

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
MAY 7, 2013**

The City Council of the City of Leon Valley, Texas, met on the 7th day of May, 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:

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 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

City staff in attendance: City Manager Longoria, City Attorney Zech, City Secretary Willman, Economic Development Director Mora, Interim Fire Chief Valdez, Human Resources Director Caldera, Library Director Trent, Police Chief Wallace, and Public Works Director Vick.

Councilman Reyna led the assembly in the Pledge of Allegiance following a moment of silence for Senator Leticia Van de Putte's grandson, infant Rex Neal Van De Putte.

2. **Proclamation Declaring May as Motorcycle Safety and Awareness Week.** Mayor Riley called Mr. John Caillouette, Safety and Awareness Coordinator, San Antonio Region, Texas Confederation of Clubs and Independent Riders, forward to receive the Proclamation.

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

Linda Persyn, Past President of the Leon Valley Historical Society, addressed the City Council to provide information and clarification that the Historic Huebner-Onion Homestead was a stagecoach stop. She noted that persons campaigning for some of the City Council candidates were stating the Historic Homestead was never a stagecoach stop. Ms. Persyn shared documentation establishing the Homestead's historic past.

Consent Agenda

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

4. **Consider Approval of the Regular City Council Meeting Minutes of April 16, 2013.** Approved the Regular City Council Meeting Minutes of April 16, 2013.
5. **Consider Approval of the City Council Meeting Minutes of the Candidates Forum Conducted on April 30, 2013.** Approved the City Council Meeting Minutes of the Candidates Forum conducted on April 30, 2013.
6. **Consider Action on City Board, Commission, and Committee Appointments, M&C # 05-01-13.** Appointed Mr. Mike McCarley to the Branding/Identity City Council Subcommittee; appointed Ms. Lehua Wood to the Communications City Council Subcommittee; appointed Ms. Lehua Wood, Mr. Jason Hudson, Ms. Wendy Gibson, Mr. Carlos Vera (representing the Community Events Committee), and Mr. Tom D. LeRoy

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(representing the Leon Valley Chamber of Commerce) to the Festivals City Council Subcommittee; all by minute order.

Regular Agenda

7. **Consider Action on a Budget Adjustment to Accept and Authorize the Expenditure of \$1,000 Library Grant, M&C # 05-02-13.** Library Director Trent made a brief presentation regarding the requested Budget Adjustment to accept and authorize the \$1,000 expenditure of a Library Grant received from the Pearl Project.

Councilwoman Hill asked for an approximate estimate of the number of books the \$1,000 might purchase. Library Director Trent noted most books cost about \$25 each, some are available at a discounted price. She stated the money will be used to purchase books and materials for the young people expected to use the new Children's Wing currently under construction.

Motion by Councilman Reyna and second by Councilwoman Baldrige to adopt the Ordinance approving amendments to the original budget for the Fiscal Year of 2013. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance No. 13-019 – Approving Amendments to the Original Budget of the City of Leon Valley, Texas, for the Fiscal Year of 2013

8. **Approve an Ordinance Authorizing the City Manager to Enter Into a Memorandum of Understanding With the Texas Department of Transportation (TXDOT) Regarding the Adoption of TXDOT's Disadvantaged Business Enterprise (DBE) Program as a Requirement For Obtaining Future Transportation Related Funds From TXDOT, M&C # 05-03-13.**

City Manager Longoria made a presentation to the City Council regarding this agenda item. Mr. Longoria reported that during the process of requesting funding for the construction of a proposed hike and bike trail, staff learned that in order for the City to be reimbursed for any costs associated with any transportation-related project through the Texas Department of Transportation (TxDOT), the City must enter into a Memorandum of Understanding with TxDOT regarding their Disadvantaged Business Enterprise (DBE) Program. The City Manager explained that the DBE Program encourages minority-owned and women-owned business enterprises to participate in the federally funded government contracts by establishing DBE participation goals.

Motion by Councilman Dean and second by Councilman Bieber to approve an Ordinance authorizing the City Manager to enter into a Memorandum of Understanding with TxDOT regarding the adoption of TxDOT's federally approved DBE Program as a requirement for obtaining future transportation-related funds from TxDOT. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Approved Ordinance No. 13-020 - Authorizing the City Manager to Enter into a Memorandum of Understanding (MOU) with the Texas Department of Transportation (TXDOT) Regarding the Adoption of TXDOT's Federally Approved Disadvantaged Business Enterprise Program as a Requirement for Obtaining Future Transportation Related Funds from TXDOT.

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Discussion Agenda

9. **Report on the Completion of the Defensible Space Project at the Leon Valley Natural Area, M&C # 05-04-13.** Interim Fire Chief Valdez presented a report including before and after photos of the Defensible Space Project completed at the Leon Valley Natural Area on May 1. Mr. Valdez detailed the goals completed and challenges encountered during the Project work. He reported that the City's in-kind contributions totaled \$5,332 based on the Fire Department's cost of \$1,778 and the Public Works Department's cost of \$3,554. Interim Fire Chief Valdez reported that with the construction of the Defensible Space completed, ongoing maintenance will be required to remain in compliance with the international Fire Code and that periodic inspections will be done by the Leon Valley Fire Department.

Councilman Bieber had suggested sending the neighboring homeowners a letter that they might send to their insurance companies because there might be a deduction on their homeowner coverage premiums. Interim Fire Chief Valdez reported he was working on those letters.

Councilman Dean congratulated and acknowledged Interim Fire Chief Valdez' efforts on this project with the Texas A&M Forestry Service along with the City Manager's leadership. Mr. Dean stated that using the TFS saved the City a great deal of money indicating that had the City had to do all of the work the cost would have been catastrophic as far as the City's budget is concerned. Mr. Dean noted that now that the Defensible Space Project is completed, it needs to be maintained.

Mayor Riley asked to what the difference between the [forecasted] amount of \$9,886 and the \$5,332 amounts was attributable. The Interim Fire Chief answered the difference in the cost to complete the project was attributed to the speed with which the Project was completed; the work was done in 3 days instead of 10 days.

Councilwoman Baldrige noted that it was admirable to have the Texas Forestry Service showing us how to do the work the right way. She indicated she knows our intentions are all good and we think we're doing things the right way, the safest way. She stated the expertise that was brought to and shared with the City; we can live with for a long time.

10. **Report on City's Pool Operations and Annual Operating Costs, with Possible Direction to Staff.** The City Manager introduced this agenda item as a follow-up report to an agenda item discussed at the April 16 City Council Meeting. He noted that Ms. Caldera, working with Public Works Director Vick and his staff evaluated the City's options resulting in tonight's report to the City Council. Human Resources Director Caldera presented a report on the City's options. Ms. Caldera reported on operating budgets for similar-sized pools, along with providing a historical perspective on the City's contributions in Fiscal Year 2012 towards operating the swimming pool. The estimated cost for the City to operate the Pool in 2013 was projected to add \$38,648 to the current fiscal year budget for insurance, lifeguards, and a part-time certified pool operator. A possible fee structure was estimated at levels to demonstrate the City recouping its total costs for operating the pool for the 2013 summer season. Ms. Caldera reported further on the steps taken to date to try to open the City pool for the 2013 summer season. The options included not opening for the 2013 summer season, the City opening the pool at

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a total estimated cost of \$47,595, or through a bidding process, contracting with a pool management company to run the pool at an estimated cost of \$43,000 annually. Ms. Caldera updated the City Council's information with a contact made by Victoria Galvan who called the City shortly before this evening's City Council Meeting. Ms. Caldera reported on the options availing with using Ms. Galvan as the pool operator.

The City Council asked questions about liability, membership accounting, start-up costs with Ms. Galvan as the pool operator, promotional and advertising considerations, the need to thoroughly check Ms. Galvan's references and experience, and a good time to consider operations and costs for the next fiscal year. Staff addressed the questions. The City Manager committed to bringing the City Council a detailed report on May 21 complete with a formal agreement for the City Council's consideration based on a thorough vetting process. Staff asked for permission to allow Ms. Galvan to start a membership outreach to establish a fund from which to hire the needed lifeguard staffing. The City Manager noted he would like to issue a notice to proceed letter if the City Council thought it proper.

11. City Manager's Report. (Longoria)

A. Report on the Status of the Evers and Huebner Roads Traffic Improvements Project.

City Manager Longoria reported on the status of the Evers and Huebner Roads Traffic Improvements Project. Mr. Longoria reported that the work in Phase A was on schedule to be completed earlier than originally thought, by May 22-23. The City Council discussed concerns regarding the traffic signal to be replaced and other more complex changes. The City Council asked if the permanent Certificate of Occupancy would be held up if the more complex traffic directional and controlling devices were not completed. The City Manager stated that the primary safety issues were addressed in Phase A. Mr. Longoria noted that he did not think the permanent Certificate of Occupancy could be withheld if the Developer / Owner was complying with the requests made in Phase A. The City Attorney noted that the Certificate of Occupancy can only be withheld if it was a condition of the Development Agreement. He noted that he would get with the City Manager to review the Development Agreement. City Attorney Zech stated that normally Certificates of Occupancy are not withheld except in matters involving noncompliance with zoning and subdivision regulations.

Liz Maloy, 7411 Chenal Point, addressed the City Council, voicing dissatisfaction with the progress of completing the safety issue remedies and enforcement of the development agreement.

B. Future Agenda Items.

- (1) Canvass Results of the May 11, 2013 General Election, May 21, 5:00 p.m.
- (2) 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.
- (3) Next Quarterly Update and Dialogue Between the City Council and the Leon Valley Economic Development Board of Directors, June.

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12. **Citizens to be Heard.** Olen Yarnell, 7230 Sulky Lane, asked the City Council to address the matter of the sound system at the Leon Valley Conference Center. He noted that the problems with the sound and sound system at the Conference Center during the recent Candidates Forum were an embarrassment to the City. He asked that it be addressed immediately.

Dorothy Humphrey, 7027 Pepperwood Street, asked the City Council to address issues of contractors running businesses out of their homes on Pepperwood Street. She noted a problem with laborers changing clothes by the cars in the street with school kids nearby. She asked that additional Code Enforcement be done in the area. She reported she had called Code Enforcement about one month earlier and it was beneficial.

Rudy Garcia, 6819 Evening Sun, addressed the City Council regarding money that CPS workers found on the streets. Mr. Garcia noted that the workers turned it in to the Police Department. He stated it looks bad that they cannot seem to reclaim the money from the City as that seems like a legitimate claim.

13. **Announcements by the Mayor and Council Members.**

Pet Parade, May 18, Leon Valley Conference Center, 6421 Evers Road, 10 a.m. – 12 Noon

Councilman Biever wished the Spurs well and everyone a Happy Mother's Day.

Councilwoman Baldrige invited everyone to attend the Leon Valley Historical Society Pioneer Ice Cream Social on Sunday, May 26, from 2 p.m. to 5 p.m.

Councilman Reyna updated the assembly on the progress of the City's legislative initiative related to street maintenance and sales tax. Mr. Reyna also detailed the situation with a fire alarm going off at the Leon Valley Conference Center. He thanked those helping him resolve the situation.

Mayor Riley wished everyone a Happy Mother's Day and wished everyone a wonderful weekend.

Executive Session

14. 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.

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15. **Adjourn.** Motion by Councilman Reyna and second by Councilman Dean to adjourn the meeting at 8:38 p.m. in memory of Senator Leticia Van de Putte's grandson, infant Rex Neal Van de Putte, and that a formalized copy of these minutes be forwarded to his family with the City's condolences. Mayor Riley called for the vote. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.



Mayor Chris Riley

ATTEST:



Janie Willman, City Secretary

