

NOTICE OF PUBLIC MEETING

AGENDA

LEON VALLEY CITY COUNCIL MEETING

APRIL 2, 2013, 7:00 P.M.

LEON VALLEY CITY HALL, CITY COUNCIL CHAMBERS

6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238

REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7 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)**
2. **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.

Note: City Council may not debate any non-agenda issue, nor may any action be taken on any non-agenda issue at this time; however City Council may present any factual response to items brought up by citizens [Attorney General Opinion – JC 0169].

Consent Agenda

3. **Consider Approval of the Regular City Council Meeting Minutes of March 19, 2013. (Willman)**

Regular Agenda

4. **Consider Ordinance Authorizing the City Manager to Utilize an On-Call Engineer List, M&C # 04-01-13.**

Discussion Agenda

5. **Discussion on the Request for Proposal (RFP) Process for Selecting the City Of Leon Valley's Insurance Agent of Record, M&C # 04-02-13. (Caldera)**
6. **City Manager's Report. (Longoria)**
 - A. **Legislative Update.**

- B. **Staff Report on the Neighborhood Sweep Program.**
- C. **Report on the Edwards Aquifer Drought Management and Water Restrictions.**
- D. **Approved Minutes of the City-Affiliated Boards, Committees, and Commissions.**
 - (1) Leon Valley Economic Development Corporation, Approved Meeting Minutes of February 27, 2013 Meeting.
 - (2) Zoning Commission Approved Meeting Minutes of January 29 and February 26, 2013 Meetings.
- E. **Future Agenda Items.**
 - (1) Presentation of Annual Report by the Leon Valley Historical Society, April 16.
 - (2) Consider Accepting Bid Award and Award of Water and Sewer Project Contract, April 16.
 - (3) Report by Public Works on Street Maintenance Program for 2013, April 16.
 - (4) Consider Zoning Cases with Public Hearing, April 16.
 - (5) Public Hearing on Proposed Ordinance Amending the Leon Valley Code of Ordinances, Chapter 10 "Subdivision Regulation for the Purpose of Prohibiting Wooden Utility Poles," April 16.
 - (6) Candidates Forum, April 30, 7 p.m., Leon Valley Conference Center.
 - (7) Canvass Results of the May 11, 2013 General Election, May 14-22.
 - (8) Consider Action on an Ordinance Authorizing the City Manager to Execute a Contract with a Service Provider for Construction Manager at Risk for the Municipal Facilities Improvement Project, May, 2013.
 - (9) Next Quarterly Update and Dialogue Between the City Council and the Leon Valley Economic Development Board of Directors, June.

7. **Citizens to be Heard.**

8. **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.

Executive Session

9. 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).

10. **Adjourn.**

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of other boards, commissions and/or committees of the City, whose members may be in attendance. The members of other city boards, commissions and/or committees may not participate in discussions on the items listed on the agenda, which occur at the meeting, and no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city board, commission or committee subject to the Texas Open Meetings Act. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL were posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, on Friday, March 29, 2013, by 11:30 a.m. and remained posted until after the meeting(s) hereby posted concluded. This notice was likewise posted on the City website at www.leonvalleytexas.gov. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours ahead of the meeting. To make arrangements call (210) 684-1391, Ext. 216.




Janie Willman, City Secretary

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**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
MARCH 19, 2013**

The City Council of the City of Leon Valley, Texas, met on the 19th day of March, 2013, 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 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 meeting to order at 7:03 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Biever.

City staff in attendance: City Manager Longoria, City Attorney Zech, City Secretary Willman, Economic Development Director Mora, Finance Director Wallace, and Interim Fire Chief Valdez.

Also in attendance, Mr. John L. German, P.E., of HNTB Corporation.

Councilwoman Baldrige led the assembly in the Pledge of Allegiance.

- 2. Citizens to be Heard and Time for Objections to the Consent Agenda.**

Councilman Reyna asked for Consent Agenda Item 5 to be removed from the Consent Agenda for separate consideration.

Al Uvietta, 6923 Sunlight Drive, addressed the City Council regarding three matters. The first matter concerned consideration being given to establishing a crime [control and prevention] district, seeking to secure the remaining 1/8 cent sales tax for the express purpose of improving relatively low City of Leon Valley public safety personnel salaries. He recommended that the City Council consider placing the issue before the voters during the November 2013 election cycle, as public safety personnel salary structures are an important element of efforts directed toward significant community improvement and sustainability. The second matter involved asking about the status of planning related to the \$10,000 approved for minimally invasive enhancements to the "Triangle" area of the Leon Valley Natural Area Park. The third matter was related to seeking clarification of plans related to building trails connecting the planned regional park along Huebner Creek with the existing City of Leon Valley trail system and Rimkus Park. Indications are that the course of the 'connector' is proposed to cross 'private' property rather than using an available public easement. It was also noted that the planning has continued to avoid the Leon Valley Park Commission and public input and scrutiny in a manner that he likened to planning related to the Natural Area Park. He mentioned actions used last year during the Easter Season meant to discourage visitors to the Natural Area Park.

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Motion by Councilman Reyna and second by Councilwoman Hill to approve Consent Agenda Items 3 and 4. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

- 3. Consider Approval of the Special City Council Meeting Minutes of March 4, 2013.**
Approved the March 4, 2013 Special City Council Meeting Minutes.
- 4. Consider Approval of the Regular City Council Meeting Minutes of March 5, 2013.**
Approved the March 5, 2013 Regular City Council Meeting Minutes.
- 5. Consider Action on City Board, Commission, and Committee Appointments, M&C # 03-04-13.**

Following the introduction of this item by Mayor Riley, Councilman Reyna recalled that at the first organizational branding meeting, that consultant Mr. Mike De La Garza, was going to do some preliminary work and then come back with his best determinations including volunteers needed following his (De La Garza) initial outreach. Councilman Reyna asked the City Manager to confirm that was the understanding. City Manager Longoria confirmed the understanding. Mr. Longoria recommended that until that part of the process was completed, that the City Council consider tabling just the appointments to the branding subcommittee. He noted that once the organizational and preliminary work is completed, then the subcommittee members consisting of Mayor Riley and Councilman Reyna, could increase the number of volunteers for branding. Economic Development Director Mora, staff liaison to the branding subcommittee, affirmed that the City is working with the Leon Valley Area Chamber, and additionally seeks input from the public related to branding through the City's website. She confirmed that she and the City Secretary are informing callers that when the branding subcommittee is ready for the volunteers, they will be called to participate in the process.

Councilman Reyna asked City Attorney Zech if the City Council takes action on the appointment of committee members this evening, if the City Council can continue to make appointments. Mr. Zech responded that it is up to the City Council to decide who and when they make committee appointments. Mayor Riley added that she had received numerous calls from persons who had signed up at the Town Hall Meeting asking when the City Council would consider appointments. The Mayor noted that most of the persons on the appointment list volunteered for service at the January 26 Town Hall Meeting. She stated that she was in favor of adding persons during the City Council's continued outreach while making the appointments before the City Council for consideration this evening. Mr. Reyna indicated he had not submitted names based on what was discussed at the branding subcommittee first [organizational] meeting. It was indicated that the pleasure of the City Council is what will be done. Councilman Reyna stated that with the understanding that additional persons may be added to the subcommittees, he was ready to make a motion.

Motion by Councilman Reyna and second by Councilwoman Hill to adopt Consent Agenda Item 5, making the appointments, as recommended, by minute order. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

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Discussion Agenda

6. Presentation and Discussion of Traffic Study by HNTB Engineers Related to the Texas Department of Motor Vehicles Drivers License Location at Huebner and Evers Road, With Possible Direction to Staff M&C # 03-05-13.

City Manager Longoria introduced this agenda item as to the progress to date on this agenda item and how this situation evolved. Mr. Longoria gave a brief background on this agenda item and how we got to the presentation this evening by Mr. German. Mr. Longoria reported that back in February City staff was preparing a status report. The staff was doing a review of the traffic situation since the DPS Center had opened. At the end of the meeting, it was very clear that there were some disagreements in terms of the traffic engineering, engineers that were involved, including staff quite frankly. The thinking was that maybe we were a little too close to the project and maybe we were missing some issues that could resolve the traffic situation there. The direction from the Council was to bring in a traffic engineer with a fresh perspective to take a look from outside the situation and see what the solutions were. The City Manager stated he contacted HNTB because of his former professional association and experience with Mr. German. Mr. Longoria noted that Mr. German was working with the City of Alamo Heights which was dealing with a similar traffic situation involving the same type of traffic issues as Leon Valley. He reported that Mr. German has been doing an analysis of the traffic at Huebner and Evers Roads. Mr. German is here tonight to outline some potential solutions to the traffic congestion at Evers and Huebner Roads near the DPS Center.

City Manager Longoria introduced Mr. German, as a former Director of Public Works for both the cities of Austin and San Antonio. Mr. German has over 40 years of engineering in both the public and private sectors. He is a fellow with the Institute of Transportation Engineers as well as a lifetime member of that organization.

Mr. German indicated he spoke with Sia Sayyadi, who represents the City of Leon Valley, and engineering representatives of Unintech, who represent the Developer as he approached the work. He informed the City Council that he, the City Manager, and representatives of Unintech met earlier in the day to discuss the proposed solutions. He noted that they all kind of agreed with the concepts being presented to the City Council this evening, subject to some further review by the developer and some DPS Center management.

Mr. German stated that not all increasing traffic volumes are related to the DPS Center. He observed that Huebner and Evers Roads are just two busy streets. He acknowledged there are some congestion and safety issues as relate to the DPS Center. His suggestions for improvements included the addition of signage further directing drivers as to where to turn, raised markers or 'turtles' being installed in the center lane to block drivers from trying to turn left as they are driving westbound on Huebner into the DPS Center, and changing the signal operation to facilitate left turns to Evers Road for westbound traffic. He further recommended that traffic be directed from Huebner onto Evers Road as an entry point into the location where the DPS Center is located. Left

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turns would be prohibited out of the DPS Center. Right only entrances and exits would help the traffic flow without impeding drivers proceeding eastbound on Huebner, trying to turn into Pavona Place.

Councilman Biever asked if a problem was going to be created on Evers Road by directing traffic onto Evers Road from Huebner Road. Mr. German responded that because Evers is less traveled than Huebner, there is less traffic. He noted also that because Evers Road ends just north of Huebner, the traffic speed is lower at the intersection of Evers Road and Huebner Road as one is traveling northbound. He noted that the speed at that section of Evers Road is lower.

Mayor Riley asked if re-striping was indicated on Huebner since it is difficult to see the lines. Mr. German indicated that was to be included. Mayor Riley asked if for the new future development, it was recommended that there be no left turn leaving that driveway. Mr. German indicated that was the case also for the new future development. Mayor Riley stated that she thought the signal was the responsibility of the developer. City Manager Longoria stated that responsibility is written into the Development Agreement.

Mayor Riley stated that regarding the timeline that she gets a great many emails to make the improvements as quickly as humanly possible to keep from having anyone get hurt. Mr. German indicated that installing turtles is not a lengthy process, striping can be done if you have staff or a contractor to do that, signs can be put up fairly easily. The problems on Huebner, the driveways can be fixed fairly quickly. What may take a little more time is for the construction of the corner improvements and the deceleration lane. Mr. German noted that the City Manager has already had conversations about the timeline for the work. Mr. Longoria noted that Mr. German broke up the work into Phase A and B. Mr. Longoria reported that the Developer, Mr. Williamson, was confident he can get on Phase A quickly. Mayor Riley asked for a definition of how quickly the work could be accomplished. The City Manager noted that the next step is for the Unintech engineer to develop a design of the proposed work. He reported that during the meeting with the Unintech engineer, Mr. German and himself, which the Unintech engineer was in agreement with a lot of the recommended improvements after a lot of discussion. Mr. Longoria reported he spoke with Mr. Williamson after the meeting. Mr. Williamson indicated that after conversing with his (Unintech) engineer, if he was in agreement, he thought the work could move fairly quickly. Mr. Longoria stated that once the design work is completed, it will be submitted to the City for the City's review, and if the plans are in accordance with the recommendations, and then the work could start.

Councilwoman Hill asked if Council Members have questions for Mr. German, how those questions are to be forwarded to Mr. German. The City Manager indicated the questions should be forwarded to him so he can send them on to Mr. German.

Liz Maloy, 7411 Chenal Point, stated that the residents of Pavona Place are petrified because they fear for a deadly accident. She noted that there is a woman who is 9 months pregnant who has almost been hit head-on twice in the last 4 weeks. Ms. Maloy stated she would like a better answer as to how soon the work can be done. She emphasized that the residents of Pavona Place need a finite date for when the work will

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be completed. She noted she shares the concerns that Councilman Biever stated about Evers Road. The two lanes coming to Huebner on Evers Road are totally packed when the Medical Center shift changes over. There is no way that persons trying to get into the DPS Center across the two lanes of traffic on Evers Road standing still will be able to do so. Ms. Maloy also noted that drivers coming out of the DPS Center turning left onto Evers Road are driving into a school zone. She stated the Pavona Place residents appreciate the City moving on it. Ms. Maloy indicated that she is not certain that moving the traffic onto Evers will fully address the situation. She asked about the turns into the church east of the DPS Center.

Olen Yarnell, 7230 Sulky Lane, asked why these problems weren't handled early on from the Zoning Commission to the City. He asked who is paying for Mr. German's work. City Manager Longoria answered that the City Council acted on the Zoning Commission's recommendation. The traffic issues resulted in a disagreement between the two engineers with regard to what the proper solutions were to the problems. The City Council directed that an outside engineer be brought in to look at the problems and come up with some solutions. The City is paying for the engineering services from HNTB. There is an engineering line item to pay for engineering services. Mr. Yarnell noted that there were some similarities. Mr. Longoria agreed that because the location is the same that there will be some similarities. Mr. Yarnell asked about reimbursement. Mr. Longoria noted that the call for an outside engineer was on the part of the City Council and so, the City should be paying for the engineering services. Mr. Yarnell noted that in the future the person who causes the situation should pay for the services. Councilman Reyna stated that it is fairly standard that the organization that calls for the expert services should and does pay for the services to ensure that the work is done on by the expert be responsible to the City because the City writes the check.

Pedro Esquivel, 7207 Forest Meadow, noted concerns with moving traffic off of Huebner onto Evers Road. He stated that particularly between the school zone hours, with more traffic diverted onto Evers Road, it will put school kids in danger. He spoke about the traffic accessing the businesses as being part of the consideration.

Paul Ottavio, 7415 Chenal Point, reported that he has had several near misses. He stated that there should be two signs that read 'do not enter' and you could have paid for a gateway with a pressure pad with the money you spent on this report tonight. People need to be reminded that they are turning into school zones off of Evers. He suggested that signage could be put up inside the DPS Center. He spoke about the temporary certificate of occupancy issued until June and that if the improvements are not done, the building can be closed down, the certificate of occupancy could be withdrawn.

Mr. German said that in order to prohibit left turns on Huebner into the DPS Center, something has to be done with the traffic. Obviously we need to think about what to do to allow traffic to turn left on Evers into the DPS Center, perhaps based on the hours. There are signs, 'do not block driveway,' that could be installed. On the left hand turns into the Church, the City has the power to do something through an ordinance. He noted that he thought the church driveways were situated such that turning into the church driveways would not be a problem. He checked the presentation and it looked

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like the church will not have a head-on situation with persons turning into Pavona Place. He said he was willing to look at the school zone on Evers Road. He said he could take another look at the school zone impact and issues would be appropriate. The do not enter signs at the driveway. Perhaps they don't point in the right direction. He said he did not think a 'do not enter' sign would be appropriate. He noted that perhaps something on the roadway to deter left turns into and left turn out of the driveway might be more appropriate.

Councilman Biever said that in Phase B, a right turn only lane would be added. He said he could not tell how far down the lane would come. Mr. Biever offered that another possibility is to keep the existing lanes and make a left turn lane into DPS. Mr. German said that during the conversations with the Unintech engineer, the subject came up.

Mayor Riley asked what Mr. German's recommendation would be in terms of getting Phase A done. Mr. German said some of the work in Phase A could be done. He said about 45 days. Mr. Longoria said they pretty much obtained agreement on Phase A. He reiterated that Mr. Williamson agreed that Phase A is doable.

It was noted that 60 days or by the end of May, the work could be done. Mr. Longoria said he needs consensus about what needs to be done. Councilman Reyna asked if there needs to be some additional study on Phase B. Mr. Longoria stated that Phase B needs some additional work related to the additional school study.

Mayor Riley asked about the date Mr. Williamson has to have the work done in order to keep his temporary certificate of occupancy. Mayor Riley asked if the work is not completed in time that the DPS Center can be closed down. The City Attorney responded that he had not seen the Development Agreement and so was unprepared to answer the question. Mayor Riley asked the City Attorney to research the matter and let the City Council know the answer. Mr. Longoria said the City and the developer are well on their way to getting the work done, if the work on Phase B can be completed, and so that the possibility of closing down the DPS Center can be avoided in July. Councilwoman Baldrige said it sounds like there has been communication about the timing. If Mr. Williamson needs to be reminded that the Council is serious about this situation, then there will be consequences.

Councilman Reyna asked if there needs to be some kind of direction or action this evening. City Attorney Zech said the City Council can provide consensus or can take a vote.

Motion by Councilman Reyna and second by Councilwoman Baldrige to direct the City Manager to proceed as quickly as possible with the implementation of Phase A as per Mr. German's report.

Councilman Reyna asked if there is any equivocation in what was said that everyone is in agreement between the two engineers. If it turns out that turtles are not the answer, those can be removed. Mr. Longoria stated he is very confident that these are the solutions to the problem. Beyond that he reiterated that the Development Agreement

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has a provision that calls for once that improvements are put in, another traffic analysis is supposed to be done after six months and those adjustments are to be made.

Motion by Councilman Reyna and second by Councilman Dean to suspend with the normal order of business to allow Mr. Marcus Semmelmann to speak. The vote to allow the suspension of the normal order of business to allow for additional comments was unanimous.

Marcus Semmelmann, 5919 Rimkus Drive, asked if any input had been asked of provided by the City's public safety providers as they will be required to answer service calls. Mayor Riley answered that Police Chief Wallace had presented the previous presentation and it was made from the perspective of the public safety responders.

Mr. Semmelmann noted that Evers Road is already in very bad shape and asked about it. Mayor Riley observed that the condition of Evers Road is beyond the discussion related to the agenda item.

Mayor Riley called for the vote on the motion before the City Council. [Motion by Councilman Reyna and second by Councilwoman Baldrige to direct the City Manager to proceed as quickly as possible with the implementation of Phase A as per Mr. German's report.] Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

7. Discussion of a Proposed Ordinance Amending the Leon Valley Code of Ordinances, Chapter 10 "Subdivision Regulation For The Purpose Of Prohibiting Wooden Utility Poles, M&C # 03-06-13.

City Manager Longoria briefed the City Council on the proposed ordinance designed to amend the Code of Ordinances to prohibit wooden utility poles. The City Manager reported that he attended an energy summit of suburban cities conducted by CPS. One of the topics addressed was from three suburban cities trying to reduce clutter along their business corridor. Mr. Longoria noted that Leon Valley is trying to prohibit wooden utility poles with the idea of trying to reduce clutter along Bandera Road. He noted he has scheduled a meeting with CPS planners to determine how the City would go about implementing it and the cost of that kind of change. Following the presentation, Councilman Dean indicated he would like the City Manager to ensure that the City's businesses are aware of any fiscal impact to them. Mr. Longoria noted he would come back to the City Council with a report of what is involved, how to make the changes, and the cost. Councilwoman Hill asked if it will be possible to check with the other two suburban cities making the changes to ascertain what worked and did not work in their cities in changing over.

8. Report and Discussion on the Implementation Plan for the Solid Waste and Recycling Pilot Program at The Ridge, M&C # 03-07-13.

City Manager Longoria reported that the Recycling Program at The Ridge is underway. Mr. Longoria and Waste Management's Albert Perez met with The Ridge Homeowners Association (HOA) to collaboratively select a service level. He detailed the particulars

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about the pilot program which starts Monday, April 1.

There were some questions about how best to communicate a current list of recycling do and don't recycle items for Leon Valley. It was reported that Waste Management is going to place a sticker on the front or top of the can so persons know what can be recycled. There was some discussion about the capacity of the 96 gallon container. Mr. Longoria noted that the 96 gallon container contents will be collected and that beyond that, if residents have more recycling, those items can be stacked beside the 96 gallon container for collection, as well. It was suggested that a sticker with the wording 'This is recyclable, take the whole thing' be developed and used. The City Manager indicated he would speak to Mr. Perez about the suggestion. Mr. Longoria noted that a key difference in the service being provided Leon Valley is that our waste management collection is not fully automated which means there are two men on every truck, which allows for the garbage men to be able to respond to what they see.

Councilman Dean commented that it bothers him that for one large can of recycling; the City is doing away with one day of garbage pick-up for \$1.60 or less. He asked why Waste Management has to cut off one day of collection. He noted that the demographic of The Ridge is younger. There was some discussion about service delivery expectations. Councilman Dean asked what happens if you have more than one garbage can filled with trash. The City Council noted that additional waste items are stacked by the garbage can for collection at the same time.

It was reiterated that this is a pilot program. City Manager stated that after 60 to 90 days, the City will survey to determine the good and the bad of the pilot program.

Councilman Dean restated that his point is that there is a difference in the age between residents at The Ridge and the rest of the City of Leon Valley. He voiced concern that most of the rest of the City is comprised of persons older than the demographic of The Ridge. He would like for the garbage collection services to take into consideration the City's elder population.

Councilman Reyna asked if the residents of The Ridge like the pilot program, why the service changes would be thrust on the remainder of the City. City Manager Longoria said the program changes would not be thrust on the remainder of the City. He stated that in no way has that decision been made. Mr. Longoria reported that the agreement for the pilot program was changed. If the residents of The Ridge decide to implement the pilot program on a permanent basis, the service changes will not be made to the remainder of the City, if the City Council does not agree. Councilwoman Baldrige noted that having one less run by waste collection trucks on City streets is valuable because of less wear and tear on the City's streets. She noted that the City has to maintain the City's streets. It was noted that this is a discussion item only.

9. City Manager's Report. (Longoria)

- A. **Update on the Leon Valley Natural Area Defensible Space Project.** Interim Fire Chief Valdez reported that the Texas Forest Service is coordinating a plan to address the fuel break or what is called the defensible space by the International

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Fire Code at the Leon Valley Natural Area. Mr. Valdez noted that while the primary and most important priority is accessibility and protecting the homes that border the Natural Area, the City doesn't want to do anything that would cause any problems to the unaffected area of the Natural Area Park. The City is awaiting a resource list availability work analysis by the Texas Forest Service including the types and amount of equipment needed, the manpower needed from the City of Leon Valley, and timeframe estimates as to how long it would take to complete the construction project. The City has submitted a construction plan and it has been approved. One of the Texas Forest concerns is bringing in oak wilt by trimming and maintaining oak trees during this season. They don't want to do that kind of work until after May. The heat of the summer and the cold of the winter are the best times to do that kind of work. Councilman Dean asked how many oak trees would be affected. He asked if there has been a count. Mr. Valdez noted the City is working the first step in the construction plan, to remove dead and down brush to accurately get a proper count. The next step would be to trim the trees.

Mayor Riley asked about the cost to the City or if the work is to be grant-funded. Interim Fire Chief Valdez answered that this project is not grant-funded. The cost will be manpower of employees from Public Works, and the Fire Chief's time. The Texas Forest Service will not charge for their time or assistance.

Councilman Dean stated that the Leon Valley Historical Society is supposed to maintain the Natural Area per contractual requirements. Mr. Dean asked if the Leon Valley Historical Society has failed to do so based on the work not having been done, shouldn't the Historical Society at least provide part if not all of the cost.

Mayor Riley noted her belief that the Historical Society will be providing some volunteer work which equals cost. She noted that she is not intimately involved with this project which is why she was asking the question if it is a grant or if there is cost. She noted the defensible space project is a huge project and acknowledged and expressed appreciation for the Interim Fire Chief's efforts. Mayor Riley continued saying that she was pretty sure that if something is owed, the Historical Society will pay for it.

Councilman Dean stated that what is owed should be communicated by the City Manager to the Historical Society agreeing that this maintenance matter is one of fairness. Mayor Riley agreed it is a matter of fairness and restated that she was sure the Leon Valley Historical Society would be willing to pay.

Councilwoman Baldrige asked if there had been a change in the requirement of the fire break line. Mrs. Baldrige stated that she thought it was a lot less than 30 feet. Mr. Valdez noted that he has read differences in dimension on documentation but noted that since 2000, the 30 feet dimensions are based on the International Fire Code, Urban Interface Code.

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- B. **Report on the Leon Valley Public Library's Children's Wing Expansion.** The City broke ground, signed a contract, issued a notice to proceed, Crownhill Builders did the site prep. They are working on the foundation. Everything is proceeding well. Mr. Longoria noted that with construction, there are always some issues. He noted there would be some delays but nothing significant. He reported that City staff thinks that furniture, fixtures, and equipment may still be grant funded. Mayor Riley recalled that from prior updates that minimal service interruptions are expected during the construction period.
 - C. **May 11, 2013 Election Update.** Mr. Longoria informed the City Council that as some of the anticipated jurisdictions withdrew from the May 11 Elections based on being able to cancel their elections, the cost to the remaining jurisdictions, including the City of Leon Valley will increase proportionally. He wanted to ensure the City Council had awareness of the potential increase in the overall cost of conducting the May 11, 2013 General Election.
 - D. **Monthly Financial Report for February 2013.** Finance Director Vickie Wallace presented the Monthly Financial Report for February 2013.
 - E. **Monthly Departmental Reports.** There were no comments made regarding the monthly departmental reports.
 - F. **Approved Minutes of the City-Affiliated Boards, Committees, and Commissions.** There were no comments made regarding the approved meeting minutes of the City-affiliated boards.
 - (1) Leon Valley Economic Development Corporation, December 12, 2012, and January 23, 2013 Approved Meeting Minutes.
 - (2) Parks Commission, October 8, 2012, and November 12, 2012 Approved Meeting Minutes.
 - (3) Leon Valley Public Library, January 14, 2013, and February 11, 2013 Approved Meeting Minutes.
 - (4) Tree Advisory Board, January 16, 2013 Approved Meeting Minutes.
 - G. **Future Agenda Items.**
 - (1) Presentation of Annual Report by the Leon Valley Historical Society, April 16.
 - (2) Candidates Forum, April 30, 7 p.m., Leon Valley Conference Center.
 - (3) Next Quarterly Update and Dialogue Between the City Council and the Leon Valley Economic Development Board of Directors, April, date to be determined.
 - (4) Public Hearing on Proposed Ordinance Amending the Leon Valley Code of Ordinances, Chapter 10 "Subdivision Regulation for the Purpose of Prohibiting Wooden Utility Poles."
 - (5) Canvass Results of the May 11, 2013 General Election, May 14-22.
 - (6) Consider Action on an Ordinance Authorizing the City Manager to Execute a Contract with a Service Provider for Construction Manager at Risk for the Municipal Facilities Improvement Project, May, 2013.
10. **Citizens to be Heard.**
Pedro Esquivel, 7207 Forest Meadow, encouraged the Mayor and City Council to look at the suggestion made during the earlier Citizens to be Heard for increasing the salary

Agenda Item 3

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
MARCH 19, 2013**

scale for the City's employees, particularly, the Police and Firefighters. He noted that he had reviewed the salary scale for the Police Department and the surrounding areas some years ago. He said Leon Valley is very close to the bottom of the scale. He stated that the City of Leon Valley serves as a training ground and then police officers move on to higher paying jobs. He said that the City is losing talent and more importantly, potential security. He noted concerns with the Police staffing capacity and retention. He suggested reviewing the City's retirement, benefits, and salary package.

Bert Thomas, 6415 Longhouse Court, noted concern with the serious problem with the pedestrian crossing between the Library and the [Raymond Rimkus] Park on Evers Road. He encouraged the City Council to consider this as the study is done on Evers Road related to the traffic changes [from the Driver's License Center]. Mr. Thomas mentioned that the Park Commission was approached by an organization from the City of San Antonio to participate in a program called "Walk San Antonio." He noted that if anyone is interested, the Park Commission has that information.

11. Announcements by the Mayor and Council Members.

Councilman Reyna announced that the City's Street Maintenance Tax bills, are both sitting in committees, the Senate bill in subcommittee, waiting for the budget to be completed. He clarified that the City's Street Maintenance Tax bill is to extend it indefinitely or at least beyond the four year time period.

Executive Session

12. The City Council convened in Executive Session at 9:04 p.m., as authorized by the Texas Government Code, Section 551.071 Consultation with Attorney, regarding litigation Case No. 2013-CI-03399 WM RANCHER ESTATES JOINT VENTURE ET AL vs. CITY OF LEON VALLEY ET AL. The City Council reconvened into Open Session at 9:35 p.m. No action was taken resulting from the Executive Session.
13. 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 conducted under this agenda item.

Agenda Item 3

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
MARCH 19, 2013**

- 14. Adjourn.** Motion by Councilman Reyna and second by Councilman Biever to adjourn the meeting at 9:35 p.m. Mayor Riley adjourned the meeting without objection at 9:35 p.m.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

MAYOR AND COUNCIL COMMUNICATION

**DATE: April 2, 2013
M&C # 04-01-13**

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER AUTHORIZING THE CITY MANAGER TO UTILIZE AN ON-CALL ENGINEER LIST

PURPOSE

To consider authorizing the City Manager to utilize an On-Call Engineer list for various City projects that require engineering, providing the City with options in the selection of such firms for projects such as streets, drains, environmental, flood hazard, and others.

Requests for Qualifications were solicited, and fourteen (14) responses were received. All references were checked. After this process was completed, thirteen (13) firms were selected for the list, based on responses from references, qualifications, and specialties.

The firms selected are:

- Briones Consulting & Engineering, Ltd.
- Broaddus & Associates
- Bury + Partners
- CDS Muery
- Givler Engineering, Inc.
- Gonzalez De La Garza & Associates, LLC
- KFW Engineers
- Lockwood, Andrews & Newman
- Maestas & Associates
- Mendez Engineering, PLLC
- Raba-Kistner Consultants, Inc.
- Sia Engineering, Inc.
- Young Professional Resources

FISCAL IMPACT

No addition expenses is necessary for this engineering selection process. The City would contract with each firm and utilize work orders as needed as each project's needs are determined. Projects are budgeted by City Council yearly and engineering costs are calculated during that process.

RECOMMENDATION

Authorize the City Manager to utilize an On-Call Engineer list.

S.E.E. IMPACT STATEMENT

Social Equity – Provides the opportunity for more than one firm to compete for City related projects & funds. It may also provide new opportunities for Historically Underutilized Businesses (HUB's) or Disadvantaged Business Enterprises (DBE's) to compete in our marketplace.

Environmental Stewardship – The environment is always of major importance when preparing designs for various projects.

Economic Development – May encourage engineering firms to consider Leon Valley.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Janie Willman, City Secretary

AN ORDINANCE

AUTHORIZING THE CITY MANAGER TO UTILIZE AN ON-CALL ENGINEER LIST

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS THAT:

1. That the City Council of the City of Leon Valley hereby authorizes the City Manager to utilize an On-Call Engineer list.
2. This ordinance shall become effective on and after its passage, approval, and publication, as prescribed by law.

PASSED and **APPROVED** this the 2nd day of April, 2013.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney's Office
Denton, Navarro, Rocha and Bernal, P.C.

The background features a large, faded circular seal. The outer ring of the seal contains the text "CITY OF LEON VALLEY" at the top and "VALLEY OF THE LIONS" at the bottom, separated by two blue dots. Inside this ring is a blue triangle containing a detailed illustration of a lion. Above the lion, the words "IN THE" and "STATE" are visible, with "LEON" partially obscured by the text overlay.

**City of Leon Valley
On-Call Engineer's List
April 2, 2013**



Purpose

- To consider authorizing the City Manager to utilize an On-Call Engineer's list for various City projects that require engineering
- Providing the City with options in the selection of such firms for projects such as streets, drains, environmental, flood hazard, and others



Background

- Requests for Qualifications were solicited
- 14 responses were received
- References were checked
- 13 firms were selected for the list, based on responses from references, qualifications, and specialties



Finalists

- Briones Consulting & Engineering, Ltd.
- Broaddus & Associates
- Bury + Partners
- CDS Muery
- Givler Engineering, Inc.
- Gonzalez De La Garza & Associates, LLC
- KFW Engineers
- Lockwood, Andrews & Newman
- Maestas & Associates
- Mendez Engineering, PLLC



Finalists

- Raba-Kistner Consultants, Inc.
- Sia Engineering, Inc.
- Young Professional Resources



Fiscal Impact

- City would contract with each firm as each project's needs are determined
- Projects are budgeted by City Council yearly & engineering costs are calculated during that process



S.E.E. Impact Statement

- *Social Equity* –
 - Provides opportunity for more than one firm to compete for City related projects & funds
 - May provide new opportunities for Historically Underutilized Businesses (HUB's) or Disadvantaged Business Enterprises (DBE's) to compete in our marketplace
- *Environmental Stewardship* –
 - The environment is always of major importance when preparing designs for various projects
- *Economic Development* –
 - May encourage engineering firms to consider Leon Valley



Recommendation

- Authorize the City Manager to utilize an On-Call Engineer list



**City of Leon Valley
On-Call Engineer List
April 2, 2013**

Agenda Item 5

MAYOR AND COUNCIL COMMUNICATION

DATE: April 2, 2013

M&C: # 04-02-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: DISCUSSION ON THE REQUEST FOR PROPOSAL (RFP) PROCESS FOR SELECTING THE CITY OF LEON VALLEY'S INSURANCE AGENT OF RECORD

PURPOSE

The purpose is to present the process in selecting an Insurance Agent of Record, seeking Council's review and discussion.

The terms of City Council's original authorization will end in FY 2013. Therefore, an RFP process will need to ensue to have a broker in place in time for the FY 2014 Group Insurance rerates.

The City began utilizing an Insurance Agent of Record in FY 2010 and has been with Gallagher Benefits Services since FY 2012, after an extensive RFP process.

	FY 09- No Broker	FY 10-Mullen	FY 11- Mullen	FY 12-Gallagher	FY 13 -Gallagher
City's Health Insurance Cost	\$436,688	\$379,392	\$549,877	\$542,430	\$527,445

City Staff proposes a five phase process.

- Phase One - begin bid solicitation on April 7, 2013 - April 29, 2013 (See Attachment A - RFP Packet).
- Phase Two - A committee designated by the City Manager will determine whether or not the Request for Proposals (RFP) met specific scope of services and submission requirements.
- Phase Three – The committee will evaluate each qualified proposal through a matrix (See Attachment B – Selection Criteria). The committees' scores will be averaged and the top three companies will move to the next phase.
- Phase Four – The top three Companies will be interviewed and reference checks will be completed.
- Phase Five -The Committee will provide their recommendation to Council at the May 21, 2013 City Council Meeting.

FISCAL IMPACT

None

Note: The commissions paid to the Insurance Agent of Record have no direct fiscal impact on the city; the commissions are paid as a part of the health insurance premium fee structure.

RECOMMENDATIONS

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

Attachment A



April 7, 2013

Dear Respondent,

The City of Leon Valley is seeking an Insurance Agent of Record for the city's employee group health insurance program. The City of Leon Valley employee's one-hundred and five (105) full-time regular employees that are covered under our health, dental, and life, insurance benefit programs.

We appreciate your interest in replying to the City of Leon Valley's request for proposals for Insurance Agent of Record. Enclosed is the Request for Proposals packet, which outlines the following:

1. Overview
2. Scope of Services
3. Request for Proposals Submission Requirements
4. Request for Proposal Evaluation
5. Deliverables

To ensure the proper processing of your proposal please submit a *complete* proposal to the HR Office at 6400 El Verde Rd, Leon Valley, TX 78238 by 12:00 p.m., Monday, April 29, 2013. The City of Leon Valley reserves the right to reject any and all responses.

Sincerely,

Crystal Caldera
Human Resources Director
6400 El Verde Rd
Leon Valley, Texas 78238-2399
Tele: 210.684.1391 ext 212
Fax: 210.684.1515
c.caldera@leonvalleytexas.gov

**City of Leon Valley
Request for Proposals (RFP)
Insurance Agent of Record**

I. Overview

The City of Leon Valley is seeking an **Agent of Record** for in-group healthcare cost management for its group Life, Medical, and Dental.

The purpose of this request for proposal process is to secure the services of an independent **Agent of Record** to assist the City in the overall management of its insurance employee benefits program.

II. Scope of Services

The Agent of Record responsibilities include, but are not limited to the following:

- A. Providing the leadership skills necessary to take advantage of effective products and services developed by the industry.
- B. Preparation of Bid specifications, handle the negotiations for all renewals, analysis of Bids received and negotiate with the carriers to obtain best contractual terms and rates possible for the City.
- C. Assist the City with fiscal budget and premium funding projections.
- D. Provide the City with overall plan management and quality assurances services in plan administration, benefit design, customer service, cost containment and regulatory compliance.
- E. Provide ongoing, day-to-day service activities necessary to assure overall plan satisfaction. This includes employee intervention and on site trouble-shooting an enrollment assistance with the employees.

III. Request for Proposal Submission Requirements

- A. A brief statement as to why the consultant is uniquely qualified to provide services to the City of Leon Valley.
- B. Address the issue of staff availability for servicing the City. It is essential that the Agent of Record be available to the City whenever necessary.
- C. Provide a list of three (3) current group health clients at least (2) must be public entities or municipalities. Please indicate those clients that are public entities. Provide contact name, phone number, number of employees and how long you have had them as a client.
- D. Provide a list of three (3) group health clients that no longer utilize your services. Please indicate those clients that are public entities. Provide contact name, phone number, number of employees and how long you have had them as a client.
- E. If available, provide letters of recommendations from past and/or existing clients.

Attachment A

- F. Complete attached form CIQ (Conflict of Interest Questionnaire).
- G. Résumé of the staff person that will be designated to the City of Leon Valley.
- H. An explanation of how the city will compensate you for your services.

IV. Request for Proposal Evaluation

Proposals will be evaluated utilizing the criteria summarized below:

- A. Content, technical approach and understanding of the scope of the project.
- B. Qualifications and prior experience in providing similar services to Municipalities/Public Entities
- C. Price or Percentage of premium for compensation.

V. Deliverables

Nine (9) copies of the response to this request shall be provided for review and must be valid for a minimum of sixty (60) days following submission. RFP must be received by the City of Leon Valley no later than 12:00 p.m. on Monday, April 29, 2013. Mail or deliver RFP to:

Crystal Caldera, Human Resources Director
City of Leon Valley
6400 El Verde Rd.
Leon Valley, TX 78238

The agent of record must always put the City of Leon Valley's interests first and may not knowingly or intentionally make decisions regarding the city based on personal pecuniary interest.

Any questions may be directed to Crystal Caldera at c.caldera@leonvalleytexas.gov or at 210- 684-1391, ext. 212.

The City of Leon Valley reserves the right to reject any or all responses.

Attachment A

**Please provide an answer to proposal section III. H;
“An explanation of how the city will compensate you for your services”.
Please answer the following:**

- 1) How will you be compensated for your services? If you are being compensated by commission, who pays your commission and what is your rate?

- 2) Is there any other monetary or non-monetary compensation for your services, if you are named the City of Leon Valley's Agent of Record for the employer provided employee group health plan?



CITY COUNCIL & CITY OFFICIALS

❖ **Conflict of interest Questionnaire:**
<http://www.ethics.state.tx.us/forms/CIQ.pdf>

City Council Members

**Chris Riley
Kathy Hill
Art Reyna, Jr.
Irene Baldrige
Jack Dean
Paul Bieber**

**Mayor
Council Place 1
Council Place 2
Council Place 3
Council Place 4
Council Place 5**

Staff Members

**Manuel Longoria Jr.
Janie Willman
Vickie Wallace
Randall Wallace
Luis Valdez
Byron Vick
Kristie Flores**

**Joyce Trent
Claudia Mora**

Crystal Caldera

**Law Offices of Denton, Navarro,
Rocha & Bernal, P.C.**

**Michelle Lamfear
Lawrence G. Morales
Edmund Phillips**

**City Manager
City Secretary
City Accountant
Chief of Police
Interim Fire Chief
Public Works Director
Community
Development Director
Library Director
Economic Development
Director
Human Resources
Director**

City Attorney

**City Prosecutor
Municipal Court Judge
Municipal Court Judge**



Attachment B

The Selection Criteria for Insurance Agent of Record

Phase 1 Bid Solicitation April 7 -29, 2013

Phase 2

A. Scope of Services & Submission Requirements- Maximum 31 points

Services

- Providing the leadership skills necessary to take advantage of effective products and services developed by the industry. Max 3 pts
- Preparation of Bid specifications, handle the negotiations for all renewals, analysis of Bids received and negotiate with the carriers to obtain best contractual terms and rates possible for the City. Max 3 pts
- Assist the City with fiscal budget and premium funding projections. Max 3 pts
- Provide the City with overall plan management and quality assurances services in plan administration, benefit design, customer service, cost containment and regulatory compliance. Max 3 pts
- Provide ongoing, day-to-day service activities necessary to assure overall plan satisfaction. This includes employee intervention and on site trouble-shooting an enrollment assistance with the employees. Max 3 pts

Requirements

- A brief statement as to why the consultant is uniquely qualified to provide services to the City of Leon Valley. Max 2pts
- Address the issue of staff availability for servicing the City. It is essential that the Agent of Record be available to the City whenever necessary. Max 2pts
- Provide a list of three (3) current group health clients at least (2) must be public entities or municipal. Please indicate those clients that are public entities. Provide contact name, phone number, number of employees and how long you have had them as a client. Max 2pts
- Provide a list of three (3) group health clients that no longer utilize your services. Please indicate those clients that are public entities. Provide contact name, phone number, number of employees and how long you have had them as a client. Max 2pts
- If available, provide letters of recommendations from past and or existing clients. Max 2pts
- Complete attached form CIQ (Conflict of Interest Questionnaire). Max 2pts
- Résumé of the person that will be designated to the city of Leon Valley. Max 2pts
- An explanation of how the city will compensate you for your services. Max 2pts

Phase 3

B. Committee Matrix - Maximum 25 points

- Price or percentage of premium Max 5 points
- Years of experience of the Rep that will be working directly with has with municipalities Max 10 points
- The number of cities the company has with current clients - Max 10pt

Phase 4

C. Oral Interview Maximum 35 points

D. References Maximum 9 points

- Check three municipality/public Entity references -3 pts for each city.

Phase 5 Recommendation to City Council



**DISCUSSION ON THE REQUEST FOR PROPOSAL (RFP)
PROCESS FOR SELECTING THE CITY OF LEON VALLEY'S
INSURANCE AGENT OF RECORD**

04/02/2013

City Council Meeting



Purpose

- The terms of City Council's original authorization will end in FY 2013. Therefore, an RFP process will need to ensue to have a broker in place in time for the FY 2014 Group Insurance rerates.
- The City began utilizing an Insurance Agent of Record in FY 2010 and has been with Gallagher Benefits Services since FY 2012, after an extensive RFP process.

	FY 09- No Broker	FY 10-Mullen	FY 11- Mullen	FY 12-Gallagher	FY 13 -Gallagher
City's Health Insurance Cost	\$436,688	\$379,392	\$549,877	\$542,430	\$527,445



Phases

- Phase One - begin bid solicitation on April 7, 2013 - April 29, 2013
- Phase Two - A committee designated by the City Manager will determine whether or not the Request for Proposals (RFP) met specific scope of services and submission requirements.
- Phase Three – The committee will evaluate each qualified proposal through a matrix. The committees' scores will be averaged and the top three companies will move to the next phase.
- Phase Four – The top three Companies will be interviewed and reference checks will be completed.
- Phase Five -The Committee will provide their recommendation to Council at the May 21, 2013 City Council Meeting.



Selection Criteria

- **Scope of Services & Submission Requirements -Max 31 pts**
- **Committee Matrix - Max 25pts**
 - Price or percentage of premium Max 5 points
 - Years of experience of the Rep that will be working directly with has with municipalities Max 10 points
 - The number of cities the company has with current clients - Max 10pt
- **Oral Interview – Max 35 pts**
- **References -Max 9 pts**



**DISCUSSION ON THE REQUEST FOR PROPOSAL (RFP)
PROCESS FOR SELECTING THE CITY OF LEON VALLEY'S
INSURANCE AGENT OF RECORD**

04/02/2013

City Council Meeting