CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
OCTOBER 16, 2012

The City Council of the City of Leon Valley, Texas, met on the 16th of October, 2012 at 4:00 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 MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 4:00 P.M.

1. Call the City of 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 4:04 p.m. with all the City Council members in attendance: Hill, Reyna, Baldridge, Dean, and Biever.

The following staff members were in attendance: City Manager Longoria, and Human Resource Director Caldera.

2. Executive Session in Accordance with the Texas Government Code.
   A. The City Council of the City of Leon Valley convened in Executive Session at 4:04 p.m., Pursuant to Section 551.074, Personnel Matters, to deliberate the duties and responsibilities of Public Officers and to conduct interviews with prospective City Attorney candidates related to awarding the contract for City Attorney and legal services, M&C # 10-07-12.

   1) Akers & Bouleware-Wells, LLP, Attorneys at Law. Following the interview with attorneys from Akers & Bouleware-Wells, the City Council took a brief break at 4:58 p.m.

   2) Denton, Navarro, Rocha & Bernal, P.C., the City Council reconvened into Executive Session at 5:05 p.m. Following the interview with the attorney from Denton, Navarro, Rocha & Bernal, the City Council took a brief break at 5:56 p.m.

   3) McKamie-Krueger, LLP. The City Council reconvened into Executive Session at 6:04 p.m. Following the interview with the attorney from McKamie-Krueger, the City Council reconvened into Open Session.

B. The City Council of the City of Leon Valley reconvened into Open Session at 6:50 p.m. and took no action.

3. Adjourn. Motion by Councilman Reyna and second by Councilman Dean to adjourn the meeting at 7:11 p.m. Mayor Riley adjourned the meeting at 7:11 p.m.

REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7 P.M.

1. Call the City of Leon Valley Special 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 7:11 p.m. with all the City Council members in attendance: Hill, Reyna, Baldridge, Dean, and Biever.

The following staff members were in attendance: City Manager Longoria, City Attorney McKamie, City Secretary Willman, Community Development Director Flores, Economic Development Director Mora, Finance Director Wallace, Fire Chief Irwin, Human Resources Director Caldera, and Police Chief Wallace.

Mayor Riley led the assembly in the Pledge of Allegiance.

2. Citizens to be Heard and Time for Objections to the Consent Agenda.
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Ricardo Ruiz, 5616 Bandera Road, Owner/Operator of Cha-Cha's in Leon Valley, addressed the City Council informing them of his participation as a boxer in a South Texas Hispanic Scholarship event representing north San Antonio and the City of Leon Valley. He cited his fighting name as the “fighting mustache.”

The following citizens addressed the City Council regarding deficiencies that remain to be resolved regarding the Department of Public Safety Center being constructed on Huebner Road. A request was made to withhold issuing a Certificate of Occupancy. Some of the speakers indicated there will probably be some class action suits resulting from bad accidents and / or deaths with the increased traffic. Speakers cited traffic flow problems, traffic signals not working, anticipated parking problems in the surrounding neighborhoods, personal safety concerns, excessive lighting and possible light intrusion, and larger numbers of persons than originally presented based on correspondence received by the City of Leon Valley in February 2012.

Liz Maloy, 7411 Chenal Point.
Judith Lofland, 7314 Ellerby Point.
Louise Malouff, 6514 Fontana Point.
Jeton Kellogg, 6615 Fontana Point.
Virginia Godsey, 6511 Pecan Acres.
Jonathan Godsey, 6511 Pecan Acres.
Carol Smith, 7230 Grass Valley Drive.

Councilman Reyna asked to be excused at 7:40 p.m. regarding a need to leave and check on his father who may have taken too much medication. Mayor Riley acknowledged Councilman Reyna’s request and announced that he was excused.

Consent Agenda

Motion by Councilman Dean and second by Councilwoman Baldrige to approve the Consent Agenda Items 3 through 7 as presented. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

3. Consider Approval of the Meeting Minutes of the following City Council Meetings:
   A. Special City Council Meeting of September 27, 2012
   B. Special and Regular City Council Meetings of October 1, 2012
   C. Special City Council Meeting of October 2, 2012 (National Night Out Events)
   The City Council approved the minutes of the meetings of September 27, 2012, October 1, 2012, and October 2, 2012.


5. Consider Approval of the Annual Review and Adoption of the City of Leon Valley’s Investment Policy, as Presented, Without Revisions to the Current Policy, M&C # 10-09-12. The City Council reviewed and adopted the City of Leon Valley’s Investment Policy, as presented without revisions in keeping with the Public Investment Act of 1987.

7. Consider Action on an Ordinance Amending the Leon Valley Code of Ordinances, Appendix A, “Fee Schedule,” Article A2.000, “Administrative Fees,” Section A2.004(c), “Community Center Fees-Cleaning Fee,” and Section A2.005(a), “Conference Center Rental Fees-Rental, Cleaning and Security Service Fees Chart,” to Amend the Cleaning Fee for Both Centers, M&C # 10-11-12. The City Council amended the Leon Valley Code of Ordinances by amending the fee schedule reflecting the increases for cleaning and security services related to rentals of the Conference and Community Centers to allow the City of Leon Valley to pass along increases required and formulated into the adopted current fiscal year budget.


Regular Agenda

Councilman Reyna returned to the meeting at 7:59 p.m. noting that all was well with his father.

8. Consider Authorizing the City Manager, by Ordinance, to Select and to Negotiate the Municipal Facility Design Service Contract with the Architecture Firm of O’Neill Conrad Oppelt Architects, Inc. (OCO Architects), to Provide Services for Projects Identified in the May 2012 Bond Election, M&C # 10-12-12. The City Council approved an ordinance authorizing the City Manager to select and to negotiate the municipal facility design service contract with an architecture firm, O'Neill Conrad Oppelt Architects, Inc. (OCO Architects), to provide services for the projects identified in the May 2012 Bond Election in ranking order as recommended by the Selection Review Committee, dependent on the outcome of optimal services offered at most advantageous pricing as determined during the negotiation process.

Following a briefing by the City Manager, the City Council took action.

Motion by Councilman Reyna and second by Councilman Biever to approve the ordinance, as amended, authorizing the City Manager to rank the architects as presented: OCO, Alamo, Kell-Muñoz, and authorizing the City Manager to negotiate in that order. That should the City Manager’s initial contract negotiation efforts require negotiation with Alamo Architects and Kell-Muñoz Architects, in order, that the City Manager inform the City Council before proceeding to the next firm. Voting Aye: Hill, Reyna, Baldridge, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance 12-032 – Authorizing The City Manager To Select And To Negotiate A Municipal Facility Design Service Contract With O’Neill Conrad Oppelt Architects, Inc. To Provide Architecture Design Services For Projects Identified In The May 2012 Bond Election

9. Consider Authorizing the City Manager, by Ordinance, to Enter into a
Development Agreement with SRS Real Estate Partners for the Development of Approximately 13.3 Acres Located at 6300 and 6320 Bandera Road, the Former Fiesta Dodge Property, M&C # 10-13-12. The City Council approved an ordinance authorizing the City Manager to enter into a development agreement with SRS Real Estate Partners for approximately 13.3 acres located at 6300 and 6320 Bandera Road, the former Fiesta Dodge Property.

Following a briefing by the Economic Development Director, the City Council took action. Staff reported that the City had just been notified of a name clarification related to the project / ownership developer of the property. Bandera Road Holdings, LLC, is the owner of the property and SRS Real Estate Partners is the project developer.

Motion by Councilman Dean and second by Councilwoman Baldrige to approve the ordinance, as amended, Authorizing the City Manager to Enter into a Development Agreement with Bandera Road Holdings, LLC, to the Development of Approximately 13.3 Acres Located at 6300 and 6320 Bandera Road, the former Fiesta Dodge Property. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance No. 12-033 – Authorizing the City Manager to Enter into a Development Agreement with Bandera Road Holdings, LLC.

10. Consider Authorizing the City Manager, by Ordinance, to Amend the Contract for Services with Halff Associates Related to theEnhancement of the Bandera Road Corridor to Include Additional Funding Not to Exceed $49,850 from the Community Infrastructure and Economic Development (CIED) Funds Awarded to the City of Leon Valley by CPS Energy, M&C # 10-14-12. The City Council approved an ordinance authorizing the City Manager to amend the contract for services with Halff Associates related to the enhancement of the Bandera Road Corridor in the City of Leon Valley to include additional funding not to exceed $49,850 from the CIED Funds awarded to the City of Leon Valley by CPS Energy.

Following a briefing by the Community Development Director, the City Council took action. The City Manager noted that in the back-up documentation there is an estimated CIED project budget list which has not been formalized but represents recommendations for project funding. He requested feedback from the City Council regarding the list of recommended projects.

Motion by Councilwoman Baldrige and second by Councilwoman Hill to approve the ordinance as presented. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance No. 12-034 – Authorizing the City Manager to Amend the Contract for Services with Halff Associates Related to the Enhancement of the Bandera Road Corridor to Include Additional Funding Not to Exceed $49,850 from the Community Infrastructure and Economic Development (CIED) Funds Awarded to the City of Leon Valley by CPS Energy.

Discussion Agenda

11. City Manager’s Report. (Longoria)

A. Informational updates, as may be required. The City Manager noted that in conversations with Texas Department of Transportation, a stakeholder’s meeting
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has been proposed. Mario Medina of the Texas Department of Transportation requested a list of community stakeholders be provided to them for invitations to be issued. Mr. Longoria noted that staff made some suggestions to a possible list for consideration. Staff is seeking the City Council’s input for persons to be invited to the stakeholder’s meeting. A date for the stakeholder’s meeting is projected in November with a report to be brought back to the City Council in December. The list includes neighborhoods that border Bandera Road and businesses on Bandera Road.

The City Manager updated the City Council on the Department of Public Safety Development Agreement. He noted that based on the rainy summer season that the project is running behind schedule. He indicated that the new tenants will be completing the requirements as indicated in the Development Agreement.

Councilman Reyna asked for clarification if the Development Agreement allows a six month period of time after the facility opens as the check-in time to ensure that traffic assessments and any other requirements are checked and adjustments made. The City Manager responded that was correct. There was some discussion regarding the letter cited by the speakers. The City Manager indicated the City Council will be provided a copy of the correspondence. The City Council asked the City Attorney if the City has immunity against class action suits. City Attorney McKamie indicated the City of Leon Valley has governmental immunity for discretionary acts such as the one the City Council undertook related to the Department of Public Safety. It was noted that traffic lights that are not working need to be serviced now.

B. Attorney General Opinion No. GA-0957 (2012), discussion and update. The City Attorney explained that this ruling was issued in the Summer of 2012. He explained its history and use. Mr. McKamie noted his office would issue an opinion in writing which will serve as an affirmative defense to any challenges as long as the City Council and the City’s boards act in accord with what is written in the opinions and posted agendas resulting therefrom.

C. Monthly Departmental Reports. There were no questions or comments made regarding the monthly departmental reports.

D. Approved Minutes of City-Affiliated Boards, Committees, and Commissions.

E. Future Agenda Items
   (1) Special Joint City Council / Leon Valley Historical Society Meeting, Discussion of City Policy Regarding the Natural Area, Friday, November 2, 2012, at 9:00 a.m., City Council Chambers.
   (2) Consideration of Bid Award to Crownhill Builders for the Leon Valley Public Library Children’s Wing, November 5, 2012.
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(3) Consider Resolution to Reschedule City Council Meetings in January 2013 from 1st and 3rd Tuesdays to 2nd and 4th Tuesdays due to New Year Holiday and holiday transition, November 5, 2012.

(4) Consider Approval of Solid Waste Contract as Authorized by the City Council, December, 2012.

(5) Executive Session Interviews and Possible Appointment of LVEDC Board Member in Place 6, November - December, 2012.


(7) Texas Department of Transportation Presentation on Super Street Model.

(8) Staff Update / Presentation on the Progress of the Sun Setting Process for the City of Leon Valley’s Boards, Committees, and Commissions.

(9) Economic Development Project Related to El Sol & The Kinman House; Lease Agreement and Consideration of Approving Financial Incentives in Excess of $10,000.

12. Citizens to be Heard. There were no citizens to address the City Council during this agenda item.

13. Announcements by the Mayor and Council Members.

October 19, 2012, 6 – 10 p.m., Leon Valley Historical Society 2012 Pioneer Gala,
October 20, 2012, 2-7 p.m., Founders Day Family Festival
October 31, 2012, 10-11 a.m. Well Dedication Ceremony

The City Attorney noted that he is on the host committee the International Municipal Lawyers Conference is hosting their conference in Texas. He will bring back a report to the City Council.

Councilman Baldridge announced the Leon Valley Historical Society’s annual fundraiser and noted the upcoming commemoration event for the City of Leon Valley’s 60th Anniversary as a City.

Councilwoman Hill thanked the City staff for their help and support in staging the upcoming commemorative events. She announced the raffle of super tickets for a Dallas Cowboy Game. She detailed some of the highlights upcoming commemorative events.

Mayor Riley announced that Raising Cane’s called voicing interest in helping with the dog park at Crystal Hills Park. Raising Cane’s is also interested in assisting with the Breakfast with Santa. Economic Development Director Mora reported that book donations will be part of the Breakfast with Santa. The target date for the grand opening of Raising Cane’s is Thursday, November 8. It was also noted that the City of Leon Valley Firefighters are conducting a food bank drive and Raising Cane’s will be assisting with that effort.

Mayor Riley announced the Well Dedication Ceremony on Wednesday, October 31 between 10 a.m. and 11 a.m.
Mayor Riley announced the solid waste contract negotiations are underway.

**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).

No Executive Session was conducted under this agenda item.

15. **Adjourn.** Mayor Riley adjourned the meeting without objection at 9:25 p.m.

[Signature]
Mayor Chris Riley

**ATTEST:**

[Signature]
Janie Willman, City Secretary