

SPECIAL CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, OCTOBER 12, 2009.

The City Council of the City of Leon Valley, Texas, met on the 12th day of October 2009 at 6:30 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

SPECIAL CITY COUNCIL MEETING - 6:30 P.M.

Call to order.

Mayor Riley called the Special City Council Meeting to order at 6:34 p.m. and asked that the minutes reflect the following members of Council were present: Garcia, Reyna, Baldrige, Dean, and Nelson.

City Manager Lambert, City Secretary Feutz, Fire Chief Irwin, and Public Works Director Vick were also present.

Mayor Riley invited everyone to join her in reciting the Pledge of Allegiance.

Consider discussion on Poss Road construction and survey results with City Engineers and Council consideration of any appropriate action following discussion (Engineers Gonzalez/De la Garza).

Mayor Riley announced that this was a continuation of discussion on this subject from the October 5, 2009 meeting to answer questions from Council.

City Manager Lambert explained that there are no apparent records of exactly when the street was constructed and it appears that there has not been any significant work done on the portion of Poss Road, between Evers Road and Bandera Road, other than potholes fixed. He reminded them that there were several utility lines under this stretch of Poss Road.

Council requested that information be gathered on the streets that have been worked on with Street Maintenance Sales Tax moneys since 2008 with the number of feet of street which have been slurry-sealed or reconstructed. It was also recommended that we place a map indicating street work completed on the City's website. Public Works Director Vick explained that status of work done over the past fifteen years.

City Engineer Gonzalez explained to Council his recommendations for 2009 to address repair work on Poss Road between Bandera Road and Evers Road. He recommended the use of the zipper to repair Poss Road between Evers and Cherryleaf at a cost of \$129,586. He recommended what work should be done for the 2009 project based upon survey results showing utilities under the roadway and taking into consideration the unknown factors of any flood control plans Bexar County's may be planning and FEMA requirements which will affect flood control and any proposed median on Poss Road.

City Manager Lambert provided updates to anticipated revenue from street maintenance sales tax. Discussion with City Council among the City Engineer, City Manager and Public Works Director included consideration for street repairs, but not reconstruction of Poss Road, other street maintenance projects, how to determine the depths of utility lines under Poss Road, and the news that San Antonio will be replacing the existing sewer line under Poss Road in the next

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five years. Council discussed their plans originally to reconstruct Poss Road and incorporate the project as one of the five SDAT projects recommended in 2008, but as continued discussion resulted in Council considering if tax moneys may be better spent by doing less on Poss Road now and doing more on other streets that needed repair work.

Councilmembers stated that based upon the technical information received, they expressed their misgivings about proceeding with a full reconstruction of Poss Road and not following their original intentions to make the Poss Road reconstruction project the first economic development project from the SDAT workshops.

Council asked staff and the Engineer to return with information identifying streets most in need of reconstruction or repair, what streets need other maintenance, the costs for these projects, a timeline for completion of projects, and if money would be still available from the tax revenue for Poss Road repairs. Engineer Gonzalez stated that Poss Road, from Evers to Cherryleaf, and the streets that are most in need of repair could be completed with the budgeted funds before the weather stalls out repair work. City Manager Lambert reminded Council that they will have to vote to award bids for street repair construction.

No further action was taken on this agenda item.

Consider action on M&C # 10-07-09 with attached ordinance - a request for approval of a budget adjustment for FY 2009 rollover funding for a project not fully completed and paid for in FY 2009 (Halff Associates - Master Redevelopment Plan - General Fund)(Lambert).

City Manager Lambert addressed Council stating that he had met with Jim Carrillo of Halff Associates after the Council meeting of July 21, 2009, where City Council authorized him to move forward with a contract with Halff Associates. Mr. Lambert explained that he understood that Council had identified three steps in this project phase of the Master Redevelopment Plan that had already been done: a SWOT analysis, hearings to obtain public input, and information gathered by staff for a review that were already gathered for the SDAT. Mr. Lambert reported that in his meeting with Mr. Carrillo, it was agreed that the duplicated work would be removed from the contract timeline and the contract cost would be reduced to save the City some money. Mr. Lambert explained that although this phase of the Master Redevelopment Plan was originally quoted as almost \$125,000, after he had met with Mr. Carrillo, Mr. Carrillo provided the reduced project cost to take into account the work already completed for this project.

Councilman Reyna asked if the contractor says that they need more money, after having reduced their contract price, will the extra dollars from the original contract price be available to use? Councilman Dean stated that the contractor can return to Council to ask for the additional funds.

Following discussion, a motion was made by Councilmember Nelson, seconded by Councilman Reyna, to approve M&C # 10-07-09 with its associated ordinance. Upon vote, Mayor Riley announced the motion carried.

Consider action on M&C # 10-08-09 with attached resolution- a request to authorize the City Manager to file an application with the Alamo Area Council of Governments (AACOG) for a Regional Solid Waste Grants Program Grant and authorizing the City Manager to act on behalf of the City of Leon Valley in all matters related to the

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application; and pledging that if a grant is received the City of Leon Valley will comply with the grant requirements of the Alamo Area Council of Governments (AACOG), the Texas Commission on Environmental Quality (TCEQ) and the State of Texas (Stolz)

Mr. Lambert stated that the grant application is being submitted to AACOG to replace the oil igloo currently located at Public Works.

A motion was made by Councilmember Dean, seconded by Councilmember Nelson, to approve the request to authorize the City Manager to file an application with AACOG for regional solid waste grants as presented. Upon motion, Mayor Riley announced the motion carried.

Consider action on M&C 10-09-09 with attached ordinance - a request to authorize the City Manager to enter into an agreement with Local Government Services, LLC for cable television franchise fee payment compliance services and the associated budget adjustment (General Fund)(Lambert).

City Manager Lambert addressed Council asking for approval to enter into an agreement with Local Government Services, LLC to conduct a franchise fee payment compliance audit of Time Warner Cable (TWC). He explained that the scope of the work would review payment made to the City over the last four years from Time Warner Cable to determine compliance and to assist the City in determining if TWC has complied with the franchise fee payment provisions of State Law. He explained that we would share the per diem costs of the audit with three other cities who are also doing this at the same time and he reported on the reported successes of finding additional revenue from other local cities. Mr. Lambert reported that the company has been hosted by Texas Municipal League and because this was a professional service, there was no need for proposals to be sought from other companies. The City Manager stated that the funds for this project would come from the General Fund Reserve with a budget adjustment.

Council discussion expressed interest in also auditing AT&T and other utilities which have franchise agreements with the City in the future. Council also discussed the advantages of the three ways proposed by the vendor for the City could pay for its audit services.

A motion was made by Councilmember Nelson, seconded by Councilman Reyna, to authorize the City Manager to contract with Local Government Services, LLC and to pay for these professional services with an initial payment of \$5,000, a final payment of \$5,000 upon completion of work, and to approve the expenditure of \$250.00 for the City's share of the per diem for the vendor's trip all within the requested budget adjustment. Upon unanimous vote, Mayor Riley announced the motion carried and the request approved.

Announcements.

Councilman Garcia announced that the National Night Out events were a big success and thanked everyone who participated.

Councilman Reyna announced that he would be absent from the next meeting due to work requirements.

Councilmember Baldrige announced that the Leon Valley Historical Society would hold their annual fundraiser on Friday, October 23, 2009, a Fall Fiesta dinner with entertainment and a

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silent auction. She announced details of where to obtain tickets. She also announced she would be absent for the October 15, 2009 Special City Council Meeting.

Councilmember Dean announced that he would be having dinner with actor Robert Duvall.

Councilmember Nelson announced that she would be working school programs.

Mayor Riley provided information on the River Reach program from the San Antonio River Authority with drainage channels. She announced that she has received two letters of support from Representative Castro and Senator Van de Putte in support of Leon Valley's resolutions regarding MPO alternative funding for S.H. 16 and regarding VIA's mass transportation support.

Mayor Riley reminded everyone of the scheduled Special Meeting to be held on Thursday, October 15, 2009 at 7:00 p.m. in the Council Chambers.

Convene into executive session in accordance with the Texas Government Code, Section 551.072 "Deliberations about Real Property" to discuss land acquisition options (Lambert)

Mayor Riley announced at 8:10 p.m., Council would convene into executive session in accordance with the Texas Government Code, Section 551.072 "Deliberations about Real Property" to discuss land acquisition options.

Reconvene into open session and consider discussion and any actions as appropriate from executive session regarding "Deliberations about Real Property" (Lambert).

Mayor Riley reconvened the Council into open session at 8:39 p.m. and stated that no action was to be taken at this time.

Adjourn.

Hearing no further business, a motion was made by Councilmember Dean, seconded by Councilmember Nelson, to adjourn the meeting. Hearing no objections, Mayor Riley announced the meeting adjourned at 8:39 p.m..

ATTEST: Chris Riley
Mayor

Marie Feutz
City Secretary

Approved by unanimous vote of City Council at the Regular City Council Meeting of Nov. 2, 2009