

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
MAY 21, 2013**

The City Council of the City of Leon Valley, Texas, met on the 21st day of May, 2013, at 5:30 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 MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 5:30 P.M.

1. **Call the Leon Valley Special City Council Meeting to Order, and Determine a Quorum is Present.** Mayor Riley called the Special City Council Meeting to order at 5:32 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

City staff in attendance: City Manager Longoria, City Secretary Willman, and Special Projects Manager Smith.

2. **Executive Session in Accordance with the Texas Government Code**
 - A. The City Council convened in Executive Session at 5:32 p.m. pursuant to Section 551.074, Personnel Matters: To discuss and conduct an annual performance evaluation of City Manager Manuel Longoria, Jr., as required by the City of Leon Valley's Employment Contract, M&C # 05-06-13.
 - B. The City Council reconvened into Open Session at 6:27 p.m. and considered possible actions resulting from the Executive Session.

Motion by Councilman Reyna and second by Councilman Bieber to modify the City Manager's (Manuel Longoria, Jr.) contract to increase his contract from \$107,100 to \$110,000, to increase his car allowance to \$700 [per month], to pay any increase in his health insurance, and to change his accrued leave clause to match that of the rest of the employees of Leon Valley. Motion was made by Councilman Reyna and seconded by Councilman Bieber. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

3. **Adjourn.** Councilman Reyna made a motion for adjournment at 6:29 p.m. Mayor Riley adjourned the meeting without objection at 6:29 p.m.
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SPECIAL MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 6:15 P.M.

1. **Call the Leon Valley Special City Council Meeting to Order, and Determine a Quorum is Present.** Mayor Riley called the Special City Council Meeting to order at 6:29 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

City staff in attendance: City Manager Longoria, City Secretary Willman, Community Development Director Flores, Finance Director Wallace, Interim Fire Chief Valdez, Interim Assistant Fire Chief Lawson, Human Resources Director Caldera, Library Director Trent, Police Chief Wallace, Public Works Director Vick, Special Projects Manager Smith, and the Mayor's Liaison Trejo.

2. **Recognition of Council Member Kathy Hill and Council Member Irene Baldrige.**

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Mayor Riley presented Council Member Kathy Hill with a clock inscribed with her service and service dates; Kathy Hill, City Council Member, 2011-2013 and Mayor Pro Tem, 2012-2013. Mayor Riley expressed the City Council's appreciation for Ms. Hill's service.

Mayor Riley stated that Council Member Irene Hill has served as her mentor, based on her 10 years' service as Mayor from 1984 to 1994. The Mayor noted that Mrs. Baldrige had been a rock [of stability] during the six years of their service together. Mayor Riley presented Council Member Irene Baldrige with a clock inscribed with her service and service dates; Irene Baldrige, City Council Member, 2007-2013 and Mayor Pro Tem, 2009-2010. Mayor Riley expressed her appreciation for Councilwoman Hill's service and Councilwoman Baldrige's service.

Council Member Irene Baldrige extended her appreciation to all the citizens for their confidence in allowing her to be of service over the years.

Council Member Kathy Hill expressed her appreciation, noting that it has been her privilege to be the citizens' elected official in Leon Valley and to work with such an excellent staff in Leon Valley. She concluded by promising to be involved in whatever way the citizens need her involvement.

3. **Consider Action on a Resolution Canvassing the Results of the May 11, 2013 City of Leon Valley General Election for the Purpose of Electing City Council Members to Council Places No. 1, 3, and 5, M&C # 05-07-13.**

City Secretary Willman made a presentation based on the Canvass results of the May 11, 2013 General Election.

Motion by Councilman Dean and second by Councilwoman Hill to adopt the Resolution canvassing the results of the May 11, 2013 City of Leon Valley General Election. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Resolution No. 13-004 – A Resolution of the City Council of the City of Leon Valley Canvassing the Election Returns of the Joint, General, and Special Election Held in Conjunction with Bexar County on May 11, 2013, For the Purpose of Electing Three Council Members, at Large, for the City Council, One City Council Member Place No. 1, One City Council Member Place No. 3, and One City Council Member Place No. 5, and Declaring Elected City Council Members in Council Place Nos. 1, 3, and 5; and Providing an Effective Date.

4. **Present Certificates of Election to Council Members-Elect in Place 1, 3, and 5, M&C # 05-08-13.** Mayor Riley presented the Certificates of Election to Council Member-Elect Ricardo Ruiz in Council Place 1, to Council Member-Elect Abraham Diaz in Council Place 3, and to Council Member Paul K. Bieber in Council Place 5.
5. **Installation of Council Members; Council Member-Elect Ricardo Ruiz, Council Place No. 1; Council Member-Elect Abraham Diaz, Council Place No. 3; and Council Member Paul K. Bieber, Council Place No. 5, M&C # 05-09-13.** The Honorable Judge Larry Noll, administered the Oath of Office to Council Member-Elect

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Place No. 1 Ricardo Ruiz, to Council Member-Elect Place No. 3 Abraham Diaz, and to Council Member Place No. 5 Paul K. Bieber.

City Councilman Ricardo Ruiz, City Councilman Abraham Diaz, and City Councilman Paul K. Bieber took their places at the dais and began their respective terms of office.

6. **Adjourn.** The meeting was adjourned without objection at 6:51 p.m. Mayor Riley announced the assembly was invited to a short reception honoring Council Members in Places 1, 3, and 5 in the Leon Valley City Hall Foyer immediately following the adjournment of this Special Meeting until 7:15 p.m.
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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 Regular City Council Meeting to Order at 7:22 p.m. with the following City Council Members present: Ruiz, Reyna, Diaz, Dean, and Bieber.

Mayor Riley called for a moment of silence in respect to those persons who lost their lives in the tornado that occurred in Moore, Oklahoma. Mayor Riley asked if it would be possible to direct persons via the City's website as to how to donate or provide assistance to the many persons affected by the tornado. City Manager Longoria noted that there is a special Internet website set up to do that or that persons desiring to assist may donate money through the American Red Cross.

City staff in attendance: City Manager Longoria, City Attorney Zech, City Secretary Willman, Community Development Director Flores, Finance Director Wallace, Interim Fire Chief Valdez, Interim Assistant Fire Chief Lawson, Human Resources Director Caldera, Library Director Trent, Police Chief Wallace, Public Works Director Vick, Assistant to the Public Works Director Flores, Special Projects Manager Smith, and the Mayor's Liaison Trejo.

Councilman Diaz led the assembly in the Pledge of Allegiance.

2. **Proclamation Declaring May 19-25, 2013 National Public Works Week.** Mayor Riley presented a proclamation to Public Works Director Byron Vick and Marisa Flores, Assistant to the Public Works Director, declaring May 19-25 as National Public Works Week. Mr. Vick noted the many public works employees who have great longevity in serving the residents of Leon Valley..
3. **Citizens to be Heard and Time for Objections to the Consent Agenda.** There were no citizens to come forward to address the City Council during this agenda item.

Consent Agenda

Motion by Councilman Reyna and second by Councilman Dean to approve the Consent Agenda Items 4, 5, 6, 7, and 8. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

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4. **Consider Approval of the Regular City Council Meeting Minutes of May 7, 2013.**
Approved the meeting minutes of the May 7, 2013 Regular City Council Meeting.
5. **Consider Approval of the Special City Council Meeting Minutes of May 10, 2013.**
Approved the meeting minutes of the May 10, 2013 Special City Council Meeting.
6. **Consider Action on City Board, Commission, and Committee Appointments, M&C # 05-10-13.** Appointed Benay Cacciatore to the Festival Subcommittee by minute order.
7. **Consider a Request to Accept the Bid and Award the Contract for the 2012-2013 (Fiscal Year 2013) Bituminous Slurry Seal Project to Intermountain Slurry Seal and Authorize the City Manager to Sign the Contract and Change Orders Up to an Additional 25 Percent of the Bid Amount, M&C # 05-11-13.** Accepted the Bid and awarded the Contract for the 2012-2013 (FY2013) Bituminous Slurry Seal Project to Intermountain Slurry Seal and authorized the City Manager to sign the contract and change orders up to an additional 25 percent of the bid amount by minute order.
8. **Consider Action Authorizing the City Manager to Negotiate and Enter into a Contract for Insurance Agent of Record of Services with Gallagher Benefit Services, Inc., for the City's Employee Group Health Insurance Plans, M&C # 05-12-13.** Authorized the City Manager to negotiate and enter into a contract for Insurance Agent of Record of Services with Gallagher Benefit Services, Inc., for the City's employee group health insurance plans by minute order.

Regular Agenda

Motion by Councilman Reyna and second by Councilman Dean to suspend the regular order of business in order for the City Council to consider Agenda Item 9 between Agenda Items 13 and 14.

City Council discussion ensued regarding whether the two agenda items, Agenda Items 9 and 14, would require some discussion with the City Attorney in Executive Session. Mayor Riley noted that there were persons in the City Council Chambers desiring to speak on at least one of the agenda items. There was some discussion about the executive session language and the determination of the order of the City Council Agenda. Following the City Attorney's guidance regarding the Executive Sessions, the City Council took action on the motion on the floor.

Voting Aye: Ruiz, Reyna, Diaz, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

10. **Consider a Request by Northside Independent School District School Museum for a Variance to Chapter 3, "Building Regulations," Article 3.04, "Signs," Section 3.04.011, "On-Premise Signs," Subsection c(1), "Number and Location," to Allow an Existing Free-Standing Sign Generally Located at 6632 Bandera Road, M&C # 05-14-13.** Following a presentation by Community Development Director Kristie Flores, Caroline Wernli, Ed.D., President of the Northside Independent School District School Museum, addressed the City Council. She spoke to the purpose of the request.

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Motion by Councilman Diaz and second by Councilman Bieber to approve the variance request. Voting Aye: Ruiz, Diaz, Dean, and Bieber. Voting Nay: None. Abstaining: Reyna due to his board membership on the Northside Education Foundation. Mayor Riley announced the motion carried.

11. **Consider Action on an Ordinance Authorizing the City Manager to Enter into a Purchase Agreement and Other Related Contractual Agreements with Huebner Dirt Investments, LTD., for a 3.83 Acre Tract Known as the Murchison Remainder Tract located on Huebner Road Adjacent to the Leon Valley Huebner Water Well, M&C # 05-15-13.** Following a presentation by the City Manager, the City Council considered action on the ordinance.

Motion by Councilman Dean and second by Councilman Reyna to adopt the ordinance authorizing the City Manager to enter into the purchase agreement and other related contractual agreements with Huebner Dirt Investments, LTD., for a 3.83 acre tract known as the Murchison Remainder Tract located on Huebner Road adjacent to the Leon Valley Huebner Water Well. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance No. 13-021 – An Ordinance of the City Council of the City of Leon Valley Authorizing the City Manager to Enter Into and Execute Three Contractual Agreements for Acquisition of a 3.83 Acre Tract Adjacent to Leon Valley Huebner Water Well; Purchase Agreement (Deed Without Warranty), Sewer Line Easement Agreement, and the Drainage Easement and Detention Basin Agreement

12. **Consider Action Authorizing the City Manager to Negotiate and Execute a Contract with Galvan Neighborhood Management Company for the Operation of the Leon Valley Pool for the 2013 Summer Season, M&C # 05-16-13.** Following a presentation by Human Resources Director Caldera, the City Council considered action on an ordinance.

Motion by Councilman Reyna and second by Councilman Dean to adopt the ordinance authorizing the City Manager to negotiate and execute the contract with Galvan Neighborhood Management Company for the operation of the Leon Valley Pool for the 2013 Summer Season. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance No. 13-022 - An Ordinance of the City Council of the City of Leon Valley Authorizing the City Manager to Execute the Agreement with Galvan Neighborhood Management Company to Operate the City Owned Pool at 6600 Strawflower, Leon Valley, Texas, for the 2013 Swim Season (From Memorial Day Through Labor Day)

13. **Consider Action Authorizing the City Manager to Negotiate a Construction Manager at Risk Contract with Bartlett Cocke General Contractors for the Construction of a Fire Station, Police Station and Municipal Offices and Authorize the City Manager to Execute the Negotiated Contract; and Providing an Effective Date, M&C # 05-17-13.** Following a presentation by the City Manager, the City Council

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considered a resolution authorizing the City Manager to negotiate a Construction Manager at Risk Contract with Bartlett Cocke General Contractors.

Motion by Councilman Reyna and second by Councilman Diaz to approve the amended resolution as follows; to include all rankings by staff [in the body of the resolution.] Voting Aye: Ruiz, Reyna, Diaz, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Resolution No. 13-005, as Amended – A Resoution of the City Council of the City of Leon Valley, Texas, Authorizing the City Manager to Negotiate a Construction Manager at Risk Contract for the Construction of a Fire Station, Police Station and Municipal Offices and Authorize the City Manager to Execute the Negotiated Contract; and Providing an Effective Date, with Section 3. amended to read “That the Mayor and City Council hereby authorize the City Manager to begin negotiations with the highest ranked responder, Bartlett-Cocke General Contractors, and if an agreement cannot be reached in said negotiations end, to begin negotiations with the next highest ranked responders in order of ranking: Turner Construction Company, Guido Brothers Construction, and Joeris General Contractors, until an agreement can be reached.”

Mayor Riley read the captions for Agenda Items 9 and 14 and announced that the City Council would convene in Executive Session pursuant to the Texas Government Code, Section 551.071, Consultation with City Attorney, related to Agenda Items 9 and 14. The City Council convened in Executive Session at 8:13 p.m. The City Council reconvened into Open Session following the Executive Session at 9:13 p.m.

9. Presentation and Report by the City Attorney on the Process to Evaluate Possible Breaches of Contract Regarding the Lease Between the Leon Valley Historical Society and the City of Leon Valley Regarding the Natural Area Park as Requested by the City Council, M&C # 05-13-13.

Motion by Councilman Reyna and second by Councilman Dean to authorize and direct the City Attorney to research the two items discussed in Executive Session related to this agenda matter. Voting Aye: Ruiz, Reyna, Diaz, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

14. Presentation by the City Attorney Regarding the Regulation of Short Term Financial Lending Institutions, M&C # 05-18-13.
No action was taken arising out of the Executive Session related to this agenda item.

Discussion Agenda

15. City Manager’s Report. (Longoria)
A. Report on the Status of the Evers and Huebner Roads Traffic Improvements Project. City Manager Longoria reported that the Phase A work is scheduled to be completed by May 31. The City Council raised a question about whether a determination had been reached regarding withholding the issuance of the final Certificate of Occupancy until all of the work is completed in both Phases A and B. The City Attorney interjected that the City Manager and he had studied the

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Development Agreement. The determination was reached that the City cannot withhold issuing a final Certificate of Occupancy based on the off-site traffic improvements specified in the Development Agreement.

- B. Policy for the Handling of Found Personal Property.** City Manager Longoria informed the City Council that reporters for various media outlets continue to call the City to determine the outcome of whether the funds located by a CPS employee would be returned to the finder. He noted that the City Council may expect to continue to hear media stories slanted towards a perception that the City of Leon Valley intends to keep the found money rather than to return it to the finder. City Attorney Zech informed the City Council that the Leon Valley Police Department had used the Code of Criminal Procedures in handling the funds until the City could determine a policy for handling such matters. Mr. Zech noted further that there are various issues related to handling such property or monies lost and turned into the City. He concluded by stating that he will continue to work with staff to develop a comprehensive policy that answers the questions raised and protects the City of Leon Valley. The policy drafted will be brought before the City Council for its consideration at a future meeting.
- C. City Council Retreat and Possible Direction to Staff.** The City Manager announced that the City Council Retreat is scheduled for Friday, May 31 between 12:30 p.m. and 4:30 p.m. in a public meeting at the Leon Valley Conference Center. The City Council was directed to submit its issues for consideration to the City Manager so that an agenda may be posted for the meeting. Mayor Riley asked that the last two year's goals and last year's agenda be included in the Retreat agenda packet.
- D. Financial Statement for April 2013.** Finance Director Vickie Wallace presented the Financial Statement for the month of April 2013.
- E. Approved Board, Committee, and Commission Meeting Minutes.** There were no comments made regarding the approved board, committee, and commission meeting minutes.
- (1) Leon Valley Park Commission Meeting Minutes for March 11, 2013 and April 8, 2013.
 - (2) 2012 Bond Program Oversight Committee Meeting Minutes for March 28, 2013.
- F. Monthly Departmental Reports.** There were no comments made regarding the Monthly Departmental Reports.
- G. Future Agenda Items.**
- (1) Next Quarterly Update and Dialogue between the City Council and the Leon Valley Economic Development Board of Directors, June.
 - (2) Election of Mayor Pro Tem, June.
 - (3) Bandera Road Site – CAG Presentation, June 18.
 - (4) Appointments to the 2012 Bond Oversight Committee and the Leon Valley Economic Development Corporation Board of Director, June.
- 16. Citizens to be Heard.** There were no citizens to come forward to address the City Council during this agenda item.
- 17. Announcements by the Mayor and Council Members.** Councilman Ruiz thanked the Mayor and City Council and the assembly for their support. He noted that his first meeting tonight was overwhelming and a very humbling experience. He thanked Councilwoman Kathy Hill and Councilwoman Irene Baldrige for

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their time and their service.

Councilman Reyna updated the assembly on the City's legislative initiative. He congratulated the newly elected Council Members and stated he brought congratulations from former City Councilman Manea to the new Council Members.

Councilman Diaz thanked the voters for the opportunity to be part of the City Council. He stated it is an honor and a privilege to sit on Council.

City Attorney Zech reminded the Mayor and City Council about the upcoming Hogwild legal event. He detailed the speakers and their presentations. Mayor Riley asked if the event presentations would be available on disk as she will be out of town that week. Mr. Zech stated the information can certainly and will be provided to the Mayor.

Councilman Dean welcomed the two new Council persons and stated a big thank you for the two Council persons that left.

Councilman Bieber stated his congratulations to the two new City Council Members and noted that he had enjoyed working with Kathy Hill and Irene Baldrige. He thanked Council Members Hill and Baldrige, noting that they had taught him a lot and that he appreciated working with both Council Members Hill and Baldrige. He said he is looking forward to a very good year.

Mayor Riley thanked Community Development Director Kristie Flores (who had left the meeting earlier) who traveled to Lansing, Michigan, sent by the Alamo Forestry Service, to a statewide Arbor Day event. Ms. Flores gifted the Mayor with a tee shirt. Ms. Flores noted that persons at the event complimented the City of Leon Valley for doing so many tree-related events including the plan to plant 10,000 trees and being awarded the Tree USA designation. Mayor Riley announced an invitation to the Ice Cream Social to benefit the Huebner-Onion Homestead from 2 p.m. to 5 p.m. on Sunday. Mayor Riley announced that the City of Leon Valley's Low Impact Development (LID) Project drew the largest number of teams (8). Each project will pay \$15,000 to the winning team selected. The deadline for the announcement of the winning teams is a gathering on July 10 at The Pearl. She thanked City Manager Longoria and Marisa Flores, Assistant to the Public Works Director, for their participation in the LID Project.

Mayor Riley stated it is her privilege to serve as Mayor of Leon Valley. She noted that as always she respects the people's choices for City Council and especially this year in Places 1, 3, and 5. However, she stated that she is deeply concerned about the allegations of corruption mailed to all of the City's citizens against two of our former City Council Members as well as a possible implication of our dedicated staff. This reflects on our City's reputation just as we are trying to update our branding and image in Bexar County. These allegations, I am sure will be thoroughly examined but we just can't afford for people to believe political claims which in my estimation are untrue. With that said, I'm committed to working with the new Council and look forward to a productive year ahead. As always, I'm honored to be your Mayor and will work diligently for the prosperity of our citizens and the mission of our City which is to provide superior quality of life by balancing social equity, environmental stewardship, and economic development to achieve sustainability.

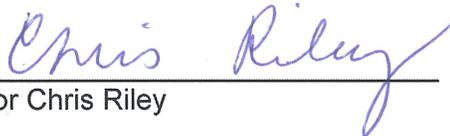
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Executive Session

18. 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).

Two Executive Sessions were conducted, one immediately following the other, pursuant to Section 551.071, consultation with attorney, related to Agenda Items 9 and 14.

19. **Adjourn.** Mayor Riley made a motion for adjournment at 9:40 p.m., there being no objection, Mayor Riley adjourned the meeting at 9:40 p.m.



Mayor Chris Riley

ATTEST:



Janie Willman, City Secretary

