reflect the same for Councilman Biever.

Councilman Reyna made a motion to approve the minutes as amended, and Councilman Diaz seconded the motion. The motion was approved by consensus vote.

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REGULAR AGENDA

Councilman Reyna made a motion to suspend the regular order of business and take up item 14 first, to accommodate a member of the Earthwise Living Committee that needed to leave. The motion was seconded by Councilman Diaz. The motion passed.

Item 14 Consideration of an ordinance authorizing the use of Community Center Funds (Hotel Motel Revenue) for the Earthwise Living Day and related activities.

Mr. Dimaline, Public Works Assistant Director, provided a PowerPoint presentation outlining the merits of utilizing $3,000 in Hotel Motel funds to supplement an approved budgeted amount of $5,000 for the Earthwise Living Day festivities. Mr. Dimaline explained that this event draws nearly 1,000 visitors to the event, about half of which are from outside the City of Leon Valley.

City Attorney Banks spoke to use of Hotel Motel Funds and cautioned that the use of these funds must meet a two-pronged test, one of which includes increasing overnight room stays for local motels, and the other to generate economic development activity.

Discussion ensued on how to determine whether this use meets the tests, and Mr. Longoria stated that this item would not be before Council for consideration if staff were not confident that the use of these funds would meet the necessary applicability test.

Mayor spoke to the merits of the event and further stated that this would be the first year that the Earthwise Living Committee is partnering with NPR / Texas Public Radio to market this event, and expects that the attendance will exceed expectations.

Councilman Reyna spoke in support of the item and to the fact that since the band would be in town from Dallas that they would need to spend the night in Leon Valley, and that surely the City can expect over 1,000 attendees.

Councilman Reyna made a motion to approve the item and Councilman Dean seconded the motion. Voting Ayes: Ruiz, Reyna, Diaz, Dean, and Biever. The motion carried.
AN ORDINANCE 2013-11-18-01

APPROVING AMENDMENTS TO THE ORIGINAL BUDGET OF THE CITY OF LEON VALLEY, TEXAS, FOR THE FISCAL YEAR OF 2014.

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Item 11. Consideration of proposed Panhandling Regulations for the City of Leon Valley.

Police Chief Wallace provided a presentation that outlined the basic elements of the proposed ordinance that enacts regulations in an effort to deter individuals from soliciting donations from moving vehicles along City roadways. (A copy of this presentation is made part of the official documents of this meeting.)

Mayor Riley asked the Police Chief to walk her through the process to get a permit to solicit. Chief Wallace explained that for a $100 fee, an individual could apply and receive a two-day permit, however, without this City-issued permit, an individual could be arrested and issued a fine.

Councilman Ruiz asked if it is possible to have police officers follow a set schedule to patrol the most common areas for this activity, during peak hours. Chief Wallace explained that the officers currently do patrol the areas, yet they are also responsible to immediately respond to calls for service, and can only patrol when they have time.

Councilman Dean spoke to his police experience and knowledge, and reiterated that police, in general, do not have the time to monitor this type of activity.

Councilman Biever spoke in support of the proposed regulations.

Councilman Diaz spoke to his observation that on peak periods he has witnessed the positive impact of an officer merely pulling up his vehicle in a parking lot and causing a solicitor to walk away. He further spoke to a suggestion to design and install signs with a warning to potential solicitors that Leon Valley now has an ordinance to regulate this type of activity.

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Chief Wallace spoke to his current efforts working with area business owners to publicize the ordinance, and clarified that signs are not allowed on Bandera because it is a State roadway.

Councilman Biever suggested handing out cards with the information on it. Mayor Riley requested that the Chief provide an update in his monthly report, in the non-hazardous statistics portion of the report.

At this time, Mayor Riley opened the floor for citizen comments.

Ms. Monica Donahue Alcocer, 5985 Aids Drive, stated her concern that the ordinance language doesn’t fit the activity.

Mr. Walter Geraghty, business owner at 6553 Bandera, spoke to his observations of panhandling in the City of San Antonio as a negative image for the city, and his personal experiences locally.

Mr. Rudy Garcia, 6819 Evening Sun, spoke to the idea of having businesses put up public service announcements on their own premises to announce that a panhandling ordinance has been passed for Leon Valley.

Nicole Monsibais, 5421 Carray Bend, inquired about proper notice that should be given to inform the community.

Chief Wallace clarified that notice will be given through normal channels which are always required when a new fine or fee is enacted by a municipality.

Councilman Reyna made a motion to approve the Ordinance. Councilman Biever seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Biever.

ORDINANCE NO. 2013-11-18-02

AMENDING THE CITY OF LEON VALLEY’S CODE OF ORDINANCES, CHAPTER 4 “PEDDLERS SOLICITORS AND HANDBILL DISTRIBUTORS TO REGULATE SOLICITATIONS ON ROADWAYS FROM OCCUPANTS OF VEHICLES; AND PROVIDING FOR A PENALTY;

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AMENDING APPENDIX A, ARTICLE A7.000, REPEALER, SEVERABILITY AND SAVINGS CLAUSES, AND AN EFFECTIVE DATE.

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Item 12 Consideration of a Resolution authorizing the City Manager to submit a grant application in the amount of $1,500,000 to the Metropolitan Planning Organization (MPO) for the Evers Road Street Reconstruction Project

Mr. Dimaline, Public Works Assistant Director, provided an overview of the proposed grant application for funds that would be utilized to supplement the existing budgeted and projected budget for improvements to Evers Road.

In response to a question from Councilman Reyna, Mr. Longoria, explained that this would be in addition to what has been budgeted, and that because the street maintenance tax has been extended for ten years, the City has the potential to finance more. Mr. Longoria also noted that with the next legislative session, the City could lobby for that tax to be extended even further.

Councilman Dean spoke in favor of the grant application.

Mayor Riley spoke to the amount of funds available to the region and explained that the City is in competition with other counties.

Councilman Reyna made a motion to approve the item. Councilman Dean seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Biever. Voting Nay: None. The motion passed.

RESOLUTION NO. 2013R-11-18-03

A RESOLUTION OF THE CITY OF LEON VALLEY AUTHORIZING THE FILING OF AN APPLICATION WITH THE SAN ANTONIO-BEXAR COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) FY 2015-2018 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FUNDED THROUGH THE SURFACE TRANSPORTATION PROGRAM – METRO MOBILITY (STP-MM); 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.

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Item 13 Discussion and consider action regarding survey results related to the Recycling Pilot Program at the Ridge and related contractual provisions in the Solid Waste Agreement.

Crystal Caldera presented a PowerPoint, giving background on the pilot project, and provided the results of a second survey conducted by Staff.

At this time, Ms. Nicole Moncibais, President of the Ridge Neighborhood Association, addressed the Mayor and Council, thanked the City Manager and staff for working with her, and briefly commented on a petition that has been circulating.

Mr. Pedro Esquivel, 7207 Forest Meadow, inquired if the survey was limited to just the Ridge subdivision, and was responded to in the affirmative. Mr. Esquivel, also spoke to his opposition to expanding this pilot program city-wide for various reasons.

Councilman Dean spoke to an informal survey that he conducted through observation of the neighborhood about two days after a recycling collection day. On this particular day, he counted 117 houses where at least one or two cans were left out on the curb after a recycling pick up. He spoke to his concern that based on appearance that the housing values must have gone down. Councilman Dean also spoke to his concerns with the breakdown of the percentages of the results and the demographics utilized.

Ms. Caldera responded to Councilman Dean’s concerns by explaining that she used survey and demographic information from data provided by the Retail Coach, and she further described the cross tabulation process.

Mr. Joe Coy, 6017 Cammie Way, spoke to his opposition to a recycling program and to a reduction in trash pick-up.

Ms. Irene Baldridge, 6368 Parsley Hill, stated that she has not heard a single complaint from the Ridge residents and asked for clarification on Councilmember Dean’s comments.
She further spoke in favor of recycling and spoke to her positive experiences with managing the rolling trash and recycle bins.

Discussion ensued regarding the reason for having two cans, the pros and cons of having more than one can, and the storage issues that result from the larger cans.

Mr. Perez, Waste Management, responded to questions from Mayor Riley on the benefits of the recycling program.

In response to the Mayor, Mr. Perez generalized that there are suburban cities that have one week collection, and those that have one trash and one recycling collection a week, but could not provide an exact number on how many.

Ms. Nicole Moncibais spoke to the benefits of the rolling cart as opposed to the small recycle bin, its relative size to the larger rolling cart, and to the storage considerations that are made by Ridge residents based on available space in side yards.

Councilman Reyna discussed the idea of doing this citywide without the survey is not favorable, but he doesn’t oppose keeping it in the Ridge. He further mentioned that the storage of trash cans is a separate issue that needs to be addressed through other means, such as code restrictions. Councilman Reyna also spoke to his experience with having the recycling program on his street and offered an idea for designing a standardized decal to identify items that need to be picked up by a recycling truck in addition to what fits in the smaller recycle bins.

Councilman Diaz spoke in support of the Ridge maintaining the recycling program if they wish. He further spoke to his experiences with recycling, and is in support of the program.

Mayor Riley asked if the survey could be expanded to cover the entire city to gauge responsiveness to the recycling program.
Mr. Perez, of Waste Management, recalled that a survey was conducted at a previous Earthwise Living Day event, and those who responded were vehemently opposed to the idea of citywide recycling. Mr. Perez responded to ideas mentioned regarding an extra bin and ideas for a decal.

After further discussion, Mr. Longoria discussed contractual obligations the City has with Waste Management and clarified what this item requires in the form of Council action. Mr. Longoria spoke to the citywide issue. As a contractual issue, if recycling with the one day a week collection schedule went citywide, the rate would drop to less than 14 dollars a month for all residents, and there would not be an additional expense for a requested larger recycle can.

Councilman Reyna expressed his support of an additional survey conducted on a citywide basis, only if it was conducted as a scientific survey through a consultant or by an expert in surveys.

Councilman Biever spoke in favor of another survey to capture a broader representation of the City. He also offered his observations and experiences traveling in nearby areas in the City of San Antonio that has the larger bins.

Councilman Reyna made a motion to continue the recycling program for the Ridge. Councilman Dean seconded the motion. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Biever. Voting Nay: None. The Motion carries.

Councilman Reyna requested that a survey company be contracted to conduct the citywide survey.

Councilman Dean requested to review the survey questions prior to their release.

Mr. Longoria explained that in speaking to Mr. Perez, Waste Management, he is willing to extend the evaluation period for another six months. Mr. Longoria also stated that he
would like to explore the idea of contracting with a survey group in response to today's comments by Council.

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Item 15  
Consideration of a resolution authorizing the City Manager to purchase five (5) parcels of land from Bexar County for the purpose of the Fire Department project.

Mr. Longoria provided a presentation outlining the purchase agreement and how this land purchase is necessary to move forward with the Fire Department project and future development in the area.

In response to a question from Mayor Riley, Mr. Longoria explained that the legal fees associated with this project are $25,000 and, of that amount, $13,000 has been spent.

A Motion to approve was made by Councilman Biever, and seconded by Councilman Diaz. Voting Aye: Reyna, Diaz, Dean, and Biever. Voting Nay: None. Absent: Councilman Ruiz.

RESOLUTION No. 2013R-11-18-04

A RESOLUTION AUTHORIZING THE PURCHASE OF LOTS 54, 55, 56, 57 AND 83, CB 5784, OUT OF THE LEON VALLEY RANCHES SUBDIVISION, BEING APPROXIMATELY 1.7437 ACRES AND 0.38 ACRES OF LAND, LOCATED IN THE 6300 BLOCK OF EL VERDE ROAD AND THE 6300 BLOCK OF JEFF LOOP RD, OWNED BY BEXAR COUNTY FOR THE PURPOSE OF BUILDING A FIRE STATION AND A PARKING LOT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BEXAR COUNTY AND REMIT PAYMENT IN ACCORDANCE WITH SAID CONTRACT.

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City Manager's Report

Mr. Longoria spoke to the following items of interest for the City Council and the public:

- Annual Town Hall Meeting/Update of 2010 Strategic Plan is scheduled for Saturday February 1, 2014 at the Conference Center from 8:30 a.m. to 12:30 p.m.
- Future Agenda Items:
  - Presentation on Preliminary Design of the Huebner Creek Hike and Bike Trail (December)
  - Payday and other lending institutions process change will come forward at the December 9th meeting would require a second meeting on December 16th.
  - Wednesday, the 20th Thanksgiving Luncheon.
- Library Ribbon Cutting for Saturday, December 7th at 11 a.m.
- Follow-up Report on Feral Cat/Spay-Neuter-Release Initiative (December)
- Boards and Commissions Policy Review and Recommendations (December)
  - Pending Appointments
    - Leon Valley Economic Development Corporation
    - Parks Commission
    - Earthwise Living Committee
    - Community Events Committee
- Meeting of Leon Valley Crime Control & Prevention District declaring that the City Council shall be the Crime Control and Prevention District (CCPD) Board of Directors (February)
- Resolution of City Council approving the City Council to serve as CCPD Board of Directors (February)
- Review Proposed Park Master Plan (December)

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Citizens to be Heard.

Ms. Irene Baldrige, 6368 Parsley Hill, mentioned Tri Color, the continuance of Thistle, is looking unmanaged and stated that there is illegal dumping in that area.

Mr. Pedro Esquivel, 7207 Forest Meadow, spoke to a story about a personal experience with traffic ticketing, and then spoke to another experience with the police department in San Antonio.

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Announcements by the Mayor and Council Members.

Councilman Diaz described his son’s experience at the Fire Training Academy over the weekend, and discussed the positive impact of seeing the the Leon Valley Fire Truck. Councilman Diaz also mentioned that while at the academy, he heard that many cadets spoke about applying at Leon Valley, illustrating for him that there is indeed interest in coming to Leon Valley. He offered “kudos” to the Fire Chief and his Assistant Chief.

Councilman Biwer offered positive comments about how this fire event aligns well with the City’s strategic plan, and illustrates how we are here to help people and promote a positive attitude.

Mayor Riley spoke to the Walk and Roll Challenge in which we came in fourth, and thanked Chief Valdez and Assistant Chief Lawson. Mayor Riley spoke to a scheduled Mayors Meeting on Wednesday, which is why she will not be in attendance at the staff luncheon. Mayor
Riley announced that on Thursday, VIA Transit is holding a press conference at the Primo bus stop on Poss Road to unveil the new route and bus stop shelter.

Mayor Riley also thanked Councilman Ruiz, City Manager Longoria, and Fire Chief Valdez for attending and participating in the Arbor Day 5K. She also gave a special thanks to the Tree Advisory Committee for their help in organizing the event. She also acknowledged Jason Rodriguez, an Eagle Scout and John Marshall student and runner, who won first place in the run.

Mayor Riley also thanked Councilmen Dean and Biever for attending the historic Onion House fundraiser.

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Mayor Riley adjourned the meeting at 9:40 p.m.

Chris Riley
Mayor Riley

Leticia Callanen
Interim City Secretary

City of Leon Valley
Texas