CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, February 21, 2017

MINUTES

1. **7:00 PM** Call to Order, Determine a Quorum is Present.

Attendee Name	Title	Status	Arrived
Chris Riley	Mayor	Present	
David Jordan	Mayor Pro Tem	Excused	
David Edwards	Council Place 1	Present	
Belinda Ealy	Council Place 2	Present	
Monica Alcocer	Council Place 3	Present	
Benny Martinez	Council Place 4	Present	

Citizens to Be Heard and Time for Objections to the Consent Agenda

Mayor Riley asked if any of the Council Members wished to pull any item from the Consent Agenda for discussion.

Council Member Benny Martinez asked to pull Item 4.1 to be discussed in the Regular Agenda.

There were no citizens to speak.

Presentations

Presentation of award and recognition of successful resuscitation of EMS patient by Leon Valley Fire Department C-shift. - Mayor Chris Riley and Mr. Charles Malouff.

Mayor Riley, Fire Chief Luis, and Leon Valley resident Mr. Charles Malouff expressed their sincere appreciation to Leon Valley Firefighters Todd Morgan, Michael Murphy and Captain Wade Clapper for their successful resuscitation of EMS patient, Mr. Charles Malouff. Firefighter Andy Patterson was also on duty and on responded to this scene but was unable to be present this evening.

Recognition of Leon Valley 1st Responders Tower Climb Team 2017 for the Cystic Fibrosis Foundation, and presentation of award. - Mayor Chris Riley and Anjanette Valdez of Cystic Fibrosis Foundation.

Fire Chief Luis Valdez introduced Leon Valley Daniel Cano, Jimmy Garcia, Matt Sudell, Eric Burnside, Ramiro Cano, Jaaron Thomas, Bryan Peterson, Julian Mendoza, Eli

Garcia, Andy Patterson, Mike Murphy, Joseph Valadez, Eddie Gonzales, Rick Guerra, Ruben Saucedo and Luis Valdez participated in the 2017 Tower Climb and for the second time in a row, took the championship! The winner of the climb was LVFD Ramiro Cano who completed the climb in 9 minutes 40 seconds which is a new record for the Tower Climb event. LVFD raised $4,800 for Cystic Fibrosis. Annette Valdez of the Cystic Fibrosis Foundation was present to show her appreciation as well.

Presentation of Certificates of Achievement to Members of the Leon Valley Police Department. - Mayor Chris Riley and Police Chief Joseph Salvaggio.

Mayor Riley and Police Chief Joseph Salvaggio presented a Certificate of Achievement to Corporal Louis Farias, Lieutenant David Gonzalez and Captain Ruben Saucedo. Numerous family and friends were present to support these men.

Mayor Riley called for a recess at 7:37 p.m. for a reception in the celebration of these promotions.

Mayor Riley reconvened the meeting at 7:50 p.m.

Presentation of the 2016 Achievement of Library Award from the TX Municipal Library Directors Association. - Mayor Chris Riley

Mayor Riley presented the Achievement of Library Excellence Award to Leon Valley Public Library Director, Sandy Underwood. Assistant Director Theresa Brader and Library Aid Rosemary Tijerina were also present to accept the award.

Presentation of the Forest Oaks Pool Deed Transfer to the City of Leon Valley. - Mayor Chris Riley and Mr. and Mrs. Tom Kelley.

Mayor Riley and City Manager Kelly Kuenstler presented Mr. and Mrs. Tom Kelly on behalf of the Forest Oaks Pool Association one dollar bill in exchange for the Forest Oaks Pool Deed.

CONSENT AGENDA

Item 4.1 Pulled from Consent

Consider approval of a resolution and authorize the City Manager to enter into a Local Advanced Funding Agreement (LPAFA) between the City of Leon Valley and the Texas Department of Transportation (TxDOT) for the funding of the Evers Road Bridge reconstruction. (M&C #2017-02-21-01 M. Moritz)

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards, to approve Consent Agenda Item #4.2 as presented.

REGULAR AGENDA

City Council - Regular Meeting - Jan 17, 2017 7:00 PM

Council Member Benny Martinez requested that in reference to the sign variance that was

passed, there is no mention of the modification he made to the original ordinance requiring the property owner to remove the Jerky World sign and to have the numbers painted on the outside pole that supports the existing signage.

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy, to approve the January 17, 2017 Regular City Council Minutes as amended.

RESULT:	**ACCEPTED AS AMENDED [UNANIMOUS]**
MOVER:	Monica Alcocer, Council Place 3
SECONDER:	Belinda Ealy, Council Place 2
AYES:	Edwards, Ealy, Alcocer, Martinez

Discussion and possible action regarding a Jazz Festival in June or month with Anthony Tobias leading and running the 3 day event in the Park. Friday, Saturday and Sunday. - As requested by Council Members Benny Martinez and David Jordan.

Council Member Benny Martinez introduced Mr. Anthony Tobias who gave a presentation on a proposed Jazz Festival which he would like to hold in June. The proposed event would run for three (3) days, Friday, Saturday and Sunday at Raymond Rimkus Park. Mr. Tobias is looking for sponsorship from the City of Leon Valley.

The presentation was followed by a brief discussion.

A motion was made by Council Member Benny Martinez to accept the proposed event pending approval of funds by the Leon Valley Economic Development Corporation (LVEDC) noting that if the LVEDC rejects the funding, the request would be cancelled. There being no second to the motion, the motion died.

Council Member David Edwards said he would like to study the event a little more.

Council Member Monica Alcocer agreed with Council Member Edwards and added that she would like input from the LVEDC Director as well as the committee. Council Member Edwards added to also obtain feedback from staff next time this is proposed.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards, to table the item to date uncertain pending further information.

RESULT:	**TABLED [UNANIMOUS]**
MOVER:	Monica Alcocer, Benny Martinez
SECONDER:	David Edwards, Council Place 1
AYES:	Edwards, Ealy, Alcocer, Martinez

Discuss and consider possible action on an In Kind Grant request by AARP for use of the Leon Valley Community Center at 6427 Evers Road for free tax preparation services. (M&C # 2017-02-21-02 K. Flores)

Community Development Director Kristie Flores presented the item on behalf of American Association of Retired Persons (AARP) who is requesting the use of the Leon Valley Community Center at 6427 Evers Road for free tax preparation services through a grant they receive from the IRS. AARP provides this service free to all interested participants both in Leon Valley and other local cities.

AARP is requesting use of the Leon Valley Community Center every Tuesday and Thursday, between the hours of 9:00 a.m. and 1:00 p.m. beginning March 7th, 2017 and ending April 13, 2017.

The grant request includes a waiver of the deposit, facility usage fee, and the cleaning fee. There are no other fee waiver considerations as the AARP is proposing to share the space with the Northwest Seniors during regular business hours. The In Kind Grant Committee reviewed the request and is forwarding an affirmative recommendation. The points required are a minimum of 20 and the request scored an average of 23.75 out of 30. The total amount waived would be $5,650.00.

Community Development Director Kristie Flores concluded the presentation saying that the Committee forwards a recommendation of Approval to Council with an average score of 23.75 out of 30.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Belinda Ealy, to grant the In Kind Grant request by AARP for use of the Leon Valley Community Center at 6427 Evers Road for free tax preparation services as presented.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Monica Alcocer, Council Place 3
SECONDER:	Belinda Ealy, Council Place 2
AYES:	Edwards, Ealy, Alcocer, Martinez

Discuss and possible action on the New City Council City Council Agendas/Packets/Minutes Platform Citizen Sign-In Feature. (M&C # 2017-02-21-03 S. Passailaigue)

City Secretary Saundra Passailaigue gave a demonstration of the new Sign-in and comment feature of the new City Council Accela/MinuteTraq program. City Secretary Passailaigue demonstrated how citizens are able to preview the City Council agenda and meeting packet online. If the viewer so wanted to comment on a particular item they would be able to do so from any location. The viewer could then choose whether or not their comment would go to City Council alone or to City Council and Administration. The comments then could be incorporated into the meeting minutes with ease.

The other feature is a Sign-In which City Secretary Passailaigue stressed was not mandatory to speak and is no way required by the City to be able to speak. This is simply a feature for one to put their information and/or comments into the program for the record. This would be especially beneficial to those who are unable to attend the meeting for whatever reason.

The demonstration was followed by a brief presentation.

There was a consensus among the members of City Council to remove the Sign-In feature but to leave the Comment feature.

RESULT:	**PRESENTED**

Discuss and consider possible action on an ordinance authorizing a Settlement Agreement in a state lawsuit styled WM. Rancher Estates Joint Venture, et al. vs. City of Leon Valley, Texas, et al. in the 225th Judicial District Court, Bexar County, Texas, Cause No. 2013-CI-03399 to purchase privately owned real property in the amount of $500,000; authorizing the acquisition of privately owned real property containing approximately 23.071 acres located along the west side of William Rancher Road, including two parcels on the south side of Grasshill Drive and three contiguous parcels at the corner of Aids and Samaritan in Leon Valley, Bexar County, Texas, in connection with the Settlement Agreement; and authorizing a budget adjustment in the amount of $500,000 in the General Fund for the acquistion of said property. (M&C # 2017-02-21-04 K.Kuenstler)

City Manager Kelly Kuenstler presented this item first by giving a brief background saying that on February 28, 2013, William Rancher Estates Joint Venture, et al. filed a lawsuit against the City of Leon Valley, Texas, et al., regarding privately owned real property containing approximately 23.017 acres located along the west side of William Rancher Road, including two parcels on the south side of Grasshill Drive and three contiguous parcels at the corner of Aids and Samaritan in Leon Valley, Bexar County, Texas, alleging several causes of action against the City. At mediation, the parties reached settlement agreement for the City to purchase 12 parcels of privately owned real property in the amount of $500,000, contingent upon City Council approval. In order to finalize settlement of the case, and purchase said property, a budget adjustment of the General Fund in the amount of $500,000 is necessary.

City Manager Kelly Kuenstler concluded saying staff recommends settlement of this case. If this settlement agreement is not approved by the City Council, the case will proceed to trial. It is in the best interest of the City to settle this matter to avoid the uncertainty and risks associated with litigation.

Council Member Monica Alcocer announced that she would recuse herself from any discussion or vote due to a possible conflict of interest.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Edwards, to approve an ordinance authorizing a Settlement Agreement in a state lawsuit styled WM. Rancher Estates Joint Venture, et al. vs. City of Leon Valley, Texas, et al. in the 225th Judicial District Court, Bexar County, Texas, Cause No. 2013-CI-03399 to purchase privately owned real property in the amount of $500,000; authorizing the acquisition of privately owned real property containing approximately 23.071 acres located along the west side of William Rancher Road, including two parcels on the south side of Grasshill Drive and three contiguous parcels at the corner of Aids and Samaritan in Leon Valley, Bexar County, Texas, in connection with the Settlement Agreement; and authorizing a budget adjustment in the amount of $500,000 in the General Fund for the acquisition of said property as presented.

RESULT:	**ADOPTED [3 TO 0]**
MOVER:	Benny Martinez, Council Place 4
SECONDER:	David Edwards, Council Place 1
AYES:	Edwards, Ealy, Martinez
RECUSED:	Alcocer

Discuss, consider and possible action on a Resolution of the City of Leon Valley, a member of the Greater Bexar County Council of Cities, in opposition to state-mandated revenue caps and other anticipated legislative actions intended to contribute to the general diminution of the role of the people of this state gathered together in local governments. (M&C # 2017-02-21-05 K. Kuenstler)

City Manager Kelly Kuenstler presented this resolution which would allow for the City of Leon Valley to join other municipalities in opposing any imposition by the Legislature of local revenue caps and any legislation that otherwise further abridges the right of the People of this State to join together in cities, towns, and counties to manage their affairs and exercise, together, their right of self-government. The bill will require a rollback election anytime a City adopts a tax rate that exceeds the calculated rollback tax rate. Currently, if a City exceeds the calculated rollback tax rate, the citizens would have to petition the City for a rollback election. The City of Leon Valley has exceeded the rollback rate in the past 17 years (as many cities have) and the citizens have never asked for a rollback election. For the 2016 tax year, the City adopted the current rollback tax rate which is 8%. The fiscal impact of this legislation could be detrimental to Leon Valley depending on the amount of the revenue cap imposed by the legislature. Furthermore, if a tax rate was adopted that exceeded the calculated rollback tax rate; this would cost the taxpayer every time because

a special election would have to be held.

City Manager Kuenstler concluded by saying that the Finance Director also estimated the impact if the cap was set at 4% vs the current 8%. She estimated this would reduce the M&O tax rate by $.0175785 or an estimated reduction in M & O revenue of $150,000.00. This does not affect the I & S whatsoever.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to approve a resolution of the City of Leon Valley, a member of the Greater Bexar County Council of Cities, in opposition to state-mandated revenue caps and other anticipated legislative actions intended to contribute to the general diminution of the role of the people of this state gathered together in local governments as presented.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Monica Alcocer, Council Place 3
SECONDER:	Benny Martinez, Council Place 4
AYES:	Edwards, Ealy, Alcocer, Martinez

Discuss and consider possible action on a Resolution to authorize the submission of an application for a Reporting Technology Expansion Body Camera Grant to the Office of the Governor, Criminal Justice Division to purchase additional body cameras and support equipment as prescribed by the Body Camera Grant Solicitation; and authorizing the acceptance of said Grant upon award. (M&C # 2017-02-21-06 J.Salvaggio)

Police Chief Joseph Salvaggio presented this item to submit a resolution seeking authorization for the submission of an application for a Reporting Technology Expansion Body Camera Grant to the Office of the Governor, Criminal Justice Division to purchase additional body cameras and support equipment as prescribed by the Body Camera Grant Solicitation; and authorizing the acceptance of said Grant upon award. This grant does require any City matching funds. This grant would provide $36,920.00 to purchase 25 FOCUS Body Cameras, 3-Year New Technology Replacement Package, Onsite, Back Office Setup. All funding for the equipment will come from the grant. No matching funds are required.

The City Manager and Chief of Police recommend the City Council approve this resolution, providing the Leon Valley Police Department with additional resources to serve the citizens of our community.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards, to approve of a resolution to authorize the submission of an application for a Reporting Technology Expansion Body Camera Grant to the Office of the Governor,

Criminal Justice Division to purchase additional body cameras and support equipment as prescribed by the Body Camera Grant Solicitation; and authorizing the acceptance of said Grant upon award as presented.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Monica Alcocer, Council Place 3
SECONDER:	David Edwards, Council Place 1
AYES:	Edwards, Ealy, Alcocer, Martinez

Discuss and consider possible action on a Resolution authorizing the submission of an application for a Reporting Technology Expansion Grant to the Office of the Governor, Criminal Justice Division to purchase equipment as prescribed by the NB17 National Incident-Based Reporting System (NIBRS); and authorizing the acceptance of said Grant upon award. (M&C # 2017-02-21-07 J.Salvaggio)

Police Chief Joseph Salvaggio presented this item to submit a resolution for City Council approval to submit an application for a grant to obtain funding for equipment to become compliant for the NB17 National Incident-Based Reporting System (NIBRS) and acceptance of the grant upon award. This grant does not require any City matching funds. This grant will provide $36,194.50 to purchase Badge MobileLink TLETS Server Software and Field Reporting, TLETS Laptop/Desktop Client Software, MobileLink Terminal Services Integration. All the funding will come from the grant. The City has no matching fund requirements for this grant.

The City Manager and Chief of Police recommend the City Council approve this resolution, providing the Leon Valley Police Department with additional resources to serve the citizens of our community.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Belinda Ealy, to approve a resolution authorizing the submission of an application for a Reporting Technology Expansion Grant to the Office of the Governor, Criminal Justice Division to purchase equipment as prescribed by the NB17 National Incident-Based Reporting System (NIBRS); and authorizing the acceptance of said Grant upon award as presented.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Monica Alcocer, Council Place 3
SECONDER:	Belinda Ealy, Council Place 2
AYES:	Edwards, Ealy, Alcocer, Martinez

City Manager's Report

Approved Minutes from Boards, Commissions and Committees.

Upcoming Important Events

- Neighborhood Renewal Project, February 25, 2017 from 8:00 a.m. - noon.
- March 4, 2017, 9 am - 1 pm, Community Conference Center, Earthwise Living.
- Next City Council Meeting, March 7, 2017
- March 11, 2017, at 10:30 am, a gardener and author, Judy Barrett will be speaking at the Library. This is an event co-sponsored by the library and the Earthwise Living Committee.
- Volunteer Appreciation Dinner, April 12, 2017 at 6:00 p.m. at the Conference Center.
- May 06, 2017 General Election - Candidate filing period is Wednesday, January 18, 2017 - Friday, February 17, 2017.

City Manager Kelly Kuenstler thanked everyone that volunteered for Basura Bash last Saturday; thanked Council Member Benny Martinez for all of his help with the audio system at the Conference Center; informed everyone that the Leon Valley Café opened on February 11th and had a full house; spoke about the outcome of the Court's decision exactly twelve years to the day of the Heather Wilms case; and asked that City Council begin consideration of who they choose as Grand Marshal for the July 4th parade.

Mayor Riley mentioned Los Leones event is coming up and will be held at John Marshall High School. Mayor Riley also asked if anyone had heard when there might be a candidate forum. No staff or audience member had heard anything.

Council Member Belinda Ealy asked if there was any storm damage caused from the recent storm. Fire Chief Valdez gave a quick response.

Council Member Benny Martinez asked about the light outage on Bandera Road today. Police Chief Salvaggio gave a quick response.

Citizens to be Heard

None

Announcements by the Mayor and Council Members

All of the Council Members thanked everyone for coming to tonight's meeting.

Adjournment

Mayor Riley announced that the meeting adjourned at 9:46 PM.

These minutes approved by the Leon Valley City Council on the 14th of April, 2017.

APPROVED

Chris Riley

CHRIS RILEY
MAYOR

ATTEST:
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY