

**CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, AUGUST 3, 2010**

The City Council of the City of Leon Valley, Texas, met on the 3RD day of August, 2010 at 6:00 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:

SPECIAL CITY COUNCIL WORKSHOP – 6:00 P.M.

Call to Order

Mayor Riley called the Special City Council Budget Workshop Meeting to order at 6:03 p.m. and asked that the minutes reflect that the all of the members of City Council were present: Garcia, Reyna, Baldrige, Dean, and Nelson.

City Manager Lambert, City Secretary Willman, Community Development Director Flores, Economic Development Director Ryan, Finance Director Wallace, Fire Chief Irwin, HR Director Caldera, Library Director Trent, Police Chief Wallace, and Public Works Director Vick. Also in attendance were Texas Municipal Retirement System Representatives Anthony Mills and Lorraine Moreno.

Discussion on the Proposed Fiscal Year 2011 Budget

City Manager Lambert informed the Council of the needed decisions to be made at tonight's meeting; what is to be included in the budget and what the tax rate will be in order to meet all the legal and publication requirements. Mr. Lambert discussed the effect of cutting the budget so thoroughly that the City is adopting tax rates that are below the effective tax rate. Many options were considered to balance the budget including retirement changes, no cost of living adjustments, no raises, and offering opportunities for employees to retire early. The Council asked for clarification about going below the effective tax rate. Finance Director Wallace clarified for the Council that when the City adopts tax rates below the effective tax rate, the City doesn't fund programs or has to start cutting programs. She offered as food for thought that it is better to move up the tax rate a little at a time rather than a lot at one time. Mayor Riley asked the City Manager if another holiday can be added with a skeleton crew working in order to offer something to the City employees. The City Council directed the City Manager to balance the proposed budget out of the reserve fund.

Adjourn

Hearing no further business, Mayor Riley adjourned the meeting at 6:59 p.m. Mayor Riley announced the Council would take a ten minute break before the start of the Regular City Council Meeting.

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

Call to Order and Pledge of Allegiance

Mayor Riley called the Regular City Council Meeting to order at 7:10 p.m. and asked that the minutes reflect that all of the members of City Council were present: Garcia, Reyna, Baldrige, Dean, and Nelson.

City staff in attendance: City Manager Lambert, City Secretary Willman, Community Development Director Flores, Economic Development Director Ryan, Finance Director Wallace,

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Fire Chief Irwin, HR Director Caldera, Police Chief Wallace, Public Works Director Vick, City Attorney Onion, and City Engineer Sia Sayyadi.

Council Member Baldrige led the assembled group in reciting the Pledge of Allegiance.

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

No citizens came forward to speak. No Consent Agenda items were pulled for separate consideration.

Consent Agenda

3. **Consider Approval of the Minutes for the Special City Council Workshop of July 6, 2010 and the Regular Council Meeting of July 6, 2010. (Willman).**
4. **Consider Approval of the Minutes for the Special City Council Workshop of July 20, 2010 and the Regular Council Meeting of July 20, 2010. (Willman)**
5. **Consider Action on M&C # 08-01-10 with attached Resolution, a request to Approve a Resolution to Re-Schedule the City Council Meetings of October 5, 2010 to October 4, 2010 and of November 2, 2010 to November 1, 2010, Due to Events in Conflict with Those Meeting Dates; October 5 – National Night Out and November 2 – Election Day. (Willman)**

A motion was made by Councilman Reyna and seconded by Council Member Nelson to approve the Consent Agenda Items 3, 4, and 5, as presented. Voting in favor: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting against: None. Mayor Riley announced the motion carried; the consent agenda is approved.

Regular Agenda

6. **Consider Action on M&C # 08-02-10 with Attached Resolution – a Request to Approve and Authorize the Leon Valley Economic Development Corporation (LVEDC) Project Request for Use of 4b Economic Development Sales Taxes in Excess of \$10,000 for the Purchase of Two One-Acre Parcels of Land Located at 6734 Poss Road, Lots # 67 & # 68, to Control the Land for Future Economic Development for Sales-Tax Revenue-Generating Buildings and to Provide a Cross-Street from Poss to Grissom, consistent with the City’s Master Redevelopment Plan. (First Reading) (Ryan/Dr. Milmo)**
 - A. **Presentation by the Leon Valley Economic Development Corporation on the Proposed Project.** ED Director Ryan introduced Dr. Milmo, Vice-Chair of the LVEDC, who came forward to speak about the importance of this Project and asked the Council’s approve and authorization for the Project. Ms. Ryan indicated that Developer Larry Little was present to answer questions about the Town Center project. Nancy Marin, LVEDC Board Secretary, 7222 Forest Meadow, spoke about claw back provisions. Larry Little, 6737 Poss Road, Leon Valley, Developer, addressed the Council about the need for the land to expand the Town Center Project, Letters of Intent, and the process involving build-out credits. Mr. Little spoke to this effort as being positive with the LVEDC and the City working together to make the Town Center a success for the City of Leon Valley.
 - B. **Public Hearing opened at 8 p.m.** Mayor Riley opened the public hearing and invited persons interested in speaking to come forward to address the Council.

Mr. Al Baldrige, 6004 Rue Sophie, Leon Valley, came forward to speak in favor of approving the Resolution and authorizing the LVEDC Project Request.

Mr. Kim Crawford, 7004 Forest Mont, Leon Valley, came forward to speak in favor of the LVEDC Project Request. He asked a question about parking.

Mr. Jim Carrillo, Half Associates, came forward and indicated there would be shared parking throughout the area.

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- C. **Public Hearing closed at 8:05 p.m.** Mayor Riley announced the public hearing was closed as there were no further speakers.
- D. **Action by City Council.** A motion was made by Councilman Reyna and seconded by Councilman Dean to adopt the Resolution, approving and authorizing the LVEDC Project Request for Use of 4b Economic Sales Taxes in Excess of \$10,000 for Purchase of Two One-Acre Parcels of Land Located at 6734 Poss Road, Lots # 67 & # 68, to Control the Land for Future Economic Development for Sales-Tax Revenue-Generating Buildings and to Provide a Cross-Street from Poss to Grissom, consistent with the City's Master Redevelopment Plan. Voting in favor: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting against: None. Mayor Riley announced the motion carried; the LVEDC Project Request is approved.

- 7. **Consider Action on M&C # 08-03-10 - a request seeking Authorization for Bid Award, for the City Manager to Execute the Contract, and Budget Adjustment for Construction Work to Fulfill the Bexar County Community Development Block Grant (CDBG) Program for Improvements to the Leon Valley Community Center. (Sia/Ryan)**
Following introduction by ED Director Ryan and input from City Engineer Sia Sayyadi regarding this project, the Council considered increasing the amount recommended from \$32,653 to up \$60,000 to allow for contingencies with the caveat that improvements be made to the exterior. Mr. Sayyadi reminded the Council that the money from CDBG is for weatherization-related improvements only. Mr. Sayyadi indicated he is working with the architect. Staff was asked to inform the Council of any recommended changes to the exterior.

Motion by Councilman Garcia and second by Council Member Baldrige to award the Bid to SBM Contractors and to also increase the budget adjustment from \$32,653 up to \$60,000 and the City Manager can negotiate the contract for the construction work to fulfill the Bexar County Community Development Block Grant (CDBG) Program for improvements to the Leon Valley Community Center. Voting in favor: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting against: None. Mayor Riley announced the motion carried.

- 8. **Consider Action on M&C # 08-04-10 with attached Ordinance - a request to Approve Amendments to the Original Budget of the City of Leon Valley, Texas, for the Fiscal Year of 2010 and to Authorize the Purchase of Cellular Phones for the City Council. (Lambert)**
The Council discussed the various options and associated costs presented to them for cellular service. Following extensive discussion, staff was requested to bring back options for lesser cost which allow enhanced communications including the ability to open Microsoft and PDF documents. Staff was asked to explore what is technically available; with some discussion about net books.

A motion was made by Councilman Reyna and seconded by Councilman Garcia to postpone action on this item until the next regular meeting. Voting in favor: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting against: None. Mayor Riley announced the motion carried; this matter is to be considered at the next City Council meeting.

- 9. **Consider Action on M&C # 08-05-10 – a request Authorizing the City Manager to Negotiate a Contract for Health and Sanitation Services. (Flores)**
Community Director Flores introduced the agenda item and two individuals who submitted

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proposals for health and sanitation services.

A motion was made by Council Member Baldrige and seconded by Councilman Reyna to authorize the City Manager to Negotiate a Contract for Health and Sanitation Services. A question was raised as to whether the amount of the fees charged need to be raised or whether the budgeted amount needs to be raised in light of the proposals coming in above the amount currently budgeted. Community Director Flores indicated the City and vendors identify those projects which can await the change of the Fiscal Year in the event that the contract negotiation is close to the end of the current fiscal year and the remaining budgeted amount is limited. It was further explained that the charges are passed through and funding is only required to pay the contracted vendor in advance of payment of the pass through charges. Following discussion about the Fiscal Impact statement in M&C # 08-05-10: \$7,000 budgeted, \$5,124 expended, and \$1,877 remaining, the following amendment was made to Council Member Baldrige's motion.

An amended motion by Councilman Reyna and a second by Council Member Nelson to have the City Manager Negotiate a Contract for Health and Sanitation Services at \$10,000 budgeted item instead of \$7,000 budgeted item. Voting in favor: Garcia, Reyna, Baldrige, Dean, and Nelson. Voting against: None. Mayor Riley announced the motion carried.

Discussion Agenda

10. Receive Briefing on City of Leon Valley Grants including update on Beautification/STEP/TxDoT Grant. (Mayor Riley/Word).

Grant Writer Word briefed the Council on grants in progress and updated the Council on the Beautification/STEP/TxDoT grant and next available options.

11. Managing E-mail & E-mail Retention Policy. (Willman/McKamie)

City Attorney Onion framed the issue of e-mail, other forms of communication as governmental records and the need for an e-mail retention policy to be developed for consideration by the Council. Questions were raised as to whether City Council boards, committees, and commissions have a responsibility to retain records. It was determined that they have a responsibility for recordkeeping equal to the Council.

City Secretary Willman presented information relevant to governmental records and policies in use by the City of Leon Valley and the Texas State Library and Archives Commission regarding e-mail records and cost estimates for e-mail and web-related e-mail records retention. The City Attorney recommended use of notarized affidavits stating actions taken to retrieve all City-related records and use of the word "privileged" identifying those messages relating to litigation and other legally-related purposes. There was discussion about e-mail auto archives and technical aspects to e-mail retention. City Attorney Onion recommended bringing back a policy developed with staff input and to continue exploring alternatives to email and records retention which may be more cost-effective.

12. Future SDAT Visit Update. (Ryan)

Ms. Ryan updated the Council on the progress to date regarding a future AIA-SDAT visit. She informed the Council that Waste Management donated \$2,500 towards the \$5,000 cost for bringing back the AIA-SDAT team. LVEDC is discussing the possibility of AIA-SDAT coming back to conduct a workshop meeting to reflect the final outcome of their recommendations on September 25 along with updating the plan with what has happened to date. There was discussion regarding branding, continued work for refreshing the City's

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image, and the need for professional perspective from outside the community as to possible improvements. The Council discussed the City's accomplishments to date using staff and Halff and Associates in light of the discussion regarding AIA-SDAT returning to the City for additional cost. Further discussed is that the City has undertaken many initiatives and has made progress past the original concepts presented. The majority of the Council expressed an opinion that they didn't see the need for future AIA-SDAT assistance.

13. Trade & Market Days Performance Report. (Ryan)

Ms. Ryan made a PowerPoint presentation about the Trade & Market Days (TMD) Committee and its operation from inception through current date. After Council discussion and request to meet with members of the Committee and staff to discuss alternatives to problems being experienced, TMD Committee Member Nita Lange addressed the Council detailing her perspective and request that the Council allow the Committee to try to answer some of the volunteer issues. Council raised questions about how to quantify the purpose and effectiveness of Trade & Market Days. Numerous suggestions were made for improvements including possible re-location, advertising, cutting back on the number of TMD dates, amongst others. A meeting has been set for Friday at 1:30 p.m. at City Hall to allow Council Member Liaison Nelson, City staff, and the TMD Committee members to discuss various issues relating to TMD.

14. City Manager's Report (Lambert)

- A. Sign Regular Team Update.**
- B. Tax Abatement Team Update.**
- C. CPS Follow-up.**

Due to the late hour, the Council directed the City Manager to place these items for report on the next regular City Council agenda.

15. Citizens to be heard.

16. Announcements by Council Members and Mayor.

- A. Announce Public Hearing on the Proposed Fiscal Year 2011 Budget and Formal Adoption on Tuesday, August 17th at the Regular City Council Meeting, which starts at 7 p.m. (Mayor Riley)**
- B. Announce Proposed Meeting on Monday, August 30 beginning at 8:30 a.m. with Mario Medina, P.E., District Engineer for the San Antonio District of the Texas Department of Transportation. (Mayor Riley)**

17. Adjourn. The meeting adjourned at 10:25 p.m.

Chris Riley

Mayor

ATTEST:

Janie Willman

City Secretary