

## CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS, JANUARY 18, 2011

The City Council of the City of Leon Valley, Texas, met on the 18<sup>TH</sup> day of January, 2011 at 7:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

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### REGULAR CITY COUNCIL MEETING – 7:00 P.M.

#### **Call to Order, Determine a Quorum is Present, and Pledge of Allegiance.**

Mayor Riley called the Regular City Council Meeting to order at 7:00 p.m. and asked that the minutes reflect that the following City Council Members were present: Garcia, Reyna, Baldrige, Dean, and Nelson.

City staff in attendance: Interim City Manager Brummett, City Attorney McKamie, City Secretary Willman, Finance Director Wallace, Fire Chief Irwin, Human Resources Director Caldera, Police Chief Wallace, and Public Works Director Vick. Also present: Pat Wagner, City Auditor, Holtman, Wagner & Company, L.L.P., Certified Public Accountants.

Christopher Osborne, of Boy Scout Troop 789 of the Prince of Peace Church on Grissom Road, led the assembly in reciting the Pledge of Allegiance. Mayor Riley noted that Christopher Osborne is earning a badge in Citizenship in the Community to become an Eagle Scout.

#### **Presentations Agenda**

**Employee of the Month Award to Police Officer Chad Mandry.** Interim City Manager Brummett introduced January's Employee of the Month Chad Mandry, a TCLEOSE licensed Peace Officer. Mr. Brummett noted Officer Mandry's service with the City began in 2006 as a volunteer Reserve Officer with the Leon Valley Reserve Officer program, donating over 240 hours to the City. Officer Mandry's childhood dream was realized in 2007 with his becoming a full-time Patrol Officer. He is one of the Police Department's hostage negotiators and a self-defense instructor. He is being recognized for assisting EMS in administering CPR to a stroke victim and showing added compassion for the victim's spouse. Officer Mandry is married with two children. Officer Mandry expressed his appreciation for being a part of the City of Leon Valley's Police Department.

**Citizens to be Heard and Time for Objections to the Consent Agenda.** *"Citizens to be Heard" is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council for which the subject was not posted on the agenda of that meeting, the Council may receive the information, but cannot act upon it at that meeting. They may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion by the Council.*

No citizens came forward to be heard. Mayor Riley announced that Consent Agenda Item 4, the Minutes of the Regular City Council Meeting of January 4, 2011, and Regular Agenda Item 10, the Public Hearing and Action on M&C # 01-05-11, were pulled and will be considered at the next City Council Meeting.

Councilman Reyna requested Consent Agenda Item 6, the Quarterly Investment Report, be removed for separate consideration.

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Motion for approval of Consent Agenda Items 5, 7, and 8, was made by Councilman Reyna and seconded by Council Member Baldrige. Voting in favor: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting against: None. Mayor Riley announced the motion carried.

### Consent Agenda

*All of the following items on the Consent Agenda are considered to be self-explanatory by the Council or have been previously discussed and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests.*

4. **Consider Approval of the Minutes of the Regular City Council Meeting of January 4, 2011. (Willman) [Pulled for consideration at the next Regular City Council Meeting.]**
5. **Consider Action on M&C # 01-01-11 Requesting Approval of Bank Signature Cards and Approval of a Resolution Amending the Authorized Representatives for Tex Pool. (V. Wallace)**
6. **Consider Approval of Quarterly Investment Report. (V. Wallace) [Pulled for separate consideration. See Agenda Item in the Regular Agenda Section.]**
7. **Consider Action on M&C # 01-02-11 Requesting Authorization for the City Manager to Renew the Independent Contractor Agreement with Robert Tome for Storm Water Management Services for Fiscal Year 2011. (Vick/Stolz)**
8. **Consider Action on M&C # 01-03-11 Authorizing the City Manager to spend up to \$1500.00 for postcard notification to the public, and up to \$125.00 for refreshments for the upcoming Town Hall Meeting on January 29, 2011.**

### Regular Agenda

6. **Consider Approval of Quarterly Investment Report. (V. Wallace) [Pulled for separate consideration. See Agenda Item in the Regular Agenda Section.]**

Councilman Reyna asked if it is possible to put the information on the City's website. Staff affirmed the information can be loaded onto the City's website.

Motion for approval of the Quarterly Investment Report by Councilman Reyna and second by Councilman Garcia. Voting in favor: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting against: None. Mayor Riley announced the motion carried.

9. **Consider Action on M&C # 01-04-11 Approving Comprehensive Annual Financial Report for Fiscal Year 2010. (Pat Wagner)**  
City Auditor Pat Wagner introduced the Comprehensive Annual Financial Report (CAFR) informing the Council on the methodology and accounting standards used for the audit. She concluded with the opinion that the information is fairly stated in all material aspects in relation to the financial statements as a whole. She noted various fund balances.

Ms. Wagner read the Management Letter, including a comment on handling Impact Fees collected from developers for water system improvements. The fees are subject to refund if not spent within five years. She noted that the improvement projects that qualify for expenditure of impact fees should be identified and communicated to the Accounting Department for proper reporting. She further noted that the cash should be kept in an interest-bearing account.

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kept in an interest-bearing account.

The Council discussed the recommendation for adoption and use of a fraud policy. City Attorney McKamie commented on fraud situations in other cities. He indicated that the City of Leon Valley has pretty good cash handling procedures.

Motion by Councilman Reyna and second by Council Member Nelson to approve the Comprehensive Annual Financial Report for Fiscal Year 2010. Voting in favor: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting against: None. Mayor Riley announced the motion carried.

10. **Conduct a Public Hearing and Consider Action on M&C # 01-05-11 with Attached Resolution - a Request to Approve and Authorize the Leon Valley Economic Development Corporation (LVEDC) Project Request for Use of 4b Economic Development Sales Taxes in Excess of \$10,000 for a Consulting Contract with Robert Yakas Designs for Project-Related Work on the Leon Valley Town Center Project. (Ryan/Mike Davis, LVEDC) [Pulled for consideration at the next Regular City Council Meeting.]**

- A. Presentation by the Leon Valley Economic Development Corporation on the Proposed Project.**
- B. Open Public Hearing.**
- C. Close Public Hearing.**
- D. Council to Consider Action on Attached Resolution.**

**Discussion Agenda**

11. **Discuss M&C # 01-06-11 – a Request to Authorize a Clothing and Shoe Recycling Program. (Gene Marek/Jonathan Vela)**

Gene Marek, Earthwise Living Committee Member, informed the Council that the Earthwise Living Committee considered the American Textile Recycle Service (ATRS) Program. The Committee considered that ATRS is a professional operation located in several cities. The Committee noted the locally-based professional operation which oversees the operation. Mr. Marek introduced Jonathan Vela, ATRS Community Relations Coordinator.

Mr. Vela summarized the benefits of the Program as designed to help with textile recycling for a positive environmental impact with up to 3 collection pick-up trips, if needed.

City Attorney McKamie informed the Council that there is no permitted use for this type of bin. The use would require zoning consideration with modification for a non-attended donation box program.

Council discussed various aspects of the Program including donation per pound, recycling of donated materials, the location of the Program facility that does the fiber-by-fiber teardown, and the minimum time for a trial basis. Also noted is the need for a very restrictive contract in terms of response for collection of materials, including overflow items.

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Economic Development Director Ryan expanded on a rough draft of an outline for the Town Hall Meeting. The Council discussed additional information which may be needed, the process for the conduct of the meeting, individual Council section assignments.

A question was brought up regarding if the purpose of the Town Hall Meeting is to update the City's Strategic Plan. Indications were that it is not the specified purpose for the Town Hall Meeting but that some information may be useful in updating the Strategic Plan. The expected result of the Town Hall Meeting is to get input on the various topics and obtain consensus on the various topics. There may be some comparison between the final outcome of the Town Hall Meeting indicators as apply to the City's Strategic Plan.

13. **City Manager's Report. (Brummett)**

Mr. Brummett noted some miscellaneous items:

The City Engineer is committed to be present at the second meeting in February on the progress of the hike and bike trails. He noted the problem with space due to a lack of right-of-way access.

Mr. Brummett passed along sample colors for painting the City Hall exterior. He asked for input by the end of the week following the Council meeting.

Mr. Brummett noted that sales tax collections representing two months for this fiscal year is 5.22 percent for year-to-date.

CPS delivered an antiquities permit application form to Interim City Manager Brummett from the Texas Historical Commission for the power line re-work which includes a walk-through the area to ensure there are no antiquity objects located in the work area. Mr. Brummett will be signing the form for the City.

**A. Financial Statement for December 2010.** Mr. Brummett stated there is not much to determine from the Financial Statement due to it being very early in the fiscal year.

**B. Monthly Departmental Reports.**

14. **Citizens to be Heard.** No citizens came forward to be heard.

15. **Executive Session in Accordance with the Texas Government Code.**

The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations, 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development). There was no Executive Session held.

16. **Announcements by the Mayor and Council Members.**

*At this time, reports about items of community interest regarding which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or*

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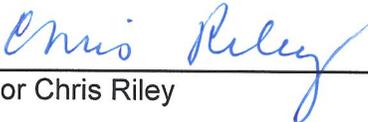
*sponsored by the governing body or that was or will be attended by a member of the Leon Valley Council or a City official.*

**Community Events:**

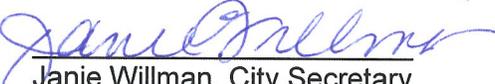
- A. Bandera Road Site Community Advisory Group (CAG) Meeting, Thursday, January 20, 2011 at 6 p.m. at the Leon Valley Conference Center, 6421 Evers Road, Leon Valley, Texas, 78238.** Councilman Garcia reported the CAG Meeting date and time. He also reported that he attended Vision 2050 Meeting earlier in the day. There will be a general meeting for the public on January 19 from 5 to 8 p.m. at the Tri-Point YMCA.
  
- B. Town Hall Meeting at Leon Valley Conference Center on Saturday, January 29, 2011 from 8:30 a.m. to 12:30 p.m. to Discuss Upcoming Initiatives Related to the City's Strategic Plan (Mayor Riley)**
- C. 22<sup>nd</sup> Annual Earthwise Living Day, February 26, 2011, Leon Valley Community Center at 6427 Evers Road (Mayor Riley)**

Mayor Riley announced the City Council will have a special meeting for the conduct of an Executive Session to allow the Council to continue its work of finding a new city manager on Monday, January 24 at 5:30 p.m. She also reported on the success of the first Walk and Talk with the Mayor which resulted in 12 to 15 persons participating. She pointed out some of the beneficial information shared. Due to the success of the event, the next Walk and Talk with the Mayor is scheduled for April 2.

17. **Adjourn.** Motion by Councilman Dean and second by Council Member Baldrige to adjourn at 8:23 p.m.

  
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Mayor Chris Riley

ATTEST:

  
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Janie Willman, City Secretary

