



CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, August 15, 2017

MINUTES

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

Attendee Name	Title	Status	Arrived
Chris Riley	Mayor	Present	
Benny Martinez	Mayor Pro Tem	Present	
David Edwards	Council Place 1	Excused	
Belinda Ealy	Council Place 2	Present	
Monica Alcocer	Council Place 3	Excused	
David Jordan	Council Place 5	Present	

Mayor Riley asked Boy Scout Troop 375 of St. Gregory's to lead everyone in the Pledge of Allegiance.

Also in attendance were:

City Manager Kelly Kuentler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Denise Frederick, Finance Director Vickie Wallace, Finance Clerk Ashley Wayman, Library Director Sandy Underwood, Public Works Director Melinda Moritz, LVFD Captain Todd Morgan, LVPD Captain Ruben Saucedo, LVFD Chief Luis Valdez, LVPD Joe Salvaggio, LVPD Lieutenant David Gonzalez, LFVD Assistant Fire Chief Blake Wade, Fire Marshal Eric Burnside, LVFD Administrative Assistant Lisa Martin and Executive Assistant to the City Manager Angela Trejo.

Presentations

Presentation of Good Neighbor Award to Boy Scout Troop 375 for painting fire hydrants in the Canterfield neighborhood. (Mayor Chris Riley and Fire Chief Luis Valdez)

Fire Chief Luis Valdez and Mayor Chris Riley presented a Good Neighbor Award to Boy Scout Troop 375. Those in attendance were: William Leija, James Merritt, Andrew Zertuche, Patrick Zertuche, Diego Mendez, David Anaya, Liam Noonan, Norman Mendez, Scout Master and Arthur Zertuche, Assistant Scout Master. Those not present were: Alex DeLeon and Christian Carranza.

The Scouts painted 10 fire hydrants in the Canterfield neighborhood on July 24th. The

Troop reached out to the fire department and volunteered as a community improvement project and to help firefighters locate the fire hydrants during emergencies.

Proclamation declaring the first full week in September, National Payroll Week in the City of Leon Valley, Texas. - Christine Bodily, CPP, Payroll Manager, University of Incarnate Word, Karen Brown, Payroll Associate, KCI USA, Inc. and Acelity Company, and Emma Jackson, CPP, Senior Payroll Manager, NEISD (Mayor Chris Riley)

Mayor Chris Riley presented a proclamation declaring the first full week in September, National Payroll Week in the City of Leon Valley, Texas. - Christine Bodily, CPP, Payroll Manager, University of Incarnate Word and Acelity Company, and Emma Jackson, CPP, Senior Payroll Manager, NEISD. Karen Brown, Payroll Associate, KCI USA, Inc. was unable to attend.

Mayor Riley also thanked Leon Valley staff Angela Trejo, Vickie Wallace and Ashley Wayman for providing payroll services to the City.

Board of Adjustment Annual Report (Chairman Elizabeth Maloy)

Board of Adjustment Chairman Elizabeth Maloy presented an annual report in an effort to update the City Council on their recent activities. Chairman Maloy reported that the Board met once in 2015 to hear a case related to an encroachment into a rear yard setback. This case was denied. The Board met again in 2016 on a request for a variance to Sustainability Overlay regulations (color of a building). This request was approved. The Board has met twice this year but for training purposes only.

Chairman Maloy said the next steps for the Board are to continue training, to support the intent and spirit of the Zoning Code; and to continue to support the desires of the Zoning Commission and City Council for a uniform City image.

Citizens to Be Heard

- Olen Yarnell, 7230 Sulky, distributed a document to members of the City Council on behalf of the Zoning Commission which he said he would comment on later.
- Trey Wilson, 16607 Blanco Road, SATX, an attorney who spoke on behalf of the citizens and tenants of the two centers recently discussed and asked that the Council work with those affected to provide them some assistance.
- City Manager Kelly Kuenstler thanked Mr. Wilson for being present at this meeting and invited the citizens, tenants and Mr. Wilson to attend the Economic and Community Development Advisory Committee meeting tomorrow at 5:30 pm to discuss an option to aid these tenants.

City Manager's Report

- Next City Council Meeting & First Tax Public Hearing on the Proposed 2017 Tax Rate, September 5, 2017, at 6:00 p.m.
- City Offices Closed, September 4, 2017 in Observance of Labor Day.

- Movies in the Park, “Moana”, Raymond Rimkus Park, September 01, 2017, at 8:30 p.m.
- Grandparents Day, Community Center, September 10, 2017 from 2:30 p.m. until 4:00 p.m.
- Second Tax Public Hearing on the Proposed 2017 Tax Rate, September 12, 2017, at 6:00 p.m.
- Miscellaneous other events and announcements

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) Public Works received notice today regarding the Huebner Creek Project from Bandera to Evers; the Federal interest determination for the improvement project was approved. So we can now initiate development of the project management plan and the feasibility cost share agreement. The next step would be that we start scoping the project and the study phase of it, Melinda will reorganize the team, and we will look at the funds on hand, and then schedule a telephone conference. “Kudos to Public Works for thinking outside of the box again!” b) The Fire Department received another grant which was submitted by Firefighter Eli Garcia from the Invisible Fence Grant of Greater San Antonio. The grant was for oxygen masks for pets. Congratulations for Firefighter Garcia! c) The Fire Department and Police Department collected \$2400 in a fill the boot campaign for our school supply drive. The fire and police staff will go along with Library Director Sandy Underwood and teachers to go shopping later this week. Special thanks to Sandy for starting this program. d) We have a regular City Council meeting scheduled for October 3rd but many of us will be attending the TML Annual Conference in Houston that week. We will be here on Monday, October 2nd. There was a consensus of the City Council members present to move the 1st Regular City Council meeting of the month of October 2017 from the 3rd to the 2nd. e) We have scheduled an informational meeting on September 26th at 6pm called Water Bill Education Class to answer any unanswered questions citizens and businesses may still have on their water bills.

Approved Minutes From Various City Boards, Committees, and Commissions

Upcoming Important Events

Announcements by the Mayor and Council Members

Council Member Benny Martinez announced that the LVACC would meet tomorrow at Aspen Grill at 11:30 am.

Council Member David Jordan thanked everyone for coming this evening.

Council Member Belinda Ealy thanked everyone for coming this evening; reminded everyone to take proper care of their pets in the heat; and thanked the Leon Valley Fire Department for the recent CPR classes.

Mayor Riley spoke about summer coming to an end.

City Manager Kuenstler added the Leon Valley Public Library’s Eclipse event on Monday,

August 21st.

CONSENT AGENDA

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to accept the Consent Agenda as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Benny Martinez, Mayor Pro Tem
SECONDER:	Belinda Ealy, Council Place 2
AYES:	Martinez, Ealy, Jordan

1. Consideration of the Following City Council Minutes:
 - a. Special Meeting for Executive Session- August 1, 2017 5:00 PM
 - b. Regular Meeting- August 1, 2017 6:00 PM

Discuss and Consider Possible Action to Approve Leon Valley Economic Development Corporation's Last Board Minutes Due to Board Being Dissolved (M&C # 2017-08-15-01 A. Anthony)

7. **REGULAR AGENDA**

Presentation, Discussion and Possible Action to Approve an Ordinance Granting a Variance to Chapter 3 Building Regulations, Article 3.05 Fences, Section 3.05.003 Dimensions and Appearance, (a) Residential Fences, to Allow a Three Foot Four Inch Tall Fence in the Required Front Yard, at the Request of Property Owner Marko Mendez, to be Located at 7417 Linkwood Drive (M&C # 2017-08-15-02 M. Moritz)

Interim Community Development Director Melinda Moritz presented the item seeking City Council consideration of a request by Marko Mendez, property owner at 7417 Linkwood, for a variance to Chapter 3 Building Regulations, Article 3 Fences, Section 3.05.003 Dimensions and appearance, (1), which states: "Residential fences shall not exceed six (6) feet in height in the side or rear yards or three (3) feet in the front yard. The finished side shall face toward the public viewpoint or public right-of-way." Interim Community Development Director Moritz said Mr. Mendez would like to install "no dig", wrought iron, ornamental fencing along both sides of his front yard. The fencing comes pre-manufactured in 40" high segments, which is four inches (4") higher than the maximum three foot (3') high regulations. The decorative finials along the top of the fencing make it higher than what is allowed by Code.

Interim Community Development Director Moritz concluded the presentation saying that staff recommends the approval of the variance, as the fencing is typically sold at 40" heights and the request for a variance of the four inches that exceed Code requirements is the minimum needed to afford the property owner some relief from the requirements of the Code. The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area. Staff also recommends amending the Code in the future to allow for decorative elements, not to exceed 6" in height.

A motion was made by Council Member David Jordan and seconded by Council Member Benny Martinez to approve the variance as recommended by staff.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Jordan, Council Place 5
SECONDER:	Benny Martinez, Mayor Pro Tem
AYES:	Martinez, Ealy, Jordan

Presentation, Discussion and Possible Action to Amend Chapter 15 Zoning, Division 3. Administration, Section 15.02.116 Zoning Commission Report, to Provide Expedited Minutes to the City Council (M&C # 2017-08-15-03 M. Moritz)

Interim Community Development Director Moritz presented this item seeking City Council consideration of an ordinance amending the City of Leon Valley Code of Ordinances, Chapter 15 Zoning, Division 3 Administration, Section 15.02.116 Zoning Commission Report to allow the Zoning Commission to provide the City Council with a report on their actions in a timely manner. The current code states: “After public hearing, the Zoning Commission shall submit a report to the City Council with a recommendation that the application be approved, tabled, or denied. The vote of the Zoning Commission at the conclusion of a public hearing and the minutes pertaining to it shall constitute the commission’s final report to the City Council.”

In order for the Council to receive approved minutes, applicants in a zoning case would be required to wait another full month before having their case heard by City Council, which significantly slows the development process and could potentially harm the funding of a project. The Zoning Commission would like to change the language to state: “After public hearing, the Zoning Commission shall submit a report to the City Council with a recommendation that the application be approved, tabled, or denied, and state the vote of the Commission.” In this manner, the details of the discussion and the vote could be presented to the Council at the Council meeting directly after the Commission meeting, thus preventing any lost time for the applicant.

Interim Community Development Director Moritz stated that staff recommends the approval of the ordinance amending the City of Leon Valley Code of Ordinances, Chapter 15 Zoning, Division 3. Administration, Section 15.02.116 Zoning Commission Report, to Provide for a Different Zoning Commission Reporting Method.

Zoning Commission Chairman Olen Yarnell spoke on behalf of the Zoning Commission asking Council to consider what he presented in the document that he distributed at the beginning of the meeting. Commissioner Larry Proffitt asked if it was a legal requirement to provide the minutes to Council before a case could be heard. City Attorney Frederick replied “No...only the report”.

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to adopt as captioned.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Benny Martinez, Mayor Pro Tem
SECONDER:	Belinda Ealy, Council Place 2
AYES:	Martinez, Ealy, Jordan

Conduct a Public Hearing on Fiscal Year 2018 Budgets and Associated Capital Acquisition Plans (City Manager Kelly Kuenstler)

Mayor Riley opened the public hearing at 8:37 p.m.

- Olen Yarnell asked about the funding for a new Public Works building.

There being no further public comment, Mayor Riley closed the public hearing at 8:41 p.m.

Discuss and Consider Possible Action on the Attached Ordinance Approving and Adopting Fiscal Year 2018 Budgets and Associated Capital Acquisition Plans (M&C # 2018-08-15-04 K.Kuenstler)

A motion was made by Council Member David Jordan and seconded by Council Member Benny Martinez to adopt the ordinance approving the budgets and associated capital acquisition plans for the City of Leon Valley, Texas for Fiscal Year 2018.

Mayor Riley requested a call vote to which the City Council replied: Council Member Edwards - Absent; Council Member Alcocer - Absent; Council Member Martinez - Aye; Council Member Jordan - Aye; and Council Member Ealy - Aye. Upon a unanimous vote, Mayor Riley announced the motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Jordan, Council Place 5
SECONDER:	Benny Martinez, Mayor Pro Tem
AYES:	Martinez, Ealy, Jordan

Discuss and Consider Possible Action on an Ordinance Ratifying the Fiscal Year 2018 Budget that will Raise More Total Property Taxes than Last Year's Budget by \$100,000 or 2.6315%, and of that Amount \$30,068.81 is Tax Revenue to be Raised from New Property Added to the Roll this Year. (M&C # 2017-08-15-07 K.Kuenstler)

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan to adopt the ordinance ratifying the Fiscal Year 2018 budget that will raise more total property taxes than last year's budget by \$100,000 or 2.6315% and of that amount \$30,068.81 is tax revenue to be raised from new property added to the roll this

year.

Mayor Riley requested a call vote to which the City Council replied: Council Member Edwards - Absent; Council Member Alcocer - Absent; Council Member Martinez - Aye; Council Member Jordan - Aye; and Council Member Ealy - Aye. Upon a unanimous vote, Mayor Riley announced the motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Benny Martinez, Mayor Pro Tem
SECONDER:	David Jordan, Council Place 5
AYES:	Martinez, Ealy, Jordan

Discuss and Consider Possible Action to Vote for the Placement of a Proposal to Adopt the City’s 2017 Tax Rate on the Agenda of September 19, 2017, Council Meeting (M&C # 2017-08-1-05 V.Wallace)

A motion was made by Council Member Belinda Ealy and seconded by Council Member David Jordan for the Placement of a Proposal to Adopt the City’s 2017 Tax Rate on the Agenda of September 19, 2017, Council Meeting.

Mayor Riley requested a call vote to which the City Council replied: Council Member Edwards - Absent; Council Member Alcocer - Absent; Council Member Martinez - Aye; Council Member Jordan - Aye; and Council Member Ealy - Aye. Upon a unanimous vote, Mayor Riley announced the motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Belinda Ealy, Council Place 2
SECONDER:	David Jordan, Council Place 5
AYES:	Martinez, Ealy, Jordan

Discuss and Consider Possible Action to Call for Two Public Hearings on the Proposed 2017 Tax Rate of \$0.556599/\$100 (M&C # 2018-08-15-06 V.Wallace)

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan to conduct two public hearings on the proposed 2017 Tax Rate of \$.556599/\$100 as follows: First Public Hearing - Tuesday, September 5, 2017, at 6:00 p.m. in the City Council Chambers, 6400 El Verde Road, Leon Valley, Texas 78238; and a Second Public Hearing - Tuesday, September 12, 2017, 6:00 p.m. in the City Council Chambers, 6400 El Verde Road, Leon Valley, Texas 78238.

Mayor Riley requested a call vote to which the City Council replied: Council Member Edwards - Absent; Council Member Alcocer - Absent; Council Member Martinez - Aye; Council Member Jordan - Aye; and Council Member Ealy - Aye. Upon a unanimous vote, Mayor Riley announced the motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Benny Martinez, Mayor Pro Tem
SECONDER:	David Jordan, Council Place 5
AYES:	Martinez, Ealy, Jordan

Discuss and Consider Possible Action to Award the Fiscal Year 2018 Group Insurance Bid for Employee Medical, Dental and Life Insurances and to Authorize the City Manager to Execute the Insurance Contract(s) (M&C # 2017-08-15-08 C. Caldera)

ACM/HR Director Crystal Caldera presented this item by first saying the City currently pays 100% of the employee-only premium under AETNA base health, MET LIFE base dental and Life insurances. Gallagher Benefits Services, the city's Insurance Broker, solicited bids from all the major insurance carriers.

Approval of this item will authorize the City Manager to execute the contract for the Fiscal Year 2018 Group Health, Dental & Life Insurances and to continue to provide reputable and comprehensive insurance coverage to the City employees. The contract will be for the period October 1, 2017 to September 30, 2018. The City's insurance broker, Gallagher Benefit Services, Inc. will serve as the City's liaison with the insurer selected by Council. The total cost for the City's group insurance benefits for Fiscal Year 2018 is \$768,121.

To execute a contract with Blue Cross Blue Shield for their MM20 75/50% Blue Choice medical plan and Blue Cross DTNLM08 dental plan and MetLife for the life insurance plans.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan to authorize the City Manager to negotiate and execute a contract with Blue Cross Blue Shield for their MM20 75/50% Blue Choice medical plan and Blue Cross DTNLM08 dental plan and MetLife for the life insurance plans.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Benny Martinez, Mayor Pro Tem
SECONDER:	David Jordan, Council Place 5
AYES:	Martinez, Ealy, Jordan

Discuss and Consider Possible Action on an Ordinance Authorizing the City Manager to Negotiate and Execute an Interlocal Agreement With Bexar County for Emergency and Non Emergency Dispatch Services (M&C # 2017-08-15-09 J. Salvaggio)

Police Chief Joe Salvaggio presented this item for the purpose of consideration of an ordinance authorizing the City Manager to negotiate and execute an Interlocal Agreement with Bexar County to provide our police and fire dispatch services. There are no costs to the City of Leon Valley in Fiscal Year 2018. Costs for the remainder of the Interlocal Agreement will be based upon amount of calls for service and a percentage of the cost for maintaining the dispatch center. Current projections have us saving \$40,000 to \$50,000 per

year after Fiscal Year 2018.

The City Manager, Fire Chief, and Chief of Police all recommend entering into the Interlocal Agreement for Dispatch Services with Bexar County.

A motion was made by Council Member David Jordan and seconded by Council Member Benny Martinez to adopt the ordinance authorizing the City Manager to negotiate and execute an Interlocal Agreement with Bexar County for emergency and non-emergency dispatch services.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Jordan, Council Place 5
SECONDER:	Benny Martinez, Mayor Pro Tem
AYES:	Martinez, Ealy, Jordan

Discuss and Consider Possible Action of a Resolution of the City Council of the City of Leon Valley ordering and establishing procedures for a Special Election to be held on the question of the Adoption of a Home Rule Charter by the qualified voters of the City of Leon Valley; authorizing the City Manager to sign a joint election Agreement with the Bexar County Elections Administrator for the conduct of said election, and providing details relating to the conduct of holding the Election, authorizing the use of the Leon Valley City Council Chambers on the 7th day of November, 2017 for Election Day voting, and the use of the Leon Valley Conference Center, located at 6421 Evers Road, Leon Valley, Texas, 78238, for Early Voting (October 23, 2017 through November 03, 2017).

Resolución Del Consejo Municipal De La Ciudad De Leon Valley Que Ordena Y Establece Los Procedimientos Para Una Elección Especial A Celebrarse En Relación Con La Pregunta Sobre La Adopción De Una Carta Orgánica De Gobierno Local Por Parte De Los Votantes Calificados De La Ciudad De Leon Valley; Autoriza Al Administrador De La Ciudad A Firmar Un Convenio De Elección Conjunta Con El Administrador De Elecciones Del Condado De Bexar Para La Celebración De Dicha Elección Y Proporciona Detalles Relativos A La Celebración De La Elección; Autoriza El Uso De Las Cámaras Del Consejo Municipal De Leon Valley El Día 7 De Agosto De 2017 Para La Votación El Día De Elección Y El Uso Del Centro De Conferencias De Leon Valley, Ubicado En 6421 Evers Road, Leon Valley, Texas, 78238, Para La Votación Anticipada (Del 23 De Octubre De 2017 Al 03 De Noviembre De 2017, Inclusive). (M&C # 2017-08-15-10 S. Passailaigue)

City Secretary Sandra Passailaigue presented a resolution for City Council consideration, ordering a Special Election in the City of Leon Valley, Texas, to be held on November 7, 2017, for a Special Election to be held on the question of the Adoption of a Home Rule Charter for the City of Leon Valley; and designating Jacquelyn F. Callanen, Bexar County Elections Administrator, as the Election Administrator to conduct such election.

A motion was made by Council Member Benny Martinez and seconded by Council Member Belinda Ealy to adopt the resolution ordering a Special Election in the City of Leon Valley, Texas, to be held on November 7, 2017, for a Special Election to be held on the question of the Adoption of a Home Rule Charter for the City of Leon Valley; and designating Jacquelyn F. Callanen, Bexar County Elections Administrator, as the Election Administrator to conduct such election.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Benny Martinez, Mayor Pro Tem
SECONDER:	Belinda Ealy, Council Place 2
AYES:	Martinez, Ealy, Jordan

Citizens to be Heard


None

Adjournment


Mayor Riley announced that the meeting adjourned at 8:26 PM.

These minutes approved by the Leon Valley City Council on the 5th of September, 2017.

APPROVED



CHRIS RILEY
 MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
 CITY SECRETARY

