

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
MARCH 20, 2012**

The City Council of the City of Leon Valley, Texas, met on the 20th of March, 2012 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:

REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7:00 P.M.

1. Call the City of Leon Valley Regular City Council Meeting 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. with all City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

City Staff in attendance: City Manager Longoria, City Attorney McKamie, City Secretary Willman, Community Development Director Flores, Economic Development Director Mora, Finance Director Wallace, Fire Chief Irwin, Police Chief Wallace, and Assistant Public Works Director Stolz.

Boy Scout Isiah Hough, Troop 680, a student of Communication Arts High School, led the assembly in the Pledge of Allegiance.

2. Citizens to be Heard and Time for Objections to the Consent Agenda. No citizens came forward to address the City Council.

Consent Agenda

3. Consider Approval of the Meeting Minutes of the March 6, 2012 Special Joint Leon Valley City Council and City of Leon Valley Economic Development Corporation Board Meeting. The City Council approved the draft minutes of the March 6, 2012 Special Joint Leon Valley City Council and City of Leon Valley Economic Development Corporation Board Meeting.

Motion by Councilman Reyna and second by Councilman Bieber to approve Consent Agenda Item 3. The motion carried on unanimous vote of the City Council. There were no votes against and no abstentions. Mayor Riley announced the motion carried.

Regular Agenda

4. Consider a Request by the Los Leones Student Arts Festival Planning Team for a Fee Waiver Allowing Participants to Pay Only Half the Amount Required for Temporary Food Permits, M&C # 03-06-12. The City Council approved a request to waive the cost of the temporary food permits for participants of Los Leones to pay only half of the cost of the current fees at \$20 per permit.

Community Development Director Flores introduced this item to the City Council. Ms. Flores introduced Dave Gannon who was present from Northside Independent School District to speak on behalf of the request. Mr. Gannon explained that all ten vendor groups are student organizations that use the event as a fund raiser. He noted that the increase in fees would impact the student organizations. It was noted that both Council Members Hill and Reyna are members of the Northside Independent School District

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Foundation and are not benefitting from voting on the matter this evening. City Attorney McKamie noted that it is not necessary for City Council Members to recuse themselves from voting on a matter because they are members of a related non-profit board.

Motion by Council Member Baldrige and second by Council Member Hill to approve the granting of the waiver of half the cost of the current \$20 fees because of the partnership between the Northside Independent School District, the City of Leon Valley and the public purpose of supporting fine arts education. The motion carried on unanimous vote of the City Council. There were no votes against and no abstentions. Mayor Riley announced the motion carried.

5. **Consider Authorizing the City Manager to Enter into a Contract for Incident Management and Consent Tows, along with Towing for the City of Leon Valley's Vehicle Fleet with Banis Towing, M&C # 03-07-12.** The City Council authorized the City Manager to enter into a contract with Banis Towing for private consent tows as well as towing for the City of Leon Valley's vehicle fleet for an initial five year period with one five year extension.

Police Chief Wallace introduced this agenda item to the City Council. Chief Wallace made a presentation to the City Council detailing the process used in determining Banis Towing as the selected vendor.

There was a question about what happens if the contractor doesn't perform in terms of meeting response times due to the recommended five year contract period. Chief Wallace indicated that the contract language under consideration would allow for the City monetary incentives if the vendor does not meet response times. An attendant question was raised about granting and renewing a contract of this nature, whether it could be for three periods, or be ongoing if satisfactory performance is obtained. There was staff and other City Council input affirming the five year length of the contract recommendation as being in proportion to the capital costs involved in acquiring and maintaining very expensive equipment for the operation of a towing business.

City Attorney McKamie responded to the question raised about the options to renew a contract of this nature, noting that a five year contract with five year extensions up to a 15 year maximum is an acceptable range, if the City Council so desires. He said that it is inappropriate to have ongoing contracts.

Motion by Councilman Dean and second by Councilman Biever to authorize the City Manager to enter into a contract for Incident Management and Consent Tows along with towing for the City of Leon Valley's vehicle fleet with Banis Towing for a period of five years with a five year extension. The motion carried on unanimous vote of the City Council. There were no votes against and no abstentions. Mayor Riley announced the motion carried.

6. **Consider an Ordinance Repealing and Replacing Appendix A Fee Schedule Article A11.000 Water and Sewer Fees, Section A11.001, Subsection (g) Edwards Aquifer Authority Fee, of Ordinance No. 11-018, and Providing a Conflicts Provision to Increase the Edwards Aquifer Authority (EAA) Fee from \$.1637 per 1,000 gallons to \$.2578 per 1,000 gallons as mandated by the EAA, M&C # 03-08-12.** The City Council adopted Ordinance 12-003, increasing the Edwards Aquifer Authority (EAA) Fee

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from \$.1637 per 1,000 gallons to \$.2578 per 1,000 gallons as mandated by the Edwards Aquifer Authority.

Assistant Public Works Director Stolz made a presentation to the City Council on this agenda item.

Motion by Councilman Dean and second by Council Member Hill to adopt the Ordinance approving the Edwards Aquifer Authority increase in water fees for Fiscal Year 2012. The motion carried by a vote of 4 in favor and 1 abstention. Voting Aye: Hill, Reyna, Baldrige, and Dean. Abstaining: Beaver. Mayor Riley announced the motion carried.

City Attorney McKamie recommended to staff that the adopted Ordinance caption include an effective date of the first day of the water billing cycle for April, 2012, with publication, as required by law, and providing a conflicts provision, as noted in the body of the enabling ordinance.

Adopted Ordinance No. 12-003, "Repealing and Replacing Appendix A Fee Schedule Article A11.000 Water and Sewer Fees Section A11.001, Providing an Effective Date of the First Day of the Water Billing Cycle for April, 2012, with Publication, as Required by Law, and Providing a Conflicts Provision."

Discussion Agenda

7. City Manager's Report. (Longoria)

A. Informational updates, as may be required. Mr. Longoria informed the City Council about the voter informational flyer developed and reviewed by counsel. He informed the City Council about the Notices of Election to be published in English and Spanish in the upcoming City Lion's Roar. He invited those present to attend the Special Town Hall Meeting on March 24 at 9 a.m. followed by City Hall Tours.

Mr. Longoria asked the City Council about scheduling the City Council – City Mahnager Retreat Work Session. Staff will be calling the City Council to determine a preferred date to enable the entire City Council to attend.

Mr. Longoria informed the City Council that four major contracts are up for renewal this year including: Solid Waste Management, City Engineers, City Attorney Services, and the City Audit Contract.

Council Member Hill asked about the progress of a procedure for reviewing City contracts. City Manager Longoria indicated there is a first draft developed but it is still under review with hopes to bring it back to the City Council within the next two months.

B. Monthly Departmental Reports. There were no questions raised about the Monthly Departmental Reports.

C. Financial Statement for the Month of February 2012. Finance Director Wallace made a presentation on the Financial Statement for the Month of February 2012.

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- D. Approved Minutes of City-Affiliated Boards, Committees, and Commissions.** This agenda item allows the City Council to review the work of City-affiliated boards, committees, and commissions through the publication of approved meeting minutes on an ongoing basis.
- (1) BOMA, Leon Valley Business Owners' and Managers' Association Meeting Minutes, September 13, 2011, and January 10, 2012 Meeting Minutes
 - (2) Earthwise Living Committee, January 31, 2012, February 7, 15, and February 21, 2012 Meeting Minutes.
 - (3) Park Commission, October 10 and November 14, 2011 Meeting Minutes. Park Commission, January 9, 2012 Meeting Minutes.
- E. Future Agenda Items.**
- (1) Agreement with CPS Energy regarding use of the Community Improvement Economic Development (CIED) Funds.

8. **Citizens to be Heard.** Following the vote, Mr. Don Banis, Banis Towing, 6213 Grissom, and former City Council Member Cathy Nelson, 6702 Yellow Rose, thanked the City Council for voting to contract with Banis Towing.

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

Community Events:

- March 24: Public Safety and Support Services Open House Tour, 6400 El Verde Road, Leon Valley, 78238, 9:00 a.m.-1:00 p.m.
- March 31: 16th Annual Los Leones Student Arts Festival, Leon Valley Community & Conference Centers, 6421 & 6427 Evers Road, Leon Valley, 78238, 8:30 a.m.-2:00 p.m.
- April 7: Next Quarterly Walk with the Mayor, re-scheduled from March 31 due to conflict with Los Leones. Meet at Tellez, 6501 Bandera Road, at 8:30 a.m. The walk will wind through Seneca Estates (Seneca I).
- April 14: Pet Vaccination Clinic, 10 a.m. – 12 Noon, Leon Valley Conference Center, 6421 Evers Road, Leon Valley, Texas 78238.

Councilman Bieber noted that there is a federal law that impacts public swimming pools that mandates having a wheelchair lift being installed.

Council Member Baldrige noted that the Forest Oaks Garden Club cleared about \$500 for the Garden Club's projects.

Councilman Reyna received a \$50 gift card to Barnes and Noble as an appreciation for his participating in a conference. He donated it to the City of Leon Valley.

Council Member Hill invited those present to the Town Hall Meeting on March 24 at 9 a.m. She also invited those present to attend the Commemoration Planning Meeting on Saturday at the Leon Valley Public Library.

Mayor Riley mentioned the upcoming DPS Mega Center on the Zoning Commission's meeting and a possible tour, depending on the progress of the Pflugerville Mega Center which is under construction. The City Manager will check and inform the City Council.

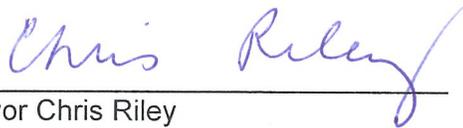
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Executive Session

10. 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).

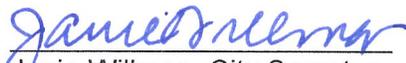
There was no Executive Session held under this agenda item.

11. **Adjourn.** Motion to adjourn without objection at 7:55 p.m. by Mayor Riley. There being other business to come before the City Council, Mayor Riley adjourned the meeting.



Mayor Chris Riley

ATTEST:



Janie Willman, City Secretary

