



**CITY OF LEON VALLEY**  
**CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, June 6, 2017

**MINUTES**

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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	Excused	
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 Clerk Ashley Wayman, Community Development Director Kristie Flores, Library Director Sandy Underwood, Assistant Library Director Theresa Brader, and members of the Leon Valley Fire Department.

Mayor Riley asked Troop 17 of Grace Fellowship members Rohith Pullabhotla, Tarun Somisetty, Ganesh Tallam, Ricardo Gloria, Christopher Pacheco, Conner Schoenfeld, Jaremy Chapa, Anthony Hernandez, and Bryan Ybarra to lead the Pledge of Allegiance. Troop 17 is led by Bryant Bowington, Committee Chair, Daniel Pacheco, Assistant Troop Leader and Derek Schoenfeld, Leader/Scout Master.

### **Presentations**

**Presentation of Good Neighbor Award to Boy Scout Troop 17 for painting fire hydrants in the Monte Robles neighborhood (Firefighters Jim Ortiz and Eli Garcia). (Mayor Chris Riley and Fire Chief Luis Valdez)**

Leon Valley Firefighters Jim Ortiz and Eli Garcia gave a brief description of the work Troop 17 painting fire hydrants in Monte Robles subdivision.

Mayor Riley presented Troop 17 with a Certificate of Appreciation.

## **Building Permit & Floodplain Development Permits for Asphalt and other Concrete Surfaces in Relation to the Existing Building Codes (K. Flores)**

Community Development Director Kristie Flores gave a presentation to clarify questions that have come from whether there is a permit needed for asphalt, building permits vs. floodplain development permits and whether asphalt surfaces and concrete surfaces need permitting. Ms. Flores continued by saying that the soccer complex was on the last City Council agenda and it was found that they had put in parking spaces and they were supposed to have put in a permeable surface rather than impermeable surface. This would have required a floodplain development permit but as far as the building permit itself, structures are what require a building permit. Anything in a floodplain would also require a permit; anywhere FEMA is involved. Ms. Flores went on about the various codes to include the International Building Code and when it was adopted. Ms. Flores said she feels there is a “conflict” between the adopted building code and the local code and that she is working with the city attorney on this. Lastly, Ms. Flores said that the fact is that right now, the only thing the City requires permitting on is sidewalks, driveways; anything that has to do with anything that is on private property does not require a permit but anything that is constructed next to public property, such as city streets, would require permitting.

Ms. Flores then went on to explain why the zoning code section on landscaping is not being used. To which she said that in the code it states that “projects which are expansions of existing development shall provide landscaping based on...” and it talks about different landscaping requirements but then it says “any new development of expansion of existing development, split ownership planning, construction phases, and multiple building permits shouldn’t prevent it from complying with requirements”. Then if you read further in section 4A and B, it notes that “this section does not become applicable, this section becomes applicable to a lot with existing improvements when a building permit is made for construction work that 1. Increases the combined floor areas of all buildings by more than twenty-five percent (25%) per five-thousand square feet (5000 sq. ft.) whichever is less; or B increases the impermeable coverage of a lot by more than two-thousand square feet (2000 sq. ft.).

Ms. Flores concluded by saying that yes the soccer complex needed a floodplain development permit, however, on the building permit side, they have a four (4) acre lot so when they are looking at the development of that they did not increase the permeable cover of that by more than two-thousand (2000), plus, this applies to the landscape aspects of the code. So as much as we want to have an ordinance for pavement, that is a great idea if that’s what the Council so desires but I don’t have anything per code, in my interpretation that I feel could validate requiring a permit for pavement or asphalt. That concluded the presentation.

City Manager Kelly Kuenstler clarified the presentation by saying the reason for this item being on the agenda was to answer the question she received by many when the soccer folks were in at the last meeting, whether or not a permit was required for the parking lot and the answer was NO when in fact a permit was required. A floodplain development permit was required. This was very educational but we wanted to get onto

record that was misstated at that meeting.

**Presentation of the Tree City USA Award. (Mayor Chris Riley and Mark Kroeze, Forester and Certified Arborist with the Texas Forest Service)**

Mark Kroeze with the Texas A&M Forest Service presented the City with its 5<sup>th</sup> Tree City USA and Growth Award and stated that Leon Valley is the first city in the country to receive the Firewise City Award and Tree City USA Award in the same year. Mr. Kroeze presented a plaque and special hat to Mayor Riley.

Tree Advisory Committee Members Irene Baldrige and Amber Mouser were present.

**Presentation honoring Wade Clapper contributions and thirty (30) years of service to the City of Leon Valley. (Mayor Chris Riley and City Manager Kelly Kuenstler)**

Mayor Riley and City Manager Kelly Kuenstler presented a Certificate of Appreciation and a beautiful clock to Wade Clapper in celebration of 30 years of service. Captain Clapper's daughters were present as well.

**Citizens to Be Heard**

- Gayle Monnig spoke about her concerns with the pool signage and supervision rules.
- City Manager Kelly Kuenstler, on behalf of the Chairman Olen Yarnell, Zoning Commission, read aloud a letter to City Council clarifying a statement that was made by himself at the May 16, 2017 City Council meeting. Chairman Yarnell said that the statement he made at the last Council meeting did not reflect what the Zoning Commission did and intended to do. Although Chairman Yarnell acknowledged that the minutes were correct based on the record, Chairman Yarnell wanted the Council to know that he misspoke and the Zoning Commission voted five (5) to zero (0) to not change Ordinance No. 10-019 and thus voted to require the installation of permeable pavers as required by the 2010 governing ordinance. *(in relation to the soccer field)*

**City Manager's Report**

City Manager 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 such as: a) City Manager has signed a research agreement with the University of Texas San Antonio (UTSA) Economic Development and Small Business Department to furnish the City with a study so we can analyze Bandera Road and prepare a preliminary assessment and current studies related to this corridor. This study will be paid over two budgets cycles. b) June 6<sup>th</sup>, the Leon Valley Police Department will sponsor a *Cookout with the Kids* at Raymond Rimkus Park from 4:00 p.m. to 6:00 p.m. in an effort to encourage kids of all ages to come and interact with the local police. c) The City received the "Most Improved City" designation at the Alamo Area Council of Governments (AACOG) Walk-n-Roll Challenge with special thanks going to Leon Valley Fire Department's very own Lisa Martin who coordinated this effort. d) This morning staff attended the ground breaking ceremony of Valencia Lofts Phase II off of Grissom Road.

Mayor Riley thanked City Manager Kuenstler and informed everyone that because City Manager Kuenstler is an Adjunct Professor at UTSA, the City was given a nine-thousand dollar (\$9,000) discount on the study.

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

**Upcoming Important Events:**

- Next City Council Meeting, June 20, 2017
- Leon Valley Public Library Summer Reading Program Kickoff, June 10, 2017 at 10:30 a.m.
- Deer Presentation by Wildlife Biologist Jessica Alderson, with the Texas Parks and Wildlife Department, June 20, 2017 Regular City Council meeting and the July Coffee with the Council meeting
- Mayor’s Youth Advisory Council interviews will be conducted June 12-13, 2017
- Trailblazer Truck at the Leon Valley Library Parking Lot on Friday, June 23, 2017, from 10 a.m. to 2 p.m.
- City Offices Closed, July 4, 2017 in observance of Independence Day
- Leon Valley 4th of July Festival & Fireworks Spectacular, Raymond Rimkus Park. Festivities run from 7:30 a.m. (Pioneer Run) and go until dusk (Fireworks).
- Coffee with the Mayor & City Council, July 22, 2017 9:00 a.m. - 11:00 a.m.
- Miscellaneous other events and announcements

<b>RESULT:</b>	<b>PRESENTED</b>
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**Announcements by the Mayor and Council Members**

Council Member David Edwards thanked everyone for coming to this evening’s meeting.

Council Member Benny Martinez thanked Troop 17 and reminded everyone to be grateful.

Council Member David Jordan thanked everyone who participated, volunteered or attended the Junior Law Enforcement Competition held this past Saturday.

Council Member Belinda Ealy echoed Council Member Jordan’s comments on the Junior Law Enforcement Competition and then reminded everyone of the upcoming Raw/Vegan event.

Mayor Riley thanked Troop 17 and congratulated both Leon Valley Police & Fire Departments on a successful first ever Junior Law Enforcement Competition.

**CONSENT AGENDA**

1. Consideration of the Following City Council Minutes:

Mayor Riley asked if there were any items City Council wanted to pull from the Consent Agenda in effort to discuss.

Council Member Benny Martinez asked that Item 6.2 be pulled.

Mayor Riley pulled Item 6.3 to make a correction.

- a. Regular Meeting- May 16, 2017 7:00 PM

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to accept Item 6.1 as presented.

- b. Special Meeting- May 20, 2017 9:00 AM

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to accept Item 6.1 as presented.

Discuss and Consider Possible Action on an Ordinance Amending Chapter 1, Article 1.04, Section 1.04.001 entitled "Meetings" to Revise the Schedule of Regular City Council Meetings to Change the Start Time; and Making the Change Consistent with Tex. Gov't. Code Ann. ch. 551 ("The Texas Open Meetings Act") - *Item Removed from Consent* (M&C # 2017-06-06-01 S. Passailaigue)

This item was placed on the City Council agenda for City Council consideration of beginning Regular City Council meetings earlier to accommodate citizens, presenters, City Council members and staff. The idea would be that starting meetings earlier would eliminate the need for these people to have to be present later than necessary. It is proposed that this meeting time change go into effect at the next Regular City Council meeting which is June 20, 2017.

- Bryant (inaudible last name and no address other than a "non-Leon Valley resident" given) spoke in favor of keeping the meetings with a start time of 7:00 p.m. which is convenient to the public.

A motion was made by Council Member Benny Martinez to keep the Regular City Council meetings with a start time of 7:00 PM. There was no second to this motion. The motion failed.

A motion was made by Council Member David Edwards and seconded by Council Member David Jordan to table the item until the July 18, 2017 City Council meeting for further study and staff recommendation. Before a vote could be taken, Council Member Edwards withdrew his motion.

A motion was made by Council Member David Edwards and seconded Council Member David Jordan to change the start time of Regular City Council meetings from 7:00 PM to 6:00 PM. Council Member Benny Martinez asked to amend the motion to include a three (3) month trial period and to revisit the item in September 2017. Council Member David Edwards accepted the amendment.

Discuss and Consider Possible Action on a Resolution of the City of Leon Valley City Council Re-Appointing Members to the Zoning Commission. - *Item Removed from Consent* (M&C # 2017-06-06-02 S. Passailaigue)

Mayor Riley pointed out an error in the proposed resolution and verbally made the correction naming the appointments.

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to re-appoint Olen Yarnell, Phyllis McMillan, Pedro Esquivel, Richard Blackmore, Jacque Conrad and David Smith to the Zoning Commission.

7. **REGULAR AGENDA**

**Discuss and Consider Possible Action on a Resolution of the City of Leon Valley City Council Appointing Members to the Home Rule Charter Commission (M&C # 2017-06-06-03 S. Passailaigue)**

Council Member David Edwards appointed Larry Proffitt and Phyllis McMillan

Mayor Riley appointed Irene Baldrige, Mike K. Davis, Jr., and David Smith

Council Member Benny Martinez appointed Phillip Riddle and Carol Poss

Council Member David Jordan appointed Pedro Esquivel and Linda Barker

Council Member Belinda Ealy appointed Belinda Benavides and Karen Lowe

Council directed staff to add an agenda item to the next City Council meeting to allow Council Member Monica Alcocer to appoint two of the remaining five (5) applicants.

A motion was made by Council Member David Edwards and seconded by Council Member Belinda Ealy to appoint to the Home Rule Charter as stated.

The remaining applicants will be notified of any meetings prior to the next Council meeting of any Home Rule Charter meetings so they will be sure to attend even though they will be informed that they will not be able to vote until appointed.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	David Edwards, Council Place 1
<b>SECONDER:</b>	Belinda Ealy, Council Place 2
<b>AYES:</b>	Jordan, Edwards, Ealy, Martinez
<b>EXCUSED:</b>	Alcocer

**Discuss and Consider Possible Action on the Election of Mayor Pro Tem. (M&C # 2017-06-06-04 S. Passailaigue)**

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to nominate himself to serve a one (1) year term as Mayor Pro-Tem.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Benny Martinez, Council Place 4
<b>SECONDER:</b>	Belinda Ealy, Council Place 2
<b>AYES:</b>	Jordan, Edwards, Ealy, Martinez
<b>EXCUSED:</b>	Alcocer

### **Discuss and Consider Possible Action on an Amendment to the Leon Valley Public Library Policy Manual. (M&C # 2017-06-06-05 S. Underwood)**

Library Director Sandy Underwood presented the proposed revisions to the written policies. Proposed changes include changes to Patron Conduct to better serve individual cases and the addition to Internet Policy to further clarify and protect library and patrons.

The presentation was followed by a brief discussion and the following changes were to be made:

Internet:

Addendum to Article VI Internet Use Policy

**Public Computers Use:** Public computers are equipped with security software that wipes each computer clean, setting it back to our “base point” after each log out. This ensures that patron information is not stored on computers. Library staff will not disable this software for any reason, for the security of all involved.

**Wi-Fi Usage in the Library:** Leon Valley Public Library provides wireless access to the internet to allow patrons to use their personal wireless-ready laptops and devices. Library staff is available to help with minimal instruction; however staff cannot install programs, troubleshoot or make any changes to devices that are not library-owned.

Conduct:

Remove from inappropriate behavior #2 Possession of Weapons

8.03

Number 4 reworded to:

Any person who commits repeat violations of the Patron Conduct Policy or a serious violation of any of the prohibited actions, or who poses a threat to the public health and safety of others in the library may be expelled permanently from the Library by the City Manager.

Number 5 to only read:

5. The Library Director shall provide written notice to the person who has been expelled.

Number 6 to read:

6. The City Manager has the authority to suspend a patron from the Library for a designated period of time relevant to the offense based on the Library Director’s recommendation. If a person who has been suspended returns to the Library before the defined time period has expired, the Police will be summoned to have the patron removed and prosecuted for the offense, including but not limited to criminal trespass or disorderly conduct.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Edwards to accept the proposed amendment to the Leon Valley Public Library Policy Manual as amended.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Benny Martinez, Council Place 4
<b>SECONDER:</b>	Belinda Ealy, Council Place 2
<b>AYES:</b>	Jordan, Edwards, Ealy, Martinez
<b>EXCUSED:</b>	Alcocer

**Presentation, Discussion and Possible Action Accepting the Lowest Responsive Bid and Awarding a Construction Contract in the amount of \$85,000, authorized payable to Gilbert Utility & Concrete to Construct a LID Parking Lot at City Hall. (M&C #2017-06-06-06 M. Moritz)**

Public Works Director Melinda Moritz presented this item for City Council consideration and acceptance of a bid and authorizing the City Manager to enter into a contract with Gilbert Utilities & Concrete for the construction of a Low Impact Development parking lot at City Hall. Last May, the City was awarded a rebate from the San Antonio River Authority in the amount of \$50,000, to construct a LID parking lot across from City Hall. The project was engineered and designed, and construction bids were advertised and received. The lowest responsive bidder was Gilbert Utilities & Concrete. Once the contract is signed, a Notice to Proceed will be given to the contractor and the parking lot will be constructed.

Public Works Director Moritz reported that staff recommends the acceptance of the bid and to authorize the City Manager to enter into a contract with Gilbert Utilities & Concrete to construct a LID parking lot at City Hall.

A motion was made by Council Member Belinda Ealy and seconded by Council Member



Benny Martinez to adopt the ordinance as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Belinda Ealy, Council Place 2
<b>SECONDER:</b>	Benny Martinez, Council Place 4
<b>AYES:</b>	Jordan, Edwards, Ealy, Martinez
<b>EXCUSED:</b>	Alcocer

**Discuss and Consider Possible Action on an Ordinance Authorizing a Budget Adjustment in the Amount of \$21,000 to Construct a LID Parking Lot at City Hall. (M&C # 2017-06-06-07 M. Moritz)**

Public Works Director Moritz presented this item seeking City Council consideration approving an Ordinance authorizing a budget adjustment in the amount of \$21,000 to augment funds for the construction of a Low Impact Design Parking Lot across from City Hall. In May of 2016, the City Council approve acceptance of a rebate in the amount of \$50,000 from the San Antonio River Authority, to partially fund the construction of a Low Impact Development parking lot across from City Hall. At that time, the estimated cost for the construction portion of the project was \$64,000. The engineering and design were completed and the bids were advertised and received. The lowest responsive bid was in the amount of \$85,000, leaving the budget with a deficit. The budget adjustment is necessary to fund the remaining portion of the costs for construction.

Public Works Director Moritz concluded with the staff recommendation to approve the ordinance authorizing a budget adjustment in the amount of \$21,000 to augment funds for the construction of a LID parking lot across from City Hall.

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to use the Stormwater Funds for this project as discussed.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Benny Martinez, Council Place 4
<b>SECONDER:</b>	Belinda Ealy, Council Place 2
<b>AYES:</b>	Jordan, Edwards, Ealy, Martinez
<b>EXCUSED:</b>	Alcocer

**Presentation, Discussion and Possible Action on The Ridge at Leon Valley Proposed Park Survey Results and Park Commission Recommendations. (M&C # 2017-06-06-08 M. Moritz)**

Public Works Director Melinda Moritz and Park Commission Chairman Roger Christianson presented the item to discuss and consider possible action on The Ridge at Leon Valley proposed park survey results and Park Commission recommendations.

In January of 2017, 381 park surveys were sent to households in Seneca Estates Unit #3,

The Ridge at Leon Valley, Brisas Estates, Rollingwood Estates, and properties along Aids Drive, to gain citizen input on the development of a park just behind The Ridge at Leon Valley. The Park Commission held public meetings at the February, March, and May Park Commission meetings and the residents were sent invitation to these meetings. Approximately 10 - 20 residents were in attendance at each meeting.

As of the May 11, 2017, Park Commission, the City received 51 completed surveys, with 8 surveys being returned undeliverable, resulting in a return rate of 13.39%.

The park budget Capital Acquisition line item for this proposed park is \$10,000. Staff will seek grant funding from the Texas Parks & Wildlife Department and place funds in the proposed budget for next fiscal year.

At the May 11, 2017, Regular Park Commission meeting, the Park Commission heard the final survey results and now makes the following recommendations:

Name of Park: The Ridge at Leon Valley Park

Preferred Amenities: walking path, basketball hoop shoot area, playscape, fitness area, open play area.

A motion was made by Council Member David Jordan and seconded by Council Member David Edwards to approve.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Jordan, Mayor Pro Tem
<b>SECONDER:</b>	David Edwards, Council Place 1
<b>AYES:</b>	Jordan, Edwards, Ealy, Martinez
<b>EXCUSED:</b>	Alcocer

**Citizens to be Heard**

**Adjournment**

Mayor Riley announced that the meeting adjourned at 9:26 PM.