

CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS, AUGUST 16, 2011

The City Council of the City of Leon Valley, Texas, met on the 16th day of August 2011 at 6:30 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 MEETING – 6:30 P.M.

1. **Call to Order and Determine a Quorum is Present.** Mayor Riley called the Special City Council Meeting to order at 6:29 p.m., having determined a quorum of the City Council was present with the following City Council Members present: Hill, Reyna, Baldrige, Dean, and Bieber.

The following staff members were in attendance: City Manager Longoria, Attorney McKamie, City Secretary Willman, and Human Resources Director Caldera.

2. **Executive Session in Accordance with the Texas Government Code.**
 - A. The City Council of the City of Leon Valley convened in Executive Session at 6:30 p.m. pursuant to Section 551.074, Personnel Matters, to deliberate the duties and responsibilities of public officers, the City of Leon Valley Economic Development Corporation Board Members, related to the upcoming appointments to the Board of the City of Leon Valley Economic Development Corporation, M&C # 08-09-11.
 - B. The City Council of the City of Leon Valley reconvened into Open Session at 7:12 p.m. and considered the following motion arising out of the Executive Session:

Motion by Councilman Reyna and second by Councilman Bieber to direct and authorize the City Manager to solicit input, advice, and guidance to select Economic Development Corporation Directors and to create a process that will allow the City of Leon Valley to have staggered board terms the way the City Council envisioned when it created the Leon Valley Economic Development Corporation. Mayor Riley restated the motion as being to recommend and seek applicants for the Leon Valley Economic Development Board and to begin the process of developing staggered terms in the manner in which the City Council envisioned. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

3. **Adjourn.** There being no other business to come before the City Council, the Special City Council meeting was adjourned at 7:14 p.m.
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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 7:30 p.m., having determined a quorum of the City Council was present with the following City Council Members present: Hill, Reyna, Baldrige, Dean, and Bieber.

The following staff members were 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

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Resources Director Caldera, Library Director Trent, Police Chief Wallace, Public Works Director Vick, and Assistant Public Works Director Stolz. Also in attendance were Grants Writer Word and Matthew Stedman, of Gallagher Benefits Services, the City's Insurance Agent of Record.

Council Member Baldrige led the assembly in the Pledge of Allegiance to the Flag.

2. **Proclamation: "Clean-up, Fix Up, and Paint Up Week" in the City of Leon Valley, the Week of August 29, 2011 through September 4, 2011. (Stolz)**

Mayor Riley presented Public Works Director Vick and Assistant Public Works Director Stolz with a proclamation setting the week of August 29, 2011 through September 4, 2011 as Clean-up, Fix Up, and Paint Up Week in the City of Leon Valley. Mr. Vick encouraged those present to participate in the City's Fall Clean-up Event taking care to observe the City's guiding rules in disposing of tree and materials waste.

3. **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.

Mayor Riley asked if there were any items to be pulled from the Consent Agenda for separate consideration. There being no items pulled, she announced that citizens interested in being heard should step forward to address the City Council.

Patty Manea, 6103 Britania Court, addressed the City Council informing them that Wendy Phelps, Zoning Commissioner, had been selected to be honored by the Dream Foundation. Ms. Manea indicated that Ms. Phelps, a multiple event cancer survivor, had been granted her wish of a white water rafting trip in Colorado. Ms. Phelps acknowledged her receipt of the honor and expressed appreciation for the support provided her over the years during her ongoing struggle with cancer.

Olen Yarnell, 7230 Sulky Lane, presented Mayor Riley with a cola soft drink, indicating that she was receiving a cola.

There being no other persons to step forward to address the City Council, the Council took action on the Consent Agenda.

Motion by Councilman Reyna and second by Council Member Baldrige to approve Consent Agenda Items 4 and 5. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: 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 in Open Session and will be enacted with one

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motion. There will be no separate discussion of these items unless a Council Member so requests.

4. **Consider Approval of the Meeting Minutes of the City Council Meetings of August 2, 2011 Meetings: Special Joint Meeting of the City of Leon Valley City Council and the City of Leon Valley Economic Development Corporation Board of Directors, City Council Budget Workshop, and Regular City Council Meeting. (Willman)**
5. **Consider Action on M&C # 08-10-11, Appointment of Members to City of Leon Valley Boards, Committees, and Commissions; Business Managers' and Owners' Alliance Committee (BOMA), and the Earthwise Living Committee. (Mayor Riley)**

Regular Agenda

6. **Consider Action on M&C # 08-11-11, a Request to Award the Bid for the Employee Health Insurance Program. (Caldera/Gonzales & Stedman)**

Human Resources Director Caldera introduced a presentation regarding the Employee Health Insurance options. Matt Stedman, the City's Insurance of Record Agent, addressed the City Council answering questions regarding an opportunity to have multi-year discounts capping increasing in future years.

Motion by Council Member Hill and second by Biever to award the bid to Aetna and authorize the City Manager to execute the contract. Councilman Reyna asked if the Council agreed with the request to seek a cap. Upon the Council's confirmation, Councilman Reyna offered a friendly amendment to the original motion as follows:

Motion by Councilman Reyna to direct the City's Insurance of Record to check with Aetna regarding possible caps up to 10 percent in the next and successive years. Mr. Stedman noted that any increases would be affected by the City's actual claims experience on a loss ratio basis.

The Council then voted on the amended main motion unanimously in favor. Mayor Riley announced the motion carried.

7. **Conduct a Public Hearing and Consider Action on M&C # 08-12-11 on Attached Ordinance Approving and Adopting the Fiscal Year 2011-2012 Budgets and Associated Capital Acquisition Plans, Including the General Fund, the Water and Sewer (Enterprise) Fund, the Community Center Fund, the Street Maintenance Tax Fund, Grant Fund, Building Security Fund, Child Safety Fund, Municipal Court Technology Fund, Debt Service Fund, and Police Forfeiture Fund. (Longoria)**

City Manager Longoria introduced an overview of the Fiscal Year 2011-2012 Budgets and Associated Capital Acquisition Plans highlighting the main provisions in the current year budget including the staff's recommendation of the effective tax rate of \$.535510 with a 2 percent Cost of Living Adjustment (COLA) effective October 1st with savings from property, liability, and health insurance.

- A. **Open Public Hearing.** Mayor Riley opened the public hearing at 8:15 p.m.
Al Uvietta, 6923 Sunlight Drive, strongly urged the City Council to pass the budget with a Cost of Living Adjustment.
Olen Yarnell, 7230 Sulky Lane, supported a Cost of Living Adjustment.
Al Baldrige, 6368 Parsley Hill, thanked the City Manager for his efforts on the

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budget, encouraged the Council to hold the line on taxes, and favored a cost of living adjustment.

- B. Close Public Hearing.** Mayor Riley closed the public hearing at 8:22 p.m., there being no other persons to come forward to speak.
- C. Action by City Council.** Motion by Councilman Dean and second by Councilman Bieber to pass the Ordinance approving and adopting the Fiscal Year 2012 Budget with associated Capital Acquisition Plans as presented with a 2 percent cost of living increase. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.
- 8. Consider Action on M&C # 08-13-11 with Attached Ordinance, a Request to Ratify the Fiscal Year 2012 Budget That Will Raise More Total Property Taxes Than Last Year's Budget By \$13,804 or .4609% and of that Amount \$51,086.94 is Tax Revenue to be Raised from New Property Added to the Roll This Year. (Longoria)**
Motion by Councilman Bieber and second by Council Member Hill to adopt the Ordinance ratifying the Fiscal Year 2012 Budget. Voting Aye: Hill, Baldrige, Dean, and Bieber. Voting Nay: Reyna. Mayor Riley announced the motion carried by a vote of 4 to 1 in favor.
- 9. Consider Action on M&C # 08-14-11 with Attached Ordinance, Setting the 2011 Tax Rate for the Maintenance and Operations Portion of the Tax Rate at \$.472701 for a Total Tax Rate of \$.535510, Which is the Effective Tax Rate. (Longoria) (Record Vote)**
Motion by Council Member Baldrige and second by Councilman Dean to adopt the Ordinance setting the 2011 Tax Rate for the Maintenance and Operations portion of the Tax Rate at \$.472701 for a total tax rate of \$.535510, which is the effective tax rate. Mayor Riley called for the Record Vote. Voting went as follows: Hill – Aye, Reyna – Nay, Baldrige – Aye, Dean – Yes, Bieber – Yes. Mayor Riley announced the motion carried by a vote of 4 to 1 in favor.
- 10. Consider Action on M&C # 08-15-11 with Attached Ordinance, Setting the 2011 Tax Rate for the Interest and Sinking Portion of the Tax Rate at \$.062809 for a Total Tax Rate of \$.535510, Which is the Effective Tax Rate. (Longoria) (Record Vote)**
Motion by Council Member Baldrige and second by Councilman Dean to adopt the Ordinance setting the 2011 Tax Rate for the Interest and Sinking portion of the Tax Rate at \$.062809 for a total tax rate of \$.535510, which is the effective tax rate. Mayor Riley called for the Record Vote. Voting went as follows: Hill – Aye, Reyna – No, Baldrige – Yes, Dean – Yes, Bieber – Yes. Mayor Riley announced the motion carried by a vote of 4 to 1 in favor.
- 11. Consider Action on M&C # 08-16-11 with Attached Ordinance, Repealing and Replacing Appendix A Fee Schedule Article A11.000 Water and Sewer Fees Section A11.001 and Providing a Conflicts Provision, a Request to Approve the Water and Sanitary Sewer Rate Increases for Fiscal Year 2012 by 3% Effective with the November 2011 Billings. (Stolz)**
Motion by Councilman Dean and second by Councilman Bieber to adopt the Ordinance, repealing and replacing the Appendix A Fee Schedule, approving the Water and Sanitary Sewer Rate Increases for Fiscal Year 2012 by 3 percent effective with the November 2011 billings. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.
- 12. Consider Action on M&C # 08-17-11 with Attached Ordinance, a Request to Approve and Amend the Leon Valley Code of Ordinances, Appendix A, "Fee Schedule," Article A.6000, "Food Establishments," to Increase the Temporary Food License Fee and Regular Food License Fees. (Flores)**

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- Motion by Councilman Bieber and second by Councilman Dean to adopt the Ordinance approving and amending the Leon Valley Code of Ordinances, Appendix A, "Fee Schedule," Article A.6000, "Food Establishments," to increase the temporary food license fee and regular food license fees. Voting: Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.
13. **Consider Action on M&C # 08-18-11 with Attached Ordinance, a Request to Approve and Amend the Leon Valley Code of Ordinances, Appendix A, "Fee Schedule," Article A.8000, "Building and Construction Related Fees," to increase the Base Permit Fee and to Add Building Plan Review Fees. (Flores)**
Motion by Council Member Baldrige and second by Council Member Hill to adopt the Ordinance approving and amending the Leon Valley Code of Ordinances, Appendix A, "Fee Schedule," Article A.8000, "Building and Construction Related Fees," to increase the base permit fee and to add building plan review fees. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.
14. **Consider Action on M&C # 08-19-11 with Attached Resolution, a Request to Approve and Adopt the City of Leon Valley Economic Development Corporation's Proposed Budget for Fiscal Year 2012. (Mike Davis, LVEDC President)**
Motion by Council Member Hill and second by Councilman Reyna to adopt the Resolution approving and adopting the City of Leon Valley Economic Development Corporation's Proposed Budget for Fiscal Year 2012. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.
15. **Consider Action on M&C # 08-20-11, a Request to Accept the Bid and Award the Contract for the Poss Road Reconstruction Project to San Antonio Constructors and Authorize the City Manager to Sign the Contract in the Amount of \$106,750.60 and Authorize Change Orders Up to An Additional 25 percent of the Bid Amount. (Vick/De La Garza)**
Motion by Councilman Dean and second by Councilman Reyna to accept the bid and award the contract for the Poss Road Reconstruction Project to San Antonio Constructors and authorize the City Manager to Sign the Contract in the amount of \$106,750.60 and authorize change orders up to an additional 25 percent of the Bid Amount. Voting went as follows: Ayes: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Mayor Riley thanked the City Manager and staff for their efforts on the budget.

Discussion Agenda

16. **Update the City Council on Dangerous or Vicious Dogs Policy, M&C # 08-21-11. (Flores)**
Community Development Director Flores updated the City Council regarding the complaint of a vicious dog attempted attack by a pit bull on Mr. and Mrs. Stahl who live in the Forest Oaks Subdivision. They asked the City to see if anything can be done about the dog and consider banning pit bulls in the City of Leon Valley. The dog's owner was apologetic for allowing the dog to get out as the front door opened and the Stahls were walking by. The dog owner received a warning per the City's policy. Ms. Flores indicated pet ownership is important to keeping dogs safe. There is no legislation banning breed specific dogs. Staff will be following-up with the Stahls who were invited to the City Council Meeting.

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17. **Update the City Council on the Status of City Grants in Progress, M&C # 08-22-11. (Word)**
Kathryn Word, City Grants Writer, updated the City Council on the City Grants in progress.
18. **City Manager's Report. (Longoria)**
- A. Informational Issues**
- (1) Fiesta Dodge Dealership Land Use Planning Workshop, August 31, 2011
 - (2) Monthly Financial Report for the Month of July 2011.
 - (3) Monthly Departmental Reports for July 2011.
 - (4) Other Informational Issues
- B. Future Agenda Items.**
- (1) Zoning Ordinance Amendment, September, 2011.
 - (2) Bid Award on Web RFP, September, 2011
 - (3) Towing Contract
 - (4) Library Architecture Design Service Contract
19. **Citizens to be Heard.** There were no citizens to come forward to be heard.
20. **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. Grandparents Day Celebration, September 11, 2011, 2 p.m. – 4 p.m., Leon Valley Community Center, 6427 Evers Road, Leon Valley, 78238.**
- B. September 11, 2011 Patriot Day Remembrance Ceremony, 4 p.m. – 7 p.m., Leon Valley Conference Center, 6421 Evers Road, Leon Valley, 78238.**

Council Member Baldrige thanked Community Development Director Flores for her efforts to get the residents of the Ridge their Quarterly Lion's Roar delivered directly to the homeowners.

Mayor Riley indicated that the Forest Oaks Community Association Pool has Water Aerobics which has been extended recently in case anyone is interested.

Mayor Riley presented Mr. Longoria with a birthday appreciation dessert and Councilman Reyna with a birthday cake. Both gentlemen were treated to the birthday song.

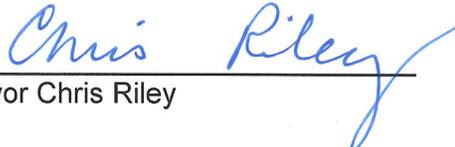
Executive Session

21. 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),

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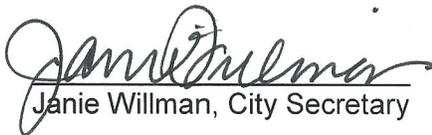
551.073 (deliberations about gifts and donations, 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development). There was no Executive Session held under this Agenda Item.

22. **Adjourn.** There being no other business to come before the City Council, the meeting was adjourned at 9:24 p.m.



Mayor Chris Riley

ATTEST:



Janie Willman, City Secretary

