

CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS, JUNE 7, 2011

The City Council of the City of Leon Valley, Texas, met on the 7th day of June 2011 at 5:30 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:

SPECIAL CITY COUNCIL WORK SHOP MEETING - 5:30 P.M.

1. Call to Order, and Determine a Quorum is Present

Mayor Riley called the Special City Council Work Shop Meeting to order at 5:32 p.m. and asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, Dean, and Bieber. Mayor Riley announced that Council Member Baldrige recused herself and was absent the meeting for that reason.

City staff in attendance: City Manager Longoria, and City Secretary Willman.

Also in attendance: Mr. Al Baldrige and Mr. Stephen Ynostrosa.

2. Executive Session in Accordance with the Texas Government Code.

A. The City Council of the City of Leon Valley will Convene in Executive Session Pursuant to Section 551.074 Personnel Matters, to Interview the Leon Valley Economic Development Corporation (LVEDC) Candidates for LVEDC Director, M&C # 06-01-11.

Mayor Riley announced that the Leon Valley City Council was going to convene in Executive Session Pursuant to Section 551.074, Personnel Matters, to interview the Leon Valley Economic Development Corporation (LVEDC) candidates for LVEDC Director, M&C # 06-01-11.

Councilman Reyna challenged the use of the Executive Session Section 551.074 for the purpose of interviewing the LVEDC candidates as they are neither employees nor officers of the City. Mayor Riley called upon City Manager Longoria. Mr. Longoria indicated that the City Attorney had reviewed the agenda posting and had not indicated any problem with the language. He offered to call the City Attorney. Mayor Riley and Councilman Dean agreed it was better to call the City Attorney. City Manager Longoria and City Secretary Willman left the Council Chambers to call the City Attorney. Mayor Riley announced the City Council was taking a short break while they waited for the City Manager to return.

City Manager Longoria suggested the City Council table this item until the City Attorney renders a legal opinion.

Mayor Riley announced there was an objection to the Executive Session. The Council tabled the Executive Session until a legal ruling could be obtained from the City Attorney.

Motion by Councilman Reyna and second by Councilman Dean to table this agenda item to conduct interviews of the LVEDC candidates as scheduled by the chair to the next City Council Meeting pending the determination of the City Attorney. Voting went as follows: Aye: Hill, Reyna, Dean, and Bieber. Nay: None. Absent: Baldrige. Mayor Riley announced the motion carried.

CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS, JUNE 7, 2011

B. The City Council of the City of Leon Valley will Reconvene into Open Session and Take Any Possible Actions Resulting Out of Executive Session.

Adjournment. Motion by Councilman Reyna and second by Councilman Biever to adjourn until the 7 p.m. meeting.

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

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

Mayor Riley called the Regular City Council Meeting to order at 7:02 p.m. and asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, Baldrige, Dean, and Biever.

City staff in attendance: City Manager Longoria, City Attorney McKamie, City Secretary Willman, Community Development Director Flores, Economic Development Director Ryan, Finance Director Wallace, Fire Chief Irwin, Human Resource Director Caldera, Librarian Trent-Miller, Police Chief Wallace, Public Works Director Vick, Assistant Public Works Director Stolz. Others in attendance: Kathryn Word.

Mayor Riley led the assembly in reciting the Pledge of Allegiance. Mayor Riley asked that the assembly observe a moment of silence to honor City employee, Karen Jarrett, who passed away over the weekend following a short illness. Mayor Riley dedicated the meeting in her memory and extended condolences to Ms. Jarrett's family and City staff, especially the Community Development Department.

2. Good Neighbor Award Presentation. Good Neighbor Award to Tom and Lori Kelley, Forest Oaks Community Association and Cathy and Gail Nelson, Leon Valley Community Association, for Swimming Pool Recreational Support for the City of Leon Valley.

Mayor Riley announced that the Nelsons were not present at the meeting and their presentation would be re-scheduled to the June 21 meeting.

Tom Kelley received the Good Neighbor Award for his and Lori Kelley's efforts to keep the Forest Oaks Community Association operational and available for family entertainment. Mr. Kelley detailed the hard work and efforts on the part of the Forest Oaks Community Association, and by Lori Kelley, in particular over a two year period. He invited those present to join and enjoy the pool.

3. Citizens to be heard and time for objections to the Consent Agenda.

No citizens came forward to speak before the City Council. Councilman Reyna asked that Consent Agenda Items 9 and 10 be pulled from the Consent Agenda for separate consideration.

Motion by Councilman Reyna and second by Council Member Baldrige to approve Consent Agenda Items 4, 5, 6, 7, 8, and 11. Voting in favor: Hill, Reyna, Baldrige, Dean, and Biever. Voting against: None. Mayor Riley announced the motion carried.

Consent Agenda

4. Consider Approval of the Minutes of the May 17, 2011 Minutes of the Regular City Council Meeting. (Willman)

CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS, JUNE 7, 2011

5. **Consider Approval of the May 23, 2011 and May 28, 2011 Minutes of the Special City Council Meetings. (Willman)**
6. **Consider Action on M&C # 06-02-11 with Attached Resolution Approving the Signature Cards for Frost National Bank and Amending the Authorized Representatives for TexPool. (V. Wallace)**
7. **Consider Action on M&C # 06-03-11 Regarding Approval of Budget Adjustments for the Police Forfeiture Trust Fund to Implement a System for Citizens to View Criminal Activity in Leon Valley. (Chief Wallace)**
8. **Consider Action on M&C # 06-04-11 Funding Municipal Well Retrofit as Presented by TD Industries (TDI) and Approve a Request to Authorize the City Manager or His Designee to Negotiate with TDI on the City's Behalf. (Word)**
11. **Consider Action on M&C # 06-07-11 Appointment to City Boards, Committees, and Commissions: Board of Adjustment, the Business Managers' and Owners' Alliance Committee (BOMA), the Zoning Commission, and the Capital Facilities Committee. (Mayor Riley).** The following persons were appointed as follows: Carmen G. Sanchez to BOMA; Olen Yarnell, Al Uvietta, and Pedro Esquivel to the Capital Facilities Committee; Sharon Wyeth to the Earthwise Living Committee; and Carmen G. Sanchez, Alternate 2, Zoning Commission, and Phyllis McMillan, Alternate 3, Zoning Commission.
9. **Consider Action on M&C # 06-05-11 Final Acceptance of Public Improvements at Lots 21-44, Block 10, Lots 8-34, Block 13, Lots 1-33, Block 14, CB 4429, the Ridge at Leon Valley Unit #3. (Flores)** Community Development Director Flores introduced this agenda item as being a final petition for the Council to consider final acceptance of public improvements: water, sanitary sewer, and streets. The City Council previously approved the plat of The Ridge at Leon Valley Unit #3 on October 5, 2009. On May 10, 2011, City Engineer Sayyadi and the Public Works Department inspected the public improvements and found them acceptable. The applicant posted a Site Trust Agreement in the amount of \$148,200 (ten percent of the actual cost of construction of improvements) to guarantee compliance with the one-year maintenance agreement to be released upon final approval of the petition by City Council.

Motion by Councilman Bieber and second by Council Member Hill to accept the public improvements. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

10. **Consider Action on M&C # 06-06-11 Final Acceptance of Public Improvements at Lot 15, Block 1, CB 4428H, Zamorano Subdivision. (Flores)** Community Development Director Flores introduced this agenda item as being a final petition for the Council to consider final acceptance of public improvements: water, sanitary sewer, and streets. The public improvements were previously inspected in December of 2003 by then City Engineer Patrick Wright. The applicant was advised to submit the needed paperwork to close out the project. The action was not taken by the applicant in 2003. Accordingly, in an effort to close out an old file, the public improvements were recently re-inspected by City Engineer Sayyadi and the Public Works Department and found to be acceptable.

Motion by Councilman Reyna and second by Council Member Baldrige to accept the public improvements. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS, JUNE 7, 2011

Regular Agenda

12. **Consider Action on M&C # 06-08-11 Regarding Election of Mayor Pro Tem. (Mayor Riley)** Mayor Riley introduced this agenda item as being for the purpose of the Council electing from amongst its membership a mayor pro tem to serve for a one year period June 8, 2011.

Council Member Baldrige placed the name of Councilman Dean in nomination and asked if he was willing to serve. Councilman Dean indicated his willingness to serve.

Motion by Council Member Baldrige and second by Councilman Reyna for Councilman Dean to serve as the Mayor Pro Tem. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

13. **Discuss and Consider Action on M&C # 06-09-11 Authorizing the City Manager to Negotiate and Enter into a Contract for Broker Services for Employee Group Health Insurance Plans. (Caldera)**

Human Resources Director Caldera introduced this item as seeking authorization for the City Manager to negotiate and enter into a contract for professional services for an Insurance Agent of Record for the City's employee group health insurance plans.

The services of a professional insurance broker serving as the City's Insurance Agent of Record, provides expertise in identifying the best group plans that meets the City's needs, could bring current knowledge of market trends in rates and plan structures, and may present a larger client pool to the negotiating table.

Ms. Caldera detailed the selection criteria phases, the processes used, employee participants functioning as the Employee Insurance Benefits Committee.

All nine proposals met all of the submission requirements. The proposals were ranked based on price, years of experience of the representative who would be directly working with the City, and the number of cities the company currently has as clients. The three companies with the highest scores were Alamo, Gallagher, and Villarreal insurance group. The committee felt that all three candidates were qualified. However, the committee viewed the national leverage that Gallagher Benefits Services has as a possible advantage to the City during rate negotiations. Reference checks of the three companies came back favorable.

The Council asked a number of questions regarding how the percentage paid for broker services would affect monthly premiums and if any cost savings could be realized. Other questions involved the total number of clients each firm serviced as well as current experience with other Bexar County municipalities. Each representative addressed the Council detailing their respective firm's experience. The broker's services are paid through the current monthly premiums paid.

Motion by Council Member Hill seconded by Councilman Dean to accept Gallagher Benefit Services, Inc., for a one year period with a one year extension. Mayor Riley asked for a roll call vote with the following results: Aye: Hill, Baldrige, and Dean. Nay: Reyna and Bieber. Mayor Riley announced the motion carried.

CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS, JUNE 7, 2011

- 14. Consider Action on M&C # 06-10-11 Awarding the Bid and Contract to H L Zumwalt Construction for the 2011 Water and Sanitary Sewer Improvement Projects in the Amount of \$181,561.35. (Stolz)**

Assistant Public Works Director Stolz briefed the Council on this agenda item. The City received bids for the 2011 Water and Sanitary Sewer Improvement Projects including 15 bids received with one bidder rejected based on the lack of the bidder qualification statement. The bid received and recommended for the Council's approval was from H.L. Zumwalt Construction in an amount of \$181,561.35. The work to be done involves a number of projects replacing concrete sewers, removing a sanitary manhole, and installing 8 inches of water line to loop the line between the Community Center and the Public Works Department.

Council asked about the recommended bidder's references. Mr. Stolz indicated the references were checked and were found to be favorable.

Motion by Councilman Dean seconded by Councilman Reyna to award the bid and contract to H.L. Zumwalt Construction for the 2011 Water and Sewer Improvement Projects in the amount of \$181,561.35. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Discussion Agenda

- 15. Update City Council on Poss Road, M&C # 06-11-11. (Vick)** Public Works Director Vick briefed the Council on the emergency repairs made to Poss Road necessitated by a water leak reported on May 14. An 8 inch water main had broken and breached the roadway. The repairs were completed on May 16, with Ramming Paving Company installing new pavement. The road was reopened to traffic on May 31. The repair costs will be paid under the Street Maintenance Tax budget in the amount of \$15,051.50. There were no water service disruptions to consumers. The water leak was not related to the earlier Poss Road construction.

- 16. City Manager's Report. (Longoria)**

A. Informational Issues. Mr. Longoria reported there will be a new City Council Member Orientation conducted on Monday, June 20 beginning at 8 a.m. and concluding at 12:30 p.m. The Fiesta Dodge Dealership Charrette was announced. He indicated there may be some zoning issues once the charrette is completed. The City Contracts grid will be scheduled for review under a future agenda. Information related to the Council calling the election for the renewal of the street maintenance sales tax will be scheduled on a future agenda. Details were provided regarding Ms. Karen Jarrett's funeral services.

B. Future Agenda Items.

- (1) Towing Contract Request for Proposals (June 21)**
- (2) Consider Upcoming Contract Renewals and/or Bidding Processes**
- (3) Board, Committee, and Commission Appointments Following May Elections.** Mayor Riled announced the appointments made this evening and encouraged others to apply for service.
- (4) Fiesta Dodge Dealership Land Use**
- (5) Call Election for Renewal of Street Maintenance Sales Tax**

CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS, JUNE 7, 2011

17. **Citizens to be Heard.** No citizen came forward to be heard.

18. **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 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. **Wednesday, June 22nd, Fiesta Dodge Dealership Charrette, City of Leon Valley Community Center, 6427 Evers Road, 7 p.m. – 8:30 p.m. (Mayor Riley)**
- B. **Saturday, July 2nd, Next Quarterly Walk and Talk with the Mayor. (Mayor Riley)**
- C. **Monday, July 4th, July 4th Parade (Mayor Riley)**

Council Member Baldrige shared that the Leon Valley Historical Society (LVHS) met on June 2 to sign a contract for the architects to do the proposal for the construction and grant application process. She indicated the LVHS hopes to be meeting with the architect shortly to address the demise of the chicken coops and the beautification of the frontage property. The fencing replacement will be coming up shortly. The LVHS annual Fall dinner is scheduled for Friday, October 28. Details will follow. Mrs. Baldrige asked about the retention of records of public infrastructure not being available. She asked if that is usual for records not to be kept on infrastructure. Mr. Baldrige indicated it is very common for that have happened to older records. Mr. Longoria indicated the technologies have improved facilitating records retention. He shared that all cities large and small struggle with the same issue of retaining records. Mrs. Baldrige indicated it would be helpful to get the matter of records under control again.

Mr. Longoria asked City Secretary Willman to speak to the issue of records storage and retention. Willman indicated she had recently visited with a vendor who has a software designed to address such a problem but that the cost is expensive. Staff will continue to research the matter further and bring information to the Council for consideration.

Executive Session

19. 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). No Executive Session was held under this Agenda Item.
20. **Adjourn.** Motion to adjourn at 8:15 p.m. by Council Member Hill seconded by Council Member Baldrige.

CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS, JUNE 7, 2011

Chris Riley
Mayor Chris Riley

ATTEST:

Janie Willman
Janie Willman, City Secretary

