

City of Leon Valley 2012 Bond Program Oversight Committee Meeting June 27, 2013

Chairman Pedro Esquivel called the 2012 Bond Program Oversight Committee Meeting to order at 5:30 pm. Chairperson Esquivel and Committee members Al Uvietta, Mike Davis Jr., Olen Yarnell, and Frank Zavala were present. Kathy Hill and Christopher Gover were absent.

Councilman Jack Dean, Councilman Abraham Diaz, City Manager Manuel Longoria Jr., Police Chief Wallace, Special Projects Manager/Interim Public Works Director Melinda Smith were also present.

A quorum was present.

Approval of Minutes

Chairman Esquivel asked for approval of the minutes from the March 28th, May 3rd, and May 17th, 2013 meetings. Committee Member Yarnell questioned why the minutes reflected Abraham Diaz as the Chairman in the body but had Pedro Esquivel as the signatory person and he was also listed as the Committee Chairman. It was explained that at the time the minutes were recorded Abraham Diaz was the Chairman, but today when the minutes are being approved Pedro Esquivel is the Chairman.

Committee Member Yarnell made a motion to approve the minutes and this was seconded by Member Uvietta. This motion passed unanimously.

Project Status Report

Chairman Esquivel introduced the City Manager, Manuel Longoria Jr. who gave reports on five topics associated with our project.

1. Bond Oversight Committee Changes and Transitions

Mr. Longoria Jr. briefed the Committee on the changes to the committee brought on by the City Council Elections. Mr. Longoria Jr. introduced Councilman Abraham Diaz as being one of the two City Council Liaisons to the Committee. Abraham Diaz was the former Chairman of the Committee. Former Councilmember Kathy Hill, who was a City Council Liaison to the Committee, was appointed to the Committee to fill the vacancy created by Councilman Diaz.

Mr. Longoria Jr. further advised that Christopher Gover has been in contact with the City and has said that he was unable to meet the commitments the Committee required and was planning on resigning from the Committee. The City Manager asked for the members to start thinking of a person to replace Christopher Gover if he in fact resigned.

2. Fire Station Lots

Mr. Longoria Jr. briefed the Committee on the process(es) the City of Leon is undertaking to obtain the lots from Bexar County. Bexar County approved the right of entry allowing the City to have access to the property. The City Manager advised that the City has hired a firm to perform a appraisal and the total amount for the five lots in question was \$57,000. On June 18th a letter was mailed to Bexar County with the Cities initial offer to purchase the property. The City Manager advised the County has 30 days to respond to this offer. The response can be an acceptance of the price, a counter offer, or a rejection of the offer.

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If the County accepts the offer then the two complete the purchase transaction and move on. If they counter offer, the City will look at this and make a determination. If the offer is outright rejected, then the City will start the condemnation process.

There were questions from several committee members about the source of the monies used to purchase the lots. The City Manager advised that the language used in the Bond Election allowed the purchase of land to complete the project.

Committee Member Uvietta wanted the Manager to know that he believes the City is doing the right thing and feels that the process is one that is voters approved of.

The City Manager advised that the City is awaiting any word from the County on the offer but that currently the land is being surveyed in order to complete the transaction. If the County agrees to sell the land, the Manager advised that sale would have to be approved by both the Bexar County Commissioners Court and the Leon Valley City Council.

The City Manager was asked why the City was purchasing lands that would be given to us in a few years. The City Manager explained that by purchasing the land now, instead of waiting for the drainage project to be complete in 2015, the City would be able to start the project before the end of this year instead of waiting 2 – 3 years.

3. Construction Manager at Risk Contract

The City Manager informed the Committee that the negotiations were going well with Bartlett Cocke. There were two areas of concern with Bartlett Cocke in reference to the contract. One was the area of retainage and the other was project delay implications.

It was agreed that the retainage percentage should be 5%, as opposed to the 10% in the contract. On the project delay implications it was decided that any delays caused by the City would be added to the time allowed to complete the construction and that any delays caused by the Contractor would result in a \$1,000 per day payment to the City.

The Manager advised that with these issues resolved the contract was ready for signatures. The Manager further advised that a meeting between Bartlett Cocke, OCO Architects and himself would take place in the next week.

4. OCO Design Work

The City Manager advised that the survey work on the lots for the Fire Department was in progress with a mid-July completion date. The Manager further advised that Arias and Associates was doing geo-technical work on the City Hall foundation and their preliminary finding, without having actually done any of the testing, was that the foundation problem may not be as bad as initially feared.

In reference to questions posed earlier (before he was appointed to the Committee) by Committee Member Zavala, the City Manager and Melinda Smith led a discussion about the City of Leon Valley hiring a Project Manager, such as Raba Kistner, who would be available for the technical areas that would be out of the scope of either the Manager, Melinda Smith, or Bruce Bealor our City Building Inspector.

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Committee Member Zavala then proceeded to pass out a document with his business card Xeroxed at the top and a list of items and stated that he wanted to go on the record about wanting the job described by the City Manager and Melinda Smith.

Committee Member Zavala was advised that with his service on the Committee he would not be able to seek employment from the City of Leon Valley until a one year period passed after he left the Committee. This applies to any construction project funded by the City of Leon Valley or any project funded by the bond proceeds.

Several Committee Members questioned Committee Member Zavala about his intentions on getting on the Committee and if the reason was to secure employment for himself.

Getting back to the discussion on the building, Committee Member Yarnell recalled a statement by Bob Tome about building the foundation up to the 500 year flood mark instead of the 100 year flood mark the programming from Alamo Architects identified. The item was discussed and the City Manager advised he would approach both OCO and Bartlett Cocke to see the feasibility of this request.

The Manager advised the Committee that OCO was working on the programming for the Fire Department and had copies of the site plan and a building plan in the Committee's packet.

The Committee Chair, Pedro Esquivel, asked the City Manager if a meeting could be scheduled between the Committee and OCO Architects so that an update on the programming for City Hall, the Police Department and the Fire Department could be presented. The Manager advised he would try and get this scheduled for the next meeting.

Committee Member Yarnell asked if the building was going to be designed with any safe rooms for the community. When asked to explain, Committee Member Yarnell advised that in Oklahoma there were Cities that have designed safe areas for Citizens to go to in case of tornado. After a lively discussion in which the agreement was that we could not build a safe room big enough for our community, the Manager advised he would have OCO look at an area which would accommodate employees in the event of an issue.

5. Work Plan and Schedule

The City Manager gave a update on the following

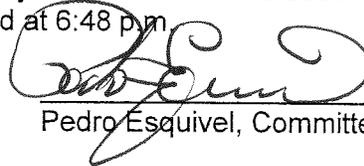
- a. Programming – almost complete, still finishing Fire Department
- b. Schematic Design Phase – in process, scheduled to be complete in August
- c. Design Development Phase – 9 weeks
 - a. Fire Station lots acquired
 - b. September and October
- d. Construction Document Phase – 6 weeks
 - a. December
- e. Bidding/Negotiations Phase – 6 weeks
 - a. January
 - b. Scheduled ground breaking on Fire Station in January
- f. Construction Phase – 18-22 months
 - a. January 2014 – June 2015

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The City Manager stated that these numbers were flexible and were on the conservative side.

Adjourn

Hearing no further business a motion was made by Mike Davis Jr. and seconded by Olen Yarnell to adjourn the meeting. The meeting was adjourned at 6:48 p.m.

A handwritten signature in black ink, appearing to read "Pedro Esquivel", written over a horizontal line.

Pedro Esquivel, Committee Chairman