



CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, December 3, 2019

MINUTES

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, Council Place 3	Present	
Donna Charles	City of Leon Valley	Council Place 1	Excused	
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present	
Matthew Hodde	City of Leon Valley	Council Place 4	Present	
Will Bradshaw	City of Leon Valley	Council Place 5	Present	

Also present was City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Habib Erkan, Jr., Public Works Director Melinda Moritz, Special Events/Community Center Manager Maribel Mendoza, Business Relations Specialist William Cox, LVFD Chief Michael Naughton, LVPD Chief Joseph Salvaggio, Planning & Zoning Director Brandon Melland, LVPD Assistant Chief Ruben Saucedo, Assistant Public Works Director David Dimaline, and various LVPD staff.

Mayor Chris Riley welcomed everyone and asked scouts from Troop 215 and Troop 515 to lead the Pledge of Allegiance.

Mayor Riley asked for all cell phones to be silenced; asked that if anyone in the audience needed to speak with their neighbor, they take it to the foyer so they don't disturb the meeting; and lastly that our local rules do allow for citizen comments on any of the agenda items after staff presentation and City Council discussion. Please raise your hand to be recognized, come up to the podium and state your name for the record before speaking.

City Manager Kelly Kuenstler informed the Mayor and City Council that Planning & Zoning Director Brandon Melland asked that Agenda Item 9.3 be postponed to the December 17, 2019 meeting. Also, that Agenda Item 6 should actually go before Agenda Item 5. So, with these changes Agenda Items were renumbered with Agenda Item 9.4 now being 9.5, 9.5 now being 9.6 and 9.6 now being 9.4

City Secretary Sandra Passailaigue added that after some research it was agreed that the city attorney did not need to be sworn in this evening. The last two city attorneys were sworn in but that was because they were in-house attorneys and the current city attorney is a contracted law firm. Also, the prosecutor has already been sworn in through the Municipal

Court prior to his first court here in Leon Valley last week.

PRESENTATIONS

Administration of the Oath of Office to City Attorney - *Withdrawn* (Mayor Chris Riley)

Administration of the Oath of Office to City Prosecutor - *Withdrawn* (Mayor Chris Riley)

Report on the National League of Cities Conference (Mayor Chris Riley)

Mayor Chris Riley gave an update on the National League of Cities Conference that she attended two weeks ago.

RESULT:	PRESENTED
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Presentation of the Results of the 2019 Business Audit (Business Relations Director, William Cox)

Business Relations Specialist William Cox presented the 2019 Business Audit.

Mr. Cox said that this item is intended to provide an update to the Leon Valley City Council on the 2019 Business Audit. Council feedback is important so that the Business Audit remains efficient, productive, and meets the needs of the citizens and business community.

Councilor Matthew Hodde and Mayor Chris Riley thanked Business Relations Specialist Cox for all the hard work and dedication to cleaning and monitoring new businesses to comply with Certificate of Occupancy City regulations.

City Manager Kelly Kuenstler informed Council that the entire chain for Gabriel's Liquors is currently under Chapter 311, not only in Leon Valley.

RESULT:	PRESENTED
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REGULAR AGENDA

Presentation and Discussion on an Ordinance Authorizing a Budget Adjustment for the Community Center Fund in the Amount of \$179,240 and a Budget Adjustment for the General Fund Economic Development Project Funding in the Amount of \$179,240 to Provide the Funding Source for the Remodel of the Community Center (Senior Center). (1st Reading as Required by City Charter) (M&C # 2019-12-03-01 M. Mendoza)

Special Events/Community Center Manager Maribel Mendoza presented a proposed ordinance as a budget adjustment for the amount of \$179,240, to remodel the Community Center (Senior Center) and \$179,240 for the General Fund Economic Development Project Funding to fund the project.

Special Events/Community Center Manager Maribel Mendoza said that the City tried for a Community Development Block Grant (CDBG) for these upgrades, but unfortunately, did not receive the grant.

Currently, the center is 32 years old, not ADA compliant and has never had a complete upgrade. The outdated facility is hindering the ability to obtain more rentals. Therefore, a remodel to the facility will possibly enhance the rentals for the center and improve the quality of life for the seniors. Improving to the Community Center (Senior Center) will save money on the cost to operate the Community Center.

Ms. Mendoza informed Council that on November 20th, 2019, a presentation was made to the Leon Valley Economic & Community Development Advisory Committee seeking funds to remodel the Leon Valley Community Center. A motion was made by Committee Member David Jordan and seconded by Committee Member Amber Mouser recommending placing the project on the City Council agenda for approval to expend \$179,240 for the remodel of the Community Center (Senior Center). The motion passed unanimously.

Special Events/Community Center Manager Mendoza concluded her presentation by informing Council that the \$179,240 budget adjustment for the Community Center Fund remodel will come from the Economic and Community Development Project Funding as approved by the Advisory Committee. However, there is not enough funds budgeted in the FY 20 budget to fund the project. Therefore, a budget adjustment is needed for the General Fund so that the Economic Development Project can be able to assist with the project. The funds for the Economic Development Project Funding will come from their reserves which is estimated to be \$600,000

Mayor Riley asked why the City did not receive the (CDBG) grant. Public Works Assistant Director David Dimaline replied that the City was going against several competitive organizations including non-profits. He said that "Habitat for Humanity" was an organization who got awarded the grant but unfortunately, he did not receive a specific reason as to why the City of Leon Valley did not receive the grant.

Mayor Riley asked if the City had any experienced staff that could possibly do some of the work. Public Works Director Melinda Moritz said in response that, back then staff had the time to work on remodels but now they do not have the time and all her experienced staff is now retired. Director Moritz also explained that any time that plumbing or electrical work with over \$8,000 in value, must be engineered.

Mayor Riley asked if this project was going to be done in phases considering City events like "Earthwise Living" and "Senior Trash and Treasure". Mayor Riley also asked if the seniors had been given an opportunity to provide their input on this proposed project. Special Events/Community Center Manager Maribel Mendoza explained that she spoke to Ms. Shirley Jonas multiple of times and added that Ms. Jonas is the one asking for these remodels to get done.

Mayor Riley asked if we could have an Economic Development/ Community Development

Brain Storming Session at the Town Hall meeting and present these projects to receive input form the citizens.

There was a lengthy discussion.

- Irene Baldrige: asked to please include the furniture as part of the renovation; “the chairs must be maintained”.

RESULT:	FIRST READ
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Discussion and Possible Action on a Resolution Casting Eight (8) Votes and a Nomination by the City of Leon Valley City Council for the Bexar Appraisal District Board of Directors For 2020-2021 (M&C # 2019-12-03-02 K. Kuenstler)

City Manager Kelly Kuenstler presented a resolution casting eight (8) votes and a nomination by the City of Leon Valley City Council for the Bexar Appraisal District Board of Directors for 2020-2021.

City Manager Kuenstler said that the nominations for the Bexar Appraisal District Board of Directors for the 2020-2021 terms have been submitted, and pursuant to Section 6.03(k), Texas Tax Code, eligible taxing units may now cast votes for the nominees.

City Manager Kuenstler provided Council with a copy of the voting entitlement of each taxing unit and a ballot listing all persons nominated by the taxing units in alphabetical order.

City Manager Kuenstler informed Council that the governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the Chief Appraiser before December 15th.

The results of this election will be delivered to each taxing unit by December 31st.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to give all eight (8) votes to George Torres.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Catherine Rodriguez, Council Place 2
AYES:	Alcocer, Rodriguez, Hodde, Bradshaw

Discuss and Consider Possible Action on a Resolution Authorizing the Application and Acceptance of an Alamo Area Council of Governments (AACOG) Grant for the 2020-2021 Regional Solid Waste Grant Program (M&C # 2019-12-03-03 D. Dimaline)

Public Works Assistant Director David Dimaline presented a resolution to authorize the application and acceptance of an Alamo Area Council of Governments (AACOG) Grant for the 2020-2021 Regional Solid Waste Grant Program.

Public Works Assistant Director Dimaline said that the City of Leon Valley is applying for grant funds to purchase five, 65-gallon solar powered trash compacting stations to be placed within our existing City Parks. The units have the ability to compact up to 8 times more waste than conventional bins. This will assist with a positive impact on existing landfill space and reduce our carbon footprint. Staff will have the ability to monitor estimated fill-levels and schedule collections using an online platform. The reduced amount of times emptying conventional bins, will result in less fuel emissions and traffic congestion. Staff will be able to optimize collection schedules and quickly identify any overflows.

The applications are consistent with AACOG’s goal to provide for recovery of material resources by waste reduction and minimization. If the City of Leon Valley is selected for grant funding, these funds will be utilized to purchase the equipment.

The grant amount is \$23,500 and the City would provide a 25% match, or \$5,875. Funds for the match will come from the FY 2019-20 Public Works Department - General Fund.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Will Bradshaw to allow the Public Works Department to apply and accept the Alamo Area Council of Governments (AACOG) Grant for the 2020-2021 Regional Solid Waste Grant Program.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Will Bradshaw, Council Place 5
AYES:	Alcocer, Rodriguez, Hodde, Bradshaw

CITY MANAGER'S REPORT

City Manager Kelly Kuenstler 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. City Manager Kuenstler then supplemented that report with new information with: a) Happy Birthday to Mayor Chris Riley. b) Congratulations to Sandra Passailaigue who successfully completed her recertification requirements for the Texas Municipal Clerks Association. She will receive her certificate at the Election Law Seminar at the end of January. c) Also thank you Sandra for decorating this place so nicely. d) After the last City Council meeting, I sent to each of you what I thought was to be the possible final agenda for the Town Hall meeting and I asked for your feedback. I heard back from Councilor Hodde that he was fine with the agenda as long as the citizens had the time to speak and I heard from Councilor Alcocer that she thought one of the items was supposed to include Public Works edifice and the possible need for bond or other funding. I need a consensus from the Council if you would like to add the Public Works component and bond component to the agenda- I could place it with item 6 which currently reads: “Comprehensive Analysis of Leon Valley’s Swimming Pool, Library Annex and Public Works Department regarding ADA Compliance”- just basically reword this. Any thoughts? e) Reminder about the public meeting regarding SH 16 or Bandera Road which will be held in Leon Valley on December 11th from 5-7 at the Conference Center and the 1st meeting will be on December 10th at Brandeis High School

on Kyle Seal Parkway, same time (5-7). If you cannot attend one of these meetings, you can attend it virtually from December 10th- December 31st. Go to www.txdot.gov and search for the keywords "SH 16 Bandera Road". This information has been placed on their social media as well as the City's social media. f) Congratulations Leon Valley, AACOG used our City as an example for following CAG for the plume. g) We get an official election ballot for the Bexar Appraisal District Board of Directors and they serve 2-year terms- this term will be from 01-1-20 to 12-31-21. I will read you the nominations as we need to give Leon Valley's 8 votes to one of these candidates. Usually we give our votes to Northside ISD but this is your discretion. h) Special thanks to the LVPD and Councilor's Hodde and Rodriguez for their participation in our Law Enforcement's Christmas Party for the Children of Police Survivors. i) There will be a lot of events in the near future either raising funds for, collecting gifts or wrapping gifts for Blue Santa so if you want to be involved, just let me or Chief Salvaggio know. j) Thanks to the LVFD in taking the lead on the Annual Food Drive this year- collectively we received over 943 pounds that according to the Food Bank, it will provide 737 meals to individuals in need. k) Fire Recovery Costs to date through November 30, 2019, is \$45,990.09. This is a 98% recovery rate- great job LVFD. This recovery pertains to any accidents in the City of Leon Valley where fire recovery/EMS services was applicable. l) Breakfast with Santa this Saturday from 8-10 a.m. sponsored by the Friends of the Library. This is their primary fundraiser. Tickets are on presale at the library right now - \$5 gives you \$6 at the door of tickets. It will cost more if you buy at the door rather than at the library beforehand. m) A huge thank you to Maribel Mendoza for orchestrating the Lighting of the Christmas Tree last night, thank you Council for attending and special thanks to the Public Works Department for the beautiful lighting and accessorizing of Veterans Park near the Community and Conference Center. Thanks to the sponsors who sponsored drinks, snacks and prizes for the kids 12 and under - Leon Valley Cafe, Family Community Center, ISC, Social Cuts, John Marshall Band, Leon Valley Elementary Choir and Pat Neff Middle School Band for their outstanding performances. Also, if you notice our monuments, Rudy and Danny from Public Works did those as opposed to having a company do them and they did a great job. n) We are actually meeting with folks to help us ensure all employees are trained on cyber security through (DHS) Department of Homeland Security and possibly UTSA. o) Is everyone ok with me asking Mr. Erkan to come to the meetings at 7:00 p.m. unless we have an Executive Session? I'm just trying to save the City money. (There was a consensus among City Council). p) Last meeting, I discussed with you a succession plan for the City Manager's Office. I told you that I was going to appoint another ACM from a pool of directors that applied. Chief Salvaggio is the new ACM over Fire, Police and P & Z. Please see the organizational chart on the screen. Neither ACM will be paid at market level- this primary purpose of this is for solid succession planning and to gather more experience for those that want it. q) Congrats to Ruben Saucedo for being on the panel for First Net at the (IACP) International Association of Chief of Police Conference he went to.

- Lyn Joseph: wanted to see the organizational chart, it wasn't clear when it was first presented.
 - City Manager Kuenstler said the chart will also be uploaded to the City's website.

Upcoming Important Events

- Next Regular City Council Meeting Tuesday, December 17, 2019, at 6:00 p.m. in Council Chambers
- Bandera Road Public Meeting, Wednesday, December 11, 2019, at 5:00 p.m. at the Leon Valley Community and Conference Center.
- City Offices will be closed on Monday, December 23, 2019, through Tuesday, December 31, 2019, in observance of the Christmas Holiday.
- City Offices will be closed on Wednesday, December 31, 2019, in observance of the New Year's Day Holiday.
- Annual Town Hall Meeting, Saturday, January 25, 2020, from 8:30 a.m. to 12:30 p.m. at the Leon Valley Conference Center.
- Miscellaneous other events and announcements

RESULT:	PRESENTED
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CITIZENS TO BE HEARD

- Phillip Riddle: Expressed concern as his neighbor keeps parking on the side yard by the gas meter. Mr. Riddle said his neighbor ran into it once and it got replaced, but he keeps parking there. Mr. Riddle reported this issue to On-It five (5) times already and is still waiting to hear back from staff on his last report.
 - City Manager Kelly Kuenstler asked Mr. Riddle to speak to Chief Joe Salvaggio on this issue.
 - Chief Salvaggio spoke on the issue and said his department is well aware of the problem. He said they spoke to the individual several times about it. Heather Rodriguez was asked to meet with the individual today; Chief Salvaggio will follow up with Ms. Rodriguez.

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

Councilor Catherine Rodriguez thanked everyone for attending tonight's meeting and shared the experience she had at the Law Enforcement Christmas Party, "it was wonderful working with you Councilor Hodde", she said. Councilor Rodriguez also thanked Maribel Mendoza and Public Works for a wonderful job they did last night.

Councilor Monica Alcocer agreed on a great job staff did at last night's event. She shared that Leon Valley Café baked nearly 400 churros and had 25 gallons of hot chocolate, "it was all gone- it was wonderful", she said. Councilor Alcocer also thanked everyone for attending tonight's meeting. "Three rules for happiness: #1-be nice, #2-be nice, #3-be nice to one another".

Councilor Matthew Hodde informed everyone that he spoke to a citizen last night during the Christmas Tree Lighting Ceremony and the resident said to him that Council tends to look very serious at the dais. Councilor Hodde said he will make an effort to smile more so that they don't look too scary. He also informed everyone that he attended the CPAC meeting in November.

Councilor Will Bradshaw thanked everyone for attending tonight's meeting and shared a story about his dogs being lost while he was away during the Thanksgiving Holiday. He showed gratitude for having good neighbors who got together to search for his dogs who they found minutes later. Councilor Bradshaw also said that he will be donating some toys to Blue Santa.

Mayor Chris Riley thanked staff for the wonderful event last night. Mayor Riley said she spoke to Ruth from Leon Valley Café who appreciates being part of the event each year. Mayor Riley also asked everyone to make an effort to attend the Bandera Road meeting next week or online so that we can get a consensus on what we would want Bandera Road to look like in the future. County Commissioner Justin Rodriguez thanked the City of Leon Valley for the consideration to receive an In-Kind-Grant and be able to celebrate their Christmas Luncheon at the Community Center. Mayor Riley read aloud a letter from Commissioner Rodriguez.

CONSENT AGENDA

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to adopt Consent Agenda 7.1, 7.2, 7.3, 7.4 and 7.5 as amended.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Catherine Rodriguez, Council Place 2
AYES:	Monica Alcocer, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

Consideration of the Following City Council Minutes:

- a. **Regular Meeting- August 20, 2019 6:00 PM**
- b. **Regular Meeting- September 3, 2019 6:00 PM**
- c. **Special Meeting for Executive Session- September 17, 2019 5:00 PM**
- d. **Regular Meeting- September 17, 2019 6:00 PM**

Acceptance of Committee Minutes:

Discussion and Possible Action on a Resolution Adopting the Bexar County Election System and Software; Express Vote Universal Voting System, DS200, and Express Touch for Early Voting in Person, Early Voting by Mail, Election Day Voting and Provisional Ballots in all future Elections Held in Bexar County (M&C # 2019-12-03-04 S. Passailaigue)

Discussion and Possible Action on an In-Kind Grant Request by Commissioner Justin Rodriguez for Use of the Leon Valley Community Center at 6427 Evers Road for their 2019 Bexar County Precinct 2 Holiday Party (M&C # 2019-12-03-05 M. Mendoza)

Discussion and Possible Action on a Resolution of The City of Leon Valley, TX., City Council Appointing Members to the Zoning Commission (M&C # 2019-12-03-06 S. Passailaigue)

ORDINANCE

Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances Appendix A, Fee Schedule, Article A13.000 Zoning Administrative Fees, Establishing Planned Development District Zoning Request Fees. (1st Reading Held on November 19, 2019) (M&C # 2019-12-03-07 B. Melland)

Planning & Zoning Director Brandon Melland presented this 2nd read ordinance to amend the Leon Valley Code of Ordinances Appendix A, Fee Schedule, Article A13.000 Zoning Administrative Fees, establishing Planned Development District Zoning Request Fees.

Planning & Zoning Director Melland said there were no changes since the 1st read.

A motion was made by Councilor Matthew Hodde and seconded by Councilor Will Bradshaw to adopt as written.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Matthew Hodde, Council Place 4
SECONDER:	Will Bradshaw, Council Place 5
AYES:	Monica Alcocer, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

REGULAR AGENDA CONTINUED

Presentation, Discussion, and Public Hearing to Consider Approval of a Resolution to Adopt the 2020 Leon Valley Parks, Recreation, Trails, and Open Space Master Plan (M&C # 2019-12-03-08 M. Moritz)

Public Works Director Melinda Moritz presented the proposed resolution to adopt the 2020 Leon Valley Parks, Recreation, Trails, and Open Space Master Plan.

Public Works Director Moritz informed Council that the Park Commission is tasked with periodic reviews of the Parks, Recreation, Trails, and Open Space Master Plan. The last review was performed in 2014. Since that time, the City has added four new pocket parks and designated a portion of the Huebner-Onion Natural Area Park as reserved for future public use. In addition, the two pools and the trails have been added to the Plan.

Director Moritz added that the Park Commission has worked on this plan since last year to not only recommend future improvements to these areas, but to also add guidance related to social, environmental, and economic trends. This plan will be used in future years to direct staff on budgeting, expansion, maintenance and operations, and to apply for grants from agencies such as the Texas Department of Parks and Wildlife and the National Parks and Recreation Association.

Notable Changes

- Provided an overview
- Expanded park history section
- Added a mission statement and expanded the goals and objectives to be

- broader
- Added community trends
 - Expanded the demographics
 - Revised the park zone maps to include new parks
 - Added aerial photos of each park and recreational area
 - Revised recommendations for all park zones
 - Added 2018 Park Survey
 - Added City Park Ordinance
 - Changed time period for major review from 4 years to 5 years, with yearly minor reviews
 - Added pictures of each park and related equipment

The Park Master Plan will be posted on the City's website for public review for a period of thirty days, after which it will be brought back to City Council for final approval.

Public Works Director Moritz concluded her presentation by saying that at their October 10, 2019, Park Commission meeting, the Park Commission recommended approval of the 2020 Parks, Recreation, Trails, and Open Space Master Plan.

Mayor Riley asked if the City ever received an additional grant and Public Works Director Moritz said that the City did receive a grant for the children's playground over at Raymond Rimkus Park and said that this grant came from the Community Development Block Grant (CDBG).

Councilor Will Bradshaw asked how much of the Silo Park belongs to the City. Director Moritz said that 1.5 acres that surrounds the Silos belong to the City and the other side has 3 acres but only 1.8 is usable because it has a creek running through it and the creek is owned by the City as well.

Mayor Riley opened the Public Hearing at 8:10 p.m.

There being no public comment; Mayor Riley closed the Public Hearing at 8:11 p.m.

Discussion to Consider Approval of an Ordinance authorizing a Budget Adjustment in the Amount of \$1,659,482, with 15% for Contingency, and to Authorize the City Manager to Enter Into an Interlocal Agreement with Bexar County to Accept a \$1,346,000 Reimbursement Grant for the Seneca West Subdivision Drainage Project (2nd Read as Required by City Charter) (M&C # 2019-12-03-09 M. Moritz)

Public Works Director Melinda Moritz presented this 1st read ordinance to authorize a budget adjustment in the amount of \$1,346,000, with 15% for contingency, from the Stormwater Fund Reserve, and \$313,482 from the Economic and Community Development Project Fund, for a total of \$1,659,482, and authorize the City Manager to enter into an Interlocal Agreement with Bexar County, to accept reimbursement grant funding in the amount of \$1,346,000 for the Seneca West Subdivision Project, being approximately 21 acres of vacant land owned by the City, and bounded by Aids, Samaritan, Grass Hill, and William Rancher Roads.

Public Works Director Moritz gave a brief historical background by saying that in 2016, the City caused several flood studies to be performed, one of which was in this area. The Engineer who performed this study gave the City three options to consider, with Option 3 reclaiming the most land from the floodway/plain. The project consists of 1,700 feet of channel excavation and four new 4' x 4' box culverts at Aids Drive. This will improve channelization of Drain 1 as a trapezoidal grass-lined channel from a point just downstream of Grass Hill Drive to Huebner Creek with box culverts beneath Aids Drive. The project will contain the flood waters to the channel and reclaim almost all of the land in the project area.

Public Works Director Moritz added that the reason this plan was not implemented was that the cost of constructing the needed improvements is over a million dollars. Bexar County recently approved \$1.346 million in funding to construct the needed flood improvements for this site, which is to be given to the City in the form of quarterly reimbursement payments as the project progresses.

If the City performs these improvements, developing the lots as RE-1 may make developing the property more economically feasible for a buyer and will reduce floodwaters on a downstream homeowner. In addition, containment of the floodwaters will improve the environment by reducing erosion, and by reducing pollutants entering Huebner Creek, as the improvements will remove floodwaters from the Aids Drive roadway.

Director Moritz concluded her presentation by informing Council that at their November 20, 2019 meeting, the Economic and Community Development Advisory Committee recommended approval of an Ordinance authorizing a budget adjustment in the amount of \$313,482, from the Economic and Community Development Fund Balance for the purpose of funding engineering and other services for the Seneca West Subdivision drainage improvements.

Mayor Riley asked what would be the cost to the developer for all the mentioned requirements. Public Works Director Moritz replied that it will cost \$600,000 for the widening of Grass Hill, “[...] you’re probably looking at \$2-3 million worth of improvements just in roadways”, Director Moritz concluded.

Mayor Riley asked if we have this property for sale, and Director Moritz said that we do not have this property up for sale yet because it has not been platted.

There was a lengthy discussion.

RESULT:	FIRST READ
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Presentation and Discussion on an Ordinance on a Request by Henry S. Daughtry, granting a Specific Use Permit for Outside Storage, at 6360 Grissom Road; Generally Located on the East Side of Grissom Road Approximately 1/4-mile South of Bandera Road; and a Public Hearing on Said Request. (1st Reading as Required by City Charter) (M&C # 2019-12-03-10 B. Melland)

There was a consensus among City Council to move item 9.3 to the December 17, 2019 meeting.

Presentation and Discussion on Ordinance on a Request by Kim Webster, on Behalf of a Place for Kids Child Care, granting a Specific Use Permit for a Child Care Facility, at 6011 Grissom Road; Generally Located on the North Side of Grissom Road, approximately 900 Feet West of Poss Road; and a Public Hearing on Said Request. (1st Reading as Required by City Charter) (M&C # 2019-12-03-11 B. Melland)

Planning & Zoning Director Brandon Melland presented this 1st read ordinance granting a Specific Use Permit for a child care facility on approximately 4.40 acres generally located at 6011 Grissom Road, providing for repealer, severability and savings clauses and providing for an effective date.

Planning & Zoning Director Melland informed Council that the primary use of the property and existing facility is the Lutheran Church of the Resurrection. A Place for Kids Child Care also operates a Child Care facility at this property.

Mr. Melland added that the property is currently zoned B-2, Retail, which does not allow for a Church. This is due to a 2007 Code Amendment which limited all institutional uses, including churches, to the B-3, Commercial District and the I-1, Industrial District.

Therefore, their church operations are considered legally non-conforming and may not expand. The B-2 Zoning District does however allow for a child-care facility. However, the Church is requesting a zoning change to the R-3, District - which allows for a church - in order to become a conforming and possible expand in the future.

The R-3 District however, allows for child-care facilities, but limits the number of children to no more than 6. More than 6 require an SUP. Therefore, an SUP is necessary to keep the child care facility conforming with the zone change.

Planning & Zoning Director Melland concluded his presentation by saying that the Zoning Commission recommended unanimous approval of this request at their November 25, 2019 meeting.

Mayor Riley opened the Public Hearing at 8:55 p.m.

There being no public comment; Mayor Riley closed the Public Hearing at 8:55 p.m.

RESULT:	FIRST READ
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Presentation and Discussion on an Ordinance on a Request by Bill Craig, on Behalf of the Lutheran Church of the Resurrection, Granting a Zone Change From B-2, Retail District, With SO, Sustainability Overlay District Zoning, To R-3, Multi-Family District, With SO, Sustainability District Overlay District Zoning at 6011 Grissom Road; Generally Located on the North Side of Grissom Road, Approximately 900 feet West of Poss Road; and Public Hearing on Said Request. (1st Reading as Required by City Charter) (M&C # 2019-12-03-12 B. Melland)

Planning & Zoning Director Brandon Melland presented this 1st read ordinance granting a zone change from B-2, Retail District with Sustainability Overlay District Zoning, to R-3, Multi-Family District with Sustainability District Overlay District Zoning at 6011 Grissom Road, providing for repealer, severability and savings clauses and providing for an effective date.

Planning & Zoning Director Melland gave a brief background and said that as a result of the public meetings in late 2018 and early 2019 involving the St. John Baptist Church zone change request, it was determined that several existing churches in the City of Leon Valley are located within the B-2, Retail Zoning District, which does not allow for churches.

This was the result of a 2007 Code Amendment which limited all institutional uses, including churches, to the B-3, Commercial District and the I-1, Industrial District. These churches were legally conforming before this code amendment and are currently considered legally non-conforming as a result. This means that they may continue operating as is; but may not expand and may not rebuild if over 50% of their existing improvements are destroyed by an act of nature.

Also, as a result of the St. John Baptist Zone Change request, staff initiated new code amendments to allow for institutional uses, including churches in a wider range of zoning districts. This code amendment changed the code to also allow for churches in the R-3, Multi-Family Dwelling District, R-3A, Multi-Family Retirement District, R-4, Townhouse District, and R-5, Mobile Home District.

Also, during this process, staff stated that they would be working with each church individually, to develop a path forward if possible. Rezoning should always be consistent with the City's Comprehensive Master Plan. The Lutheran Church of the Resurrection is among these Churches which existed legally prior to the code amendment and are now considered legally non-conforming; and they are the first to coordinate with staff and seek a zone change. In this case, they are requesting a zone change from the B-2 District to the R-3, District.

Planning & Zoning Director Melland concluded his presentation by saying that the Zoning Commission recommended unanimous approval of this request at their November 25, 2019 meeting.

- Bill Craig said that their church has been in Leon Valley for nearly 40 years and said that when their church was built in the 1980s they were zoned B-2 Retail until they got notified that they were non-conforming in B-2 due to the issue that St. John's came across with their zone change. Mr. Craig said that Mr. Melland has been good and helpful as they try to figure out how to comply.

Mayor Riley opened the Public Hearing at 8:47 p.m.

There being no public comment; Mayor Riley closed the Public Hearing at 8:47 p.m.

RESULT:	FIRST READ
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Presentation and Discussion on an Ordinance Amending Ordinance No. 2018-08 to Amend the Future Land Use Plan of the City of Leon Valley Comprehensive Master Plan; Modifying Approximately 2.4 acres, Generally Located on the North Side of Grissom Road, approximately 900 feet West of Poss Road, from Retail to Multiple Family; and a Public Hearing on Said Request. (1st Reading as required by City Charter.) (M&C # 2019-12-03-13 B. Melland)

Planning & Zoning Director Brandon Melland presented this 1st read ordinance No. 2018-08 to amend the Future Land Use Plan of the City of Leon Valley Comprehensive Master Plan, modifying approximately 2.4 acres generally located on the North Side of Grissom Road, approximately 900 feet West of Poss Road, from Retail to Multiple Family.

Planning & Zoning Director Melland informed Council that this is a request for an amendment to the Future Land Use Plan of the City of Leon Valley Comprehensive Master Plan. This amendment is associated with the Zone Change request scheduled for subsequent consideration on this agenda. The associated request is for a zone change from B-2, Retail District to R-3, Multiple Family District, in order to facilitate an existing church being considered a legally conforming use. Churches are a permitted use in the R-3 District.

Director Melland pointed out that the Future Land Use Plan currently classifies the subject property as "Retail." Therefore, the Future Land Use Plan must be amended to specify "Multiple Family" in order for a zone change to occur.

State Law requires that the Zoning Commission consider and provide recommendation on amendments to the City's Comprehensive Plan, including the Future Land Use Plan.

Planning & Zoning Director Melland concluded his presentation by saying that staff recommends that a future land use amendment to "Multiple Family" be approved for the simple reasons that the zoning districts permitted by the "Multiple Family" classification (R-3 and R-3A), as well as the uses permitting in those Zoning Districts, are compatible and not detrimental to any existing surrounding uses. In particular, the immediately abutting properties to the north and west are classified "Multiple Family" as well.

Mayor Riley opened the Public Hearing at 8:37 p.m.

There being no public comment; Mayor Riley closed the Public Hearing at 8:37 p.m.

RESULT: FIRST READ

The City Council shall meet in Executive Session pursuant to Texas Government Code 551.071 (entitled “consultation with attorney”) to consult on a matter in which the duty of the City Attorney, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with this Texas Government Code Chapter, to wit: the application of Ordinance No 2019-48 and public meeting decorum (M&C # 2019-12-03-__ Councilor M. Alcocer and Councilor M. Hodde)

Mayor Riley read the caption out loud and then the Members of City Council went into Executive Session at 8:56 p.m.

Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary

Mayor Riley reconvened into Open Session at 9:34 p.m.

No action was taken.

CITIZENS TO BE HEARD


None.

ADJOURNMENT


Mayor Riley announced that the meeting adjourned at 9:34 PM

These minutes approved by the Leon Valley City Council on the 7th of July, 2020.

APPROVED



CHRIS RILEY
MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

