



**CITY OF LEON VALLEY
CITY COUNCIL SPECIAL MEETING**
Leon Valley Conference Center
6421 Evers Road, Leon Valley, Texas 78238
Monday, October 05, 2015

MINUTES

The City Council of the City of Leon Valley, Texas met on the 5th day of October, 2015 at the Leon Valley Conference Center located at 6421 Evers Road, Leon Valley, Texas for the purpose of the following business:

SPECIAL CITY COUNCIL MEETING

Mayor Riley called the Special City Council Meeting to order at 5:50 p.m.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Council Members David Edwards, Monica Alcocer, Benny Martinez and David Jordan. Council Member Carmen Sanchez was excused.

Also in attendance were:

City Manager Kelly Kuenstler, ACM/Human Resources Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Patrick Bernal, and Community Development Director Elizabeth Carol.

The City Council shall meet in Executive Session under Texas Government Code to discuss the following:

- A. §551.074 *Personnel Matters* – The recent appointment of City Council Member Monica Alcocer to the City of Leon Valley Economic Development Corporation and issues and conflicts related to said appointment; and**
- B. §551.071 *Consultation with Attorney* – Contemplated litigation between MDLG & Company and the City of Leon Valley.**

Mayor Riley read the item caption aloud and then the City Council went into Executive Session at 5:51 p.m.

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

The City Council reconvened into Open Session at 7:20 p.m. Mayor Riley announced that there would be no action for Item 2A and that the Council would be taking a five (5) minute recess before going onto Item 2B.

The City Council reconvened into Open Session at 7:25 p.m.

A motion was made by Council Member Benny Martinez and seconded by Council Member David Jordan, that the contract between MDLG & Company and the City of Leon Valley be revised, deleting paragraph 5; and revise the date of the Fall Festival to October 24th; and revise the last payment to November 2nd; all other provisions will remain. Upon a vote of four (4) for and none (0) opposed and with Council Member Sanchez absent, Mayor Riley announced the motion carried.

Mayor Riley announced that this motion would cover Item 13 of Regular City Council Agenda as well. Item 13 read as: ***Discussion and possible action on the proposed revised agreement between MDLG & Company and the City of Leon Valley for Project Management of the Leon Valley Fall Festival. M&C #2015-10-05-04 (K. Kuenstler)***

Adjournment.

Mayor Riley announced the Special Executive Session adjourned at 7:27 p.m.

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AGENDA

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Also in attendance were:

City Manager Kelly Kuenstler, ACM/Human Resources Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Patrick Bernal, Community Development Director Elizabeth Carol, Public Works Director Melinda Moritz, Assistant Public Works Director David Dimaline and Assistant Police Chief Ray Lacy.

Mayor Riley reminded everyone in attendance that this is a "Special" meeting due to the date change which was made in an effort to allow City Council Members to participate with citizens for National Night Out which is October 6th.

Mayor Riley announced that Council Member Carmen Sanchez would not be in attendance this evening because she was awarded a fellowship through University Hospital and is in Chicago this week. Mayor Riley announced that Council Member Sanchez is excused.

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. There being no item pulled the Mayor proceeded to citizens to be heard.

- Walter Geraghty, 7315 Ellerby Point, spoke about the American Legion Post 336 Walk with the Veterans where the guest will be the National Commander. The event will be held at 9:00 a.m. at Raymond Rimkus Park on October 31st.
- Vicki Jamvold, 7203 Poss Road, asked the City Council to assist her with a problem she is having with her neighbor and to “get things under control.”

CONSENT AGENDA

Approval of City Council Minutes. (S. Passailaigue)

a) September 01, 2015 Regular City Council Meeting

Discussion and possible action on the approval of bank signature cards and approval of a Resolution Amending the Authorized Representatives for Texpool. M&C #2015-09-29-02 (V. Wallace)

Discussion and possible action on the approval of an Ordinance Amending Chapter 13 Utilities, Article 13.11 Water Conservation and Drought Management, Sections 13.11.032, 13.11.073, 13.11.074 (A), (B), (C), (D), (3), and Adding a Section 13.11.074 (7) Use of Recycled Water. M&C #2015-10-05-03 (M. Moritz)

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to approve Consent Agenda Item #10 (September 01, 2015 City Council Minutes), Item #11 (Bank Signature Cards) and Item #12 (Ordinance No. 15-023) as presented. Upon a vote of four (4) for and none (0) opposed and with Council Member Sanchez absent, Mayor Riley announced the motion carried.

Presentation honoring Sergeant Ruben Saucedo’s contributions and twenty-five (25) years of service to the City of Leon Valley.

Mayor Riley presented Sergeant Ruben Saucedo with a certificate of appreciation of his 25 years of service to the City of Leon Valley.

Presentation honoring Captain Oscar Valdez’ contributions and thirty (30) years of service to the City of Leon Valley.

Mayor Riley presented Captain Oscar Valdez with a clock in appreciation of his 30 years of service to the City of Leon Valley.

**Proclamation declaring October, 2015, as “Fire Prevention Month” In Leon Valley.
M&C #2015-09-29-01 (L. Valdez)**

Mayor Riley presented a proclamation to Fire Chief Luiz Valdez and the Leon Valley Fire Department declaring October, 2015 Fire Prevention Month in the City of Leon Valley.

REGULAR AGENDA

Discussion and possible action on a presentation from MDLG & Company’s update on the Leon Valley Fall Festival. M&C #2015-10-05-05 (E. Carol)

Mike DeLaGarza gave a presentation on the Leon Valley Fall Festival. Mr. DeLaGarza will come back on October 20th to give another presentation on any updates.

Discussion and possible action to authorize the City Manager to Sign an Agreement between the San Antonio Water System (SAWS) and the City of Leon Valley for an Interconnection Between the SAWS and the City of Leon Valley Water Systems for the Purpose of Providing an Emergency Water Supply; and to Terminate the Existing Standby Water Service Contract for Emergency Service. M&C #2015-10-05-06 (M. Moritz)

Public Works Director Melinda Moritz presented this item seeking Council consideration to authorize the City Manager to sign a new agreement between San Antonio Water System (SAWS) and the City of Leon Valley, for the use of a water interconnection between both water systems for the purpose of providing an emergency supply of water, and to terminate the existing Standby Water Service contract for the connection on Huebner Road. The new interconnection will be located at the Grass Hill well site and needs to be operational before a new well is constructed. The City of Leon Valley and SAWS currently have an Agreement for the existing interconnection; however, based on current demand and topography of the City, it will provide water, but not adequate water pressure, to the outlying areas of our water system. This interconnection is to be removed and the contract terminated. As a part of the 2015 Municipal Well Project, a new interconnection is to be constructed along Bandera Road at the Grass Hill well site, to connect the SAWS 30” main to the City of Leon Valley’s water system. The water will be piped directly to the 750,000 gallon above ground storage tank. This will ensure redundancy in supplying water to our customers; for firefighting needs during an unexpected outage, and for use during the new well construction. City staff have met with SAWS staff to discuss both the current and proposed interconnect with the understanding that the existing interconnection will be removed and the new interconnection will be used in emergency cases only. Staff is recommending 1) to authorize the City Manager to sign an agreement between the San Antonio Water System (SAWS) and the City of Leon Valley for an Interconnection

between the SAWS and the City of Leon Valley Water Systems for the purpose of providing an emergency water supply; and 2) to terminate the current Standby Water Service Contract for Emergency Service for the connection on Huebner Road.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to authorize the City Manager to sign an agreement between the San Antonio Water System (SAWS) and the City of Leon Valley for an Interconnection between the SAWS and the City of Leon Valley Water Systems for the purpose of providing an emergency water supply; and to terminate the current Standby Water Service Contract for Emergency Service for the connection on Huebner Road. Upon a vote of four (4) for and none (0) opposed and with Council Member Sanchez absent, Mayor Riley announced the motion carried.

Discussion and possible action to consider Acceptance and Award of Bid, Authorizing the City Manager to sign a Contract with Pronto Sandblasting & Coating, and Any Change Orders, for the purpose of Constructing Detention Pond #2 (Aquarium), and Approve an Ordinance Authorizing a Budget Adjustment. M&C #2015-10-05-07 (M. Moritz)

Public Works Director Melinda Moritz presented this item for City Council consideration to award a bid and to authorize the City Manager to sign a contract with Pronto Sandblasting & Coating, and any change orders, for the purpose of constructing a detention pond behind 6320 Bandera Road; and approve an Ordinance authorizing a budget adjustment. This property, located at 6320 Bandera Road, was platted as Lincoln-Mercury Subdivision in 1986. At that time, detention ponds and other stormwater prevention devices were not addressed in the subdivision code. The owner was allowed to asphalt and concrete the entire lot without any provision for the tremendous amount of stormwater runoff coming from both Bandera Road and this property. The plat was approved by City Council, the buildings were constructed, and the Certificate of Occupancy was issued. Without any further replatting activity, there is no triggering mechanism to compel an owner to address stormwater runoff. This runoff affects Seneca Estates Unit 3 subdivision and unplatted properties along Huebner Creek. In 2012, as a part of negotiations with the owner, the owner agreed to pay the City \$125,000 for the construction of a detention pond to the rear of this property, to finally address this issue. The money was not placed into the Stormwater budget until FY '15. The site was cleared and surveyed, and bids were advertised for the actual construction.

Seven companies responded to the bid. Pronto Sandblasting & Coating is the lowest responsive bidder. Staff is recommending that City Council award the bid and authorize the City Manager to enter into a contract with Pronto Sandblasting & Coating, and any change orders, for the purpose of constructing a detention pond behind 6320 Bandera Road; and approve an Ordinance for a budget adjustment in the amount of \$66,500.

A motion was made by Council Member David Jordan and seconded by Council Member David Edwards, to accept and award the bid, authorizing the City Manager to sign a contract with Pronto Sandblasting & Coating, and any change orders, up to \$5,000 for the purpose of Constructing Detention Pond #2 (Aquarium), and Approve an

Ordinance Authorizing a Budget Adjustment. Upon a vote of three (3) for and one (1) opposed with Council Member Benny Martinez casting the opposing vote and with Council Member Sanchez absent, Mayor Riley announced the motion carried.

Presentation, discussion and possible action on the cost of Service and Rate Design Study for the City of Leon Valley Water and Waste Water Utility. M&C #2015-10-05-08 (M. Moritz)

Public Works Director Melinda Moritz presented the item to present the Cost of Service Analysis for the City of Leon Valley Water/Wastewater Utility. The City hired NH Consulting to perform a cost of service and rate design study for the City's water and wastewater utility. The goal is to achieve a water and wastewater rate structure that will assure equitable and adequate revenues for operations, debt service retirement, capital improvements and bond covenant requirements. As a component of the Study, City Staff identified necessary Capital Improvements for the water utility that include new water wells and associated improvements. NH consulting included this in their model, with the assumption that new debt would be issued in 2016, with the first payment due in 2017.

Discussion and possible action to authorize Southwest Engineers to Proceed With the Development of Two Water Wells and Related Equipment, for the 2015 Municipal Water Well Project, and Approve Related Budget Adjustment. M&C #2015-10-05-09 (M. Moritz)

Public Works Director Melinda Moritz reminded everyone that Southwest Engineers is the engineering firm that was awarded a contract to develop a new water well, with related equipment. After careful consideration of the site, existing conditions, and the water system life, they are recommending that the City drill two new wells, instead of one. The original plan was to drill one new well and line the two existing wells. The proposed well site at Grass Hill is too close to the existing well, resulting in the well having to be plugged and capped permanently. This will leave the City with one new well, pumping 2000 GPM (gallons per minute), and one lined well at 500 GPM. The average demand in 2014 was 694 GPM, with peak demand at 1388 GPM (1 million gallons per day, with peak daily demand at 2.1 million gallons per day). Public Works Director Moritz added that if the new well is hit by lightning or taken out of service for maintenance, the City will have to rely on the Huebner well at 500 GPM and the SAWS interconnect to provide enough water to service the entire City. Both existing wells are at the end of their productive life, at 45 and 52 years. As additional insurance, an alternate bid can be added for the lining of the Huebner well. This will provide further redundancy in the water system. The Council could consider funding that alternate at the time of bid award. This would provide the City with two new wells at approximately 4000 GPM, with an additional 500 GPM for emergency purposes. Staff recommends that City Council authorize Southwest Engineers to proceed with the development of two water wells and related equipment for the 2015 Municipal Water Well Project.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to authorize Southwest Engineers to proceed with the

development of two (2) water wells and related equipment, for the 2015 Municipal Water Well Project, and approve related budget adjustment. Upon a vote of four (4) for and none (0) opposed and with Council Member Sanchez absent, Mayor Riley announced the motion carried.

Discussion and possible action on the approval of a budget adjustment and related ordinance for funds received in the amount of \$40,427 from the Ambulance Supplemental Payment Program (ASPP), and for a new brush truck. M&C #2015-10-05-10 (L. Valdez)

Fire Chief Luiz Valdez presented by saying that the Fire Department was approved to participate in a federal program that assists in the reimbursement of funds expended in providing medical services to uninsured and under-insured patients to government medical providers. The final settlement amount for this program for fiscal year 2015 that was originally anticipated and reported to the City via the State was \$63,218. However, the last week of September the City was notified that the amount originally reported had been cut to \$40,427 through federal disbursement. These funds are for fiscal year 2015, but not received until fiscal year 2016. The Fire Department is requesting a budget adjustment in the amount of \$38,218 to purchase a brush truck from funds received through the ASPP. Staff is requesting that City Council approve the budget adjustment and related ordinance for the General Fund in the amount of \$38,218 to purchase a new brush truck.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to approval of a budget adjustment and related ordinance for funds received in the amount of \$40,427 from the Ambulance Supplemental Payment Program (ASPP), and for a new brush truck. Upon a vote of four (4) for and none (0) opposed and with Council Member Sanchez absent, Mayor Riley announced the motion carried.

City Manager's Report:

- a) Department Reports
- b) Approved Minutes from Boards, Commissions and Committees
- c) Upcoming Important Events:
 - National Night Out, October 6th
 - Moving Together - Senator Jose Menendez, October 8th from 6:00 - 7:30 p.m. at the Community Center
 - Fall Festival, October 24th
 - Coffee with the Mayor & Council, October 24th
 - Arbor Day, October 31st

City Manager Kuenstler reminded everyone of the upcoming agenda items as well as upcoming City events.

Citizens to be Heard.

- Belinda Ealy, Park Committee will meet on October 13th at 6:00 p.m. at the big pavilion.

Announcements by the Mayor and Council Members.

Council Member Monica Alcocer asked Police Chief Wallace on how awards are given out for National Night Out.

Council Member David Jordan spoke on the Nigerian Church Anniversary event he attended.

Mayor Riley reminded everyone of the Pioneer Gala hosted by the Leon Valley Historical Society from 6:30 p.m. until 10:30 p.m. on October 16th. Tickets are \$40.00 per person.

Adjournment.

Mayor Riley announced the meeting adjourned at 10:16 p.m.

These minutes approved by the Leon Valley City Council on the 1st of December, 2015.

APPROVED



**CHRIS RILEY
MAYOR**

ATTEST:



**SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY**

