



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, March 19, 2019

MINUTES

1. **6:00 PM** Call to Order, Determine a Quorum is Present, Pledge of Allegiance.

Attendee Name	Organization	Title	Status	Arrived
Chris Riley	City of Leon Valley	Mayor	Present	
Monica Alcocer	City of Leon Valley	Mayor Pro Tem	Present	
David Edwards	City of Leon Valley	Council Place 1	Present	
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present	
Benny Martinez	City of Leon Valley	Council Place 4	Present	
David Jordan	City of Leon Valley	Council Place 5	Present	

Also present was ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, Public Works Director Melinda Moritz, Assistant Public Works Director David Dimaline, Finance Director Vickie Wallace, Assistant Finance Director Ashley Wayman, LVFD Fire Chief Michael Naughton, LVPD Chief Joseph Salvaggio, LVPD Assistant Chief Ruben Saucedo, LVFD Deputy Fire Marshal Eric Burnside, Planning & Zoning Director Brandon Melland and various LVPD staff.

Mayor Chris Riley welcomed everyone and led the Pledge of Allegiance.

Mayor Riley informed everyone that City Manager Kelly Kuenstler was on vacation visiting family and that Assistant City Manager/HR Director Crystal Caldera would be filling in for her this evening. Mayor Riley asked for all cell phones to be silenced.

Presentations

Monthly Financial Report February 2019 (A. Wayman, Assistant Finance Director)

Assistant Finance Director Ashley Wayman presented the Monthly Financial Report ending February 28, 2019.

Discussion and Possible Action on a Resolution to Create and Promote an Educational Campaign to Support Local Government Control (M&C # 2019-03-19-01 M. Moritz)

Public Works Director Melinda Moritz presented this item seeking City Council consideration of a resolution creating and promoting an educational campaign in support of maintaining local government control.

Public Works Director Moritz gave some background on the item saying that recent legislation has been proposed at the state level to remove certain local government control, some of which included banning local tree preservation ordinances; implementing appraisal, revenue, and taxing caps; limiting budgets, which would limit our ability to pay our first responders and public safety personnel; limitations on the City's ability to regulate occupational licenses; and prohibiting red light camera traffic control programs, which the citizens wholeheartedly approved. The Texas Municipal League (TML) and Leon Valley staff members have recently voiced their concerns to state legislators regarding the prohibition of red-light cameras; however, the citizens have not been directly asked to become involved in protecting this program, or any others. TML has created a campaign called "Our Home, Our Decisions" in support of local government controls. We are proposing to produce a similar campaign aimed at educating the citizens on how the removal of local government controls could affect Leon Valley and what proposed bills will affect the City.

Public Works Director Moritz added that Leon Valley citizens have always been active and very involved with the City. Prior to 2017, Leon Valley was a Type A General Law city and the citizens were frequently frustrated by City Council and staff's inability to address certain concerns, such as graffiti abatement, regulations for fortune teller, massage, lending, and other predatory type businesses, and the ability to define and abate nuisances, due to limitations imposed by General Law regulations. In November of 2017, the City held an election, in which 60% of registered voters that voted during that election favored the charter for the Home Rule City, so that the City Council could enact laws to further promote and protect our citizen's morals, values, and identity. These local concerns are most probably unique to Leon Valley and may not be of the same concern in a different City, which is why it's important for our citizens to know about the impending proposals and to be able to let our State Representatives know that the citizens wish to retain local control over local laws. The City of Granbury, Texas has already started such a campaign in their city, recognizing their uniqueness, and the importance of retaining their collective morals, values and identity. Their program includes the creation of flyers, a page dedicated to the subject on their website, and the enactment of a Resolution promoting local government control, so that their citizens have an increased awareness of what the state legislature is proposing and so that the state legislators know that the citizens of Granbury want to retain local control.

In conclusion, Public Works Director Moritz added that the City of Leon Valley could create a similar program and place a page on our website, flyers in our newsletter and water bills, and possibly some type of notice through Tiger Sanitation promoting our own campaign to retain local governmental control. Staff recommends that the City Council approve the resolution to conduct an educational campaign to promote local government control.

A motion was made by Councilor Benny Martinez and seconded by Councilor David Edwards to adopt as presented with the caveat that the drafted flyer be brought back to City Council for final approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Benny Martinez, Council Place 4
SECONDER:	David Edwards, Council Place 1
AYES:	Alcocer, Edwards, Rodriguez, Martinez, Jordan

City Manager's Report

Assistant City Manager/HR Director Crystal Caldera reminded everyone that the City Manager's Report is posted on the website as well as placed on the table in the foyer for all interested. Assistant City Manager/HR Director Caldera then supplemented that report with new information with: a) read aloud the upcoming events; and b) reminded the Council that we had the Animal Ordinance and Scooters on the Coffee agenda and Councilor Edwards reminded us to make sure we also had the role of the Economic and Community Development Advisory Committee item and then Councilor Alcocer asked that the lot at Peachtree and Poss be added as well. Mayor Riley said she was not sure we would have time for the Peachtree lot and all agreed that we could have that on the July Coffee agenda.

Committee Minutes:

Upcoming Important Events:

- Next Regular City Council Meeting Tuesday, April 02, 2019, at 6:00 p.m.
- AARP Foundation Tax-Aid, Tuesdays and Thursdays beginning February 5, 2019 through April 11, 2019, at the Leon Valley Community Center.
- 2019 Volunteer Appreciation Dinner, Thursday, April 4, 2019, at 6:00 p.m. at the Leon Valley Conference Center.
- National Library Week is April 7-13, 2017.
- UTSA Breakfast, Wednesday, April 10, 2019, from 8:00 a.m. to 10:30 a.m. at the Conference Center.
- Library Volunteer Appreciation Event, Wednesday, April 10, 2019, from 5:00 p.m. to 7:00 p.m. at the Library
- John Marshall High School Band Event in conjunction with Movies in the Parking Lot featuring "Jurassic World", Friday, April 12, 2019, from 5:00 p.m. to 10:00 p.m., at the Leon Valley Community and Conference Center.
- Coffee with the Mayor and City Council, Saturday, April 27, 2019, from 9:00 a.m. to 11:00 a.m. at the Conference Center.
- Children's recording artist Joe McDermott concert, Tuesday, June 18, 2019, at 10:30 a.m., at the Conference Center.
- Miscellaneous other events and announcements.

RESULT:	PRESENTED
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Citizens to Be Heard

- Will Bradshaw spoke about political signs and asked for clarification.
 - Staff offered clarification on right of way to Mr. Bradshaw

Announcements by the Mayor and Council Members

- Councilor David Jordan thanked everyone for coming to the meeting.
- Councilor Benny Martinez reminded everyone of the upcoming Northwest San Antonio Chamber meeting.
- Councilor Monica Alcocer spoke about everything blooming and asked that everyone smile more often.
- Councilor Catherine Rodriguez thanked everyone for coming.
- Councilor David Edwards thanked everyone for coming and spoke about having more events such as St. Patrick’s Day events in Leon Valley.
- Mayor Chris Riley thanked those who volunteer and reminded all of the April 4th Volunteer Appreciation Dinner; and the upcoming Los Leones event at John Marshall High School.

CONSENT AGENDA

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to adopt Consent Agenda Item 6.1 and 6.2 as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro Tem
SECONDER:	Catherine Rodriguez, Council Place 2
AYES:	Alcocer, Edwards, Rodriguez, Martinez, Jordan

1. Consideration of the Following City Council Minutes:
 - a. Annual Town Hall Meeting- January 26, 2019 8:30 AM
 - b. Regular Meeting- March 5, 2019 6:00 PM

Discussion and Possible Action to Dissolve the Community Events Committee (CEC) (M&C # 2019-03-19-02 S. Passailaigue)

Ordinance

Discussion and Action Authorizing the Acceptance of a Community Development Block Grant (CDBG) in the Amount of \$302,632 to Provide Funding for the Blacksmith and Wagon Spoke Water and Sewer Main Project, Authorizing the Negotiation and Execution of the CDBG Program Agreement, and Authorizing a FY 2018-2019 Enterprise Fund Budget Adjustment in the Amount of \$498,100. (1st Read was held on 03-05-19) (M&C # 2019-03-19-03 D. Dimaline)

Assistant Public Works Director David Dimaline presented this item seeking City Council consideration and acceptance of a Community Development Block Grant (CDBG) in the amount of \$302,632, authorizing the City Manager to negotiate and execute a CDBG Program Agreement with Bexar County and authorize a budget adjustment. The grant would provide program funds to be used for the Blacksmith and Wagon Spoke Water and Sewer Main Project. A budget adjustment in the amount of \$498,100 will be required from the Water Utility Fund Balance to fund this improvement.

The estimated project cost is \$498,100. The grant application was evaluated to ensure

the project met HUD guidelines. In August 2018, the Bexar County Commissioners made their final selection of projects and recommended funding for this project under its CDBG program in the amount of \$302,632.

Assistant Public Works Director David Dimaline concluded the presentation saying that staff recommends that the City Council approve an Ordinance authorizing the City Manager to accept the Bexar County CDBG Program Agreement, and authorize a budget adjustment in the amount of \$498,100.

A motion was made by Councilor Benny Martinez and seconded by Councilor David Jordan to adopt as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Benny Martinez, Council Place 4
SECONDER:	David Jordan, Council Place 5
AYES:	Alcocer, Edwards, Rodriguez, Martinez, Jordan

Discussion and Action to Consider Approval of an Ordinance Awarding a Bid and Authorizing the City Manager to Sign a Contract with San Antonio Pool Management, Inc. in the Amount of \$101,330.00 to Manage the City of Leon Valley Community Pools and Provide Off-Season Maintenance, and Authorizing a FY 2018-2019 General Fund Budget Adjustment in the Amount of \$53,330.00. (1st Read was held on 03-05-19) (M&C # 2019-03-19-04 D. Dimaline)

Assistant Public Works Director David Dimaline presented this item seeking City Council approval of an ordinance accepting the lowest responsive bid and awarding a contract to San Antonio Pool Management, Inc., in the amount of \$101,330.00, authorizing the negotiation and execution of a contract for the purpose of managing two community pools for the 2019 swim season, to provide off-season maintenance, and approve a budget adjustment in the amount of \$53,330.

Staff recommends approval of an Ordinance accepting the lowest responsible bid from San Antonio Pool Management, authorizing the City Manager to enter into a contract in the amount of \$101,330.00 to manage both City pools for the 2019 season and provide off-season maintenance, and approving a budget adjustment in the amount of \$53,330 from the General Fund Reserve.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Benny Martinez to approve as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro Tem
SECONDER:	Benny Martinez, Council Place 4
AYES:	Alcocer, Edwards, Rodriguez, Martinez, Jordan

8. REGULAR AGENDA

Presentation and Discussion of an Ordinance Amending the Leon Valley Code of Ordinances, Article A2.000 Administrative Fees, Section A2.003 Municipal Park Fees, (g) Swimming Pool Fees for the City's Community Pools, for the Purpose of Setting Rates for Pool Usage. (1st Reading as Required by City Charter) (M&C # 2019-03-19-05 D. Dimaline)

Assistant Public Works Director David Dimaline presented this item seeking City Council consideration of an ordinance amending the Leon Valley Code of Ordinances, Article A2.000 Administrative Fees, Section A2.003 Municipal Park Fees, (g) Swimming Pool Fees for the City's Community Pools, for the purpose of setting rates for pool usage. Under the current City Code, swimming pool fees are set by the City's contracted swimming pool management company. The proposed pool management company, San Antonio Pool Management, does not handle credit transactions at the facilities for pool memberships, therefore the City will need to have a fee structure in place, and payments will be taken at City Hall during regular business hours.

Assistant Public Works Director Dimaline reported that Staff has worked closely with the Leon Valley Pool Advisory Committee to develop the following list of fees for the 2019 swim season. The proposed fees are as follows:

Daily Gate Fee:	\$5.00
Season Pass - Adult Resident:	\$40.00
Season Pass - Child (under 18) Resident:	\$30.00
Season Pass - Adult, Non-Resident:	\$60.00
Season Pass - Child (under 18), Non-Resident:	\$40.00
Season Pass - Swim Team Member (full use of pool):	\$30.00
Maximum Amount per Family:	\$200.00
Affordability Rate (Application required at City Hall, must meet HHS Guidelines for 2019)	
Season Pass - Adult Resident:	\$20.00
Season Pass - Child (under 18) Resident:	\$15.00
Season Pass - Adult, Non-Resident:	\$30.00
Season Pass - Child (under 18) Non-Resident:	\$20.00
Day Care / Groups:	\$3.00
Swim Lessons	
Private: 3 Hours of Class:	\$150.00

Semi-Private: 3 Hours of Class:	\$100.00
Group: 3 Hours of Class:	\$50.00
Swim Team Fee to Use City Pools - \$20.00 per team member	
Pool Parties (Before or After Normal Scheduled Hours)	
Forest Oaks (Includes Community Room)	\$250.00 for 2 hours, up to 25 participants with \$5 for each Additional person \$50.00 Reservation Fee
6600 Strawflower	\$125.00 for 2 hours, up to 25 Participants, with \$5 for each additional person \$50.00 Reservation Fee
Facility Rental (Forest Oaks)	\$150.00 for 2 Hours \$50.00 Each Additional Hour \$50.00 Reservation Fee
The Hill	\$100.00 for 2 Hours \$50.00 Each Additional Hour \$50.00 Reservation Fee

For the 2019 swim season, payment transactions will occur at City Hall during regular business hours. San Antonio Pool Management is not set up to take payments on-line; however, they have communicated that they are willing to handle cash transactions at the pools for all gate fees and concessions. The City will work closely with San Antonio Pool Management regarding reporting and collections.

Assistant Public Works Director Dimaline concluded the presentation saying that it is anticipated that revenue generated by the Community Pools will help offset some of the operation and management costs for the 2019 swim season. Average revenues from previous years were between \$35,000 and \$50,000 annually. Staff recommends approval of an Ordinance amending the Leon Valley Code of Ordinances, Article A2.000 Administrative Fees, Section A2.003 Municipal Park Fees, (g) Swimming Pool Fees.

RESULT:	FIRST READ
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Presentation and Discussion of an Ordinance Authorizing a Budget Adjustment from the Enterprise Fund, Stormwater Fund Balance, in the Amount of \$27,750, to Purchase a 0.396 Acre Tract of Land at 6876 Poss Road, Being P-5, ABS 432, CB 4430, (1st Read as Required by City Charter) (M&C # 2019-03-19-06 M. Moritz)

Public Works Director Melinda Moritz presented this item seeking City Council approval of an ordinance authorizing a budget adjustment from the Enterprise Fund, in the amount of \$27,750, to purchase a 0.396-acre tract of land at 6876 Poss Road, being P-5, ABS 432,

CB 4430. The land, zoned R-1 Single Family Dwelling District and located at the corner of Poss and Andres Salazar roads, will be needed for the eventual erosion control project along Huebner Creek. In addition, the majority of this parcel is located in the floodway and should not be developed for human occupancy. This will complete the purchase of properties on the southwestern side of Huebner Creek. An appraisal of the property was performed and a fair market value established. Staff proposes offering the property owner the fair market value of this property.

Public Works Director Moritz concluded her presentation saying that the fiscal impact on the City would be that the property appraisal would be \$ 2,200; the property price would be \$25,000; the title/filing fees would be \$550; for a total of \$27,750. Funds for this purchase would come from a budget adjustment from the Enterprise Fund, Stormwater Fund Balance, which is \$950,434.00, as of 9/30/18.

It is recommended that the City Council approve an ordinance amending the Enterprise Fund, Stormwater Fund Balance, in the amount of \$27,750, for the purchase of a 0.396-acre parcel of land, being P-5, ABS 432, CB 4430, at 6876 Poss Road, for the purpose of stormwater and erosion control on Huebner Creek.

RESULT:	FIRST READ
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Presentation and Discussion of an Ordinance Authorizing a Budget Adjustment from the General Fund Reserve in the Amount of \$38,350, to Fund the Construction and Installation of Bus Shelter Custom Art Canopies at the Library and at Raymond Rimkus Park (1st Read as Required by City Charter). (M&C # 2019-03-19-07 M. Moritz)

Public Works Director Melinda Moritz presented this item seeking City Council approval of an ordinance authorizing a budget adjustment from the General Fund Reserve in the amount of \$38,350, to fund the construction and installation of bus shelter custom art canopies at the Library and at Raymond Rimkus Park.

Public Works Director Moritz gave some background on the item saying that during the Evers Road bridge project, VIA installed new bus shelters, to include one in front of the library and one across the street from the library at Raymond Rimkus Park. These bus shelters may be modified to reflect their surroundings, with custom art on the top of the canopy. Staff has been investigating pricing for this art work and found a company that offers the art at a reasonable price.

Public Works Director Moritz said it is our belief that the custom art work will create visual interest at the street, stimulate the community to enjoy the library and parks, bring public art to the wider community, and improve the surrounding property aesthetic value. The art may encourage more riders for VIA and it will address one of the suggestions from the Park Survey that the City consider installing public art.

Public Works Director Moritz concluded the presentation saying that the budget adjustment in the amount of \$38,350 from the General Fund Reserve is necessary to fund the new artwork. The balance of that fund was \$3,359,401 as of 9/30/18.

RESULT:	FIRST READ
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Presentation, Public Hearing, and Discussion of an Ordinance Amending Section 3.05.005, of the City of Leon Valley Code of Ordinances Regarding Residential Fences in the Front Yard (1st Reading as required by City Charter) (M&C # 2019-03-19-08 B. Melland)

Planning & Zoning Director Brandon Melland presented the item seeking City Council consideration of an ordinance amending Section 3.05.005, of the City of Leon Valley Code of Ordinances regarding Residential Fences in the Front Yard.

Planning & Zoning Director Melland informed the City Council that currently, the City's Building Code applies the following regulations to fences on single-family residential properties:

(1) Residential fences shall not exceed six (6) feet in the height in the side or rear yards or forty-four inches (44") in height in the required front yard. The finished side shall face toward the public viewpoint or public right-of-way.

Planning & Zoning Director Melland said that staff has received some inquiries regarding six (6) foot tall fences in the front yard - typically on larger lots. Staff also has a situation in which a property owner mistakenly constructed a six (6) foot tall fence in their front yard because they thought it was permitted. This matter elevated the status of front yard fences to Staff's attention for possible evaluation. Staff is aware of other cities that permit front yard fences on larger residential lots (1+ acres), subject to specific design criteria. Based on established peer city regulations and perceivable built results, Staff submits the Code amendments contained in Exhibit A, which would generally allow fences to be constructed within the required front yard of residential lots within the RE-1 District and lots over 1 acre within the R-1 District, provided the fence is constructed entirely of ornamental steel or iron.

Planning & Zoning Director Melland concluded the presentation saying that staff recommends approval of the ordinance.

RESULT:	FIRST READ
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Presentation and Discussion of an Ordinance Amending the City of Leon Valley Code of Ordinances, Article 4.01 Credit Access Businesses to Provide for a Certificate of Registration Application Fee Amount and Amending Appendix "A" Fee Schedule to Add Section A17.010 "Credit Access Business Registration Application Fee" (1st Reading as required by City Charter) (M&C # 2019-03-19-09 D. Frederick)

City Attorney Denise Frederick presented this item saying that the Credit Access Businesses Regulation created under Article 4.01 of the City of Leon Valley Code of Ordinances, setting forth registration requirements and credit extension guidelines was adopted by City Council on January 15, 2019. City Council must now set the certificate of registration fee and amend Appendix "A" Fee Schedule of the City of Leon Valley Code of Ordinances to include said fee.

City Attorney Frederick said that application/registration fees charged by other Texas municipalities was presented to City Council as follows:

Application/Registration Fees charged by cities in Texas:

Balcones Heights - \$50

Universal City - \$250

San Antonio - \$50

Austin - \$50

Dallas - \$76

Houston - Registration fee \$51.42

Administration fee \$27.52

City Attorney Frederick concluded the presentation saying that business must register with the City. There will be an application fee involved with the registration. Depending on what the council decides the application fee is, this will determine what revenue would be received by the City. City Attorney Frederick recommends that City Council to review the fees of other municipalities and set a Credit Access Business registration fee for the City of Leon Valley.

RESULT: FIRST READ

Discussion and Possible Action on Ethics Workshop (D. Frederick, City Attorney)

City Attorney Denise Frederick presented this item suggesting to City Council that a professional conduct a training for all staff, and members of City Council and boards and commissions.

City Attorney Frederick expressed the importance of having the training before Council holds a workshop to make changes to the ordinance.

This was followed by a brief discussion.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to have a professional trainer come and train staff and City Council/boards/commissions Monday, Tuesday or Wednesday for two (2) sessions also make it available online.

RESULT: APPROVED [UNANIMOUS]
MOVER: Monica Alcocer, Mayor Pro Tem
SECONDER: Catherine Rodriguez, Council Place 2
AYES: Alcocer, Edwards, Rodriguez, Martinez, Jordan

Citizens to be Heard

LVPD Chief Joseph Salvaggio addressed Mr. Will Bradshaw's concerns about political signs.

Adjournment

Mayor Riley announced that the meeting adjourned at 8:15 PM.

These minutes approved by the Leon Valley City Council on the 2nd of April, 2019.

APPROVED



CHRIS RILEY
MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

