



CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, May 16, 2017

MINUTES

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

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

Also in attendance were:

City Manager Kelly Kuentler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Denise Frederick, Public Works Director Melinda Moritz,, LVPD Captain Ruben Saucedo, Fire Chief Luis Valdez, Finance Director Vickie Wallace, Finance Clerk Ashley Wayman, Community Development Director Kristie Flores, Community Development Manager, Library Director Sandy Underwood, Community/Conference Center Manager Amber Anthony, Community Development Permit Technician Ana Federico and Community Development Planning Technician Christina Garcia.

Mayor Riley asked City Council Elect David Edwards, Monica Alcocer and David Jordan to lead the Pledge of Allegiance.

Discuss and Consider Possible Action on a Resolution Canvassing the Returns and Declaring the Official Results of the City of Leon Valley, Texas, May 06, 2017 General Election. (M&C # 2017-05-16-01 S. Passailaigue)

City Secretary Sandra Passailaigue presented the canvass of the returns for the May 06, 2017 General Election to elect one (1) Council Member to Council Place 1, one (1) Council Member to Council Place No. 3 and one (1) Council Member to Council Place No. 5, by the qualified voters of the City of Leon Valley.

A motion was made by Council Member Benny Martinez seconded by Council Member David Jordan, to approve resolution and the canvass of the May 06, 2017 City of Leon Valley General Election as presented.

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

The Honorable Judge Norma Gonzales will Administer the Oath of Office and There Will Be a Presentation of the Certificate of Election to Council Member-Elect, David Edwards Council Place 1; Council Member-Elect, Monica Alcocer Council Place 3; and Council Member-Elect, David Jordan Council Place 5. There will be a short recess for a reception honoring the newly sworn Leon Valley Councilors in the City Hall Foyer at this time. Following the reception, the City Council will reconvene into open session. The public is cordially invited to attend.

Mayor Riley introduced the Honorable Judge Norma Gonzales, 131st District Court who administered the Oath of Office to Council Member-Elect David Edwards Council Place No. 1, and Council Member-Elect, Monica Alcocer Council Place No. 3, and Council Member-Elect, David Jordan Council Place No. 5.

Council Member David Edwards, Council Member Monica Alcocer and Council Member David Jordan thanked everyone for their vote and support.

Mayor Riley called for a recess at 7:15 p.m. and invited Council and guests to a reception in honor of the outgoing and incoming Council.

Mayor Riley reconvened the meeting at 7:31 p.m.

Presentations

Leon Valley Public Library Board of Trustee's Annual Report. (Jill Crane, Chair)

Committee Chair Jill Crane gave a brief update from the Leon Valley Public Library Board of Trustees.

Presentation of Library Mural. (S.Underwood, Former Mayor Marcy Meffert)

Library Director Sandy Underwood and Former Mayor Marcy Meffert gave a brief presentation on the Leon Valley Public Library Mural which is being created in Memory of Dr. Jeffrey Meffert.

Presentation and Discussion of Upcoming 2017 4th of July Parade, Festival and Fireworks Spectacular. (K. Flores)

Community Development Director Kristi Flores gave a presentation on the upcoming 2017 4th of July event.

Citizens to Be Heard

- Bechara Charbel, 7081 Bandera Road, spoke about parking in front of business ordinance.

- City Attorney Denise Frederick suggested he get with Community Development Director Kristi Flores to discuss further.
- Pat Martinez, 6319 Rue Sophie, spoke about grounds keeping on Bandera Road and the flyover and voiced her concerns with grass clippings being left behind.
- Carmen Sanchez, 6731 Blacksmith Ln, spoke about the recent Senate Bill regarding chickens and congratulated the City Council on the election.
- Kim Rocha, 5654 Hollyhock, spoke about Senate Bill regarding chickens.
- Aaron Carrizales, 7010 Wagon spoke, spoke about Senate Bill regarding chickens.
- Carlos Arce, 8626 Tesora Drive, congratulated the city on the election and thanked them for allowing his company to bid a city project (Item #8).
- Massoud Faghhi, 6608 Bandera Road, spoke about the ordinance prohibiting parking in front of businesses.
- Arman Rezahnai, 6608 Bandera, spoke about the ordinance prohibiting parking in front of businesses.
- Bobby Anderson, 5409 Bandera Road, spoke about the Certificate of Occupancy audit that is going on.

City Manager's Report

City Manager Kelly Kuenstler presented a brief synopsis of the legislative update; and thanked the Public Works staff for creating and installing the shelves behind the City Council dais and the Police Department clerk window.

Approved Minutes From Various City Boards, Committees, and Commissions.

Upcoming Events

- Next City Council Meeting, June 06, 2017
- Leon Valley Annual Pet Parade & Vaccination Clinic, May 27th, 9:00 a.m. at the Conference Center
- Leon Valley Pool Opening, Memorial Day Weekend
- City Offices and Municipal Court Closed, May 29th in observance of Memorial Day
- Miscellaneous other events and announcements

Announcements by the Mayor and Council Members

- Council Member Belinda Ealy thanked the LVPD and LVFD for the quick alerts and notices in emergencies and called them a blessing. She also mentioned the upcoming Vegan/Raw Group.
- Council Member David Jordan thanked everyone and expressed his respect for the LVPD and mentioned National Police Week.
- Council Member Benny Martinez mentioned the upcoming LVACC meeting.

- Council Member Monica Alcocer thanked staff for the 350 page Council packet and called it “unfair”.
- Mayor Riley read aloud a thank you card she received from Clara Santos of the San Antonio Rotary Club for allowing them the use of the Community Center for a recent event.

CONSENT AGENDA

Mayor Riley asked if any of the Council Members wished to pull Items from the Consent Agenda for discussion. No items were pulled.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan to approve the Consent Agenda Items 6.1 through 6.5 as presented.

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

1. Consideration of the Following City Council Minutes:
 - a. Regular Meeting- May 2, 2017 7:00 PM
 - b. Coffee with the Mayor and City Council- April 22, 2017 9:00 AM

Discuss and Consider Possible Action on a Resolution of the City of Leon Valley City Council Appointing Volunteers to the Various City Boards, Commissions and Committees. (M&C # 2017-05-16-02 S. Passailaigue)

Discuss and Consider Possible Action on an Ordinance Approving a Budget Adjustment to Reallocate Funds Approved by Council for Salary Market Adjustments from the General Fund to the Water and Sewer Funds in the Amount of \$25,053 (M&C # 2017-05-16-03 V. Wallace)

Discuss and Consider Possible Action to Cancel the July 04, 2017, Regular City Council Meeting. (M&C # 2017-05-16-04 S. Passailaigue)

Discuss and Consider Possible Action on an Ordinance Authorizing the Acceptance of \$5,000 from Tocker Foundation and \$2,500 from Texas Book Festival for a Total of \$7,500 in Grant Funds Presented to the City's Library; and Authorizing a Budget Adjustment in the General Fund Budget in the Amount of \$7,500. (M&C # 2017-05-16-05 S.Underwood)

7. REGULAR AGENDA

Discuss and Consider Possible Action on a Resolution Authorizing the Negotiation and Execution of a Land Use Agreement Between the City of Leon Valley and Oscar Renda Contracting in exchange for an approximately 1.5-acre Parking Lot Adjacent to the Crystal Hills Park. (M&C # 2017-05-16-06 K.Kuenstler)

City Manager Kelly Kuenstler presented the item to enter into a Land Use Agreement for County Block (CB) 4431C, Block 101, Lot 105, Shadow Mist Subdivision UT-1 Parkland Dedication with Oscar Renda Contracting. Oscar Renda Contracting is the current contractor for the LC 17 Project, and would like to use the mentioned piece of land to store dirt on from May 16, 2017 through September 30, 2018. In consideration for the storage of the dirt, the City of Leon Valley will receive grade from existing concrete channel for positive drainage and a new, approximately 1.5 acre parking lot in an area which has already been designated by the Park Commission as a parking lot area which is adjacent to the Crystal Hills Park in the City of San Antonio.

City Manager Kuenstler concluded the presentation saying there is a positive impact financially to the taxpayer of Leon Valley. The parking area will now be paid for by Oscar Renda Contracting in consideration for the use of the City's land. A regular asphalt parking lot would cost between \$70,000 to \$90,000 and an LID parking lot would cost between \$70,000 and \$80,000.

- Donna Charles, 6546 Charles Field, made a request that the dirt be watered down when the weather is really dry.
 - Mr. Simmons said that would not be a problem.

Council Member Benny Martinez spoke on the proposed contract stating that he would like to see the wording "owner" stricken and replaced with "City". City Council Members Alcocer, Jordan and Edwards all said they agree with the wording as provided by City Attorney Denise Frederick as presented.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards to authorize the Negotiation and Execution of a Land Use Agreement between the City of Leon Valley and Oscar Renda Contracting in exchange for an approximately 1.5-acre Parking Lot Adjacent to the Crystal Hills Park as presented.

Council Member Alcocer amended the motion to include the agreement by Mr. Jim Simmons' to water down the dirt as discussed. Council Member Alcocer asked Council Member Edwards if he would accept her amendment to which he said he did and then he seconded her amended motion.

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

Public Hearing and City Council Discussion with Consideration of Possible Action of an Ordinance Amending Ordinance No. 10-019 to Remove Condition (b.), "Parking Areas to be Constructed with Permeable Surfaces," Generally Located at 5504 Shadow Mist Drive in a B-1 (Small Business) Zoning District (M&C # 2017-05-16-07 K. Flores)

Community Development Director Kristie Flores presented this item in order to conduct a public hearing to consider a request by Arturo Ferrer, property owner, to amend Ordinance 10-019, passed and approved by City Council on May 18, 2010 to remove Condition (b.) requiring "Parking areas to be constructed with permeable surfaces".

The process to amend an approved SUP ordinance is to proceed before the entities which originally considered the full SUP request, which in this case is the Zoning Commission for recommendation and then City Council for final consideration.

Twenty-four (24) asphalt parking spaces have been constructed, instead of the required permeable surface stated in the Ordinance conditions.

These asphalt parking spaces are within the floodplain. Construction is allowed in the floodplain with a floodplain development permit, but not in the floodway. The permeable surface was originally recommended by the Zoning Commission and approved by City Council in the conditions of the ordinance, due to the proposed location in the floodplain.

The applicant has indicated that once the LC-17 Bexar County Project is completed the parking area, as well as the soccer field areas will be out of the floodplain and floodway all together. The City must evaluate the existing flood conditions and FEMA maps as legally recorded as of the most recent FEMA map update. The only way that the applicant can prove that their property will be out of the floodway and floodplain is to submit a Letter of Map Revision (LOMR) with their engineer's drainage study to FEMA for approval, until then the City can only utilize existing documents and resources and cannot agree that the property is officially out of the floodplain and floodway.

Zoning Commission Chair Olen Yarnell thanked Community Development Manager Megan McLeod for filling in for Ms. Flores on the night this item was presented to the Zoning Commission. Chairman Yarnell reported that the Zoning Commission voted unanimously in favor of the mission of this ordinance. Chairman Yarnell further explained that this was five (5) votes in favor of not putting the pavers in. In other words, the Zoning Commission was

in favor of not removing the asphalt and putting in permeable pavers as is we are doing across the street, in our parking lot.

Council Member Monica Alcocer asked for clarification, that the Zoning Commission's recommendation is to stay with the contract and the pavers? Chairman Yarnell responded, "Yes, the contract would show "with permeable pavers in the parking spaces only."

- Monte Riley, 13815 Blakeville, Live Oak, TX, was present to answer questions.

Council Member David Jordan asked if there was concrete underneath the AstroTurf when was it poured, and was it in line with the 2010 SUP. Mr. Riley responded that he was unaware and that his attorney usually answers those questions.

- Arturo Ferrer, 5504 Shadow Mist, stated that their lawyer advised them to not speak about anything. Mr. Ferrer then said he would talk about the pavers though. Mr. Ferrer said that he did have the concrete poured and it did not require a permit which Council Member Alcocer said she disagreed.

Council Member Benny Martinez asked staff if a permit was required if a business wanted to pave a lot. Community Development Director Kristie Flores said that a permit is not required to pave and that "the City does not have an ordinance in place that covers asphaltting. Even if you wanted to build a patio in your backyard, as long as you're not building something vertical on it, you can still put a patio slab on it. Only if you built a structure over eighteen inches (18") would you need a permit."

Mayor Riley opened the public hearing at 9:13 p.m.

- Donna Charles, 6546 Charles Field, spoke about the citizens in Shadow Mist voicing their opposition to the asphalt years ago and the signatures have been on file since September of 2016.

There being no further comments from the public, Mayor Riley closed the public hearing at 9:15 p.m.

A motion was made by Council Member Benny Martinez and seconded by Council Member Monica Alcocer to deny the request by the soccer business regarding the permeable pavers and follow the recommendation of the Zoning Commission.

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

Public Hearing and City Council Discussion with Consideration of Possible Action to Grant a Specific Use Permit # 2017-278, to Allow Operation of "Motorcycle Sales, Repair and Service," Generally Located at 5419 Bandera Road, Suite 711, in a B-3 (Commercial) Zoning District within the Commercial/Industrial Overlay. (M&C # 2017-05-16-08 K. Flores)

Community Development Director Kristie Flores presented the item for the purpose of conducting a public hearing and for City Council consideration of a "Motorcycle Sales, Repair and Service." This use is allowed by right in the B-3 (Commercial) zoning district within the Commercial/Industrial Overlay with a Specific Use Permit. This use is allowed in the B-3 (Commercial) district with a Specific Use Permit.

Community Development Director Flores stated that the City started an audit process in February 2017 where the Development Office, Code Enforcement and Fire Department visit businesses in the City checking for their Certificate of Occupancy, and verifying that there are not any serious health and safety violations. The audit began in the Leon Valley South Corridor, which was when it was discovered that Mr. Keller had been in operation for approximately 2 years without a Certificate of Occupancy or Specific Use Permit. Once the business was discovered without the necessary permitting, Mr. Keller was required to cease business operations.

To resolve the matter Mr. Keller is requesting the required Specific Use Permit and if it is approved he will then proceed through the Certificate of Occupancy process, so that he may resume business operations.

The proposed use is allowed by right in the B-3 (Commercial) zoning district with a Specific Use Permit. The Specific Use Permit is a zoning tool used to consider other site limitations that may be necessary to protect the area and surrounding uses. Specific considerations are things such as: limited hours of operation, fencing, landscape buffers, hooded lighting directed away from residential areas, and all service testing within the building to limit noise and fumes to existing and neighboring businesses.

The Zoning Commission did not recommend any specific conditions. The applicant has indicated that there have not been any complaints from neighboring businesses regarding his motorcycle repair shop. The applicant submitted a Traffic Impact Analysis Worksheet which indicates that the proposed use will generate less than 100 peak hour trips. The request is consistent with other businesses in the area and there are other Specific Use Permits that have been issued for various uses in Westloop Business Park.

Zoning Commission Chair Olen Yarnell stated that the Zoning Commission approved of this item.

Council Member David Jordan asked staff to make sure that instructions for incoming businesses be placed on the City’s website to inform all business owners of the requirements. Mayor Riley agreed and Community Development Director Flores said she would make sure that was done.

Mayor Riley opened the public hearing at 9:33 p.m.

- Bobby Anderson, 5409 Bandera Road, said that he does take some responsibility as the leasing agent and will make sure that there is follow up moving forward.

There being no further public comment, Mayor Riley closed the public hearing at 9:34

p.m.

A motion was made by Council Member David Jordan and seconded by Council Member Monica Alcocer to approve the Specific Use Permit # 2017-278, to Allow Operation of "Motorcycle Sales, Repair and Service," Generally Located at 5419 Bandera Road, Suite 711, in a B-3 (Commercial) Zoning District within the Commercial/Industrial Overlay.

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

Public Hearing and City Council Discussion with Consideration of Possible Action of an Ordinance Approving Zoning Case #2017-400, the Rezoning of Approximately 0.344 Acres of Land Generally Located at 5301 Bandera Road from R-2 (Two-Family Dwelling) Commercial/Industrial Overlay to B-2 (Retail) Commercial/Industrial Overlay District. (M&C # 2017-05-16-09 K. Flores)

Community Development Director Kristie Flores presented the item to hold a public hearing and for City Council consideration of a request to rezone approximately 0.344 acres of land from R-2 (Two-Family Dwelling) Commercial/Industrial Overlay to B-2 (Retail) Commercial/Industrial Overlay being Lot 9, Block 4, CB 4428B, S.R. Hodges Subdivision, at 5301 Bandera Road.

The applicant was operating a home office. While home occupations are allowed in

residential districts, upon inspection by Police and Code Enforcement there were concerns that due to vehicles parked in front of the home, some materials stored in the back yard and a snipe sign at the front of the property advertising Herbert Construction services that the home was being used for a full-fledged business. In order to resolve any concerns and address the matter, Ms. Trevino the property owner, is requesting a rezoning to B-2 (Retail).

Zoning Commission Chairman Olen Yarnell stated that the Zoning Commission voted in favor of granting the request.

Yolanda Trevino was present to speak on behalf of her son-in-law who resides on the property.

Mayor Riley opened the public hearing at 9:43 p.m.

There being no public comment, Mayor Riley closed the public hearing at 9:43 p.m.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards to grant the request for Zoning Case #2017-400, the Rezoning of Approximately 0.344 Acres of Land Generally Located at 5301 Bandera Road from R-2 (Two-Family Dwelling) Commercial/Industrial Overlay to B-2 (Retail) Commercial/Industrial as presented.

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

Discuss and Consider Possible Action Authorizing the Selection of Linebarger Goggan Blair & Sampson, LLP for Collection of Municipal Court Fines and Fees and Delinquent Ad Valorem Taxes for Five Years Starting August 1, 2017, and ending July 31, 2022; and Authorizing the City Manager to Execute a Professional Services Contract. (M&C # 2017-05-16-13 C. Caldera)

Council Member Monica Alcocer requested that Item 7.8 be moved up before Item 7.5. Mayor Riley and the City Council members concurred.

ACM/HR Director Crystal Caldera presented the Request for Qualifications (RFQ) which were solicited from attorneys for the collection of municipal court fines and fees and delinquent Ad Valorem Taxes for the City of Leon Valley. A total of 209 requests were sent out and only two were received back. They are follows: Linebarger Goggan Blair & Sampson and Perdue Brandon Fiedler Collins & Mott, LLP

A selection committee (SC) was formed to review and score the proposals submitted and consisted of Crystal Caldera, Faviola Garcia, Ashley Wayman and Vickie Wallace. Based on the scoring criteria included in the RFQ the top firm was Linebarger Goggan Blair & Sampson, LLP. For the collection of delinquent ad valorem taxes the average collection rates are as follows: Linebarger Goggan Blair & Sampson, LLP - 99% and Perdue Brandon Fiedler Collins & Mott, LLP - 85%

There is no fee associated with this contract that the City has to pay. The fee for the collection of delinquent taxes is paid by the delinquent taxpayer. Both firms will charge the taxpayer 15%. For the collection of municipal court fines and fees the average accounts resolved are as follows: Linebarger Goggan Blair & Sampson, LLP - 47% and Perdue Brandon Fiedler Collins & Mott, LLP - 47%. Both firms propose a fee of 30% of all monies actually collected.

A motion was made by Council Member David Jordan and seconded by Council Member Monica Alcocer to authorize the City Manager to enter into a contract with Linebarger Goggan Blair & Sampson, LLP for collection services of Municipal Court Fines and Fees and Delinquent Ad Valorem Taxes for a five year term.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Jordan, Mayor Pro Tem
SECONDER:	Monica Alcocer, Council Place 3
AYES:	Jordan, Edwards, Ealy, Alcocer, Martinez

Discuss and Consider Possible Action on the Approval of the Leon Valley Adopt-A-Spot Program. (M&C # 2017-05-16-10 A.Federico)

Community Development Permit Technician Ana Federico presented this item for the consideration of the creation of an Adopt-A-Spot Program in Leon Valley. This program would be a joint effort between the City and residents and/or groups, to help keep our right-of-ways and neighborhoods clean and beautiful. The Leon Valley Adopt-A-Spot program would allow our residents, businesses, clubs and organizations to express their pride and commitment to the community, by participating in beautification projects and litter pick-ups of designated public areas. A spot could be a park, trail, road, creek, public grounds, right of way, City entryway monument sign, or other sites prone to litter. Individuals, organizations, or businesses (large or small) would adopt a section within the city limits, to be determined by agreement of the Adopters and the City of Leon Valley. Adopters may agree to keep a designated spot cleared of litter for one (1) year and a designated project/spot may be renewed upon approval. Special projects are always welcomed for consideration. As a form of appreciation, the City would install a sign with the names of program participants or organization in their adopted area for as long as they are members of the program. Program participants would also be listed on the City’s website, along with the spot that has been adopted. At the end of the year, and during a Council Meeting, program participants would receive a certificate of appreciation/recognition from the City,

signed by the Mayor. If the participant desires to keep the adopted spot, the project would then automatically renew.

Community Development Permit Technician Federico concluded by saying the program will include litter control, tree planting, beautification/landscaping and other special projects per the participant’s request. It should have a positive fiscal impact in that it will reduce calls for service from Public Works allowing an overwhelmed staff an extra more time to get their daily assigned tasks accomplished. Expenses would include signage, poles and related hardware - \$50 each, landscaping - \$100 or more each spot and trash bags - \$75 per year. These items could be budgeted in FY 2018.

- Donna Charles, 6546 Charles Field, spoke in support of the program.
- Irene Baldrige, 7411 Chenal Pt., asked about the types of trees that would be used.
 - Community Development Permit Technician Federico said she would be happy to attend one of the Tree Advisory Committee meetings that Ms. Baldrige serves on to discuss trees.

City Manager Kelly Kuenstler praised Ms. Federico for taking a small suggestion of this program and putting it together and presenting it so beautifully.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards to approve of the Leon Valley Adopt-A-Spot Program with details to be continually provided and with a minimum of six (6) cleanups per year.

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

Discuss and Consider Possible Action on an Ordinance Amending Leon Valley City Code, Chapter 12 Traffic and Vehicles, Article 12.02 Operation of Vehicles, Division 4. Stop Intersections, Sec. 12.02.112 Through Streets and Stop Sign Streets designated, to Remove Bluebird Lane and Stebbins Drive; and amend Section 12.02.113 Three and Four Way Stops, (a), (1) to Add “Stebbins Drive and Bluebird Lane”. (M&C # 2017-05-16-11 M. Moritz)

Public Works Director Melinda Moritz presented the item for City Council consideration of two amendments to Chapter 12 Traffic and Vehicles to remove Bluebird Lane and Stebbins Drive from the section that designates Bluebird Lane as a throughway and then add both streets to the section that designates both streets as "stop" streets in the Monte Robles Park neighborhood.

Public Works Director Moritz said citizens in the Monte Robles Park neighborhood have been concerned about traffic cutting through from Eckhert to Huebner Road for quite some time. In addition, numerous vehicles speed through the area on Bluebird at Stebbins. One of the residents has asked if we could make that intersection an all-way stop. Currently, the stop is on Stebbins and Bluebird is a through way. The amendment to the ordinance would allow this to be a three-way stop. The City Engineer was consulted and after review, he agreed with the request, finding this to be a good solution for traffic calming in this area. In addition to this measure, the City has installed stop bar marking on the pavement at all stop intersections in that neighborhood and replaced all damaged signs.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Belinda Ealy to approve the ordinance amending Leon Valley City Code Chapter 12 Traffic and Vehicles, Article 12.02 Operation of Vehicles, Division 4 Stop Intersections, Sec. 12.02.112 Through Streets and Stop Sign Streets Designated, to remove Bluebird Lane and Stebbins Drive; and Section 12.02.113 Three and Four Way Stops, (a), (1) to Add “Stebbins Drive and Bluebird Lane”.

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

Discuss and Consider Possible Action of the Recommended Action in Response to a Request to Remove Speed Humps on Timberhill Street. (M&C # 2017-05-16-12 M. Moritz)

Public Works Director Melinda Moritz presented the item in response to a request by a property owner to remove the speed humps located in the 6700 block of Timberhill.

Staff received a call on 4-19-17 from a property owner regarding the excessive noise caused by vehicles and vehicles with trailers hitting the speed humps on Timberhill. The complainant was upset and stated that the noise was loud and constant from this action, and that he wanted the speed humps to be removed. His home is two houses down from the speed humps on Timberhill. These speed humps were installed in July of 2014 at the request of the City Manager. This was in response to numerous complaints received by one of the property owners in that same block of Timberhill, and occurred after the complaints had been discussed with the City Council at the June 2014 Coffee with the Council meeting.

A Speed Hump policy was created in August of 2014 that, among other requirements, mandates that 90% of the property owners along the subject street must sign a petition asking for such installation, and then traffic counts must be taken that demonstrate the street is being used by over 400 vehicles per day. The policy was developed by the Fire

Chief, in conjunction with the Police and Public Works Departments, as the Fire Chief was concerned that the humps would hinder Emergency vehicle travel. He researched policies developed by several other cities in the creation our current policy. The policy does have a provision for the removal of the speed humps, by stating that if 90% or more of the property owners along that street will sign a petition requesting the removal, the City will remove the humps. It also gives the City Manager the power to remove the humps "if it is deemed necessary". These speed humps were not installed by virtue of a petition.

Public Works Director Melinda Moritz said staff recommends the speed humps and related signage be left in place for now and the original complainant be notified that he will be required to follow the requirements of the Speed Hump policy in full and be given a time period of 60 days for such compliance. If he is able to fulfill the requirements of the Policy, the speed humps should then be removed. Additionally, other traffic calming measures should be researched for this neighborhood, as Timberhill has become a pass-through street from Grissom to Bandera Road.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Edwards to table the item until a future date and direct staff to contact the resident and come up with a plan of action.

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

Presentation, Discussion and Possible Action of the Proposed Movies in the Park for the 2017 Season. (A. Anthony)

Community/Conference Center Manager Amber Anthony gave a brief presentation on the Movies in the Park for summer 2017. Ms. Anthony pointed out that all the equipment was purchased by the now terminated, Economic Development Corporation.

Discuss and Consider an Ordinance Approving a Budget Amendment to the 2016-2017 General Fund in the amount \$1,580 for the Movies in the Park for the 2017 Season. (M&C # 2017-05-16-14 A.Anthony)

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan to approve the budget adjustment for the General Fund in the amount of \$1,580.00 for the Movies in the Park.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Council Place 3
SECONDER:	David Jordan, Mayor Pro Tem
AYES:	Jordan, Edwards, Ealy, Alcocer, Martinez

Discuss and Consider Possible Action on an Ordinance Authorizing the Renewal of the Municipal Wrecker Services Agreement with Banis Towing and Authorizing the City Manager to negotiate and execute a new Municipal Wrecker Services Agreement. (M&C # 2017-05-16-15 R. Saucedo)

Leon Valley Police Department Captain Ruben Saucedo presented a proposed ordinance renewing and amending the Municipal Wrecker Services Agreement between the City of Leon Valley and Banis Towing. The original ordinance for this contract was approved on the 20th day of March, 2012, under Ordinance No. 03-07-12. The original contract and ordinance was for five years, with one five year renewal at Council's discretion. This renewal of the existing contract will go through April 30, 2023.

Captain Saucedo concluded the presentation saying there are no additional costs for the City. The rates do change, but there will be new charges that the person whose vehicle is being towed will be responsible for paying. There is a positive change in the contract, towing all abandoned, nuisance vehicles and prisoner vehicles to the newly created Leon Valley Impound Lot. After expenses, this change is estimated to bring \$126,500 in additional monies into the General Fund.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Belinda Ealy to adopt the ordinance authorizing the renewal of the Municipal Wrecker Services Agreement with Banis Towing and authorizing the City Manager to negotiate and execute a new Municipal Wrecker Services Agreement.

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

Discuss and Consider Possible Action on an Ordinance Amending the Leon Valley City Code of Ordinances, Chapter 12, "Traffic and Vehicles", to add Article 12.06 "Impound Lot"; and Authorizing the Establishment of a City Operated Impound Lot and the Procedures for the Operation of a City Operated Impound Lot (M&C # 2017-05-16-16 R. Saucedo)

Captain Ruben Saucedo also presented this item for the purpose of this ordinance is to establish the Leon Valley Vehicle Impound Lot, and set the fees and fines for vehicles towed in to the Impound Lot. The lot will be located in front of the Public Works Office and behind the Conference Center. Estimated annual revenue is \$185,755 from seized prisoner/abandoned vehicles; estimated operating cost for Impound Lot is \$50,495 with

estimated first year revenue at \$125,300.

This was followed by a brief discussion.

A motion was made by Council Member David Jordan and seconded by Council Member Monica Alcocer combining agenda Items 7.12, 7.13 and 7.14 a) Amending the Leon Valley City Code of Ordinances, Chapter 12, "Traffic and Vehicles", to add Article 12.06 "Impound Lot"; and Authorizing the Establishment of a City Operated Impound Lot and the Procedures for the Operation of a City Operated Impound Lot; b) Amending the Leon Valley Police Department FY17 General Fund Budget in the amount of \$8,650 to Provide Funding to Operate the City of Leon Valley Impound Lot; and c) Amending the City of Leon Valley Appendix A Fee Schedule, Setting Fees for the Impounding of Vehicles in the Leon Valley Vehicle Impound Lot.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Jordan, Mayor Pro Tem
SECONDER:	Monica Alcocer, Council Place 3
AYES:	Jordan, Edwards, Ealy, Alcocer, Martinez

Discuss and Consider Possible Action on an Ordinance Amending the Leon Valley Police Department FY17 General Fund Budget in the amount of \$8,650 to Provide Funding to Operate the City of Leon Valley Impound Lot. (M&C # 2017-05-16-17 R. Saucedo)

A motion was made by Council Member David Jordan and seconded by Council Member Monica Alcocer combining agenda Items 7.12, 7.13 and 7.14 a) Amending the Leon Valley City Code of Ordinances, Chapter 12, "Traffic and Vehicles", to add Article 12.06 "Impound Lot"; and Authorizing the Establishment of a City Operated Impound Lot and the Procedures for the Operation of a City Operated Impound Lot; b) Amending the Leon Valley Police Department FY17 General Fund Budget in the amount of \$8,650 to Provide Funding to Operate the City of Leon Valley Impound Lot; and c) Amending the City of Leon Valley Appendix A Fee Schedule, Setting Fees for the Impounding of Vehicles in the Leon Valley Vehicle Impound Lot.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Jordan, Mayor Pro Tem
SECONDER:	Monica Alcocer, Council Place 3
AYES:	Jordan, Edwards, Ealy, Alcocer, Martinez

Discuss and Consider Possible Action on an Ordinance Amending the City of Leon Valley Appendix A Fee Schedule, Setting Fees for the Impounding of Vehicles in the Leon Valley Vehicle Impound Lot (M&C # 2017-05-16-18 R. Saucedo)

A motion was made by Council Member David Jordan and seconded by Council Member Monica Alcocer combining agenda Items 7.12, 7.13 and 7.14 a) Amending the Leon Valley City Code of Ordinances, Chapter 12, "Traffic and Vehicles", to add Article 12.06 "Impound

Lot"; and Authorizing the Establishment of a City Operated Impound Lot and the Procedures for the Operation of a City Operated Impound Lot; b) Amending the Leon Valley Police Department FY17 General Fund Budget in the amount of \$8,650 to Provide Funding to Operate the City of Leon Valley Impound Lot; and c) Amending the City of Leon Valley Appendix A Fee Schedule, Setting Fees for the Impounding of Vehicles in the Leon Valley Vehicle Impound Lot.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Jordan, Mayor Pro Tem
SECONDER:	Monica Alcocer, Council Place 3
AYES:	Jordan, Edwards, Ealy, Alcocer, Martinez

Discuss and Consider Possible Action on an Ordinance Amending the City of Leon Valley Appendix A Fee Schedule to Create a \$25 Property Room Handling Fee for Handling Lost Property, Abandoned Property, Personal Property, and Evidence From a Crime That has been Adjudicated and is Stored in the Police Property Room (M&C # 2017-05-16-19 R. Saucedo)

Lastly, Captain Saucedo presented this item for the purpose of amending the City of Leon Valley Appendix A Fee Schedule to create a \$25 Property Room Handling Fee. This fee would be charged to persons retrieving lost property, abandoned property, personal property, and evidence from a crime that has been adjudicated. The fee would not be charged to a victim of a crime and may be waived for indigent persons if approved by the Chief of Police.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards to adopt an ordinance amending the City of Leon Valley Appendix A Fee Schedule to create a \$25 Property Room Handling Fee for handling lost property, abandoned property, personal property, and evidence from a crime That has been adjudicated and is stored in the police property room.

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

Citizens to be Heard

- Olen Yarnell, 7230 Sulky Lane asked that City Council consider placing an item on the next City Council agenda to discuss adding a sidewalk from the Leon Valley Veterinary Clinic to Baskin Robbins.
- City Manager Kelly Kuenstler responded by saying that TxDOT has already placed that in the Leon Valley Plan.

Adjournment

Mayor Riley announced that the meeting adjourned at 11:17 PM.

These minutes approved by the Leon Valley City Council on the 6th of June, 2017.

APPROVED



CHRIS RILEY
MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

