

CITY OF CASTLE HILLS  
REGULAR CITY COUNCIL MEETING  
MINUTES OF MAY 11, 2010

The City Council of the City of Castle Hills convened at 6:30 p.m. on the 11<sup>th</sup> day of May, 2010, in the Council Chambers of the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Bill Martin, Pat Butler, Marianne Huizar, Bernie Wright, Patricia Cruz, Kathleen Hurren, Brother William Dooling, Susan Kilgore, L. David Givler, Christie Mata, Jesse G. Martinez, Deborah F. Fraser, Arturo Villarreal, William Beuhler, Helen B. Glass, Bob Jones, Clara Jones, Nancy Cardenas, Mitchell Kaliff, and Pamala Farris.

I. OPENING

- A. QUORUM - Present and composing a quorum of the City Council were Mayor Marcy Harper, Steve McGuire, Douglas Gregory, Tom Davis, Marcella Huff, and Bruce Smiley-Kaliff

Staff present was Interim City Manager Rita Hoyl, City Secretary Linda Gill, City Attorney Michael S. Brenan, Police Chief Donny Davis, Fire Chief Jerry Riedel, and Public Works Director Rick Harada.

- B. INVOCATION – Bill Martin

- C. PLEDGE OF ALLEGIANCE – Bill Martin

- D. CONSIDERATION OF THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD APRIL 13, 2010.

**Motion:** Councilman Smiley-Kaliff moved to approve the minutes of the special city council meeting held April 13, 2010. Councilman Davis seconded the motion. The motion passed unanimously.

- E. CONSIDER AND ACT ON THE MINUTES OF THE CITY COUNCIL MEETING HELD APRIL 13, 2010.

**Motion:** Council member Huff moved to approve the minutes of the city council meeting held April 13, 2010. Councilman Smiley-Kaliff seconded the motion. The motion passed unanimously.

- F. CONSIDER AND ACT ON THE TREASURER'S REPORT FOR THE MONTH OF APRIL, 2010.

**Motion:** Councilman Gregory recognized Wayside Chapel for increasing their donation to the city \$200.00 per month. He then moved to approve the April Treasurer's Report. Councilman Davis seconded the motion. At the request of Councilman Smiley-Kaliff, Councilman Gregory indicated that he reviewed the treasurer's report found it correct. The motion passed unanimously.

## II. ANNOUNCEMENTS

### A. RECOGNIZING JESSE G. MARTINEZ FOR 42 1/2 OF SERVICE WITH THE CITY OF CASTLE HILLS STREET AND SANITATION DEPARTMENTS.

Public Works Director Harada presented a resolution, a plaque, and a watch honoring the retirement of Jesse Martinez and commending his faithful and dedicated service to the residents of the City of Castle Hills.

Mayor Harper announced that mosquito spraying was scheduled for May 12 and May 26, 2010, beginning at 11:00 p.m.

Council member Huff gave an update on the search for City Manager.

Councilman Davis thanked citizens for exercising their rights and voting in the recent city election. He also expressed thanks to Ms. Hoyl and Mr. Harada, who worked with the City of San Antonio, on the retention pond across from Carolwood and Lochhaven.

Mayor Harper read a thank you card from Mary Frances Ellis of 305 Lochaven expressing her appreciation to the city for sending her flowers on her 100<sup>th</sup> birthday.

*Mayor Harper changed the order of the agenda and advanced to Item B under New Business.*

III. CITIZENS TO BE HEARD There were no citizens present who wished to speak.

## IV. REPORTS

- Kevin Wolf, Bexar County Commissioner, Precinct 3 introduced Art Villarreal, Bexar County Flood Control Funds, who explained the Bexar Regional Watershed Management program. He described it as a collaborative effort, and all entities in Bexar County have the right to purchase the program. Using a Power Point presentation, he discussed the goals of the program and how the funding for projects is determined. He said there are currently 50 projects at a cost of \$500 million. In response to questions from council members, Mr. Villarreal discussed how projects are chosen and different alternatives for areas like Banyon and Carolwood where flooding is a persistent problem. Mr. Wolf said

that he would be glad to look at areas in Castle Hills and determine if a partnership with Bexar County to address those problems can be accomplished. No action was taken.

- Interim City Manager Rita Hoyl gave the April, 2010, Investment Report, building and health inspections, Code enforcement activities, Municipal Court Activity Report, and a department budget review. Responding to questions from Councilman Smiley-Kaliff, Ms. Hoyl and Court Administrator Wendy Reyes explained the warrant process and the timeliness in which they are cleared from the computer system. He asked Ms. Hoyl for an accounting of closed warrants and when they are cleared at the next meeting.
- Police Chief Davis presented the April, 2010, Police Activity Report and STEP Report.
- Fire Chief Riedel gave the April, 2010, Fire Incident and Activity Report.
- Public Works Director Harada gave the April, 2010, Activity Report for his department.

V. OLD BUSINESS -None

VI. NEW BUSINESS

A. CONSIDER AND ACT UPON A RESOLUTION HONORING JESSE MARTINEZ UPON HIS RETIREMENT.

**Motion:** Councilman Davis moved to approve a resolution honoring Jesse Martinez upon his retirement. Council member Smiley-Kaliff seconded the motion. The motion carried with a unanimous vote. The resolution as passed and approved is captioned as follows:

RESOLUTION NO. 1005-01

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MAY 8, 2010, GENERAL ELECTION FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS FOR

*(A copy of Resolution No. 1005-01 is attached and made a part of the minutes)*

B. CONSIDER A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 8, 2010, FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS.

**Motion:** Council member Smiley-Kaliff moved to approve a resolution canvassing the returns and declaring the results of the General Election held on May 8, 2010, for the purpose of electing three aldermen. Councilman Gregory seconded the motion. The motion passed unanimously. The resolution as passed is captioned as follows:

RESOLUTION NO. 1005-02

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MAY 8, 2010, GENERAL ELECTION FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS FOR THE CITY OF CASTLE HILLS.

*(A copy of Resolution No. 1005-02 is attached and made a part of the minutes)*

C. ISSUANCE OF CERTIFICATE OF ELECTION TO NEWLY ELECTED COUNCIL MEMBERS.

Mayor Harper issued a Certificate of Election to the newly elected council members.

D. PROVIDE OFFICIAL OATH AND STATEMENT OF ELECTED OFFICIALS.

The mayor administered the official Oath of Office and the Statement of Elected Officer to Marcella Huff, Alderman Place 1, Bruce Smiley-Kaliff, Alderman Place 4, and Tom Davis, Alderman Place 5.

*Mayor Harper announced a short break to allow citizens to meet and congratulate the newly elected council members at 6:50 p.m. The council reconvened at 6:58 p.m.*

E. CONSIDER AND ACT UPON A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE PROPOSITION FOR THE REAUTHORIZATION OF A LOCAL 1/4 CENT SALES AND USE TAX IN THE CITY OF CASTLE HILLS UNDER THE PROVISIONS OF THE TEXAS TAX CODE TO MAINTAIN AND REPAIR MUNICIPAL STREETS IN THE ELECTION HELD ON MAY 8, 2010.

**Motion:** Councilman Smiley-Kaliff moved to approve a resolution canvassing the returns and declaring the results of the proposition for the reauthorization of a local 1/4 cent sales and use tax for maintenance and repair of the city streets in the May 8, 2010 election. Councilman Gregory seconded the motion. The motion passed unanimously. The resolution as passed is captioned as follows:

RESOLUTION NO. 1005-03

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE ELECTION HELD MAY 8, 2010 FOR THE REAUTHORIZATION OF A LOCAL SALES AND USE TAX IN THE CITY OF CASTLE HILLS UNDER THE PROVISIONS OF THE TEXAS TAX CODE TO MAINTAIN AND REPAIR MUNICIPAL STREETS, AND OTHER MATTERS IN CONNECTION THEREWITH.

*(A copy of Resolution No. 1005-03 is attached and made a part of the minutes)*

F. CONSIDER AND ACT UPON THE FINANCIAL AUDIT FOR FY 2009.

Deborah Fraser, CPA of Armstrong, Vaughan and Associates, PC presented the financial audit of the 2009 fiscal year. She went through the audit report and gave an overview of the city's financial condition. No action was taken.

Several council members commented on the audit, and Councilman Smiley-Kaliff read a statement from Councilman McGuire, who was unable to attend the meeting. The councilman recommended payment of a liability to the employee retirement fund and payment to employees for accumulated comp time, which led to discussion among council members concerning wage and hour laws and city policy.

***Motion:*** Discussion ended with a motion made by council member Huff to approve the FY 2009 Audit. Seconded by Councilman Davis, the motion passed with a unanimous vote.

G. CONSIDER AND ACT UPON THE CPS ENERGY FRANCHISE AGREEMENT.

Roland Hinojosa of CPS Energy explained that the current franchise agreement with CPS will expire in June, 2010. He said the proposed agreement has a 3% fee.

***Motion:*** Council member Huff moved to enter into the proposed agreement with CPS Energy. Councilman Smiley-Kaliff seconded the motion. The motion carried unanimously.

H. PRESENTATION AND DISCUSSION ON A NEW DESIGN AND PROVIDER OF THE CITY'S WEBSITE.

Court Administrator Wendy Reyes gave a presentation regarding an alternative website option that the city may consider. The demonstrated the ease of updating and maintaining the site that would, eventually, save the city money. It would be maintained by the city staff. No action was taken.

I. CONSIDER AND ACT UPON AN ORDINANCE ESTABLISHING A CONSTRUCTION SITE STORM WATER RUNOFF MANAGEMENT PLAN.

Council member Smiley-Kaliff proposed postponing this item because he believes the ordinance needs very careful study. He said it appears to run into some of the city's ordinances.

**Motion:** Councilman Smiley-Kaliff moved to postpone voting on the ordinance and possibly scheduling a workshop. Council member Huff seconded the motion. The motion passed unanimously.

J. DISCUSSION ON PLACEMENT OF GARAGE SALE SIGNS.

Mayor Harper removed this item from the agenda.

K. DISCUSSION ON ADVERTISING FOR REQUEST FOR PROPOSALS (RFP) FOR CITY ENGINEER AND BUILDING INSPECTOR.

The council discussed requesting an RFP for the city engineer and the building inspector. Councilman Smiley-Kaliff suggested that RFPs be requested for all contract positions. Council member Huff questioned what the council can do if they don't get RFPs in time for the contractors that renew in June. Mr. Brenan said the city manager can send letters to each one saying that all contracts are being reviewed, and the current contracts will not be renewed. Mr. Brenan said doing RFPs will be a complicated process for the city staff. He suggested that the contracts be gathered by the interim city manager and reviewed by the council.

City Engineer David Givler explained that a Request for Qualifications should be done prior to the Request for Proposals. Professional positions are sometimes regulated by state law, and qualifications have to be met before a proposal can be given.

Council members indicated their agreement that they would review current contracts with the city engineer, city attorney, building inspector, and the health inspector before they decided on sending out RFQs, and they would begin with the contracts expiring in June.

VII. ADJOURNMENT

Mayor Harper adjourned the meeting at 9:05 p.m.

These minutes were approved on the 8<sup>th</sup> day of June, 2010.

APPROVED:

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Marcy Harper, Mayor

ATTEST:

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Linda Gill, City Secretary