



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, Texas 78238  
Tuesday, March 01, 2016

**AGENDA**

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1. **7:00 P.M.** Call to order, Determine a Quorum is Present, Pledge of Allegiance.
2. **Citizens to Be Heard and Time for Objections to the Consent Agenda.** "Citizens to be heard" is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council, for which the subject was not posted on the agenda of that meeting, the Council may receive the information but cannot act upon it during the meeting. Council may direct staff to contact the requestor or ask that the issue be placed on a future agenda for discussion by the Council.

**Note:** City Council may not debate any non-agenda issue, nor may any action be taken on any non-agenda issue at this time; however City Council may present any factual response to items brought up by citizens. [Attorney General Opinion – JC 0169]

3. Presentation and possible discussion honoring Public Works Robert Garcia's contributions and thirty (30) years of service to the City of Leon Valley.
4. Presentation by Earthwise Living Committee Belinda Ealy and Avelino Gomez.

**CONSENT AGENDA**

5. Approval of City Council Minutes. **(S. Passailaigue)**
  - a) January 23, 2016 Annual Town Hall Meeting
  - b) February 02, 2016 Special City Council Meeting
  - c) February 02, 2016 Regular City Council Meeting
6. Consider, discuss and possible action to Amend Plat #2016-185 for David Smith, to eliminate the lot lines between lots 34 and 35; and create lot 41, Block E, CB 4446 Linkwood Additions II Subdivision. **M&C #2016-03-01-01 (Mr. and Mrs. David and Susan Smith/ E. Carol).**

7. Consider, discuss and take action to adopt Ordinance No. 16-006, a budget adjustment and related ordinance for funds to be expended in the amount of \$480,920 from the general fund reserve for a new fire engine. **M&C #2016-03-01-02 (L. Valdez).**

### **REGULAR AGENDA**

8. Presentation and discussion of the City of Leon Valley Town Hall Meeting Summary Report and Recommendations. **(K. Kuenstler).**
9. Consider, discuss and possible action regarding Memorandum of Understanding (MOU) between the Leon Valley Historical Society and the City of Leon Valley. **M&C #2016-03-01-03 (K. Kuenstler).**
10. Conduct a public hearing and consider, discuss and possible action to adopt Ordinance No. 16-007 on Zoning Case #2016-029, to rezone approximately 2.52 acres of land, from B-3 (Commercial) Sustainability Overlay District to B-3 (Commercial) being Lots 67 and 75, CB 5784, Leon Valley Additions Subdivision, near 6740 Poss Road submitted by Applicant Manuel Rubio Sr. **M&C #2016-03-01-04 (E. Carol).**
11. Consider, discuss and possible action regarding a summary of the \$200,000 allocated for the drainage studies; proposed plan on what studies are still needed; and proposed date for the overall drainage plan workshop. **M&C #2016-03-01-05 (M. Moritz).**
12. Consider, discuss and possible action to adopt Ordinance No. 16-008, a Budget Adjustment of \$37,500 to Purchase a Replacement Maintenance Crew Truck. **M&C #2016-03-01-06 (M. Moritz).**
13. Presentation, discussion and possible action to adopt Resolution No. 16-008R, a resolution adopting the City of Leon Valley Economic Development Corporation (CoLVEDC) Proposed Fiscal Year 2015-2016 Budget from February 01, 2016 – September 30, 2016. **M&C #2016-03-01-07 (CoLVEDC Chair P. Manea/K. Kuenstler)**
14. Consider, discuss and possible action to adopt Ordinance No. 16-009 to approve amended articles of incorporation for the Leon Valley Economic Development Corporation. **M&C #2016-03-01-08. (CoLVEDC Chair P. Manea/K. Kuenstler)**
15. Consider, discuss and possible action to adopt Resolution No. 16-009R to approve amended bylaws for the Leon Valley Economic Development Corporation. **M&C #2016-03-01-09. (CoLVEDC Chair P. Manea/K. Kuenstler)**
16. Consider, discuss and possible action on Ordinance No. 16-010 declaring unopposed candidates in the May 07, 2016 General City Election, elected to office; canceling the election; providing an effective date. **M&C #2016-03-01-09 (S. Passailaigue).**

Ordenanza que declara electos a los cargos a los candidatos sin oponentes de elección general de la ciudad del 7 de mayo de 2016; cancela la elección; dispone la fecha de efectividad.

17. City Manager’s Report:

- a) Approved Minutes from Boards, Commissions and Committees
- b) Future Agenda Items:  
LED Signs
- c) Upcoming Important Events:
  - 27<sup>th</sup> Annual Earthwise Living Day Event, March 5, 2016 from 9:00 a.m. until 2:00 p.m. at the Leon Valley Community Center and Conference Center.
  - Re-dedication of the Leon Valley City Hall and Police Station, April 2, 2016 at 9:00 a.m.
  - Volunteer Appreciation Dinner, Wednesday, April 6, 2016 at 6:00 p.m.
  - Annual Pet Parade, Saturday, April 30, 2016, 10:00 a.m. – noon.

18. Citizens to be heard.

19. Announcements by the Mayor and Council Members. At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.

20. Adjournment.

**Executive Session.** 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).

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members other City boards, commissions and/or committees may attend the open meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These members of other City boards, commissions, and/or committees may not deliberate or take action on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above **NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL** was posted at the Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, on February \_\_, 2016 at 11:18 a.m. and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at [www.leonvalleytexas.gov](http://www.leonvalleytexas.gov). This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To make arrangements, call (210) 684-1391, Extension 216.

  
 SAUNDRA PASSAILAIGUE, TRMC  
 City Secretary





## ***CERTIFICATE OF APPRECIATION***

*WHEREAS, in recognition of outstanding service, this Certificate of Appreciation is awarded to:*

***Robert Garcia***

*WHEREAS, in recognition of the excellent record you have compiled during your 32 years of service with the City of Leon Valley, it is a pleasure to present this certificate.*

*WHEREAS, Robert Garcia has completed 32 years of service with the Leon Valley Public Works Department serving the City of Leon Valley and its citizens first as a Maintenance Worker in October 1983;*

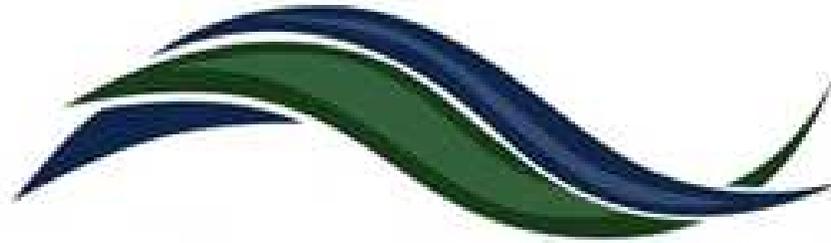
*WHEREAS, Robert Garcia has distinguished himself with advancements throughout his years of service first as a Maintenance Worker, Crew Leader, and in 1987 was named the first Maintenance Foreman; and*

*NOW, THEREFORE, by the authority vested in me as Mayor, and on behalf of our governing body and all citizens, I do hereby present this Certificate of Appreciation to you as a testimonial to the loyal and dedicated service which you have contributed with our best wishes for continued success and happiness in the future.*

*Signed by my hand on this the 1<sup>st</sup> day of March, 2016.*

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***Mayor Chris Riley***



# 27<sup>th</sup> Earthwise Living Day Wholesome Planet, Healthy You!

City Council Meeting

March 1, 2016

# Purpose

- To inform the City Council of the progress, program, and budget for the 27<sup>th</sup> Annual Earthwise Living Day event
- Event to be held Saturday, March 5th, from 9 am to 2 pm
- At Community and Conference Centers

# Purpose

- Earthwise Living Day created in 1989
- Small committee dedicated to a sustainable environment
- To promote recycling, reusing, reclaiming, healthy living, using sustainable products in everyday life
- Responsible for starting first recycling program in Bexar County

# Fiscal Impact

- Each year the City budgets \$3000 towards this event
- Committee typically earns back the seed money and more from vendor fees, sale of venue items (t-shirts, grocery bags, caps), and in sponsorships
- Gift cards are also collected and then given as door prizes
- Any money collected is deposited into revenue side of the City's finances

# Fiscal Impact

# Sponsors and Vendors

- Sponsors pay according to a level - either Mountain Laurel (\$150) or Mighty Oak (\$250)
- This year includes RBFCU, HEB, AACOG, CPS (also tree give away), Waste Management, Edwards Aquifer Authority, Earthwise Pest Control, San Antonio River Authority, and SAWS
- Vendors promote healthy, alternative, and recycled products, services, and foods, reflecting the theme of the event

# Speakers and Presentations

- Meditation / Chair Yoga – Maggie Grueskin
- Food Inspector from the City of San Antonio – Jerry Trevino, Health Inspector
- Saving Our Monarch Butterflies – Tyler Seiboldt of UTSA
- Reuse Second Life Style Show – Goodwill Industries
- Pay Your FARMer or Pay Your FARMacist - Ana Primera of the Balanced Health Healing Center
- Additional presentations at booths

# Musical & Entertainment

- Rayburn Middle School – *“Rockn Strings”*
- Driggers Elementary - *Choir*
- *Nu Smash Project Dance Crew* – demonstrating “Zumba” and “Hip Hop” dancing, also giving vouchers for free dance fitness classes
- *Spare Parts* – demonstration and “hands on” class for children on the use of recycled materials as art



# Earthwise Living Day

27<sup>th</sup> ANNUAL EVENT

Wholesome Planet, Healthy You

Free Admission!

Saturday, March 5, 2016 9:00 am - 2:00 pm

Leon Valley Community Center & Conference Center • 6427 Evers Road

## Program



9:00 am *Welcome- Mayor Chris Riley & Earthwise Living Committee*



9:05 am *Musical Presentation Rayburn Middle School*



9:30 am *Meditation/ Chair Yoga Maggie Grueskin-Wellness Lifestyle Coach*



10:00 am *Musical Presentation Driggers Elementary*



10:30 am *The Food Inspector Jerry Trevino- City of San Antonio Metropolitan Health District*



11:00 am *Saving Our Monarch Butterflies Tyler Seiboldt-UTSA*



11:30 am *Musical Presentation Rayburn Middle School*



12:00 pm *Reused "Second Life" Style Show- Goodwill*

1:00 pm *Pay Your FARMer or Pay Your FARMacist- Ana Primera- Balanced Health Healing Center*

1:30 pm *Dance Program NuSmash Project Dance Crew*

1:45 pm *Spurs & San Antonio Aquarium Door Prize Drawings (Must be present to win)*

*Additional Parking at DPS Center on Huebner at Evers w/ Free Shuttle, courtesy of Yellow Cab Taxi (available 11:30am-1:30pm) Bring your own mug for free coffee!*



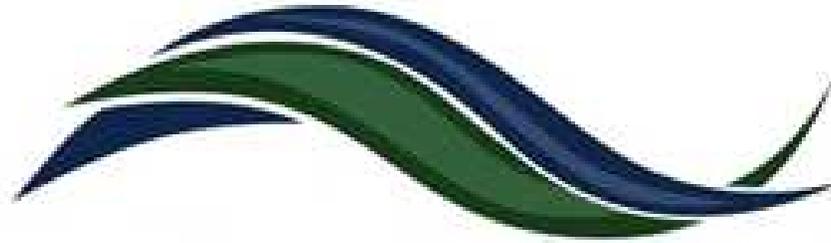
FREE TREE ADOPTIONS,  
(While supplies last)  
Sponsored by CPS Energy and  
LV Tree Advisory Board

**Held Rain or Shine!**

Drop off stations to RECYCLE your  
Electronics, Batteries, Computers,  
Cell Phones, Corks, & Expired  
Medications.

# S.E.E. IMPACT STATEMENT

- Social Equity – Introduces and promotes healthy and sustainable living ideas and products to all citizens.
- Economic Development – This event may attract like-minded businesses and tourists to our City.
- Environmental Stewardship – Promotes sustainable lifestyles, alternatives, and products which helps to spread the word about the protection of our environment.



# 27th Earthwise Living Day Wholesome Planet, Healthy You!

City Council Meeting  
March 1, 2016



**CITY OF LEON VALLEY  
ANNUAL TOWN HALL MEETING**

Leon Valley Conference Center  
6421 Evers Road, Leon Valley, Texas 78238  
Saturday, January 23, 2016 - 8:30 a.m. to 12:30 p.m.

**MINUTES**

The City Council of the City of Leon Valley, Texas met on the 23<sup>rd</sup> day of January, 2016 at the Leon Valley City Conference Center located at 6421 Evers Road, Leon Valley, Texas for the purpose of the following business: Annual Town Hall Meeting

**Call to order.**

Mayor Riley called the Town Hall Meeting to order at 8:30 a.m.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Council Members David Edwards, Carmen Sanchez, Monica Alcocer, Benny Martinez and David Jordan.

Also in attendance were:

City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Roxann Pais Cotroneo, Public Works Director Melinda Moritz, Public Works Assistant Director David Dimaline, Community Development Director Elizabeth Carol and City, Finance Director Vickie Wallace, Library Director Sandy Underwood, Fire Chief Luis Valdez, Police Chief Randall Wallace and Communications Director Darrick Green.

Presenters Included: Francine S. Romero, Ph.D., Assistant Fire Chief Billy Lawson, Police Chief Randall Wallace, Larry Proffitt Forest Oaks Community, Public Works Director Melinda Moritz, and City Manager Kelly Kuenstler.

The following topics were discussed:

- Leon Valley City Manager's Report for 2015.
- Update on Emergency Preparedness – Assistant Fire Chief Billy Lawson, Leon Valley Fire Department.
- Public Private Partnership – Present draft Memorandum of Understanding (MOU) between the City of Leon Valley and the Leon Valley Historical Society (LVHS) for citizen input. – City Manager Kelly Kuenstler and LVHS President Mark Eisenhauer.
- Leon Valley Police Enforcement & Presence – Chief of Police Randall Wallace.
- Forest Oaks Pool – City Manager Kelly Kuenstler and Larry Proffitt.
- Hike & Bike Trail – Public Works Director Melinda Moritz.

***A summary of the Annual Town Hall Meeting is attached to this document.***

**THIS SUMMARY MAY BE FOUND IN ITEM 8 OF THIS MEETING PACKET BUT WILL BE ATTACHED TO THESE MINUTES AFTER CITY COUNCIL APPROVAL.**

**Adjournment.**

Mayor Riley announced the meeting adjourned at 12:15 p.m.

**These minutes approved by the Leon Valley City Council on the 1<sup>st</sup> of March, 2016.**

APPROVED

**CHRIS RILEY**  
MAYOR

ATTEST:

**SAUNDRA PASSAILAIGUE, TRMC**  
CITY SECRETARY

Proposed



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**

Leon Valley Conference Center  
6421 Evers Road, Leon Valley, Texas 78238  
Tuesday, February 02, 2016

**MINUTES**

The City Council of the City of Leon Valley, Texas met on the 2<sup>nd</sup> day of February, 2016 at the Leon Valley Conference Center located at 6421 Evers Road, Leon Valley, Texas for the purpose of the following business:

**REGULAR CITY COUNCIL MEETING**

Mayor Riley called the Special City Council Workshop to order at 7:11 p.m. and asked City Attorney Roxann Pais Cotroneo to lead the Pledge of Allegiance.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Council Members David Edwards, Carmen Sanchez, Monica Alcocer, Benny Martinez and David Jordan.

Also in attendance were:

City Manager Kelly Kuentler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Roxann Pais Cotroneo, Public Works Director Melinda Moritz, Public Works Assistant Director David Dimaline, Community Development Director Elizabeth Carol and City, Finance Director Vickie Wallace, Library Director Sandy Underwood, Fire Chief Luis Valdez, Police Chief Randall Wallace and Communications Director Darrick Green.

Mayor Riley announced that the City Council had been meeting since 6:00 p.m. on an important drainage issue in the Monte Robles area and another issue that we were unable to take. Mayor Riley continued to say that there was a bit of housekeeping to do before moving onto citizens to be heard. Mayor Riley moved it over to Council Member Monica Alcocer and reminded everyone that this was reflected back to the workshop.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to table indefinitely the Huebner Creek, which is really the Raymond Rimkus Park issue of flooding. Upon a unanimous vote, Mayor Riley announced the motion carried.

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

Mayor Riley asked if any of the Council Members wished to pull any item from the Consent Agenda for discussion.

Council Member Monica Alcocer asked to pull item 6b until the next Council meeting in order to resolve some concerns regarding the minutes.

- Lyn Joseph, 6423 Trotter Lane, spoke regarding the speed bumps requested last year for Huebner Road. Would like an update and to know how and where to obtain the petition form.
  - Fire Chief Valdez offered to get Ms. Joseph the petition form and answer any questions she has on the Speed Bump Policy.
- Olen Yarnell, 7230 Sulky, asked if it were possible for a citizen to request that an item be pulled from the consent agenda and if so, he request that Item 8 be pulled.
  - City Attorney Cotroneo informed the City Council that it is at their discretion whether or not to do so but a motion would be needed.

A motion was made by Council Member Carmen Sanchez and seconded by Council Member Benny Martinez, to remove Item 8 from the consent agenda for discussion. Upon a vote of four (4) for and one (1) against, with Council Member Monica Alcocer casting the negative vote, Mayor Riley announced the motion carried.

#### **Presentation of the Monarch Butterfly Proclamation.**

Mayor Riley read the Monarch Butterfly Mayor's Pledge and asked that everyone consider planting milkweed to aid in the Monarch Butterfly population.

#### **Presentation of the 2015 Achievement of Library Excellence Award by Waynette Ditto, Hewitt Library Director and current President of Texas Municipal Library Directors Association.**

Katie Gwaltney, Chairman of the Library Board of Trustees introduced Waynette Ditto, Hewitt Library Director and current President of the Texas Municipal Library Directors Association presented the 2015 Achievement of Library Excellence Award to Library Director Sandy Underwood. The Leon Valley Public Library is one of 42 out of 487 libraries in the State of Texas to receive this award.

On behalf of the Library Board of Trustees, Chairman Gwaltney presented Library Director Underwood with beautiful flowers.

Donovan Rodriguez from Senator Jose Menendez' office presented Library Director Sandy Underwood with a Certificate of Congratulations.

#### **Presentation of the Fit Friendly Worksite Award to the Leon Valley Fire Department by the American Heart Association.**

City Manager Kelly Kuenstler recognized the staff of the Helotes Dispatch who came out on their own time this evening to support the Leon Valley Fire Department and their efforts.

Fire Chief Luis Valdez thanked the Helotes team as well and said that he had nothing to do with this but that it was an initiative taken on by the firefighters themselves. Chief Valdez introduced Mike Odom from the American Heart Association. Mr. Odom presented the Fit

Friendly Worksite Award to Chief Valdez saying that LVFD is the second department in the six state regional affiliate office and they are the first in Bexar County.

LVFD firefighters Rick Sanchez and Danial Cano gave a brief explanation of what behavior changes they made to help them achieve this award.

Donovan Rodriguez from Senator Jose Menendez' office presented Fire Chief Valdez with a Certificate of Congratulations.

## **CONSENT AGENDA**

### **Approval of City Council Minutes. (S. Passailaigue)**

- a) **January 19, 2016 Special City Council Meeting**
- b) **January 19, 2016 Regular City Council Meeting**

### **Approval of bank signature cards and approval of a Resolution Amending the authorized Representatives for TexPool. M&C #2016-02-02-02 (V. Wallace).**

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to approve Consent Agenda Item #6a (January 19, 2016 Special City Council Minutes), and Item #7 (Texpool Resolution) as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to move the January 19, 2016 Regular City Council Minutes to the February 16, 2016 meeting for consideration. Upon a unanimous vote, Mayor Riley announced the motion carried.

### **Discussion and possible action on Ordinance No. 16-003, an ordinance approving amendments to the General Fund of the City Of Leon Valley, Texas Municipal Budget for Fiscal Year of 2015-2016 regarding the Kinman House renovations. M&C #2016-02-02-03 (V. Wallace)**

Finance Director Vickie Wallace presented this item in an effort to begin renovations to the Kinman House via the approval of an Ordinance for a budget adjustment in the amount of \$20, for use as a Restaurant. Council approved the budget adjustment on January 16, 2016. However, an Ordinance was not attached. In order to properly execute the budget adjustment approved, an Ordinance is needed. This item is a house keeping item only.

- Olen Yarnell, 7230 Sulky, said he was looking for clarification regarding the \$20,000.

City Manager Kelly Kuentler gave a brief explanation on the plan to remodel and repair the Kinman House because there are necessary no matter what the building is used for. However, City Manager Kuentler added that her hope is to come back with a possible 380 agreement to lease the Kinman House out as a restaurant.

A motion was made by Council Member Benny Martinez and seconded by Council Member Monica Alcocer, to approve Item 8, we pulled it in the spirit of transparency and I think the

questions have been answered so my motion is to approve of Item 8. Upon a unanimous vote, Mayor Riley announced the motion carried.

## **REGULAR AGENDA**

### **Consideration and possible action on a sign variance request by Pastor Herman Price Jr., of St. John's Baptist Church, to allow a digital sign at 6800 Evers Road. M&C #2016-02-02-04 (E. Carol).**

Community Development Director Elizabeth Carol presented the item for City Council consideration of a sign variance this would allow the congregation of St. John's Baptist Church to remove the old sign on their newly acquired property and replace the sign to enhance their presence in the community with a dynamic digital sign. The congregation's property is at the corner of Huebner and Evers Road, and the church moved onto the site in 2006. Chapter 3.04.014(12) of the Leon Valley Code of Ordinances and Chapter 14 Appendix C, Section G(2)(j)(iv) identify digital signs as prohibited in Leon Valley. The applicant was denied their permit. As part of their variance request, the applicant noted that they lacked visibility from Huebner Road.

- Olen Yarnell, 7230 Sulky, spoke about other LED signs within the City of Leon Valley.
- Lyn Joseph, 6423 Trotter Lane, spoke about repositioning the sign.
- Larry Proffitt, 6307 Rue Sophie, spoke against the SEE statement on this item.
- Belinda Ealy, 7314 Canterfield Road, spoke about the LED sign at City Hall which is to be moved to the Library being in violation as well since that is also in a residential neighborhood.

Mayor Riley said she would like to know how many sign variances have been denied by the City to which Community Development Director Carol said she would provide.

A motion was made by Council Member David Jordan and seconded by Council Member David Edwards, to grant St. John's Baptist Church sign variance as requested in M&C # 2016-02-2-04 with the provision that the sign be at the minimum lumination from 10:00 p.m. until 6:00 a.m. which are quiet hours for the City until we can review it after it has been erected and turned on and then we can review it and monitor it at that time. So I make a motion that it is approved with the provision that it's not operational from 10:00 a.m. to 6:00 p.m. for the first thirty (30) days.

This motion was followed by discussion which was followed by Mayor Riley saying that there was a motion by Council Member Jordan and seconded by Council Member Edwards to approve the sign variance with the restriction that the light would be dimmed naturally from dusk to dawn and to assess it for a period of ninety (90) days initially after it is erected.

A motion was made by Council Member David Jordan and seconded by Council Member David Edwards, to approve the sign variance that the sign would be dimmed to 750 NITS from dusk until dawn and to be reviewed initially after ninety (90) days by the City and the citizens and in the event we have multiple complaints with this issue the City has the right to order the church to completely turn off the sign from 11:00 p.m. to 6:00 a.m. Upon a vote of four (4) for

and one (1) against, with Council Member Monica Alcocer casting the negative vote, Mayor Riley announced the motion carried.

Council Member Jordan and Council Member Edwards asked that the ordinance be looked at in regards to LED signs in the context of emerging technology.

**Approval of Comprehensive Annual Financial Report for Fiscal Year 2015. M&C #2016-02-02-05 (V. Wallace).**

Jeremy Barbatto, CPA of Alonzo, Bacarisse Irving + Palmer, P.C. presented the Comprehensive Annual Financial Report for Fiscal Year 2015.

A motion was made by Council Member Monica Alcocer, seconded by Council Member David Jordan, to approve the Comprehensive Annual Financial Report for Fiscal Year 2015 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Consideration of Resolution No. 16-005R of the City Council of the City of Leon Valley ordering and establishing procedures for a General Election in the City of Leon Valley, Texas to elect three Council Members: (Places 2, 4 and for the Office of the Mayor) by the qualified voters of the City of Leon Valley; authorizing the City Manager to sign a joint election Agreement with the Bexar County Elections Administrator for the conduct of said election, and providing details relating to the conduct of holding the Election, authorizing the use of the Leon Valley City Council Meeting Room A121 for Early Voting (April 25, 2016 through May 03, 2016) and on the 7<sup>th</sup> day of May, 2016, for Election Day voting. M&C #2016-02-02-06 (S. Passailaigue).**

**Una resolución del consejo municipal de la ciudad de Leon Valley que ordena y establece los procedimientos para una elección general en la ciudad de Leon Valley, Texas, para elegir a tres miembros del consejo (lugares 2, 4, y para la oficina de la alcaldesa) ante los votantes habilitados de la ciudad de Leon Valley; autorizando al administrador de la ciudad a firmar un convenio de elecciones conjuntas con la administradora de elecciones del condado de Bexar para la conducción de dicha elección y disponiendo los detalles relativos a la celebración de la elección, autorizando el uso del salon de juntas a121 del consejo municipal de la ciudad para la votación anticipada (abril 25 del 2016 a mayo 03 del 2016) y en el dia 7 de mayo del 2016, para el dia de la elección.**

City Secretary Sandra Passailaigue presented the item with the staff recommends the City Council adopt Resolution No. 16-005R, ordering a General Election in the City of Leon Valley, Texas, to be held jointly with Bexar County for the Joint, General and other elections on the 7<sup>th</sup> day of May, 2016 which is the first Saturday in May 2016 for the purpose of electing three Council Members: (Places 2, 4 and for the Office of the Mayor) by the qualified voters of the City of Leon Valley; authorizing the City Manager to sign a joint election Agreement with the Bexar County Elections Administrator for the conduct of said election, and providing details relating to the conduct of holding the Election, authorizing the use of either the Leon Valley City Council Meeting Room A121 for Early Voting *or* the Leon Valley Conference Center (April 25, 2016 through May 03, 2016) and on the 7<sup>th</sup> day of May, 2016, for Election Day voting.

A motion was made by Council Member Benny Martinez, seconded by Council Member David Jordan, to approve Resolution No. 16-005R with the modification that early voting be held at the Leon Valley Conference Center; calling for a General and Special Election; and designating Jacquelyn F. Callanen, Bexar County Elections Administrator, as the Election Administrator to conduct such election as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Discussion and possible action on Ordinance No. 16-004, an ordinance approving amendments to the General Fund of the City Of Leon Valley, Texas Municipal Budget for Fiscal Year of 2015-2016 regarding unemployment insurance. M&C #2016-02-02-07 (C. Caldera)**

ACM/HR Director Crystal Caldera was present to answer questions.

A motion was made by Council Member Benny Martinez and seconded by Council Member Carmen Sanchez, to adopt Ordinance No. 16-004 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Discussion and possible action to form a Forest Oaks Pool Committee. M&C #2016-02-02-08 (K. Kuenstler)**

City Manager Kelly Kuenstler presented as a follow up from the Town Hall Meeting in January. The item has been placed on the agenda in order for City Council to consider the appointment of a committee to determine the feasibility of the city owning, operating and maintaining the Forest Oaks Pool and its other assets. The committee should include community stakeholders, citizens, the City Recreation Supervisor, a representative of the Public Works Department, a representative of the Parks Commission, a representative of the Economic Development Corporation, and a representative of the Beautification Committee.

There was a discussion followed by members of City Council appointing the following to the Forest Oaks Pool Committee.

Mayor Riley appointed Tom Kelly

Council Member Carmen Sanchez appointed Larry Proffitt

Council Member David Jordan appointed Amber Mouser

Council Member Benny Martinez appointed Lynn Joseph

Council Member David Edwards appointed Laurie Kelly

Council Member Monica Alcocer appointed Sharon Hendricks

City Manager Kuenstler appointed Communications Director Darrick Green to act on the behalf of City recreation and Assistant Public Works Director David Dimaline to act on behalf of City Public Works. City Manager Kuenstler appointed David Dimaline to also act as the City Representative.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to accept the appointments as named and proceed to form said committee. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Discussion and possible action to form a Home Rule Charter Commission and begin the process to move Leon Valley from General Law to a Home Rule city. M&C #2016-02-02-09 (Council Members Benny Martinez and Carmen Sanchez)**

Mayor Riley informed everyone that this item has been placed on the agenda at the request of Council Member Benny Martinez and Council Member Carmen Sanchez. This was followed by a discussion.

Mayor Riley asked if there were any citizens wanting to speak on this item.

- Larry Proffitt, 6307 Rue Sophie, said that there were “more pressing issues for the Council to do and we don’t need to be distracted by this right now.”
- Olen Yarnell, 7230 Sulky, agreed with Mr. Proffitt.
- Richard Blackmore, 6639 Forest Haven, said “Leon Valley doesn’t want this.”

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Edwards, to postpone this agenda item indefinitely. Upon a vote of three (3) for and two (2) against, with Council Member Benny Martinez and Council Member Carmen Sanchez casting the negative votes, Mayor Riley announced the motion carried.

**Discussion and possible action to consider authorizing for the filing of a grant application with the Alamo Area Council of Governments (AACOG) for a regional solid waste grant. M&C #2016-02-02-10 (D. Dimaline)**

Assistant Public Works Director David Dimaline presented the item for the purpose of Council consideration authorizing for the filing of a grant application with the Alamo Area Council of Governments (AACOG) for a regional solid waste grant. The 2016-2017 Regional Solid Waste Grant Program is administered by AACOG. AACOG is receiving grant applications and the attached Resolution authorizes the City Manager to apply for grant funding. The City of Leon Valley is applying for grant funds to purchase a new 12” capacity brush chipper. This is consistent with AACOG’s goal to provide for recovery of material resources by emphasizing reuse, reduction, waste minimization and recycling. If the City of Leon Valley is selected for grant funding, these funds will be utilized to purchase the machinery. The project total is \$35,630 and the City would provide a 15% match, or \$5,345. Funds for the match will come from the Public Works Department – General Fund.

A motion was made by Council Member David Edwards and seconded by Council Member Monica Alcocer, to approve Resolution No. 16-006R as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

- Lyn Joseph, 6423 Trotter Lane, asked if the old chipper would still be used by Public Works.
  - Assistant Public Works Director Dimaline replied that Public Works would still use the old chipper.

**Discussion and possible action to discuss future locations for the quarterly Coffee with the Mayor and Council. (K. Kuenstler)**

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan, to hold the 2016 Coffee with the Mayor events at the Conference Center and revisit later. Upon a unanimous vote, Mayor Riley announced the motion carried.

**City Manager's Report:**

- a) **Approved Minutes from Boards, Commissions and Committees**
- b) **Future Agenda Items:**
  - **Legislative Update by US Representative Joaquin Castro, February 16, 2016 at Regular City Council Meeting.**
- c) **Upcoming Important Events:**
  - **MPO Public Meeting, February 25, 2016 from 6:00 p.m. until 8:00 p.m. at the Conference Center**
  - **General Election Application Filing Period, January 20, 2016 until 5:00 p.m. February 19, 2016**
  - **27<sup>th</sup> Annual Earthwise Living Day Event, March 5, 2016 from 9:00 a.m. until 2:00 p.m. at the Leon Valley Community Center and Conference Center.**
  - **Re-dedication of the Leon Valley City Hall and Police Station, April 2, 2016 at 10:00 a.m.**
  - **Volunteer Appreciation Dinner, Wednesday, April 6, 2016 at 6:00 p.m.**
  - **Coffee with the Mayor and City Council, April 23, 2016, from 9:00 a.m. to 11:00 a.m.**
  - **Annual Pet Parade, Saturday, April 30, 2016, 10:00 a.m. – noon.**

City Manager Kuenstler reminded everyone of the upcoming agenda items as well as upcoming City events.

**Citizens to be heard.**

None

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

Council Member Carmen Sanchez congratulated State Representative Joaquin Castro on the recent birth of a son.

Council Member Monica Alcocer thanked everyone for coming to the meeting.

Council Member Benny Martinez echoed Council Member Alcocer's announcement.

Mayor Riley told everyone that the Annual Town Hall meeting was a success; and that TxDOT would be holding a public meeting in April at John Marshall High School to discuss Bandera Road improvements.

City Manager Kuenstler informed everyone that Dr. Romero's Town Hall Summary would be available in about a month.

**Adjournment.**

Mayor Riley announced the meeting adjourned at 10:37 p.m.

**These minutes approved by the Leon Valley City Council on the 1<sup>st</sup> of March, 2016.**

APPROVED

**CHRIS RILEY**  
MAYOR

ATTEST:

**SAUNDRA PASSAILAIGUE, TRMC**  
CITY SECRETARY

DRAFT



**CITY OF LEON VALLEY  
SPECIAL CITY COUNCIL WORKSHOP**

Leon Valley Conference Center  
6421 Evers Road, Leon Valley, Texas 78238  
Tuesday, February 02, 2016

**MINUTES**

The City Council of the City of Leon Valley, Texas met on the 2<sup>nd</sup> day of February, 2016 at the Leon Valley Conference Center located at 6421 Evers Road, Leon Valley, Texas for the purpose of the following business:

**SPECIAL CITY COUNCIL WORKSHOP**

Mayor Riley called the Special City Council Workshop to order at 6:03 p.m.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Council Members David Edwards, Carmen Sanchez, Monica Alcocer, Benny Martinez and David Jordan.

Also in attendance were:

City Manager Kelly Kuentler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Roxann Pais Cotroneo, Public Works Director Melinda Moritz, Public Works Assistant Director David Dimaline, Community Development Director Elizabeth Carol and City and Finance Director Vickie Wallace .

**Discussion and possible action regarding flooding/drainage solution options for Huebner Creek and Monte Robles Park Subdivision. M&C # 2016-02-02-01 (M. Moritz)**

Public Works Director Melinda Moritz told the City Council that the presentation would begin with the Monte Robles Park Subdivision presentation first. The purpose of this item is to present options and it provides an opportunity for discussion for alleviating the flooding and drainage concerns in the Monte Robles Park neighborhood. During the neighborhood discussions for the City's Master Plan revisions in past years, citizens stated their desire to alleviate flooding in the Grass Valley and Monte Robles Park neighborhoods. The City Council budgeted \$200,000 in FY 2016 to perform studies of the flooding and drainage in these areas.

Nefi Garza, P.E. of Kimley Horn gave a presentation regarding Monte Robles Park. Monte Robles Park Subdivision was platted in 1947. The streets are not curbed and the existing roadside drainage swales have filled in over the years. Minor additional runoff has occurred from the expansion of John Marshall High School and from new development in the

subdivision. An engineering company was hired, drainage areas were calculated, and a feasibility study has been prepared.

In this plan, the water is to be directed from the neighborhood, down Huebner Road, to an existing drainage structure, and then finally to the newly constructed detention pond near the Steurenthaler - Silo Park and Huebner well site. The detention pond would slowly drain the water into Huebner Creek. The detention pond has enough capacity to handle the flows.

The presentation was followed by discussion.

- Olen Yarnell, 7230 Sulky, spoke about the Zoning Commission meetings regarding this issue being “well attended”.

Public Works Director Moritz continued to discuss the fiscal impacts which are as follows: Monte Robles Park - The firm of Kimley-Horn was hired at a cost of \$26,000 to perform the feasibility study. Estimates of options that cost between \$815,000 and \$1,500,000 have been prepared. The project is not currently funded, but could be considered in the Fiscal Year 2017 budget from the Stormwater Fund.

- Mary Key, 7418 Canterfield Road, wanted to know how the detention pond would help Canterfield residents.
- Lyn Joseph, 6423 Trotter Lane, spoke about the detention pond at the DPS station.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez, to table the issue on Monte Robles until further information is available. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Adjournment.**

Mayor Riley announced the meeting adjourned at 6:57 p.m.

**These minutes approved by the Leon Valley City Council on the 1<sup>st</sup> of March, 2016.**

APPROVED

**CHRIS RILEY**  
MAYOR

ATTEST:

**SAUNDRA PASSAILAIGUE, TRMC**  
CITY SECRETARY

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 1, 2016 **M&C # 2016-3-1-01**

**TO:** Mayor and Council

**FROM:** Elizabeth Carol, Community Development Director

**THROUGH:** Kelly Kuenstler, City Manager

**SUBJECT:** Consider, discuss and possible action to Amend Plat #2016-185 for David Smith, to eliminate the lot lines between lots 34 and 35; and create lot 41, Block E, CB 4446 Linkwood Additions II Subdivision.

**PURPOSE**

The purpose of this amending plat is to have a proper subdivision recorded for the property owned by Mr. David and Susan Smith, who plans to construct a house.

The amendment simply eliminates the common lot lines between lot 34 and lot 35 and assigns a new legal description on the combined area creating one lot.

**S.E.E. LEON VALLEY**

Social – Platting encourages collaborative participation by stakeholders.

Economic – Platting the property makes it suitable for development.

Environmental – platting ensures that the property is properly delineated and the legal description is assigned; the environment is not adversely affected.

**FISCAL IMPACT**

The applicant paid \$912, for the plat review process.

**RECOMMENDATION**

This amending plat is in substantial conformance to Chapter 10 – Subdivision and the Texas Local Government Code; approval is recommended.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

\_\_\_\_\_  
\_\_\_\_\_

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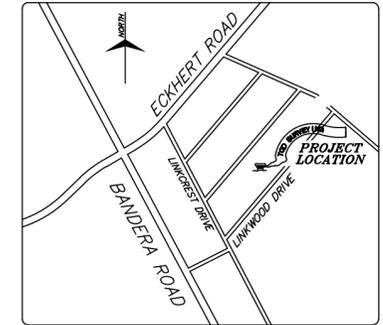
ATTEST:

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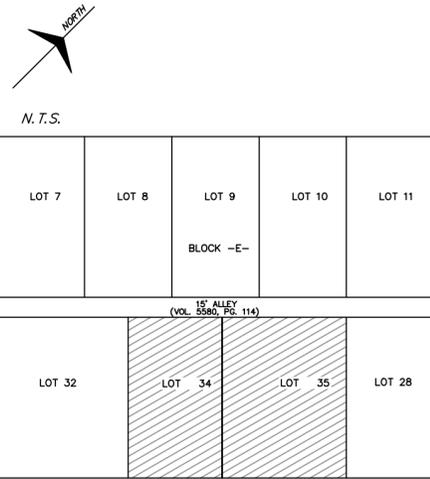
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**BASIS OF BEARINGS**  
 TEXAS STATE PLANE COORDINATE SYSTEM NAD83  
 SOUTH CENTRAL ZONE (4204)

**TGD SURVEYING LLC**  
 27607 Fels Mauer Blvd  
 New Braunfels, TX 78132  
 210.683.1131  
 Firm No. 10193904



**LOCATION MAP N.T.S.**



LINKWOOD DRIVE  
 (60' R.O.W.)  
 VOL. 5580, PG. 114

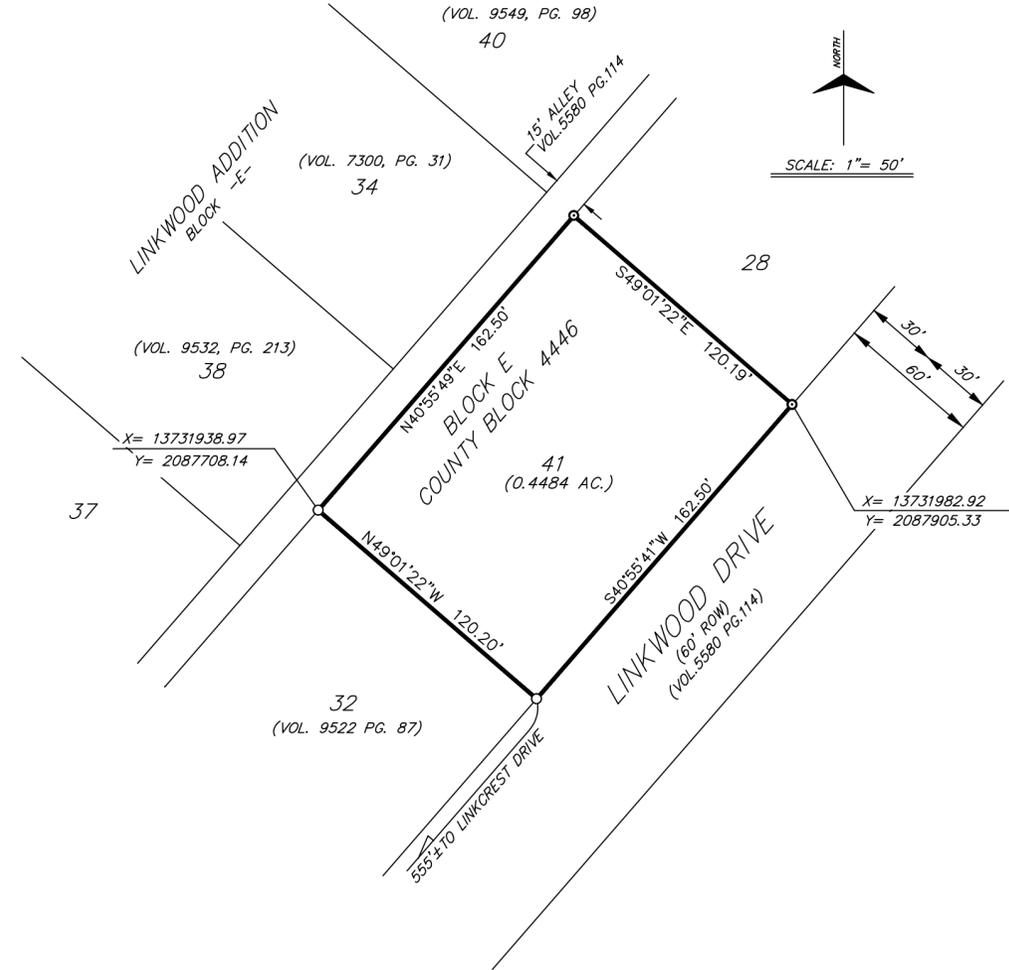
AREA BEING AMENDED, BEING LOTS 34 AND 35, BLOCK E, COUNTY BLOCK 4446, AMENDING PLAT OF LINKWOOD ADDITION, RECORDED IN VOLUME 9591 PAGE 46 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

STATE OF TEXAS  
 COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: TGD SURVEYING

JOHN E. DEHAN  
 TGD SURVEYING  
 TELS FIRM NO.: 10193904  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 8042

**PRELIMINARY**  
 THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.  
 2/20/16



**LINKWOOD ADDITION II  
 AMENDING PLAT**

THIS PLAT AMENDS LOTS 34 AND 35, BLOCK E, COUNTY BLOCK 4446, OUT OF THE AMENDING PLAT OF LINKWOOD ADDITION ESTABLISHING LOT 36, SAN ANTONIO, BEXAR COUNTY, TEXAS.

IN ACCORDANCE WITH: (9) TO RELOCATE ONE (1) OR MORE LOT LINES BETWEEN ONE (1) OR MORE ADJACENT LOTS IF: (A) THE OWNERS OF ALL THOSE LOTS JOIN IN THE APPLICATION FOR AMENDING THE SUBDIVISION PLAT; (B) THE AMENDMENT DOES NOT ATTEMPT TO REMOVE RECORDED COVENANTS OR RESTRICTIONS; AND (C) THE AMENDMENT DOES NOT INCREASE THE NUMBER OF LOTS.

- GENERAL NOTES:**
- O INDICATES SET 1/2" REBAR WITH CAP STAMPED "TGD SURVEYING" UNLESS OTHERWISE NOTED.
  - ⊙ INDICATES FOUND 1/2" REBAR UNLESS OTHERWISE NOTED.
  - COORDINATES SHOWN ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996), TEXAS STATE PLANE, SOUTH CENTRAL ZONE, GRID VALUES.
  - DIMENSIONS ARE SHOWN IN US SURVEY FEET, SURFACE EASEMENT, GAS, TELEPHONE, AND CABLE TV EASEMENT, ELEC. GAS, TELE. AND CATV - DENOTES ELECTRIC, TELEPHONE, AND CABLE TV EASEMENT.

STATE OF TEXAS  
 COUNTY OF BEXAR

THE CITY ENGINEER OF THE CITY OF LEON VALLEY HEREBY CERTIFIES THAT THIS AMENDING PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH HIS APPROVAL IS REQUIRED.

.....  
 CITY ENGINEER

STATE OF TEXAS  
 COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS AMENDING PLAT, AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE CITY OF LEON VALLEY, TEXAS, FOR THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND THE WATER AND SEWER LINES IN ALL OF THE AFORESAID PUBLIC PLACES AND ALL OTHER PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER .....

STATE OF TEXAS  
 COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DAVID N. SMITH, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ..... DAY OF .....

A.D., 20 .....

NOTARY PUBLIC  
 BEXAR COUNTY, TEXAS

STATE OF TEXAS  
 COUNTY OF BEXAR

I (WE) THE OWNER(S) OF THE LAND SHOWN ON THIS AMENDING PLAT HEREBY CERTIFY THAT THIS AMENDING PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS.

OWNER .....

STATE OF TEXAS  
 COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY DAVID N. SMITH, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ..... DAY OF .....

A.D., 20 .....

NOTARY PUBLIC  
 BEXAR COUNTY, TEXAS

STATE OF TEXAS  
 COUNTY OF BEXAR

THIS PLAT OF LINKWOOD ADDITION AMENDING PLAT ..... HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.

DATED THIS ..... DAY OF ..... A.D., 20 .....

BY: .....  
 MAYOR

BY: .....  
 SECRETARY

STATE OF TEXAS  
 COUNTY OF BEXAR

I, ..... COUNTY CLERK OF BEXAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE.

ON THE ..... DAY OF ..... A.D., ..... AT ..... M, AND DULY RECORDED THE ..... DAY OF ..... A.D., ..... AT ..... M, IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY, IN BOOK VOLUME ..... ON PAGE ..... IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS ..... DAY OF ..... A.D., ..... COUNTY CLERK, BEXAR COUNTY, TEXAS BY: ..... DEPUTY

# **City of Leon Valley City Council**

Plat #2016-185

Linkwood Addition II Amending Plat

March 1, 2016

# Purpose

- The subdivision Amends:
  - The common lot line between Lot 34 and lot 35
  - Acreage
  - Legal description

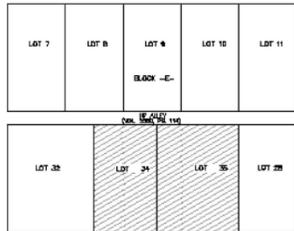
# Purpose

- Approval of the Amending plat creates one single family lots.

# Fiscal Impact

- The applicant paid \$912 for consideration of the request

**BASIS OF BEARINGS**  
 TEXAS STATE PLANE COORDINATE SYSTEM NAD83  
 SOUTH CENTRAL ZONE (1094)



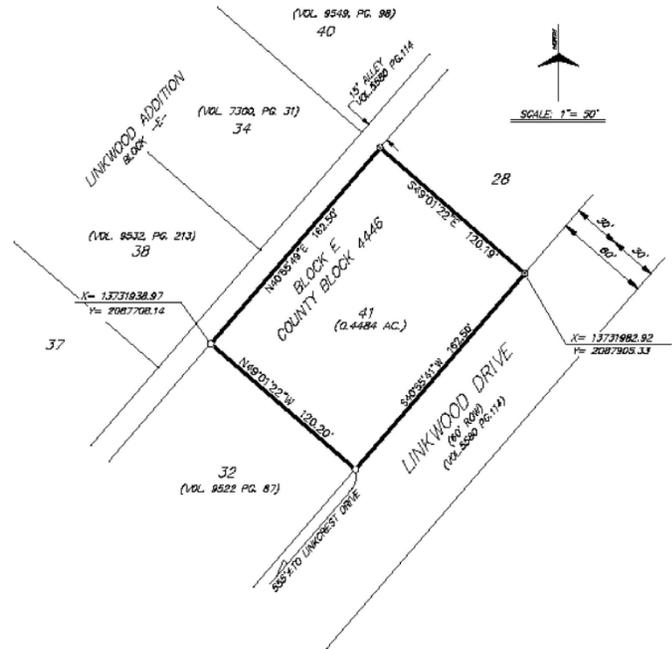
LINKWOOD DRIVE  
 (VOL. 1066, PG. 114)  
 WITH BEING AMENDED DEEDS LOTS 34 AND 35, BLOCK E, COUNTY BLOCK  
 4446, AMENDING PLAT OF LINKWOOD ADDITION, RECORDED IN TEXAS BOOK  
 PAGE 48 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

STATE OF TEXAS  
 COUNTY OF BEXAR  
 I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE  
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND ACCORDING TO AN ACTUAL SURVEY MADE ON  
 THE FOREGOING 21<sup>ST</sup> DAY OF SURVEYING  
 JOHN E. DEHAN  
 TOP SURVEYING  
 TEXAS FORM NO. 107-0000  
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6246

**PRELIMINARY**  
 THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL  
 NOT BE USED OR REFERED TO UPON AS A FINAL SURVEY DOCUMENT  
 4/16/24

**TGD SURVEYING LLC**

27607 Fels Mauer Blvd  
 New Braunfels, TX 78132  
 210.653.1131  
 Firm No. 10193994



SCALE: 1" = 50'



**LOCATION MAP N.T.S.**

**LINKWOOD ADDITION II  
 AMENDING PLAT**

THIS PLAT AMENDS LOTS 34 AND 35, BLOCK E, COUNTY BLOCK  
 4446, OUT OF THE AMENDING PLAT OF LINKWOOD ADDITION  
 ESTABLISHING LOT 35, SAN ANTONIO, BEXAR COUNTY, TEXAS.

IN ACCORDANCE WITH: (A) TO RELOCATE ONE (1) OR MORE  
 LOT LINES BETWEEN ONE (1) OR MORE ADJACENT LOTS  
 F; (A) THE OWNERS OF ALL THOSE LOTS JOIN IN THE  
 APPLICATION FOR AMENDING THE SUBDIVISION PLAT; (B)  
 THE AMENDMENT DOES NOT ATTEMPT TO REMOVE  
 RECORDED COVENANTS OR RESTRICTIONS; AND (C) THE  
 AMENDMENT DOES NOT INCREASE THE NUMBER OF LOTS.

**GENERAL NOTES:**

1. (1) INDICATES SET 1/2" BEAR WITH GAS STAMPED  
 "TOP SURVEYING" UNLESS OTHERWISE NOTED.
2. (2) INDICATES FOUND 1/2" BEAR UNLESS OTHERWISE  
 NOTED.
3. COORDINATES SHOWN ARE BASED UPON THE NAD83  
 HORIZONTAL DATUM OF 1983. ELEVATIONS, EASERS,  
 STATE PLANE, SOUTH CENTRAL ZONE, GRID UNLESS  
 OTHERWISE SHOWN ARE SHOWN IN US SURVEY FEET,  
 SURFACE.
4. UTILITIES ARE SHOWN IN US SURVEY FEET,  
 SURFACE:  
 GAS, TELEPHONE, AND CABLE TV  
 (UNLESS OTHERWISE NOTED).  
 ELECT. GAS, TELE. AND CABLE  
 (UNLESS OTHERWISE NOTED).  
 CABLE TV (UNLESS OTHERWISE NOTED).

STATE OF TEXAS  
 COUNTY OF BEXAR  
 THE CITY ENGINEER OF THE CITY OF LEON VALLEY HEREBY CERTIFIES THAT THIS AMENDING PLAT  
 CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH HIS  
 APPROVAL IS REQUIRED.  
 CITY ENGINEER

STATE OF TEXAS  
 COUNTY OF BEXAR  
 THE OWNER OF THE LAND SHOWN ON THIS AMENDING PLAT, AND WHOSE NAME IS SUBSCRIBED HERETO  
 AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, REGULARS TO THE CITY OF LEON VALLEY,  
 TEXAS, FOR THE USE OF THE PUBLIC PORTION, ALL STREETS, ALLEYS, PUBLIC UTILITIES, DRAINAGE  
 EASEMENTS, AND THE WATERS AND OTHER LINES IN ALL OF THE APPLICABLE PUBLIC PLAYS AND ALL  
 OTHER PUBLIC PLAYS THEREIN SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER  
 STATE OF TEXAS  
 COUNTY OF BEXAR  
 BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CHAD AL SMITH,  
 KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING  
 INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES  
 AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED,  
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ..... DAY OF .....  
 A.D. 20.....

STATE OF TEXAS  
 COUNTY OF BEXAR  
 I (WE) THE OWNER(S) OF THE LAND SHOWN ON THIS AMENDING PLAT HEREBY CERTIFY THAT THIS  
 AMENDING PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS.  
 OWNER/DEVELOPER  
 STATE OF TEXAS  
 COUNTY OF BEXAR  
 BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY OR THROUGH A DULY  
 AUTHORIZED AGENT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING  
 INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES  
 AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED,  
 GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ..... DAY OF .....  
 A.D. 20.....

STATE OF TEXAS  
 COUNTY OF BEXAR  
 THIS PLAT OF LINKWOOD ADDITION AMENDING PLAT ..... HAS BEEN  
 SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS  
 AND IS HEREBY APPROVED BY SAID CITY COUNCIL.  
 DATED THIS ..... DAY OF ..... A.D. 20.....  
 BY: ..... MAYOR  
 BY: ..... SECRETARY

STATE OF TEXAS  
 COUNTY OF BEXAR  
 I, COUNTY CLERK OF BEXAR COUNTY, DO HEREBY  
 CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE  
 ON THE ..... DAY OF ..... A.D. ....  
 AT ..... IN AND DULY RECORDED THE ..... DAY OF ..... A.D. ....  
 OF BEXAR COUNTY, BY BOOK VOLUME ..... OR PAGE .....  
 IN TESTAMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS  
 DAY OF ..... A.D. .... COUNTY CLERK, BEXAR COUNTY,  
 TEXAS BY: ..... DEPUTY

# Notification Process

Amending plats do not require notice.

# Recommendation

- The Amending Plat was found to be in substantial conformance to Chapter 10-Subdivisions and the Texas Local Government Code Chapter 212.
- Approval is recommended.

# Questions

- Staff
- David Smith, Applicant

# **City of Leon Valley City Council**

Plat #2016-185

Linkwood Addition II Amending Plat

March 1, 2016

**MAYOR AND COUNCIL COMMUNICATION****M&C #2016-03-01-02**

**DATE:** March 1, 2016

**TO:** Mayor and City Council

**FROM:** Luis Valdez, Fire Chief  
Vickie Wallace, Finance Director

**THROUGH:** Kelly Kuenstler, City Manager

**SUBJECT:** Consider approval of a budget adjustment and related ordinance for funds to be expended in the amount of \$480,920 from the general fund reserve for a new fire engine.

**PURPOSE**

This agenda item is intended to amend the current fiscal year budget and approve the expenditure of \$480,919.61 from the General Fund Reserve for the purpose of purchasing a new fire engine. These funds are being requested to support fire services and to purchase a new brush fire engine.

The Fire Department was approved to order a replacement fire engine at the February 19<sup>th</sup>, 2016 City Council meeting, and this agenda item is intended to request the supporting budget adjustment.

In order to expend these funds, a budget adjustment is needed.

**FISCAL IMPACT**

General Fund/Fire Department: +480,920

**RECOMMENDATION**

Approve the request and related budget adjustment and Ordinance in order to purchase a new fire engine.

**S.E.E. IMPACT STATEMENT**

**Social** – The new fire engine will work to enhance the life safety of the public.

**Economic** – Maintains ISO rating, and better protects buildings.

**Environmental** – A new fire engine would work to extinguish fires and meet modern approved emission standards.

APPROVED: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**AN ORDINANCE APPROVING AMENDMENTS THE GENERAL FUND BUDGET OF THE CITY OF LEON VALLEY, TEXAS MUNICIPAL BUDGET FOR FISCAL YEAR OF 2015-2016.**

**Whereas** on September 15, 2015 the City Council of the City of Leon Valley adopted the 2015-2016 fiscal year budget: and

**Whereas** Texas Local Government Code Section 102.010 provides that a municipality is not prohibited from making changes to a budget for municipal purposes: and

**Whereas** the Leon Valley City Council hereby finds and determines, that the amendments adopted under this ordinance are for a municipal purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:**

**SECTION I**

That the City Council of the City of Leon Valley hereby amends the fiscal year 2015-2016 budget as provided for in the attached Exhibit "A", said Exhibit to incorporated herein as if fully set forth herein.

**SECTION II  
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION III.  
REPEALER CLAUSE**

Any provisions of any prior ordinance of the City which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION IV.  
EFFECTIVE DATE**

This Ordinance shall become effective and shall be in full force and effect on and after its passage and publication as required by state law.

**SECTION V.  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 1st day of March 2016.

**APPROVED**

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

\_\_\_\_\_  
**ROXANN PAIS COTRONEO**  
City Attorney



Exhibit "A"  
Ordinance No. 16-006

**CITY OF LEON VALLEY, TEXAS  
BUDGET ADJUSTMENT  
FISCAL YEAR 2015-2016**

<b>Request Submitted By:</b> <u>Luis Valdez, Fire Chief</u>	<b>Date:</b> <u>03/01/2016</u>
Department Head	
<b>Approved By:</b> _____	<b>Date:</b> _____
Finance Director	
<b>Approved By:</b> _____	<b>Date:</b> _____
City Manager	

<b>TYPE OF TRANSFER:</b>	<b><u>DEPARTMENT:</u></b>
<input type="checkbox"/> Inter-Departmental Transfer	To Fire Department
<input type="checkbox"/> Intra-Departmental Transfer	
<input checked="" type="checkbox"/> Supplemental Appropriation	

**FROM:**

FUND	ACCOUNT NO.	DESCRIPTION	AMOUNT
<b>General Fund Reserve</b>	<b>100-</b>		<b>\$480,920.00</b>

**TO:**

FUND	ACCOUNT NO.	DESCRIPTION	AMOUNT
<b>Fire</b>	<b>100- 5520.540.511</b>	<b>Fire Engine</b>	<b>\$480,920.00</b>

**City of Leon Valley Town Hall Meeting—January 23, 2016**  
**Summary Report and Recommendations**

**Prepared by:**

**Francine S. Romero, Ph.D.**

**Submitted February 19, 2016**

## **Introduction:**

The City of Leon Valley held its 6<sup>th</sup> Annual Town Hall Meeting on January 23, 2016 at the Leon Valley Conference Center. Approximately 90 people attended. In addition to a diverse group of citizens, this included Mayor Chris Riley, City Manager Kelly Kuenstler, Council members Sanchez, Edwards, Alcocer, Martinez, and Jordan, as well as several department directors and City staff.

Following introductory comments and an update on emergency preparedness by Assistant Fire Chief Billy Lawson, the assemblage moved to consideration of four policy questions. Selection of these topics was based on earlier public input as well as Council discussion. Each issue was introduced through an initial presentation, and followed by an instant polling exercise to gauge initial opinions/reactions. The topics were then turned over to the citizens to discuss in their table groups. Outcomes for each table were recorded on a flipchart, and then presented to the entire room.

Below, a summary of each topic is presented, including highlights of the initial presentation, results of instant polling, key ideas to emerge from table discussion and finally a set of recommendations based on all the ideas expressed.

### **I. Partnership/Memorandum of Understanding (MOU) between City and Leon Valley Historical Society**

The City Manager provided an overview of a proposal for a MOU-based partnership that would facilitate restoration of the Huebner-Onion Homestead and Stagecoach Stop, and the eventual opening of a museum at the site. An overview of meetings that had already been held on this topic and the basic expectations of each party, as outlined in a draft MOU, was reviewed. **[Link to Draft MOU language](#)**

Instant polling questions on this topic revealed the following:

#### **[Embed or link to questions 8-11 from instant polling]**

No opposition to the partnership per se emerged during the table discussions. Participants supported the option as an innovative means to effectively and efficiently move forward on the project, especially in regard to securing necessary grant funding.

Although some participants were familiar with the existing Master Plan for the property, many were not, as the poll had already demonstrated. Furthermore, all agreed that this Plan, which the MOU references as a “road map” to the partnership, needs to be much more broadly available throughout the community. It is difficult to navigate to the full Plan online, whether from the City or Society webpage. The Plan’s availability first needs to be improved, through easier online access and/or by producing and circulating paper copies. Then, the City needs to publicize this improved accessibility to citizens.

Key questions posed by participants in this Meeting should be addressed as soon as possible, even before the MOU is finalized. Answers to all or some of these may be premature at this stage but, if so, it would be helpful for the public to know that. These included the following:

- Expected length of term of MOU
- City's expected financial contributions
- Potential use of the hotel/motel occupancy tax by either party
- Whether Triangle Park plans/usage will be covered in this MOU

Citizens also articulated a number of suggestions and concerns about the overall project moving forward, and once this MOU is in place, there needs to be a venue in which their ideas can be heard. They include the topics of staffing, restrooms, traffic flow, parking, and commemoration/protection of the gravesite.

Summary recommendations:

1. Adopt a ***strategy for providing better access to the Master Plan***, including easier Internet access and availability of paper copies, and then let the public know about it. This could be tasked to the Society as part of the MOU, or the City could take responsibility.
2. The City Manager should ***address the questions listed above*** at the Council meeting where the MOU is considered/adopted; add additional verbiage to the MOU if necessary and appropriate, in order to alleviate public concern on this matter.
3. Require, as one of the conditions of the MOU, that the ***Society provide regular open meetings for public input*** on the future of the project.
4. The Society's website is out of date and somewhat difficult to navigate. The City might consider asking for an ***update to the site***, since it would enhance recommendations 1 and 3, above.

## II. Police Enforcement and Presence

Chief Randall Wallace presented recent trends in the City, including growth of population and responsibility area, and emphasized particular areas of citizen concern such as the decline in traffic citations issued, and Police Department staffing shortages.

In addition to gauging general knowledge on the force, instant polling questions on this topic revealed the following outcomes:

### [Embed or link to questions 14-15 from instant polling]

Table discussions demonstrated that the public fully recognizes the challenges faced by Chief Wallace and his force. While citizens may be frustrated with some conditions, this was a constructive and not a contentious discussion. Residents appreciate the relative safety and tranquility of Leon Valley. In return, they appear more than willing to engage in meaningful collaboration with the Department to address key issues. The top three concerns emerging this day were the following: traffic hotspots and perceived lack of enforcement of violations; public relations; and, the challenges of personnel recruitment and retention.

Traffic hotspots and limited enforcement received the most vigorous discussion. One notable aspect was how easily citizens reached consensus on the most problematic intersections and stretches of roadway City-wide, rather than separately focusing on issues in their respective neighborhoods. Numerous specific suggestions for remedies for these problems were offered, and all deserve a full hearing and response from the Department.

In regard to public relations, Meeting attendees described officers, to a degree, as less friendly and accessible than expected. Within this general theme, several responses focused on lack of police visibility and need for the Department to do more to foster citizen policing efforts such as Neighborhood Watch.

Finally, citizens echoed the obstacles to officer recruitment and retention that Chief Wallace highlighted. Here, too, they had a number of constructive suggestions on how to rectify this problem. Ideas included commissioning a report on pay comparability and the need to consider additional benefits, such as tuition reimbursement.

### Summary recommendations:

It is difficult simply to endorse public recommendations on public safety matters without full vetting by the Department. Rather, what this Meeting clearly demonstrated is that the City needs to establish some sort of *Citizens Police Advisory Commission*. Based on what appear to be the most effective models from other small cities, the Commission could be based on the following model:

- Residents apply for Commission membership and are appointed by City Council for two year terms. (The Department itself should not be involved in selection of Commissioners.)

- The Commission, at least initially, would not possess independent authority, but the Chief would be required to meet with them on a monthly basis for an open dialogue.
- The Commission Chair would provide an update to City Council on a quarterly basis.
- The City might also consider initiating a ***Citizens Policy Academy***, to allow citizens the opportunity to view enforcement challenges from the Department's perspective.
- In combining these two ideas, one option would be to have the initially appointed Commissioners also serve as the inaugural cohort in the Academy.

### III. Forest Oaks Pool

Larry Proffitt of the Forest Oaks Community made a presentation on the need for immediate attention to the Forest Oaks Pool and associated amenities. Deeded to the Forrest Oaks Community Association (FOCA) in 1972, the pool has since been maintained by unpaid volunteers. Because FOCA is not a homeowners association, it cannot assess fees. Furthermore, since the City eliminated usage fees for the Leon Valley Pool in 2014, paid membership in the Forest Oaks Pool dropped by 16%. Given this financial situation, and the unsustainability of volunteer maintenance and administration, the pool may be forced to close.

Instant polling questions on this topic revealed the following:

**[Embed or link to questions 17-19 from instant polling; note error in 17, referring to LV pool, should be Forest Oaks.]**

Instant polling answers indicated overwhelming support for saving the Forest Oaks pool, by having the City conduct or commission a study on the most efficient mechanism for acquiring and managing this asset. There was broad agreement that continued reliance on volunteer administrators is not viable, but sincere thanks were directed to Tom and Lori Kelley, who have led this effort for many years. Therefore, table discussions centered on best practices for achieving an optimal outcome. Citizens focused in particular on how a second city run pool would open up enhanced options for flexibility and expansion of services.

Specific notions emphasized utilizing the additional amenity to provide targeted recreational opportunities for seniors, the disabled, adult-only and youth groups. Residents recognized that a plan for City acquisition of this pool must be considered in conjunction with a management review of the Leon Valley pool, in order to most efficiently utilize both resources. Questions arose in regard to: fee structures; opportunities for the pool to serve as income generator through event rentals; and the feasibility of adding a splash pad. Furthermore, while all recognized the utility of moving toward City management of the site, residents were enthusiastic about helping to plan for the transition and to continue to be involved as volunteers.

#### Summary recommendation:

- A ***Citizen Task Force*** should be convened by the City Manager, in order to more formally discuss planning and implementation of the conversion. It may be best to task two teams, respectively focused on finances and amenities. These teams can provide feedback and suggestions on the City's draft plans to acquire and manage the Forest Oaks pool, within a context of most efficient use of both the Forest Oaks and Leon Valley facilities. As strongly advocated by their fellow citizens, Tom and Lori Kelly should be asked to serve on the Task Force. Other members may be chosen from key stakeholder groups such as the senior and disabled communities, and the school district.

#### IV. Hike and Bike Trail

Melinda Moritz, City of Leon Valley Public Works Director presented on the ongoing effort to finalize a trail in this location, providing background information on funding, phasing, and location.

Instant polling questions on this topic revealed the following:

**[Embed or link to questions 20-21 from instant polling]**

Furthermore, for this issue, attendees were asked to complete a questionnaire on this topic during or after the table discussions; 39 responses were received.

**[Link to questionnaire results]**

As with the Forest Park pool issue, citizens are enthusiastic about being engaged in this decision process. However, there seemed to be more confusion on this topic than the others. Participants were not entirely sure what opportunity for input they still had on this project, but did indicate strong preferences in favor of connecting to the Homestead and for the trail passing under (versus over) Bandera Rd.

Beyond that consensus, some conflicting opinions on the desirability of various future amenities emerged. One area of disagreement concerned whether or not the trail should include any water-based features, such as aquatic displays, drinking fountains (for people and/or pets), or restrooms. There was also a lack of unanimity on provision of benches and trash/recycling containers, and whether dogs should be allowed. Overall, this reflects a common struggle encountered by cities—keeping natural areas as unspoiled as possible, while still facilitating the comfort of visitors.

Summary recommendations:

- Citizens need further education on where the plan stands, what decisions still need to be made, and the costs/benefits of various options. If in fact there are still choices to be made on these issues, it would be extremely helpful for the City to hold one or more ***educational tours*** so that citizens can be shown, or experience first-hand, the impact of various options. For example, the difficulty of installing drinking fountains and the impact those might have on the natural setting, could likely be imparted most effectively on-site.
- The City could then recruit volunteers from those tours to serve on a ***Citizens Advisory Panel*** to provide feedback on future decisions.
- Going forward, it would be optimal if the Citizens Advisory group could then evolve into a ***non-profit “Friends of the Trail” organization*** that could advocate for responsible stewardship into the future.

## **Conclusions**

The City of Leon Valley's elected and appointed officials, and most of all its citizens, are to be commended for their Town Hall tradition. This 6<sup>th</sup> Annual Meeting was notable for the high level of public attendance and engagement, lack of rancor, and the generation of feasible and innovative ideas. This City occupies an enviable position as a model of genuine civic engagement, in which citizens are treated as partners whose opinions are solicited, valued, and heeded. The thoughtful feedback provided at this Meeting forms a solid foundation for policy development throughout 2016 and beyond.

## **MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 1, 2016 **M&C # 2016-03-01-03**

**TO:** Mayor and Council

**FROM:** Kelly Kuenstler, City Manager

**SUBJECT:** Discussion and Consideration on Memorandum of Understanding between the City of Leon Valley and the Leon Valley Historical Society

**PURPOSE:** Form a partnership with the Leon Valley Historical Society to work on the restoration and eventual opening of a museum at the Huebner Onion Homestead & Stagecoach Stop

### **FISCAL IMPACT**

Potential Fiscal Impact includes: Staff services for building and grounds maintenance; possible match funds for grant submissions (if approved by Council); staff time working on project with Historical Society and TXDOT

### **STRATEGIC GOALS**

This initiative is consistent with the City of Leon Valley's Strategic Plan which lists economic development and parks, recreation, green space and cultural opportunities as 2 of its seven listed goals.

### **SEE LEON VALLEY**

Social – Provides an opportunity for all citizens and visitors to learn about the history and culture of the Huebner Onion Homestead & Stagecoach Stop. It also creates the opportunity for the preservation of an area with a rich history.

Economic – The MOU is consistent with the City of Leon Valley's Strategic Plan efforts to increase economic development in Leon Valley and it may attract tourists to the City.

Environmental – Provides an opportunity for the public to learn about the natural area surrounding the Huebner Onion Homestead & Stagecoach Stop.

### **RECOMMENDATION**

Authorize the City Manager to enter into an MOU with the Leon Valley Historical Society based on the Citizens of Leon Valley's support for this project at the 2016 Town Hall Meeting and at the Special City Council Work Sessions on August 29, 2015 and November 7, 2015. Furthermore, the City of Leon Valley should provide a venue where

citizen's ideas, suggestions and concerns can continue to be heard as the project progresses.

**RECOMMENDATION**

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

## Memorandum of Understanding

This Memorandum of Understanding (MOU) between the Leon Valley Historical Society and the City of Leon Valley is intended to describe the objective of forming a partnership to work together on the restoration and eventual opening of a museum at the Huebner-Onion Homestead & Stagecoach Stop. The Homestead is a two story structure along Bandera Road that dates to the 1850s, is listed in the National Register of Historic Places and has received a Texas Historical Marker. Last year, the Leon Valley Historical Society received a Historic Texas Cemetery Designation from the Texas Historical Commission for the Joseph Huebner gravesite in the Natural Area.

The Roles and Responsibilities of the partners are identified below. Furthermore, some time frames are included as a means to develop a roadmap for the partnership going forward:

### **The Leon Valley Historical Society:**

The Leon Valley Historical Society, a 501 ( c ) ( 3 ) non profit organization, intends to:

- a. Identify significant sources for funding support and potential grants by December 31, 2016, recognizing that funding sources have specific deadlines during the year and research for grants and funding is a continuous process.
- b. Apply for funding for the Heritage Center and the Triangle Park during the 2016 calendar year and after.
- c. Work in conjunction with the Leon Valley Economic Development Commission and the Leon Valley Area Chamber of Commerce in an effort to spur economic development in the area of the Heritage Center and Triangle Park.
- d. Work with the Northside Independent School District to develop curriculum and tour packages for local students.
- e. Staff the potential Heritage Center on a part-time basis (volunteer or paid) depending on funding sources and potential traffic after the opening of the Heritage Center.

### **The City of Leon Valley:**

The City of Leon Valley, incorporated in 1952 as a General Law City in the State of Texas, intends to:

- a. Assist the project through the use of the 36 acre natural area that is adjacent to the Huebner-Onion Homestead;

- b. Provide a designated parking area for museum goers at the Raymond Rimkus Park ;
- c. Maintain the grounds and facility of the 36 acre natural area and the Huebner Onion Homestead;
- d. Work in conjunction with the Texas Department of Transportation (TXDOT) in an effort to facilitate a curb cut for entrance to the Huebner Onion Homestead during the 2016 calendar year.
- e. Present a budget request to the Leon Valley City Council for consideration of matching funds, if necessary, for the project on future grant applications.

Attached to this Memorandum of Understanding (as Exhibit A) is a copy of the Master Plan completed in July of 2013 which outlines the methodology, the preservation philosophy, the history and the cost estimate of above stated venture. This Master Plan should be used as a road map for parties as the potential partnership forms.

The parties enter into this MOU wishing to maintain their own separate and unique missions and mandates, and their own accountabilities. Unless specifically provided otherwise, the cooperation among the Parties as outlined in this MOU shall not be construed as a partnership or other type of legal entity or personality. Each Party shall accept full and sole responsibility for any and all expenses incurred by itself relating to this MOU. Nothing in this MOU shall be construed as superseding or interfering in any way with any agreements or contracts entered into among the Parties, either prior to or subsequent to the signing of this MOU. Nothing in this MOU shall be construed as an exclusive working relationship. The Parties specifically acknowledge that this MOU is not an obligation of funds, nor does it constitute a legally binding commitment by any Party or create any rights in any third party.

This Memorandum of Understanding will be in effect through December 31, 2017, and may be extended as approved by the Council.

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Leon Valley Historical Society  
Mark Eisenhauer, President

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City of Leon Valley  
Mayor

Memorandum of Understanding (MOU)  
between the Leon Valley Historical  
Society and the City of Leon Valley

City Council Meeting  
March 1, 2016

# Purpose

- Form a partnership to work together on the restoration and eventual opening of a museum at the Huebner-Onion Homestead & Stagecoach Stop

# Background Historical Society Property

- The Huebner Onion House is a two story structure along Bandera Road that dates to the 1850's
- It is listed in the National Register of Historic Places and also is listed as part of the Texas Historic Commission's new statewide Heritage Trail
- The Leon Valley Historical Society which manages the property is, a 501 ( c ) (3) non profit organization

# Background Public Public Partnership (PPP)

- The First meeting to discuss the possibility of a partnership was August 29, 2015, and open to the public
  - Master Plan Presentation by the Leon Valley Historical Society
  - Initial feelers to gauge the public’s response –which was positive for the PPP
- Second meeting to discuss the PPP was held on November 7, 2015, and was open to the public
  - A survey was given and the majority of the respondents supported a PPP between the City and the Historical Society

Third meeting to discuss PPP was during the Town Hall Meeting on January 23, 2016

- A survey was given and the majority of the respondents supported a PPP between the City and the Historical Society



# The Roles and Responsibilities of the Partnership agreement

# Leon Valley Historical Society

- Compile funding sources
- Apply for restoration funding
- Work in conjunction with the Leon Valley Economic Development Board and the Leon Valley Chamber of Commerce to spur economic development
- Work in conjunction with the Northside Independent School District to develop curriculum and tour packages for local students
- Staff the potential museum with a volunteer staff on Fridays, Saturdays and Sundays and on an appointment basis for school visits.

# The City of Leon Valley

- Assist the project through the use of the 36 acre natural area
- Provide a designated parking area for museum
- Maintain the grounds and facility of the 36 acre natural area and the Huebner Onion Homestead
- Work in conjunction with the Texas Department of Transportation (TXDOT) to facilitate a curb cut for entrance to the Huebner Onion Homestead during the 2016 calendar year
- Present a budget request to the Leon Valley City Council for consideration of matching funds, if necessary, for the project on future grant applications

# Fiscal Impact

- Fiscal Impact to the City of Leon Valley:
  - Staff Services for building/grounds maintenance
  - Possible match funds for grant submissions (if approved by Council)
  - Staff time working on project with Historical Society and TXDOT

Memorandum of Understanding (MOU)  
between the Leon Valley Historical  
Society and the City of Leon Valley

City Council Meeting  
March 1, 2016

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 1, 2016 **M&C # 2016-3-1-04**  
**TO:** Mayor and Council  
**FROM:** Elizabeth Carol, Community Development Director  
**THROUGH:** Kelly Kuenstler, City Manager

**SUBJECT:** Conduct a public hearing and consider, discuss and possible action to adopt an Ordinance on Zoning Case #2016-029, to rezone approximately 2.52 acres of land, from B-3 (Commercial) Sustainability Overlay District to B-3 (Commercial) being Lots 67 and 75, CB 5784, Leon Valley Additions Subdivision, near 6740 Poss Road submitted by Applicant Manuel Rubio Sr.

**PURPOSE**

Applicant and property owner, Manuel Rubio, Sr., is requesting rezoning of lots 67 and 75, CB 5784 of the Leon Valley Additions Subdivision from B-3 (Commercial) Sustainability Overlay District to B-3 (Commercial) to build a 2,700 square foot office, and to provide additional parking and storage for his existing business Miracle Body and Paint which is located across the street at 6217 Grissom Road.

**FISCAL IMPACT**

The applicant paid \$912.00 for application, processing and consideration of the Zoning Case. In addition, a new office building would generate additional property tax.

**RECOMMENDATION**

Staff is recommending that the City Council consider an alternative request. Instead of removing the Sustainability Overlay, as the applicant has requested, change the zoning from Sustainability Overlay to Commercial/Industrial Overlay, which will provide the applicant some additional flexibility and will preserve the Overlay Standards. This proposal is consistent with recent request where the Zoning Commission has recommended approval.

The Zoning Commission initially considered the applicants request on January 26, 2016 and requested additional information from the applicant. At the applicant's request the Zoning Commission held a special meeting on February 9, 2016 and the Zoning Commission continued their discussion.

The Zoning Commission has recommended approval of an alternate request on behalf of lot 75 to be rezoned from B-3 (Commercial) Sustainability Overlay District to B-3 (Commercial) Commercial/Industrial Overlay. The Commission noted that the proposed use and design is consistent and compatible with the Leon Valley Master Plan and surrounding zoning.

The Zoning Commission then went on to recommended denial of the request for lot 67 to be rezoned. The Commission noted that the lack of information about the proposed use, site plan and design for this lot, meant that the Zoning Commission would be unable to properly determine if the proposed use is consistent and compatible with the Leon Valley Master Plan and surrounding zoning.

**S.E.E. LEON VALLEY**

Social Equity – It is equitable to consider the request of a property owner and the proposed use of their property.

Environmental – On a regional level, the textiles that are dumped in landfills are minimized by 5-to-10%. Environmentally for the City of Leon Valley the donation boxes could create dumping and graffiti concerns and have the potential to become eyesores in the community.

Economic Development – The rezoning would allow an existing business to expand in Leon Valley which will generate new property taxes.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**AN ORDINANCE OF THE CITY OF LEON VALLEY, BEXAR COUNTY, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE AND MAP, CHAPTER 14, APPENDIX C OF THE CITY OF LEON VALLEY CODE OF ORDINANCES, BY CHANGING THE ZONING CLASSIFICATION FROM COMMERCIAL (B-3) SUSTAINABILITY OVERLAY TO COMMERCIAL (B-3) COMMERCIAL/INDUSTRIAL OVERLAY FOR THE BEXAR CAD PROPERTY ID 1125485 COMMONLY KNOWN AS, BEING ALL CERTAIN LOT 75, BLOCK 3, LEON VALLEY ADDITION GREENWAY PARK SUBDIVISION AND BEING A 1.50 ACRE TRACT OF LAND DESCRIBED IN A DEED FROM GRISSOM ROAD PROPERTY, LTD. TO M G R, INC., AS RECORDED IN VOLUME 15141, PAGE 2323 OF THE DEED RECORDS OF BEXAR COUNTY; PROVIDING FOR THE AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING A PENALTY CLAUSE, SEVERABILITY CLAUSE AND A REPEALER CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council of the City of Leon Valley (the "City") has previously adopted its Comprehensive Zoning Ordinance pursuant to all the requirements of state law and local ordinances; and

**WHEREAS**, the City desires to amend its Ordinances and Comprehensive Zoning Map to reflect the City's developing conditions;

**WHEREAS**, the property commonly known as lot 75, Block 3 and County Block 5784 ("the Property") is currently zoned as Commercial (B-3) Sustainability Overlay; and

**WHEREAS**, the City has determined that it is in the best interest of the City to have the zoning on the Property changed from Commercial (B-3) Sustainability Overlay to Commercial (B-3) Commercial/Industrial Overlay to reflect the City's developing conditions; and

**WHEREAS**, the Zoning Commission of the City of Leon Valley and the City Council of the City of Leon Valley, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearing and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of Leon Valley is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance Map should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:**

**Section I**

That the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

**Section II**

That the Zoning Ordinance of the City is hereby amended to reflect that the Property, as further and more specifically described by Exhibit "A" attached hereto and incorporated herein, is hereby rezoned from Commercial (B-3) Sustainability Overlay to Commercial (B-3) Commercial/Industrial Overlay.

**Section III**

That all terms and conditions of the Comprehensive Zoning Ordinance shall apply to the Property and shall remain in full force and effect save and except as amended by this Ordinance.

**Section IV**

That upon adoption of this Ordinance, the City Secretary shall promptly show the Property as being zoned Commercial (B-3) Commercial/Industrial Overlay on the City's Official Zoning Map.

**Section V**

That any person, firm, partnership, corporation or other entity violating any of the provisions of this Ordinance, shall be guilty of a crime and upon final conviction therefore shall be fined in an amount not to exceed Two Thousand Dollars (\$2,000.00) for the violation. Each and every day such violation continues shall constitute a separate offense.

**Section VI**

That if any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or its application to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section VII**

That this Ordinance shall be in full force and effect from and after the date of its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS ON this 1<sup>st</sup> day of March, 2016.**

**APPROVED**

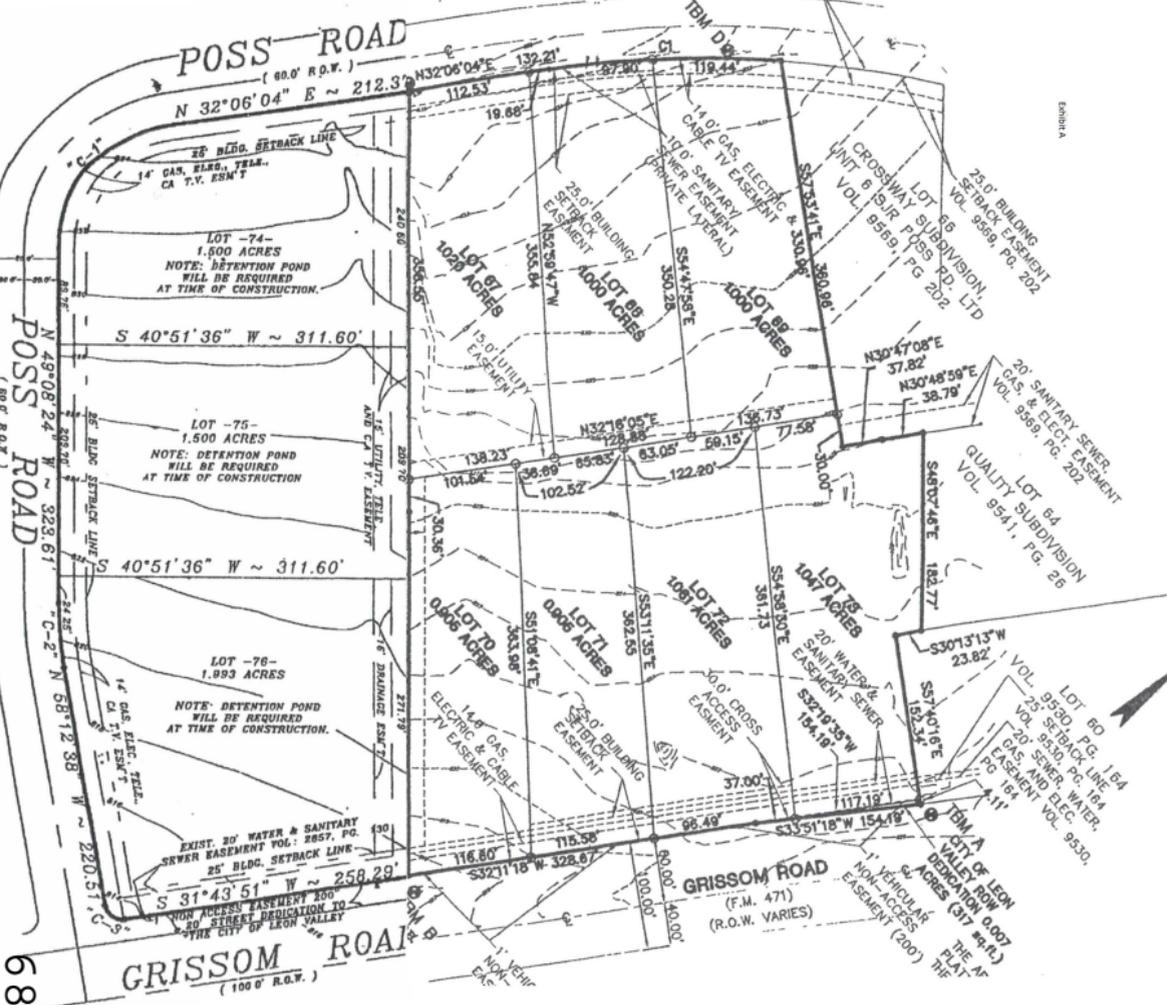
\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

\_\_\_\_\_  
**ROXANN PAIS COTRONEO**  
City Attorney



POSS ROAD  
(80' R.O.W.)

68

POSS ROAD  
(80' R.O.W.)

N 32°06'04" E ~ 212.3'

25' BLDG. SETBACK LINE

14' GAS, ELEC. TELL.  
CA T.V. ESM'T.

LOT 74 - 1.500 ACRES  
NOTE: DETENTION POND  
WILL BE REQUIRED  
AT TIME OF CONSTRUCTION.

S 40°51'36" W ~ 311.60'

LOT 75 - 1.500 ACRES  
NOTE: DETENTION POND  
WILL BE REQUIRED  
AT TIME OF CONSTRUCTION.

S 40°51'36" W ~ 311.60'

LOT 76 - 1.993 ACRES  
NOTE: DETENTION POND  
WILL BE REQUIRED  
AT TIME OF CONSTRUCTION.

EXIST. 20' WATER & SANITARY  
SEWER EASEMENT VOL. 2857, PG. 630

25' BLDG. SETBACK LINE

20' STREET DEDICATION TO  
THE CITY OF LEON VALLEY

GRISSOM ROAD  
(100' R.O.W.)

LOT 77 - 1.028 ACRES

LOT 78 - 0.948 ACRES

LOT 79 - 0.948 ACRES

LOT 80 - 0.948 ACRES

GRISSOM ROAD  
(F.M. 471)  
(R.O.W. VARIES)

CITY OF LEON  
VALLEY, LEON  
& ACRES (317 A.C.R.)  
DEPOSITION LOW  
PLAT A

Exhibit A



# **City of Leon Valley City Council**

Zoning #2016-029

Miracle Body and Paint

March 1, 2016

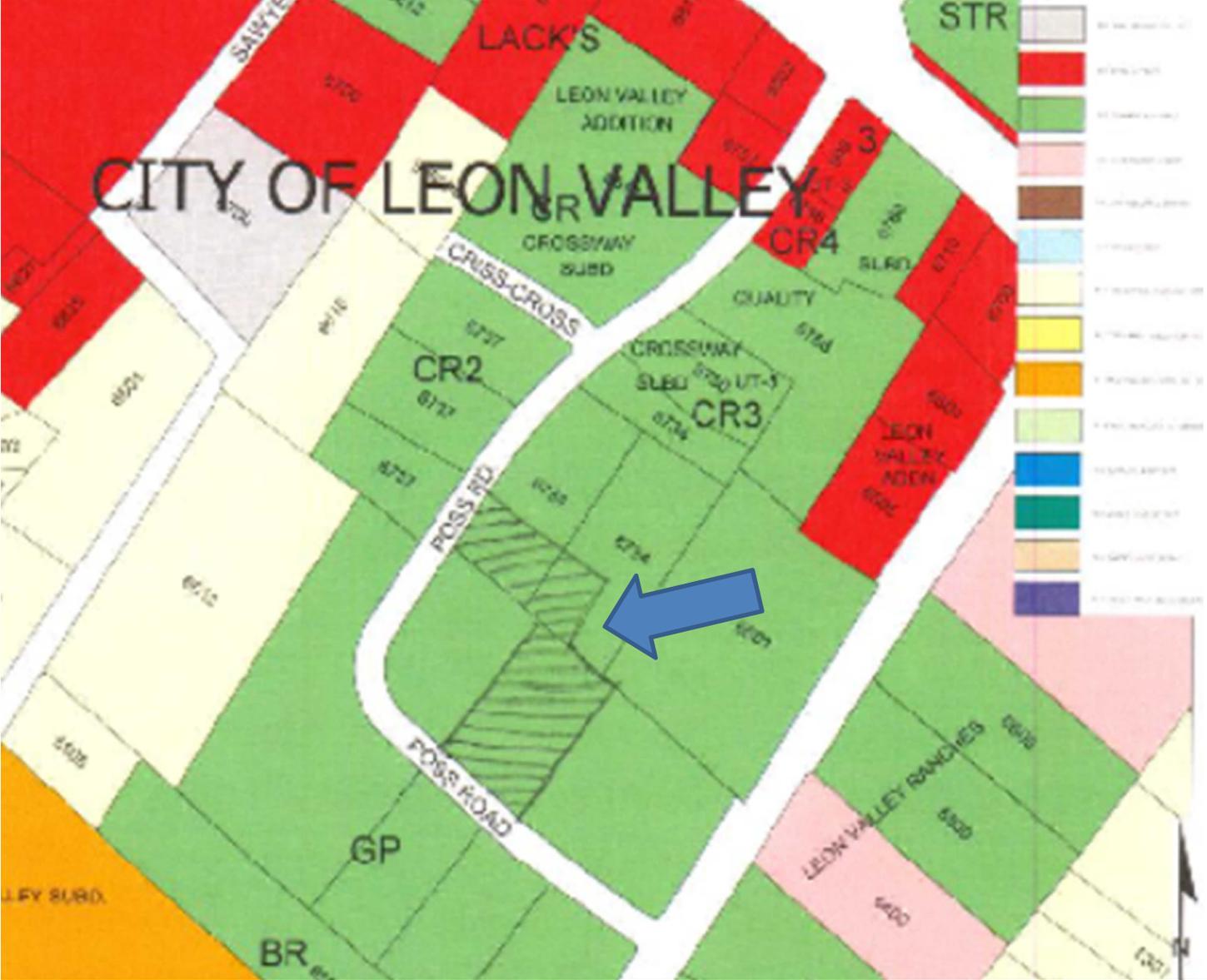
# Applicant's Request

- Manuel Rubio, Applicant
- 2.53 acres
- Near 6740 Poss Road
- Lot 67 and 75, Leon Valley Additions
- Change the Zoning from B-3 Commercial District, Sustainability Zoning Overlay to B-3 Commercial District.

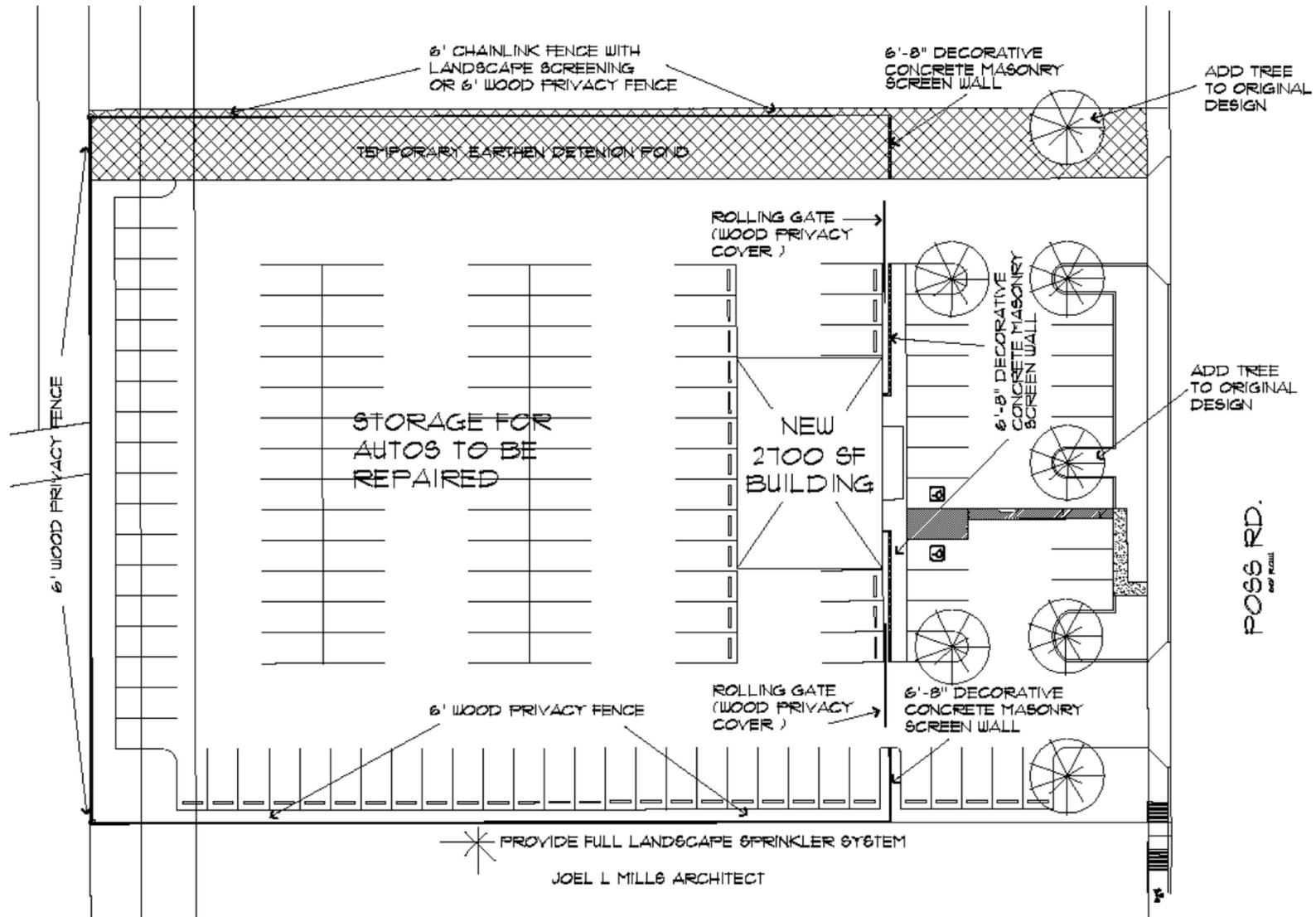
# Proposed Site



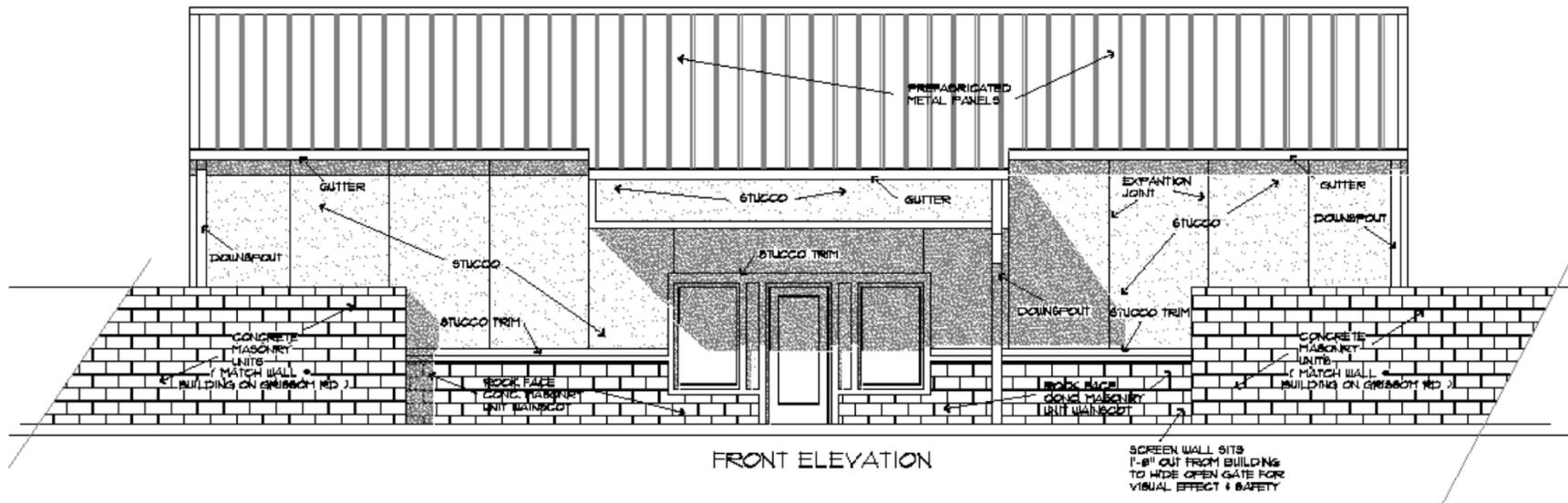
# Zoning Map



# Proposal Site



# Elevation



JOEL L MILLS ARCHITECT

# Zoning History

- Property was essentially rezoned from R-1.
  - 1975 R-1 to B-2 James and Mercedes Kiles
  - 2010 B-2 to B-3 Greenblum Investments Partners Inc.
- 2010 Sustainability Overlay for the Grissom Road Commercial Corridor

# Leon Valley Master Plan

- Area is located in the Grissom Road Corridor.
- The area goals are designed to promote Commercial Development.
- Promotes the consolidation of properties and utilities on the northwest side of Grissom Road.

# Sustainability Overlay Goal

- Adopted by City Council in 2010
- To ensure adequate linkages and connections within and between project areas; and
- To ensure consistency and quality of design to enhance the livability and image of the City.

# Sustainability Overlay History

- Sustainability to Commercial/Industrial
  - Miracle Body and Paint
  - Ancira KIA
  - Fiesta Dodge Site
  - Leon Valley Storage
- Removed from the Overlay
  - Leon Valley Business Park

# Staff Comments

- The proposed use(s) meets the minimum requirements for the base zoning of B-3.
- Operations of an office building and parking lot is consistent and compatible with the area.
- Operations of an automobile repair, storage and rental facility is inconsistent with the Sustainability Overlay Zoning.

# Sustainability Overlay

## 1. Landscape Standards

- Tree and shrubs
- Tree planting island
- Parking screens

## 2. Sign standards

- Limit number and size
- Prohibits digital signs

# Sustainability Overlay: Architectural Features

- Sustainability Overlay
  - Building material “Type A” = 20%: brick, stucco, or stone
  - Building material “Type B” = 80%: stucco, fiberboard
  - Muted colors required
  - Requires four points - examples include: canopy, awnings, patio, decorative ornaments, rainwater harvesting....
- Commercial Industrial Overlay
  - Building material 10%: brick, stucco, or stone
  - Building material “Type B” = 90%: stucco, fiberboard
  - Muted colors required
  - Requires two points - examples include: decorative frames around windows & doors, decorative ornaments, rainwater harvesting....

# Staff Recommendation

- Plan Review, Engineering and Public Works have recommended approval.
- Community Development alternate recommendation for lot 75:
  - Site maintain the base zoning of B-3
  - Change the Sustainability Overlay to Commercial and Industrial Overlay
    - Maintains the landscaping, sign standards
    - Greater flexibility for the design criteria
- Community Development recommends denial of the applicant's request for lot 67.

# Zoning Commission Recommendation

- Approval of a change to the Overlay from Sustainability Overlay to Commercial and Industrial Overlay on behalf of lot 75, based on the applicant's site plan.
- Denial of applicants request on behalf of lot 67, due to the lack of a project and site plan.
- These recommendations are consistent with previous request considered by the Zoning Commission.

# S.E.E. Statement

- **Social Equity** – it is equitable to consider the request of a property owner and the proposed use of their property.
- **Economic Development** – The rezoning would allow an existing business to expand in Leon Valley which will generate new property taxes.
- **Environmental Stewardship** – N/A

# Notification Process

- Item was published in the Commercial Recorder.
- 8 Letters Sent
- 0 Letters in Favor
- 0 Letters in Opposition
- 1 Letters Returned Undeliverable

# Questions

- Staff
- Manuel Rubio Sr., Applicant

# **City of Leon Valley City Council**

**Zoning #2016-029  
Miracle Body and Paint**

**March 1, 2016**

## MAYOR AND COUNCIL COMMUNICATION

M&amp;C #2016-03-01-05

**DATE:** March 1, 2016

**TO:** Mayor and City Council

**FROM:** Melinda Moritz, Director of Public Works

**THROUGH:** Kelly Kuenstler, City Manager

**SUBJECT:** Discussion on City-Wide Drainage Plan and Consideration of Date for Drainage Workshop

**PURPOSE**

To discuss a city-wide drainage plan and consider a date for a workshop on drainage, flooding, and related matters.

**FISCAL IMPACT**

Public Works was budgeted \$250,047 for engineering studies of drainage concerns at various places in the City. Following is an accounting of funds to date.

Date	Project	Company	Amount Pd	Total Due	Balance Remaining
8/19/2015	Evers Bridge	IDS Engineering		\$76,000.00	
1/21/2016			\$20,885.00		
12/16/2015			\$16,158.40		
10/7/2016			\$8,082.26		
		<b>To date</b>	\$45,125.66		\$30,874.34
10/26/2015	Detention Pond #2	Sia	\$5,850.00	\$15,000.00	
1/4/2016			\$360.00		
2/2/2016			\$600.00		
		<b>To date</b>	\$6,810.00		\$1,380.00
1/4/2016	Huebner Creek	Sia	\$3,660.00		
2/15/2016			\$2,340.00		
		<b>To date</b>	\$6,000.00		\$0.00
10/26/2016	Monte Robles Park	Kimley Horn		\$26,000.00	
11/30/2015			\$17,340.00		
12/31/2015			\$7,360.00		
		<b>To date</b>	\$24,700.00		\$1,300.00

Date	Project	Company	Amount Pd	Total Due	Balance Remaining
1/29/2016	Watershed Wise Grant	Kimley Horn		\$17,000.00	\$17,000.00
2/18/2016	Forest Oaks	Kimley Horn		\$15,000.00	\$15,000.00
Total Paid to					\$65,554.34
Date:		\$82,635.66			
Total					
Encumbered		\$65,554.34			
Remaining Funds:			\$101,810.00		

Remaining are studies for Seneca Estates Unit 3, The Ridge at Leon Valley, and Grass Valley (Huebner Creek). Studies for Seneca Estates and the Ridge will cost between \$20,000 and \$40,000, but the Grass Valley study will be more expensive, as this involves Huebner Creek.

The City is currently in contact with the United States Corp of Engineers (USACE) and the San Antonio River Authority (SARA) to get assistance with the study of Huebner Creek, which is expected to cost between \$350,000 to \$400,000. USACE, through their Continuing Authorities Program (CAP), would pay for the first \$100,000, and then SARA and the City would split the rest, so the City's portion is currently estimated to be in the range of \$175,000.

**RECOMMENDATION**

It is recommended the Public Works Department complete the study for Seneca Estates Unit 3 and The Ridge at Leon Valley, and present all of this information to the City Council at a workshop, to be held on a Saturday morning at the Conference Center. The purpose of the workshop would be for the formation of a city wide drainage plan. Staff would continue to work with USACE and SARA and present their plan or findings at an appropriate date.

**S.E.E. IMPACT STATEMENT**

Social Equity – Solving drainage and flooding problems protects life and property, and increases property values, which benefits all citizens.

Economic Development – Removing properties from floodplains and floodways increases the value of business zoned properties, which may attract new businesses.

Environmental Stewardship – Using eco-friendly methods for reducing flooding prevents pollutants from entering streams and rivers, which in turn prevents the pollution of our water and environment.

APPROVED: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Attachments:

Original Budget worksheet  
Engineering study levels

**FY 16 - Stormwater Projects**

<b>#</b>	<b>Project</b>	<b>Description</b>	<b>Estimated Cost</b>
1	Detention Area #2	Erosion Control Measures to include hydro-mulching and turf mat	\$25,000
2	Huebner @ Timberhill CDBG Project	Install drainage inlets and drain pipe to collect stormwater runoff from Huebner Rd. to alleviate flooding of houses on Timberhill. CDBG - \$175,000 Stormwater - \$36,315	\$36,315
3	Bandera Rd. & Huebner Creek Bank Stabilization	Bring soil from Detention Area #2 to fill in erosion area. Stormwater coming from Seneca to Huebner Creek. Re-grade and hydromulch.	\$20,000
4	Wurzbach @ Christian Village Apts.	Channel Improvements - Concrete Rip Rap	\$25,000
4	Canterfield Drainage Hydromulch	Channel was de-silted and re-graded. Needs Hydromulching in Fall.	\$5,000
5	Forest Crest North & Forest Gate	Channel De-silting and hydromulch	\$15,000
6	Evers Rd. Bridge Huebner Creek Study	Engineering Study	\$76,000
7	Thunderbird to Stebbins Drainage Improvements	Engineering Study - Assessment Report	\$15,000
8	Forest Brook, Forest Ledge Forest Knoll, Forest Mill Flooding Drainage Improvements	Engineering Study - Assessment Report	\$15,000
9	Larksong and Poss Flooding Drainage Improvements	Engineering Study - Assessment Report	TBD
			<u>\$232,315</u>

**Attachment 1 – Original Budget Worksheet**

## Attachment 2 – Engineering Study Levels

**Reconnaissance** – Letter Report - Field Observation/ investigation – Data Gathering – The purpose of this report is to identify and document visual problems. This includes 2 or 3 Engineers/Technicians going out to the field to observe and document.

*General Cost: \$3,000 – \$6,000*

**Feasibility Report** – Multiple options review with preliminary costs – Model, Profiles, rough grading, and general utility conflict identification – The purpose of this study is to define the observed problems, identify any additional challenges and present 2 or 3 options for consideration to mitigation or solve the identified problems. This study includes some field work, as well as desk top work to create models, Draw/CAD site, identify local utilities, overall soils maps, and general site conditions. Some public input to help narrow problem and solution.

*General Cost: \$20,000 - \$40,000.*

**Preliminary Design** (30% of Final Design) – options narrowed to one solution with more detail design. This includes agency permitting (FEMA, USFW, USACOE, local utilities, etc.) And OPC (using conservative unit costs) – The purpose of this study is to provide a preliminary design of the selected mitigation solution to the identified problem. This study level is to obtain all needed permits, property acquisitions and provide a level of design ready to obtain construction bids. This level include the field work to obtain Geotechnical Studies (site specific Soils), locate Sub-surface utilities (SUE), Boundary and Topographical Survey, as well as the creation of site specifications for construction. Public meetings to present solution.

*General Cost: \$100,000 - \$200,000*

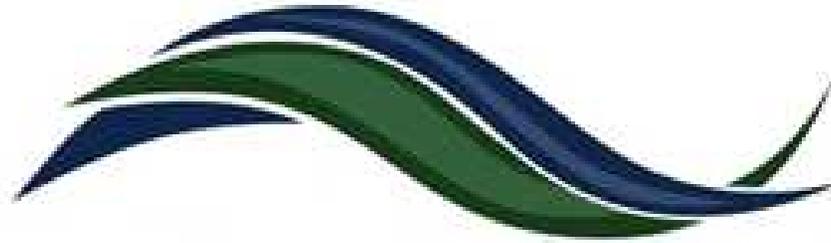
**Final Design** – Full Construction plans with full cost estimates. Broken up into phases and percentage completes (30%, 60%, 90%, 100%) – The purpose of this level of study is to create the detail construction plans for construction. Detail is placed on the material quantities, site development and construction phasing as well as site preparation and construction permitting. These detail plans are submitted in phases or percentage complete such as 30% (previously done), 60%, 90%, 100% signed and sealed) construction company reviews. With all permits and land acquisition in place these set of plans are ready for construction.

*General Cost: \$150,000 – percentage of construction cost (~10%)*

**Construction support phase** – This phase is for an Engineering firm to provide construction overview and field verification. Generally an Engineering Technician/construction specialist on site for the duration of the construction project.

*General Cost: \$100,000 – or hourly rates*

**As-built plans** – construction overview and adjustment. Surveying of improvements and final plans created for documentation and final permitting. – The purpose of this final phase is to create a set of plans that reflect the actual construction. In theory, the construction should be exactly as the final plans, but generally design changes happen during construction that require the engineer to alter or change plans. This phase documents and field changes that may have occurred. This work include field survey and observations by a Licensed Engineer and Registered Land Surveyor. *General Cost: depending on level of field modifications, can range from \$50,000 – new Design \$200,000*



Discussion of Drainage Plan  
Consider Date for Related  
Workshop

City Council Meeting

March 1, 2016

# Purpose

- To discuss a city-wide drainage plan and consider a date for a workshop on drainage, flooding, and related matters

# Purpose

- Public Works was budgeted \$250,047 for engineering studies of drainage concerns at various places in the City
- Following is an accounting of funds to date:

<b>Date</b>	<b>Project</b>	<b>Company</b>	<b>Amount</b>	<b>Total Due</b>	<b>Balance Remaining</b>
8/19/2015	Evers Bridge	IDS Engineering		\$76,000.00	
1/21/2016			\$20,885.00		
12/16/2015			\$16,158.40		
10/7/2016			\$8,082.26		
<b>To date</b>			\$45,125.66		\$30,874.34
10/26/2015	Aquarium	Sia	\$5,850.00	\$15,000.00	
1/4/2016			\$360.00		
2/2/2016			\$600.00		
<b>To date</b>			\$6,810.00		\$1,380.00
1/4/2016	Huebner Creek	Sia	\$3,660.00		
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1/29/2016	Watershed Wise Grant	Kimley Horn		\$17,000.00	\$17,000.00
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<b>Total Paid to Date:</b>			\$82,635.66		\$65,554.34
<b>Total Encumbered:</b>			\$65,554.34		
<b>Remaining Funds:</b>			\$101,810.00		

# Fiscal Impact

- Remaining studies needed for Seneca Estates Unit 3, The Ridge at Leon Valley, and Grass Valley (Huebner Creek)
- Seneca Estates & The Ridge estimated at \$20,000 to \$40,000, but Grass Valley study will be more expensive, as this involves Huebner Creek
- The City is in contact with United States Corp of Engineers (USACE) & San Antonio River Authority (SARA) to get assistance with Huebner Creek study, expected to cost between \$350,000 to \$400,000
- USACE, through the Continuing Authorities Program (CAP), would pay first \$100,000, then SARA & City would split the rest - City portion being estimated at \$175,000

# Recommendation

- It is recommended the Public Works Department complete the study for Seneca Estates Unit 3 and The Ridge at Leon Valley, and present all of this information to the City Council at a workshop, to be held on a Saturday morning at the Conference Center
  - The purpose of the workshop would be for the formation of a city wide drainage plan
- Staff would continue to work with USACE and SARA and present their plan or findings at an appropriate date

# S.E.E. IMPACT STATEMENT

- Social Equity – Solving drainage and flooding problems protects life and property, and increases property values, which benefits all citizens.
- Economic Development – Removing properties from floodplains and floodways increases the value of business zoned properties, which may attract new businesses.
- Environmental Stewardship – Using eco-friendly methods for reducing flooding prevents pollutants from entering streams and rivers, which in turn prevents the pollution of our water and environment.



Discussion of Drainage Plan  
Consider Date for Related  
Workshop

City Council Meeting

March 1, 2016

**MAYOR AND COUNCIL COMMUNICATION****M&C #2016-03-01-06**

**DATE:** March 1, 2016

**TO:** Mayor and City Council

**FROM:** Melinda Moritz, Director of Public Works

**THROUGH:** Kelly Kuenstler, City Manager

**SUBJECT:** Consider Approval of a Budget Adjustment to Purchase a Replacement Maintenance Crew Truck

**PURPOSE**

To ask the City Council to approve a budget adjustment for the purchase of a replacement pickup truck for the Maintenance Crew. The existing truck was involved in a traffic accident and cannot be repaired. Both drivers are fine, with the exception of some cuts and bruises.

**FISCAL IMPACT**

The wrecked vehicle was a 2002 year model and is not expected to generate much revenue, as the insurance agency will only pay market value (\$3000 +/-). This money will go into the revenue side of the City's finances. Staff will negotiate with the insurance agent to get the best settlement possible.

The new pickup truck is expected to cost \$35,000. Additional items such as safety lights, protective bed liner, ladder rack, and City logo will cost \$2,500, so the total amount needed is \$37,500. The tool box and overhead lights were salvaged from the existing pickup truck and can be reused.

**RECOMMENDATION**

It is recommended the City Council approve a budget adjustment in the amount of \$37,500 to purchase a replacement truck for the Maintenance Crew.

**S.E.E. IMPACT STATEMENT**

Social Equity – Allows the Public Works Department to continue to provide regular maintenance of public grounds and facilities, which benefits all citizens.

Economic Development – A clean and well maintained City may attract businesses, tourists, and citizens.

Environmental Stewardship – Clean grounds prevent litter from entering streams and rivers, which in turn prevents the pollution of our water and environment.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAGUE, TRMC**  
City Secretary

**AN ORDINANCE APPROVING AMENDMENTS TO THE GENERAL FUND OF THE CITY OF LEON VALLEY, TEXAS MUNICIPAL BUDGET FOR FISCAL YEAR OF 2015-2016.**

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**Whereas** on September 15, 2015 the City Council of the City of Leon Valley adopted the 2015-2016 fiscal year budget: and

**Whereas** Texas Local Government Code Section 102.010 provides that a municipality is not prohibited from making changes to a budget for municipal purposes: and

**Whereas** the Leon Valley City Council hereby finds and determines that the amendments adopted under this ordinance are for a municipal purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:**

**SECTION I**

That the City Council of the City of Leon Valley hereby amends the fiscal year 2015-2016 budget as provided for in the attached Exhibit "A", said Exhibit to be incorporated herein as if fully set forth herein.

**SECTION II  
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION III  
REPEALER CLAUSE**

Any provisions of any prior ordinance of the City which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION IV  
EFFECTIVE DATE**

This Ordinance shall become effective and shall be in full force and effect on and after its passage and publication as required by state law.

**SECTION V  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 1<sup>st</sup> day of March, 2016.

**APPROVED**

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

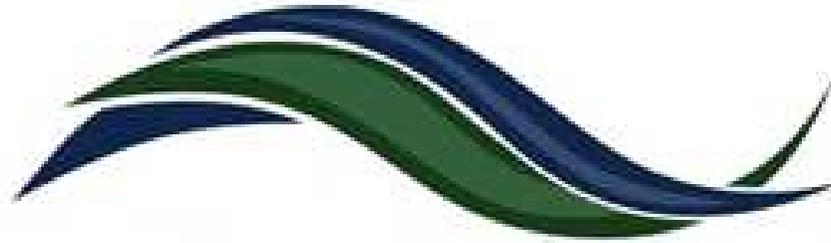
Attest:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

\_\_\_\_\_  
**ROXANN PAIS COTRONEO**  
City Attorney





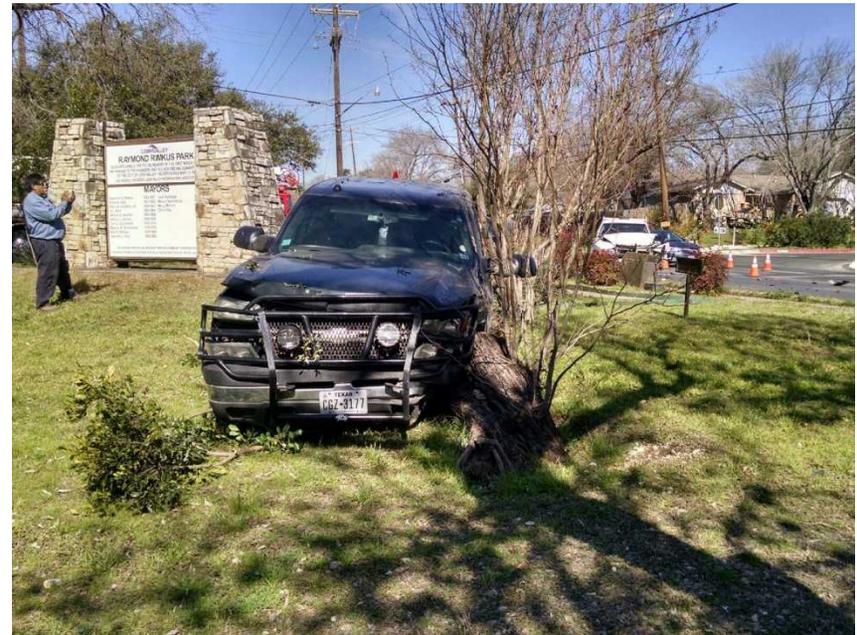
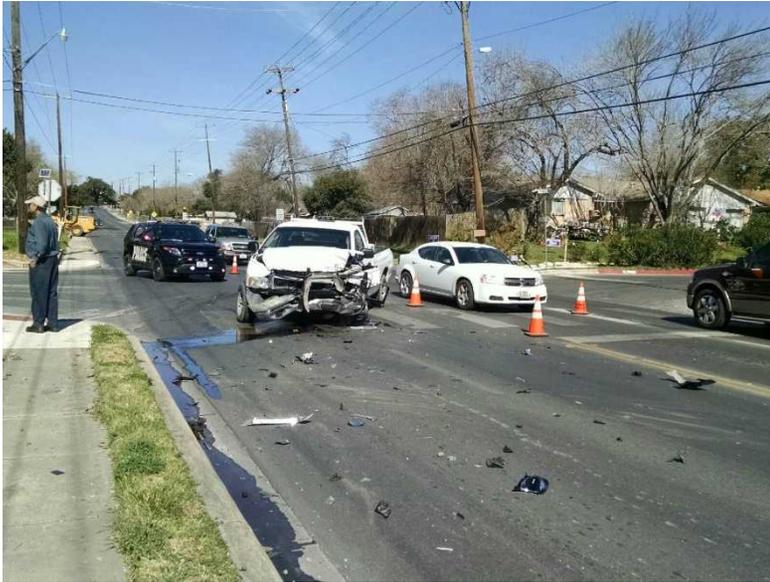
# Budget Adjustment Public Works Pickup Truck

City Council Meeting  
March 1, 2016

# Purpose

- To ask City Council to approve a budget adjustment for purchase of replacement pickup truck for the Public Works Maintenance Crew
- Existing truck was involved in a traffic accident and can't be repaired (bent frame)
- FYI – both drivers suffered only minor injuries

# Purpose



# Fiscal Impact

- Wrecked vehicle was 2002 year model
- Not expected to generate much revenue
  - Insurance agency pays market value (\$3000 +/-)
  - We will negotiate final amount with insurance agent
- Money to be deposited into the revenue side of the City's finances

# Fiscal Impact

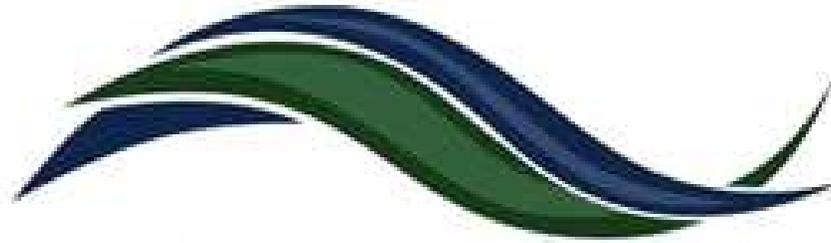
- New truck is expected to cost \$35,000
  - Safety lights, bed liner, ladder rack, and decals will cost \$2,500
- Total amount needed is \$37,500
- Tool box and overhead lights were salvaged from the existing pickup truck and can be reused

# Recommendation

- It is recommended the City Council approve a budget adjustment in the amount of \$37,500 to purchase a replacement truck for the Maintenance Crew

# S.E.E. IMPACT STATEMENT

- Social Equity – Allows the Public Works Department to continue to provide regular maintenance of public grounds and facilities, which benefits all citizens.
- Economic Development – A clean and well maintained City may attract businesses, tourists, and citizens.
- Environmental Stewardship – Clean grounds prevent litter from entering streams and rivers, which in turn prevents the pollution of our water and environment.



# Budget Adjustment Public Works Pickup Truck

City Council Meeting  
March 1, 2016

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 1, 2016 **M&C # 2016-03-01-07**

**TO:** Mayor and City Council

**FROM:** Kelly Kuenstler, City Manager

**SUBJECT:** Presentation, Discussion and Approval of an 8-month budget FY 2015-2016 Budget from February 1, 2016-September 30, 2016 for the City of Leon Valley Economic Development Corporation (LVEDC)

**PURPOSE**

The purpose of this M&C is for the presentation, discussion and approval of an eight-month budget as recommended and approved by the LVEDC Board of Directors at their meeting of February 24, 2016 to fulfill their obligations from February 1, 2016 – September 30, 2016.

For Fiscal Year 2015-2016, the LVEDC has been operating on these two 60-day budgets:

1. On September 29, 2015, the City Council approved a 60-day budget for the LVEDC effective for October 1, 2015-November 30, 2015, in the amount of \$186,107; and
2. On November 17, 2015, the City Council approved another 60-day budget for the LVEDC effective for December 1, 2015-January 30, 2016, in the amount of \$85,082.

The LVEDC met on February 24, 2016 and approved the budget attached as Exhibit “A” to fulfill its obligations for the remaining eight months of Fiscal Year 2015-2016 from February 1, 2016–September 30, 2016, in the amount of \$143,047 and seeks final approval from the City Council.

**FISCAL IMPACT**

The proposed eight-month LVEDC Fiscal Year 2015-2016 Budget was developed by estimating the expenses for the remaining fiscal year. The total amount of the eight-month budget is \$143,047

**RECOMMENDATION**

Staff recommends approval.

**S.E.E. IMPACT**

**Social** – To improve the quality of life for Leon Valley by providing economic development incentives.

**Economic** – To provide a diverse and versatile business environment that supports a healthy economy by engaging in open dialogue on issues and matters which affect the conduct of economic development in Leon Valley.

**Environmental** – N/A

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**APPROVING AN EIGHT MONTH BUDGET FOR THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) FOR FISCAL YEAR 2015-2016 FROM FEBRUARY 1, 2016 – SEPTEMBER 30, 2016 TO SUPPORT THE LVEDC’S OPERATIONS, PROGRAMS AND PROJECTS.**

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**WHEREAS**, the Texas Local Government Code, Chapter 501.051 et. seq., authorized the City of Leon Valley to create a non-profit entity known as an Economic Development Corporation; and

**WHEREAS**, the City of Leon Valley created the City of Leon Valley Economic Development Corporation in 2009 by filing Articles of Incorporation, as amended thereafter, to receive economic development funds and to prepare a plan and budget for the effective and efficient expenditure thereof in furtherance of the purposes of the Corporation; and

**WHEREAS**, the citizens of the City of Leon Valley, Texas approved the implementation of a sales tax to fund economic development in the City through the City of Leon Valley Economic Development Corporation; and

**WHEREAS**, Texas law authorizes the City Council to approve all programs and expenditures of the City of Leon Valley Economic Development Corporation by approving the annual budget; and

**WHEREAS**, on September 29, 2015, the City Council approved a 60-day budget for the LVEDC effective for October 1, 2015-November 30, 2015, in the amount of \$186,107.

**WHEREAS**, on November 17, 2015, the City Council approved another 60-day budget for the LVEDC effective for December 1, 2015-January 30, 2016, in the amount of \$85,082

**WHEREAS**, the LVEDC met on February 24, 2016 and approved the budget attached as Exhibit “A” to fulfill its obligations for the remaining eight months of Fiscal Year 2015-2015 from February 1, 2016 – September 30, 2016, in the amount of \$143,047 and seeks final approval from the City Council.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:**

The City of Leon Valley Economic Development Corporation Budget for Fiscal Year 2015-2016 from February 1, 2016 – September 30, 2016, attached as Exhibit “A”, is hereby approved.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 1<sup>ST</sup> day of March, 2016.

**APPROVED**

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest: \_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form: \_\_\_\_\_  
**ROXANN PAIS COTRONEO**  
City Attorney

**Leon Valley  
Economic Development Corporation  
(LVEDC)**

**Proposed Budget For The Last Eight  
Months of The Fiscal Year 2015-2016  
(February 2016- September 2016)**

March 1, 2016



## Leon Valley Economic Development Corporation (LVEDC) Fiscal Year 2015-2016 Budget/Spending (First Four Months)

LVEDC EXPENDITURES	Original 2015-16 Budget	Expenditures		Expenditures		Expenditures	Remainder of 12-mon. Budget ending 1/31/16
		10-2015 October	11-2015 November	12-2015 December	1-2016 January	4-month Total	
<b>SUPPLIES</b>							
5100-520.01 Office Supplies	\$300.00						\$300.00
5100-520.02 Operating Supplies							
5100-520.04 Misc. Supplies, Postage & Printing	\$200.00		\$11.00		\$44.00	\$55.00	\$145.00
<b>Subtotal Supplies</b>	<b>\$500.00</b>		<b>\$11.00</b>		<b>\$44.00</b>	<b>\$55.00</b>	<b>\$445.00</b>
<b>CONTRACTUAL SERVICES</b>							
5100-530.01 Professional Services	\$75,000.00	see comment	see comment	see comment	see comment		\$56,825.15
Davidson - General Counsel	CK #1346 >	\$4,013.73	\$335.79	\$646.00	\$51.00	\$5,046.52	
Davidson - Larry Little Case			\$2,958.65	\$141.00	\$100.00	\$3,199.65	
Poza		\$3,228.68	\$2,700.00			\$5,928.68	
Patterson		\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$4,000.00	
5100-530.02 Contractual Services (LV)	\$46,000.00	\$3,833.00	\$3,833.00	\$3,833.00	\$3,833.00	\$15,332.00	\$30,668.00
5100-530.03 Telephone	\$0.00					\$0.00	\$0.00
5100-530.04 Utilities - Gas, Water, Electricity	\$0.00					\$0.00	\$0.00
5100-530.05 Printing	\$0.00					\$0.00	\$0.00
5100-530.06 Advertising	\$0.00					\$0.00	\$0.00
5100-530.08 Equipment Rental	\$0.00					\$0.00	\$0.00
5100-530.09 Travel (Includes Workshop Fees)	\$5,000.00	\$700.00	\$175.00			\$875.00	\$4,125.00
5100-530.10 Membership	\$1,500.00				\$750.00	\$750.00	\$750.00
5100-530.15 EDC Project Funding	\$162,016.00	\$100,000.00				\$100,000.00	\$62,016.00
5100-530.XX Miscellaneous	\$14,800.00					\$0.00	\$14,800.00
<b>Subtotal Contractual Services</b>	<b>\$304,316.00</b>	<b>\$112,775.41</b>	<b>\$11,002.44</b>	<b>\$5,620.00</b>	<b>\$5,734.00</b>	<b>\$135,131.85</b>	<b>\$169,184.15</b>
<b>Total Supplies and Contractual Services</b>	<b>\$304,816.00</b>	<b>\$112,775.41</b>	<b>\$11,013.44</b>	<b>\$5,620.00</b>	<b>\$5,778.00</b>	<b>\$135,186.85</b>	<b>\$169,629.15</b>
		Oct-Nov'15		Dec'15 - Jan'16		4-mon. Total	Check Sum
		Budget	\$186,107.00	Budget	\$85,082.00	\$271,189.00	\$169,629.15
		Actuals	-\$123,788.85	Actuals	-\$11,398.00	-\$135,186.85	
		Unspent >	\$62,318.15	Unspent >	\$73,684.00	\$136,002.15	

## Leon Valley Economic Development Corporation (LVEDC) Fiscal Year 2015-2016 Budget/Spending (Last Eight Months)

LVEDC EXPENDITURES	Remainder of 12 mon. Budget ending 9/30/16	8-Month Budget									Remainder of 12-mon. Budget ending 9/30/16	
		2-2016 February	3-2016 March	4-2016 April	5-2016 May	6-2016 June	7-2016 July	8-2016 August	9-2016 September	8-month Total		
<b>SUPPLIES</b>												
5100-520.01 Office Supplies	\$300.00										\$300.00	
5100-520.02 Operating Supplies	\$0.00											
5100-520.04 Misc. Supplies, Postage & Printing	\$145.00	\$18.48 <sup>n</sup>	\$25.00	\$25.00	\$20.00	\$20.00	\$15.00	\$15.00	\$6.52	\$145.00	\$0.00	
<b>Subtotal Supplies</b>	<b>\$445.00</b>	<b>\$18.48</b>	<b>\$25.00</b>	<b>\$25.00</b>	<b>\$20.00</b>	<b>\$20.00</b>	<b>\$15.00</b>	<b>\$15.00</b>	<b>\$6.52</b>	<b>\$145.00</b>	<b>\$300.00</b>	
	\$0.00											
<b>CONTRACTUAL SERVICES</b>	<b>\$0.00</b>											
5100-530.01 Professional Services	\$56,825.15		see comment <sup>n</sup>								\$0.00	\$20,565.15
Davidson - General Counsel	\$0.00		\$0.00	<< Assumes no more payments to Davidson after February 2016						\$0.00		
Davidson - Larry Little Case	\$0.00	\$60.00	\$0.00							\$60.00		
Pozza	\$0.00	\$22,200.00	\$2,000.00 <sup>n</sup>	\$2,000.00 <sup>n</sup>	<< Assumes \$4K in add'l cost for remainder of FY.				\$26,200.00			
Patterson	\$0.00	\$1,000.00	\$1,000.00 <sup>n</sup>	\$1,000.00 <sup>n</sup>	\$1,000.00 <sup>n</sup>	\$1,000.00 <sup>n</sup>	<< Assumes 90-days to terminate		\$5,000.00			
Retail Coach (need to see contract)			\$5,000.00	<< Amount to be paid to finish website (Note: No license plate surveys						\$5,000.00		
5100-530.02 Contractual Services (LV)	\$30,668.00	\$3,833.00 <sup>n</sup>	\$3,833.00	\$3,833.00	\$3,833.00	\$3,833.00	\$3,833.00	\$3,833.00	\$3,837.00	\$30,668.00	\$0.00	
5100-530.03 Telephone	\$0.00									\$0.00	\$0.00	
5100-530.04 Utilities - Gas, Water, Electricity	\$0.00									\$0.00	\$0.00	
5100-530.05 Printing	\$0.00									\$0.00	\$0.00	
5100-530.06 Advertising	\$0.00									\$0.00	\$0.00	
5100-530.08 Equipment Rental	\$0.00									\$0.00	\$0.00	
5100-530.09 Travel (Includes Workshop Fees)	\$4,125.00				\$3,275.00 <sup>n</sup>					\$3,275.00	\$850.00	
5100-530.10 Membership	\$750.00			\$700.00 <sup>n</sup>	<< Assumes no travel this year to ICSC (Charlotte, NC)						\$700.00	\$50.00
5100-530.15 EDC Project Funding	\$62,016.00		\$8,857.00 <sup>n</sup>	\$8,857.00 <sup>n</sup>	\$8,857.00 <sup>n</sup>	\$8,857.00 <sup>n</sup>	\$8,857.00 <sup>n</sup>	\$8,857.00 <sup>n</sup>	\$8,857.00 <sup>n</sup>	\$61,999.00	\$17.00	
5100-530.XX Miscellaneous	\$14,800.00				\$5,000.00 <sup>n</sup>		\$5,000.00 <sup>n</sup>			\$10,000.00	\$4,800.00	
<b>Subtotal Contractual Services</b>	<b>\$169,184.15</b>	<b>\$27,093.00</b>	<b>\$20,690.00</b>	<b>\$16,390.00</b>	<b>\$21,965.00</b>	<b>\$18,690.00</b>	<b>\$12,690.00</b>	<b>\$12,690.00</b>	<b>\$12,694.00</b>	<b>\$142,902.00</b>	<b>\$26,282.15</b>	
<b>Total Supplies and Contractual Services</b>	<b>\$169,629.15</b>	<b>\$27,111.48</b>	<b>\$20,715.00</b>	<b>\$16,415.00</b>	<b>\$21,985.00</b>	<b>\$18,710.00</b>	<b>\$12,705.00</b>	<b>\$12,705.00</b>	<b>\$12,700.52</b>	<b>\$143,047.00</b>	<b>\$26,582.15</b>	
	Check Sum \$169,629.15	The anticipated expenditures for FY 2015-2016 total \$278,233.85.									Check Sum \$26,582.15	

**Leon Valley  
Economic Development Corporation  
(LVEDC)**

**Proposed Budget For The Last Eight  
Months of The Fiscal Year 2015-2016  
(February 2016- September 2016)**

March 1, 2016



## MAYOR AND COUNCIL COMMUNICATION

**DATE:** March 01, 2016 **M&C #2016-03-01-08**

**TO:** Mayor and City Council

**FROM:** Kelly Kuenstler, City Manager

**SUBJECT:** Consideration of and Possible Action to Amend and Adopt Amended Articles of Incorporation for the City of Leon Valley Economic Development Corporation

### **PURPOSE**

The purpose of this M&C is for the City Council to consider and approve an Ordinance that will adopt these amendments to the City of Leon Valley Economic Development Corporation (LVEDC) Articles of Incorporation:

1. Provide for City Council to appoint two (2) persons to serve as alternates;
2. Alternates shall be appointed to two (2) year terms, with the same expiration and appointment as Directors;
3. Alternates must be residents of Bexar County;
4. Alternates must have a "significant interest" in the City of Leon Valley business community, as determined by the City Council;
5. If a director(s) are absent, the alternate(s) may assume the duties of the absent board member.
6. Alternate board members are encouraged to attend all LVEDC meetings.

The ordinance also authorizes the LVEDC Board of Directors to file the Certificate of Amendment with the Texas Secretary of State.

### **BACKGROUND**

*Original Articles of Incorporation* - On March 3, 2009, the City Council approved and adopted articles of incorporation for the LVEDC under Resolution No. 09-006. This created the LVEDC.

*1<sup>st</sup> Amended Articles of Incorporation* - The articles were 1<sup>st</sup> amended by the LVEDC Board and, then, approved by the City Council on August 4, 2009 under Resolution No. 09-017. These amendments were a general "clean-up" of the document.

*2<sup>nd</sup> Amended Articles of Incorporation* – The articles were amended again by the City Council on August 17, 2015. These amendments allowed two (2) City Council members to serve as LVEDC directors.

*Proposed 3<sup>rd</sup> Amended Articles of Incorporation* - The LVEDC met on February 24, 2016 and approved submitting the attached application to the City Council to adopt an Ordinance that amends the LVEDC Articles of Incorporation with these changes:

1. Provides for City Council to appoint two (2) persons to serve as alternates;

2. Alternates shall be appointed to two (2) year terms, with the same expiration and appointment as Directors;
3. Alternates must be residents of Bexar County;
4. Alternates must have a "significant interest" in the City of Leon Valley business community, as determined by the City Council;
5. If a director(s) are absent, the alternate(s) may assume the duties of the absent board member; and
6. Alternate board members are encouraged to attend all LVEDC meetings.

**FISCAL IMPACT**

There is a \$25 fee that must accompany the certificate of amendment. More than likely, the fee will come out of the Economic Development Department budget.

**S.E.E. IMPACT**

**Social** – Provides opportunity to have additional persons serve the Leon Valley community.

**Economic** – Provide a diverse and versatile business environment that supports a healthy economy by engaging in open dialogue on issues and matters which affect the conduct of economic development in Leon Valley.

**Environmental** – Not applicable.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
 City Secretary

**APPLICATION FOR APPROVAL TO AMEND ARTICLES OF INCORPORATION**

**BY**

**CITY OF LEON VALLEY CITY COUNCIL**

**FOR**

**CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION**

**SUBMITTED FOR CONSIDERATION AND APPROVAL**

**AT CITY COUNCIL MEETING ON MARCH 1, 2016**

At the February 24, 2016 meeting of the City of Leon Valley Economic Development Corporation (LVEDC) an amendment to the Leon Valley Economic Development Corporation Articles of Incorporation was adopted by a majority vote of the Board of Directors. A quorum of the Board members were present at this meeting. Under Article Eight (1) of the LVEDC Articles of Incorporation, the members of the Board of Directors shall file with the City Council a written application requesting approval of the amendments to the Articles of Incorporation. The City Council shall consider such application and, if it shall, by ordinance, duly find and determine that it is advisable that the proposed amendments be made it shall approve the form of the proposed amendments. The Board of Directors of the Corporation may then amend these Articles of Incorporation by adopting such amendment at a meeting of the Board of Directors and delivering such amendments to the Secretary of State.

Exhibit A provides all pertinent information as to the amendments requested for consideration and approval by the Leon Valley City Council.

Sincerely,



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Patricia Manea, President  
City of Leon Valley Economic Development Corporation



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Larry Proffitt, Secretary  
City of Leon Valley Economic Development Corporation

**CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION  
ARTICLES OF INCORPORATION AMENDMENT**

**Article Ten**

**Board of Directors; Officers**

- (a) The affairs of the Corporation shall be managed by a board of directors which shall be composed of seven (7) persons appointed by majority vote of the Council. **The Council shall also appoint two (2) persons to serve as alternates.** The terms of the board of directors shall as follows:

...

(2) The directors of the first permanent Board of Directors shall be appointed to terms expiring September 30, 2011. Thereafter, the terms of directors shall be two (2) years, expiring September 30 of odd numbered years. Directors may be appointed to succeed themselves. **Alternates shall be appointed to two (2) year terms, with the same expiration and appointment as Directors.** Each director must be a resident of Bexar County, and at least five (5) directors must be residents of the city. **Alternates must be residents of Bexar County.** All directors **and alternates** must have a "significant interest" in the City of Leon Valley business community, as determined by the City Council. No director **or alternate** may be an employee or officer of the City, except that two (2) directors may be members of the City Council. Four (4) members of the board shall constitute a quorum. The board shall conduct all meetings within the boundaries of the City.

**If a director is absent from a board meeting, the first alternate, as designated at the time of appointment by City Council, may replace the absent board member and will act as a board member during the board meeting. In the absence of the first alternate, the second alternate will assume the duties of the absent board member. Should two or more board members be absent from a board meeting, both alternates will assume the duties of two (2) absent board members. The alternate board members are encouraged to attend all LVEDC Board of Director meetings.**



**A ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS TO APPROVE AND ADOPT THE AMENDED ARTICLES OF INCORPORATION FOR THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC).**

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**WHEREAS**, the City Council for the City of Leon Valley, Texas approved and adopted Articles of Incorporation of the Leon Valley Economic Development Corporation under Resolution 09-006 on March 3, 2009 and further approved its 1<sup>st</sup> Amended Articles of Incorporation under Resolution 09-017 on August 4, 2009 and a 2<sup>nd</sup> Amended Articles of Incorporation on July 21, 2015.

**WHEREAS**, the City Council finds it in the best interests of the City to approve the LVEDC's application to the City Council for approval of its 3<sup>rd</sup> Amended Articles of Incorporation, attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:**

1. The City Council of Leon Valley hereby approves and adopts the amended Articles of Incorporation of the Leon Valley Economic Development Corporation, attached hereto as Exhibit A-1.
2. The City Council hereby directs the LVEDC Board of Directors to amend its Articles of Incorporation by adopting such amendment at a meeting of the Board of Directors and delivering such amendments to the Texas Secretary of State.

**PASSED, ADOPTED AND APPROVED** 1<sup>ST</sup> day of March, 2016, at a regular meeting of the Elective City Council of Leon Valley, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.

APPROVED

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest: \_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form: \_\_\_\_\_  
**ROXANN PAIS COTRONEO**  
City Attorney

**City of Leon Valley**

**Amendment and Adoption  
of the**

**City of Leon Valley Economic  
Development Corporation (LVEDC)**

**Articles of Incorporation and Bylaws**

March 1, 2016

# Purpose

- Adopt the proposed amendments to the LVEDC Articles of Incorporation and Bylaws
- Authorize the City Manager to file the Certificate of Amendment and amended LVEDC Articles of Incorporation and Bylaws with the Texas Secretary of State

# Bylaws Article II – Board of Directors

## Proposed Amendments

- Article II Board of Directors
  - Section 2.1 (b) Powers, Number and Term of Office. The Board shall consist of seven (7) directors, each whom shall be appointed by a majority vote of the Council. No director may be an employee or officer of the City. Two (2) directors may be members of the Council. In addition, the Council shall appoint two (2) alternate board members in the same manner as the seven (7) directors, as outlined in the Certificate of Formation of the City of Leon Valley Economic Development Corporation.

# Bylaws Article II – Board of Directors

## Proposed Amendments

- Article II Board of Directors
  - Section 2.1 (d) Powers, Number and Term of Office. Any director or board alternate may be removed from office by the Council at will, by a majority vote of the members of the Council present and voting.

# Bylaws Article II – Board of Directors

## Proposed Amendments

- Article II Board of Directors
  - Section 2.2 (a) Meetings of Directors. The directors may hold their meetings at such place or places in the City as the Board ~~may from time to time determine; provided, however, in the absence of any such determination~~ determines however in the absence of such determination, by the Board, the monthly and special board meetings shall be held at the ~~Kinman House, 6417 Evers Road.~~ City Hall City Council Chambers, 6400 El Verde Road, Leon Valley, TX 78238. ~~Regular meetings of the Board shall be held without the necessity of notice to directors at such times and places as shall be designated from time to time by the Board.~~ Special meetings of the Board shall be held whenever called by the president or by a majority of the directors.

# Bylaws Article II – Board of Directors

## Proposed Amendments

- Article II Board of Directors
  - Section 2.4 (b) Quorum. If a director is absent from a board meeting, the first alternate, as designated at the time of appointment by City Council, may replace the absent board member and will act as a board member during the board meeting. In the absence of the first alternate, the second alternate will assume the duties of the absent board member[...](continue-next slide)

# Bylaws Article II – Board of Directors

## Proposed Amendments

- Article II Board of Directors
  - Section 2.4 (b) Quorum. Should two or more board members be absent from a board meeting, both alternates will assume the duties of two (2) absent board members, as long as there is a quorum of the board with the inclusion of the alternates. The alternate board members are encouraged to attend all LVEDC Board of Directors meetings.

# Articles of Incorporation

## Article Ten – Board of Directors; Officers

### Proposed Amendments

- Article Ten - Board of Directors; Officers
  - (a) The affairs of the Corporation shall be com[by a board of directors which shall be composed of seven (7) persons appointed by majority vote of the Council. The Council shall also appoint two (2) persons to serve as alternates. The terms of the board of directors shall be as follows:

# Articles of Incorporation

## Article Ten – Board of Directors; Officers

### Proposed Amendments

- Article Ten - Board of Directors; Officers
  - (2) The directors of the first permanent Board of Directors shall be appointed to terms expiring September 30, 2011. Thereafter, the terms of directors shall be two (2) years, expiring September 30<sup>th</sup> of odd numbered years. Directors may be appointed to succeed themselves. Alternates shall be appointed to two (2) year terms, with the same expiration and appointment as Directors. Each director must be a resident of Bexar County, and at least five (5) directors must be residents of the city. Alternates must be residents of Bexar County. All directors and alternates must have a “significant interest” in the City of Leon Valley business community, as determined by the City Council. No director or alternate may be an employee or officer of the City; except that two (2) directors may be members of the City Council. Four (4) members of the board shall constitute a quorum. The board shall conduct all meetings within the boundaries of the City. (Continue-next slide)

# Articles of Incorporation

## Article Ten – Board of Directors; Officers

### Proposed Amendments

- Article Ten - Board of Directors; Officers
  - (2) If a director is absent from a board meeting, the first alternate, as designated at the time of appointment by City Council, may replace the absent board member and will act as a board member during the board meeting. In the absence of the first alternate, the second alternate will assume the duties of the absent board member. (Continue-next slide)

# Articles of Incorporation

## Article Ten – Board of Directors; Officers

### Proposed Amendments

- Article Ten - Board of Directors; Officers
  - Should two or more board members be absent from a board meeting, both alternates will assume the duties of two (2) absent board members. The alternate board members are encouraged to attend all LVEDC Board of Directors meetings.

# Authority to Amend

- Section 501.302 of the Local Government Code
  - Provides authority to amend articles of incorporation to local governing unit – City Council
  - Provides authority to file certificate of amendment

# Fiscal Impact

- Filing fee: \$25
- Economic Development  
Department General Fund Budget

**City of Leon Valley**

**Amendment and Adoption**

**of the**

**City of Leon Valley Economic**

**Development Corporation (LVEDC)**

**Articles of Incorporation and Bylaws**

March 1, 2016

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 01, 2016 **M&C #2016-03-01-09**

**TO:** Mayor and City Council

**FROM:** Kelly Kuenstler, City Manager

**SUBJECT:** Consideration of and Possible Action to Amend and Adopt Amended Bylaws for the City of Leon Valley Economic Development Corporation

**PURPOSE**

The purpose of this M&C is for the City Council to consider and approve a Resolution that will adopt these amendments to the City of Leon Valley Economic Development Corporation (LVEDC) Bylaws:

1. Two (2) directors may be members of the Council;
2. City Council shall appoint two (2) persons to serve as alternates for the Board of Directors;
3. A Board alternate may be removed from office by the Council at will, by a majority vote of the Council present and voting;
4. Monthly and Special LVEDC meetings shall be held at City Hall;
5. If a director(s) are absent, the alternate(s) may assume the duties of the absent board member(s).

**BACKGROUND**

The requested Bylaw amendments will match approved, amended, and filed LVEDC Articles of Incorporation.

**FISCAL IMPACT**

There is a \$25 fee that must accompany the certificate of amendment. More than likely, the fee will come out of the Economic Development Department budget.

**S.E.E. IMPACT**

**Social** – Provides opportunity to have additional persons serve the Leon Valley community.

**Economic** – Provide a diverse and versatile business environment that supports a healthy economy by engaging in open dialogue on issues and matters which affect the conduct of economic development in Leon Valley.

**Environmental** – Not applicable.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS: \_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
 City Secretary

**RESOLUTION #2016-04**

**A RESOLUTION OF THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) APPROVING AND ADOPTING AMENDMENTS TO THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION BYLAWS**

**WHEREAS** the Texas Local Government Code Chapters 501 and 505 (the "Code") provides for the process in which a Corporation's Bylaws may be developed and amended; and

**WHEREAS** Section 501.064 of the Code authorizes the LVEDC Board to amend the Corporation's Bylaws by resolution; and

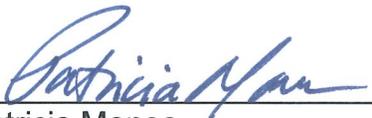
**WHEREAS** Section 501.064 must be consistent with state law and with the certificate of formation of the corporation; and

**WHEREAS** Section 501.064 requires the amendments be approved by resolution of the governing body of the corporation's authorizing unit – the City of Leon Valley City Council;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION THAT:**

1. The LVEDC hereby finds and determines that it is advisable to, and hereby does, adopt the amendments to the Bylaws of the City of Leon Valley Economic Development Corporation as outlined in Exhibit A, attached hereto.
2. The amendments shall be presented to the City of Leon Valley City Council for their approval at a meeting in the immediate future.
3. The amendments shall be effective upon approval by the City Council.
4. This Resolution shall be effective upon approval and signature of the Board President.

**PASSED AND APPROVED** by the LVEDC on this 24<sup>th</sup> day of February 2016.



Patricia Manea,  
Board President

ATTEST:



Larry Proffitt,  
Board Secretary

# CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION

## BYLAWS

### ARTICLE I. PURPOSE AND POWERS

§1.1 Purpose. The Corporation is incorporated for the purposes set forth in Article Four of its Articles of Incorporation (the "Articles of Incorporation"), the same to be accomplished on behalf of the City of Leon Valley, Texas (the "City") as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended (Texas Revised Civil Statutes Article 5190.6)(the "Act"), and other applicable laws.

§1.2 Powers. In the fulfillment of its corporate purposes, the Corporation shall be governed by Section 4B of the Act and an election held in the City on November 4, 2008 (the "Election"), and shall have all the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof

### ARTICLE II. BOARD OF DIRECTORS

#### §2.1 Powers, Number and Term of Office.

- (a) The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (the "Board"), subject to the restrictions imposed by law, by the Articles of Incorporation and by these Bylaws (these "Bylaws"). The Board shall exercise all of the powers of the Corporation.
- (b) The Board shall consist of seven (7) directors, each of whom shall be appointed by a majority vote of the Council. No director may be an employee of officers of the City. Two (2) directors may be members of the Council. In addition, the Council shall appoint two (2) alternate board members in same manner as the seven (7) directors, as outlined in the Certificate of Formation of the City of Leon Valley Economic Development Corporation.
- (c) The Corporation has been incorporated by three Incorporators, who are named in the Articles of Incorporation. The initial directors constituting the Board and all successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation.
- (d) Any director or board alternate may be removed from office by the Council at will, by a majority vote of the members of the Council present and voting.

#### §2.2 Meetings of Directors.

- (a) The directors may hold their meetings at such place or places in the City as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the

monthly and special Board meetings shall be held at the City Hall City Council Chambers, 6400 El Verde Road, Leon Valley, TX 78238. Special meetings of the Board shall be held whenever called by the president or by a majority of the directors.

- (b) The secretary shall give notice to each director of each special meeting in person or by mail, electronic mail (email), or telephone, in accordance with the requirements of the Texas Open Meetings Act, as amended. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting.

§2.3 Open Meetings Act. All meetings and deliberations of the Board shall be called, convened, held, and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act, as amended (Chapter 551, Texas Government Code).

#### §2.4 Quorum.

- (a) Four (4) members of the Board shall constitute a quorum to conduct official business of the Corporation. The act of a majority of the Board of Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation, unless the act of a greater number is required by law.
- (b) If a director is absent from a board meeting, the first alternate, as designated at the time of appointment by the City Council, may replace the absent board member and will act as the board member during the board meeting. In the absence of the first alternate, the second alternate will assume the duties of the absent board member. Should two or more board members be absent from a board meeting, both alternates will assume the duties of two (2) absent board members. The alternate board members are encouraged to attend all LVEDC Board of Directors meetings.

#### §2.5 Conduct of Business.

- (a) At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board.
- (b) The president shall preside at all meetings of the Board. In the absence of the president, the vice president shall preside.
- (c) The president shall be a voting members of the Board.
- (d) The secretary of the Corporation shall act as secretary. The presiding officer may appoint any person to act as secretary of the meeting. The

## EXHIBIT A

person to act as secretary of the meeting. The treasurer and any assistant secretary may, at the option of the Board, be employees of the City and each member of the Board with the exception of the president, vice president, or secretary, may be appointed as assistant secretaries.

§2.6 Committee of the Board. The Board may designate two (2) or more directors or other persons to constitute a committee (including an advisory committee) of the Board to exercise such authority, as approved by resolution of the Board; provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall keep regular minutes of the transaction of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the office of the Corporation located at 6400 El Verde Road, Leon Valley, TX 78238; and any such meetings must be conducted in accordance with the provisions of the Texas Open Meetings Act, as amended (Chapter 551, Texas Government Code), if applicable.

§2.7 Compensation of Directors. Directors shall not receive any salary or compensation for their services as directors. However, they shall be reimbursed for their actual expenses incurred in the performance of their official duties as directors.

### ARTICLE III. OFFICERS

#### §3.1 Titles and Terms of Office.

(a) The board of director shall elect a president, a vice president, a secretary, and a treasurer, and such other officers as the Board may elect from time to time. One person may hold more than one office, except that the president shall not hold the office of the secretary. Terms of office shall be for two (2) years, except when prohibited by term of appointment, with the term of office expiring on September 30<sup>th</sup> of each year. Upon the expiration of the terms, each officer shall be eligible to be reappointed or reelected.

(b) All officers shall be subject to removal from office at any time by a vote of majority of the Council.

(c) A vacancy in the officer of any director shall be filled by a vote of a majority of the members of the Council present and voting. The remaining directors may recommend to the Council a person to be named to fill any vacancy.

§3.2 Powers and Duties of the President. The president shall be the chief operating executive officer of the Corporation, and subject to the authority of the Board, the president shall be in general charge of the properties and affairs of the Corporation and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments in the name of the Corporation. The president shall preside over the meetings of the Corporation.

§3.3 Vice President. The vice president shall have such powers and duties as may be prescribed by the Board

and shall exercise the powers of the president during that officer's absence or inability to act. Any action taken by the vice president in the performance or the duties of the president shall be conclusive evidence of the absence or inability to act of the president at the time such action was taken.

§3.4 Treasurer. The treasurer shall be the chief fiscal officer of the Corporation, and shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these Bylaws. When necessary or proper, the treasurer may endorse, and sign, on behalf of the Corporation, for collection or issuance, check, notes, and other obligations in or drawn upon such bank, banks, or depositories, as shall be designated by the Board consistent with these Bylaws. The treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all money received, and paid out on account of the Corporation. The treasurer shall, at the expense of the Corporation, give such bond for the faithful discharge of his/her duties in such form, and amount as the Board or the Council may require. All check writing authority will follow all applicable City policies, concerning authorizations, signatures and disbursements.

§3.5 Secretary. The secretary shall keep the minutes of all meetings of the Board and books provided for that purpose, shall give and service all notices, may sign with the president in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents, and instruments, except the books of account and financial records and securities, and such other book and papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the principal office of the Corporation during business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board.

§3.6 Executive Director. The board of directors may select an Executive Director, who shall not be a member for the board of directors.

§3.7 General. The president, vice president, and the secretary shall be named from among the members of the Board. The treasurer and any assistant secretary may, at the option of the Board, be employees of the City. To the extent the treasurer or any assistant secretary are employees of the City, they shall not be members of the Board. The City Manager, or his designees, shall provide administrative support services for the Corporation. The Executive Director shall retain legal counsel and financial advisors for the Corporation, subject to approval of the majority of the Board.

§3.8 Compensation. Officers who are members of the Board shall not receive any salary or compensation for their

## EXHIBIT A

services, except that they shall be reimbursed for the actual expenses incurred in the performance of their official duties as officers.

### ARTICLE IV. FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

#### §4.1 City of Leon Valley Economic Development Corporation Plan.

- (a) It shall be the duty and obligation of the Board to develop, finance and implement the City of Leon Valley Economic Development Corporation Plan, subject to approval or disapproval by Council.
- (b) In carrying out its obligations under subsection (a), the Corporation shall be authorized to exercise all rights and powers granted under the Act, including, but not limited to Section 4B.
- (c) The Board shall at least annually submit reports to the Council as to the status of its activities in carrying out its obligations under this Section.
- (d) Any and all agreements between the Corporation and other parties shall be authorized, executed, and approved and delivered in accordance with applicable law.

#### §4.2 Annual Corporate Budget. Prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of expected revenues from sources set out in Section 4.5 of this Article and proposed expenditures for the next ensuing fiscal year. The budget shall contact such classifications and shall be in such form as may be prescribed from time to time by the Council. The budget shall not be effective until the same has been approved by the City Council.

#### §4.3 Books, Records, Audits.

- (a) The Corporation shall keep and properly maintain in accordance with generally accepting accounting principles, complete books, records, account and financial statements pertaining to its corporate funds, activities and affairs.
- (b) At the direction of the Council, the books, records, accounts, and financial statements of the Corporation may be maintained for the Corporation by the accountants, staff and personnel of the City.
- (c) The Corporation, or the city if the option of subsection (b) is selected, shall cause its books, records, accounts, and financial statements to be studied at least once each fiscal year by an outside, independent auditing and accounting firm selected by the Council and approved by the Board, such an audit shall be at the expense of the Corporation.

#### §4.4 Deposit and Investment of Corporate Funds.

- (a) All proceeds from loans or from the issuance of bonds, notes, or other debt instruments ("Obligation") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture, or other documents authorizing or relating to their executive or issuance.

- (b) Subject to the requirements of contracts, loan agreements, indentures, or other agreements securing Obligations, all other money of the Corporation, if any, shall be deposited, secured and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City. The Board shall designate the accounts and depositories to be created and designated for such purposes and the methods of withdrawal of funds therefrom for use by and for the purposes of the Corporation upon the signature of its treasurer and such others persons as the Board designates. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the City Manager of the City, or his designee.

#### §4.5 Expenditure of Corporate Money. The sales and use taxes collected pursuant to Section 4B of the Act and the proceeds from the investments of funds of the Corporation, the proceeds from the sale of property, revenues generated by any Projects as defined in Section 4B of the Act and payable to the Corporation or any other source of revenues that are payable to the Corporation for any of the purposes authorized by the Act, and the Election, subject to the following limitations:

- (a) Expenditures that may be made from a fund created with the proceeds of Obligations, and expenditures of money derived from sources other than the proceeds of Obligation may be used for the purpose of financing or otherwise providing one or more Projects, as defined in Section 4B of the Act and in accordance with the Election;
- (b) All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 4.2 of in contracts meeting the requirements of Section 4.1(d) of this Article.
- (c) No project which requires an expenditure in excess of \$10,000.00 shall commend without Council approval by resolution authorizing the project after giving the resolution at least two separate readings and two public hearings.

### ARTICLE V. MISCELLANEOUS PROVISIONS

#### §5.1 Principal Office.

- (a) The principal office and the registered office of the Corporation shall be the registered office of the Corporation specified in the Articles of Incorporation.
- (b) The Corporation shall have and shall continually designate a registered agent at its office, as required by the Act.

#### §5.2 Fiscal Year. The fiscal year of the Corporation shall be the same as the fiscal year of the City.

#### §5.3 Seal. The seal of the Corporation shall be determined by the Board.

EXHIBIT A

§5.4 Resignation. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time is specified, at the time of its receipt by the president or secretary. The acceptance of resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

**APPROVED & ADOPTED** by the Leon Valley City Council on the 1<sup>st</sup> day of March, 2016, in accordance with law.

Chris Riley, Mayor  
City of Leon Valley, Texas

§5.5 Approval or Advice and Consent of the Council. To the extent that these Bylaws refer to any approval by the City or refer to advice and consent by the Council, such advise and consent shall be evidenced by a certified copy of a resolution, ordinance, or motion duly adopted by the Council.

Sandra Passailaigue, Secretary  
City of Leon Valley, Texas

§5.6 Services of City Staff and Officers. All requests by the Corporation for staff time or inquiries of staff will be requested through the City Manager’s Office.

§5.7 Indemnification of Directors, Officers, and Employees.

- (a) As provided in the Act, the Corporation is, for the purposes of the Texas Tort Claims Act, as named (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.
- (b) The Corporation shall indemnify each and every member of the Board, its officers, and its employees and each member of the Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorney’s fees, incurred by and of such person by reason of any actions or omissions that may arise out of the sanctions and activities of the Corporation. The legal counsel for the Corporation is authorized to provide a defense for members of the Board, officers, and employees of the Corporation.

**ARTICLE VI. EFFECTIVE DATE, AMENDMENTS**

§6.1 Effective Date. These Bylaws shall become effective upon the adoption of these Bylaws by the Board of Directors and approval by the City Council.

§6.2 Amendments to Articles of Incorporation and Bylaws. The Articles of Incorporation and these Bylaws may be amended only in the manner provided in the Articles of Incorporation and the Act.

**APPROVED & ADOPTED** by the City of Leon Valley Economic Development Corporation on the 24<sup>th</sup> day of February, 2016, in accordance with law.

Patricia Manea, President  
City of Leon Valley Economic Development Corporation

Larry Proffitt, Secretary  
City of Leon Valley Economic Development Corporation

**A RESOLUTION OF THE CITY OF LEON VALLEY, TEXAS TO APPROVE AND ADOPT THE AMENDED BYLAWS FOR THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC).**

---

**WHEREAS**, the City Council for the City of Leon Valley, Texas approved and adopted Articles of Incorporation of the Leon Valley Economic Development Corporation under Resolution 09-006 on March 3, 2009 and further approved its 1<sup>st</sup> Amended Articles of Incorporation under Resolution 09-017 on August 4, 2009 and a 2<sup>nd</sup> Amended Articles of Incorporation on July 21, 2015.

**WHEREAS**, the LVEDC approved the Bylaws of the Corporation on July 15, 2009, and amendments to its Bylaws on August 11, 2009 and February 24, 2016.

**WHEREAS**, the City Council finds it in the best interests of the City to approve the LVEDC's Bylaws approved by the LVEDC on February 24, 2016.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:**

1. The amended Bylaws of the Leon Valley Economic Development Corporation, attached hereto as Exhibit A, are hereby approved and adopted.
2. The City Manager and LVEDC Board of Directors are directed to immediately cause the Bylaws of the Leon Valley Economic Development Corporation to be filed with the Texas Secretary of State.

**PASSED, ADOPTED AND APPROVED** 1<sup>ST</sup> day of March, 2016, at a regular meeting of the Elective City Council of Leon Valley, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.

APPROVED

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest: \_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form: \_\_\_\_\_  
**ROXANN PAIS COTRONEO**  
City Attorney

# CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION BYLAWS

## ARTICLE I. PURPOSE AND POWERS

- §1.1 Purpose. The Corporation is incorporated for the purposes set forth in Article Four of its Articles of Incorporation (the Articles of Incorporation”), the same to be accomplished on behalf of the City of Leon Valley, Texas (the “City”) as its duly constituted authority and instrumentality in accordance with the Development Corporation Act of 1979, as amended (Texas Revised Civil Statutes Article 5190.6)(the “Act”), and other applicable laws.
- §1.2 Powers. In the fulfillment of its corporate purposes, the Corporation shall be governed by Section 4B of the Act and an election held in the City on November 4, 2008 (the “Election”), and shall have all the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof

## ARTICLE II. BOARD OF DIRECTORS

### §2.1 Powers, Number and Term of Office.

- (a) The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (the “Board”), subject to the restrictions imposed by law, by the Articles of Incorporation and by these Bylaws (these “Bylaws”). The Board shall exercise all of the powers of the Corporation.
- (b) The Board shall consist of seven (7) directors, each of whom shall be appointed by a majority vote of the Council. No director may be an employee of officers of the City. Two (2) directors may be members of the Council. In addition, the Council shall appoint two (2) alternate board members in same manner as the seven (7) directors, as outlined in the Certificate of Formation of the City of Leon Valley Economic Development Corporation.
- (c) The Corporation has been incorporated by three Incorporators, who are named in the Articles of Incorporation. The initial directors constituting the Board and all successor directors shall have the qualifications, shall be of the classes of directors, and shall be appointed to the terms set forth in the Articles of Incorporation.
- (d) Any director or board alternate may be removed from office by the Council at will, by a majority vote of the members of the Council present and voting.

### §2.2 Meetings of Directors.

- (a) The directors may hold their meetings at such place or places in the City as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the monthly and special Board meetings shall be held at

the City Hall City Council Chambers, 6400 El Verde Road, Leon Valley, TX 78238. Regular meetings of the Board shall be held without the necessity of notice to directors at such times and places as shall be designated from time to time by the Board. Special meetings of the Board shall be held whenever called by the president or by a majority of the directors.

- (b) The secretary shall give notice to each director of each special meeting in person or by mail, electronic mail (email), or telephone, in accordance with the requirements of the Texas Open Meetings Act, as amended. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a special meeting.

§2.3 Open Meetings Act. All meetings and deliberations of the Board shall be called, convened, held, and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act, as amended (Chapter 551, Texas Government Code).

### §2.4 Quorum.

- (a) Four (4) members of the Board shall constitute a quorum to conduct official business of the Corporation. The act of a majority of the Board of Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation, unless the act of a greater number is required by law.

- (b) If a director is absent from a board meeting, the first alternate, as designated at the time of appointment by the City Council, may replace the absent board member and will act as the board member during the board meeting. In the absence of the first alternate, the second alternate will assume the duties of the absent board member. Should two or more board members be absent from a board meeting, both alternates will assume the duties of two (2) absent board members as long as there is a quorum of the board with the inclusion of the alternates. The alternate board members are encouraged to attend all LVEDC Board of Directors meetings.

### §2.5 Conduct of Business.

- (a) At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board.
- (b) The president shall preside at all meetings of the Board. In the absence of the president, the vice president shall preside.

- (c) The president shall be a voting members of the Board.
- (d) The secretary of the Corporation shall act as secretary. The presiding officer may appoint any person to act as secretary of the meeting. The treasurer and any assistant secretary may, at the option of the Board, be employees of the City and each member of the Board with the exception of the president, vice president, or secretary, may be appointed as assistant secretaries.

§2.6 Committee of the Board. The Board may designate two (2) or more directors or other persons to constitute a committee (including an advisory committee) of the Board to exercise such authority, as approved by resolution of the Board; provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall keep regular minutes of the transaction of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the office of the Corporation located at 6400 El Verde Road, Leon Valley, TX 78238; and any such meetings must be conducted in accordance with the provisions of the Texas Open Meetings Act, as amended (Chapter 551, Texas Government Code), if applicable.

§2.7 Compensation of Directors. Directors shall not receive any salary or compensation for their services as directors. However, they shall be reimbursed for their actual expenses incurred in the performance of their official duties as directors.

**ARTICLE III. OFFICERS**

§3.1 Titles and Terms of Office.

- (a) The board of director shall elect a president, a vice president, a secretary, and a treasurer, and such other officers as the Board may elect from time to time. One person may hold more than one office, except that the president shall not hold the office of the secretary. Terms of office shall be for two (2) years, except when prohibited by term of appointment, with the term of office expiring on September 30<sup>th</sup> of each year. Upon the expiration of the terms, each officer shall be eligible to be reappointed or reelected.
- (b) All officers shall be subject to removal from office at any time by a vote of majority of the Council.
- (c) A vacancy in the officer of any director shall be filled by a vote of a majority of the members of the Council present and voting. The remaining directors may recommend to the Council a person to be named to fill any vacancy.

§3.2 Powers and Duties of the President. The president shall be the chief operating executive officer of the Corporation, and subject to the authority of the Board, the president shall be in general charge of the properties and affairs of the Corporation and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments in the name of

the Corporation. The president shall preside over the meetings of the Corporation.

§3.3 Vice President. The vice president shall have such powers and duties as may be prescribed by the Board and shall exercise the powers of the president during that officer's absence or inability to act. Any action taken by the vice president in the performance or the duties of the president shall be conclusive evidence of the absence or inability to act of the president at the time such action was taken.

§3.4 Treasurer. The treasurer shall be the chief fiscal officer of the Corporation, and shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these Bylaws. When necessary or proper, the treasurer may endorse, and sign, on behalf of the Corporation, for collection or issuance, check, notes, and other obligations in or drawn upon such bank, banks, or depositories, as shall be designated by the Board consistent with these Bylaws. The treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all money received, and paid out on account of the Corporation. The treasurer shall, at the expense of the Corporation, give such bond for the faithful discharge of his/her duties in such form, and amount as the Board or the Council may require. All check writing authority will follow all applicable City policies, concerning authorizations, signatures and disbursements.

§3.5 Secretary. The secretary shall keep the minutes of all meetings of the Board and books provided for that purpose, shall give and service all notices, may sign with the president in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents, and instruments, except the books of account and financial records and securities, and such other book and papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the principal office of the Corporation during business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board.

§3.6 Executive Director. The board of directors may select an Executive Director, who shall not be a member for the board of directors.

§3.7 General. The president, vice president, and the secretary shall be named from among the members of the Board. The treasurer and any assistant secretary may, at the option of the Board, be employees of the City. To the extent the treasurer or any assistant secretary are employees of the City, they shall not be members of the Board. The City Manager, or his designees, shall provide administrative support services for the Corporation. The Executive Director shall retain legal counsel and financial

advisors for the Corporation, subject to approval of the majority of the Board.

§3.8 Compensation. Officers who are members of the Board shall not receive any salary or compensation for their services, except that they shall be reimbursed for the actual expenses incurred in the performance of their official duties as officers.

**ARTICLE IV. FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS**

§4.1 City of Leon Valley Economic Development Corporation Plan.

- (a) It shall be the duty and obligation of the Board to develop, finance and implement the City of Leon Valley Economic Development Corporation Plan, subject to approval or disapproval by Council.
- (b) In carrying out its obligations under subsection (a), the Corporation shall be authorized to exercise all rights and powers granted under the Act, including, but not limited to Section 4B.
- (c) The Board shall at least annually submit reports to the Council as to the status of its activities in carrying out its obligations under this Section.
- (d) Any and all agreements between the Corporation and other parties shall be authorized, executed, and approved and delivered in accordance with applicable law.

§4.2 Annual Corporate Budget. Prior to the commencement of each fiscal year of the Corporation, the Board shall adopt a proposed budget of expected revenues from sources set out in Section 4.5 of this Article and proposed expenditures for the next ensuing fiscal year. The budget shall contact such classifications and shall be in such form as may be prescribed from time to time by the Council. The budget shall not be effective until the same has been approved by the City Council.

§4.3 Books, Records, Audits.

- (a) The Corporation shall keep and properly maintain in accordance with generally accepting accounting principles, complete books, records, account and financial statements pertaining to its corporate funds, activities and affairs.
- (b) At the direction of the Council, the books, records, accounts, and financial statements of the Corporation may be maintained for the Corporation by the accountants, staff and personnel of the City.
- (c) The Corporation, or the city if the option of subsection (b) is selected, shall cause its books, records, accounts, and financial statements to be studied at least once each fiscal year by an outside, independent auditing and accounting firm selected by the Council and approved by the Board, such an audit shall be at the expense of the Corporation.

§4.4 Deposit and Investment of Corporate Funds.

- (a) All proceeds from loans or from the issuance of bonds, notes, or other debt instruments ("Obligation") issued by the Corporation shall be deposited and invested as provided in the

resolution, order, indenture, or other documents authorizing or relating to their executive or issuance.

- (b) Subject to the requirements of contracts, loan agreements, indentures, or other agreements securing Obligations, all other money of the Corporation, if any, shall be deposited, secured and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City. The Board shall designate the accounts and depositories to be created and designated for such purposes and the methods of withdrawal of funds therefrom for use by and for the purposes of the Corporation upon the signature of its treasurer and such others persons as the Board designates. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the City Manager of the City, or his designee.

§4.5 Expenditure of Corporate Money. The sales and use taxes collected pursuant to Section 4B of the Act and the proceeds from the investments of funds of the Corporation, the proceeds from the sale of property, revenues generated by any Projects as defined in Section 4B of the Act and payable to the Corporation or any other source of revenues that are payable to the Corporation for any of the purposes authorized by the Act, and the Election, subject to the following limitations:

- (a) Expenditures that may be made from a fund created with the proceeds of Obligations, and expenditures of money derived from sources other than the proceeds of Obligation may be used for the purpose of financing or otherwise providing one or more Projects, as defined in Section 4B of the Act and in accordance with the Election;
- (b) All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 4.2 of in contracts meeting the requirements of Section 4.1(d) of this Article.
- (c) No project which requires an expenditure in excess of \$10,000.00 shall commend without Council approval by resolution authorizing the project after giving the resolution at least two separate readings and two public hearings.

**ARTICLE V. MISCELLANEOUS PROVISIONS**

§5.1 Principal Office.

- (a) The principal office and the registered office of the Corporation shall be the registered office of the Corporation specified in the Articles of Incorporation.
- (b) The Corporation shall have and shall continually designate a registered agent at its office, as required by the Act.

§5.2 Fiscal Year. The fiscal year of the Corporation shall be the same as the fiscal year of the City.

- §5.3 Seal. The seal of the Corporation shall be determined by the Board.
- §5.4 Resignation. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time is specified, at the time of its receipt by the president or secretary. The acceptance of resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.
- §5.5 Approval or Advice and Consent of the Council. To the extent that these Bylaws refer to any approval by the City or refer to advice and consent by the Council, such advice and consent shall be evidenced by a certified copy of a resolution, ordinance, or motion duly adopted by the Council.
- §5.6 Services of City Staff and Officers. All requests by the Corporation for staff time or inquiries of staff will be requested through the City Manager's Office.
- §5.7 Indemnification of Directors, Officers, and Employees.
- (a) As provided in the Act, the Corporation is, for the purposes of the Texas Tort Claims Act, as named (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.
  - (b) The Corporation shall indemnify each and every member of the Board, its officers, and its employees and each member of the Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorney's fees, incurred by and of such person by reason of any actions or omissions that may arise out of the sanctions and activities of the Corporation. The legal counsel for the Corporation is authorized to provide a defense for members of the Board, officers, and employees of the Corporation.

**APPROVED & ADOPTED** by the Leon Valley City Council on the 1<sup>st</sup> day of March, 2016, in accordance with law.

Chris Riley, Mayor  
City of Leon Valley, Texas

Sandra Passailaigue, Secretary  
City of Leon Valley, Texas

**ARTICLE VI. EFFECTIVE DATE, AMENDMENTS**

- §6.1 Effective Date. These Bylaws shall become effective upon the adoption of these Bylaws by the Board of Directors and approval by the City Council.
- §6.2 Amendments to Articles of Incorporation and Bylaws. The Articles of Incorporation and these Bylaws may be amended only in the manner provided in the Articles of Incorporation and the Act.

**APPROVED & ADOPTED** by the City of Leon Valley Economic Development Corporation on the 24<sup>th</sup> day of February, 2016, in accordance with law.

Patricia Manea, President  
City of Leon Valley Economic Development Corporation

Larry Proffitt, Secretary  
City of Leon Valley Economic Development Corporation

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 01, 2016 **M&C # 2016-03-01-10**

**TO:** Mayor and Council

**FROM:** Sandra Passailaigue, City Secretary

**THROUGH:** Kelly Kuentler, City Manager

**SUBJECT:** Consider, discuss and possible action on Ordinance No. 16-011 declaring unopposed candidates in the May 07, 2016 General City Election, elected to office; canceling the election; providing an effective date.

**PURPOSE**

The General City Election was called for May 07, 2016, for the purpose of electing members to the City Council; and the city secretary has certified in writing that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the City Council to declare the candidates elected to office and cancel the election.

The deadline to file for a place on the ballot was 5:00 p.m. on February 19, 2016. The last day a write-in may declare candidacy is tomorrow, February 23, 2016. The candidates are unopposed and there were no write-ins. Therefore, on May 17, 2016 the candidates will be sworn in and received their Statement of Elected Official and take their Oath of Office.

The following candidates, who are unopposed in the May 07, 2016 General City Election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed.

Chris Riley	-	Mayor
Belinda G. Ealy	-	Place 2
Benny Martinez	-	Place 4

The May 07, 2016 General City Election is canceled, and the city secretary is directed to cause a copy of this ordinance to be posted on election day at each polling place used or that would have been used in the election.

**SEE LEON VALLEY**

*Social* – The City will conduct the electoral process in a fair and prompt manner.

*Economic* – Not applicable.

*Environmental* – Not applicable.

**RECOMMENDATION**

City staff recommends the City Council adopt the attached Ordinance No. 16-011, declaring unopposed candidates in the May 07, 2016 General City Election, elected to office; canceling the election; providing an effective date.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**CERTIFICATION OF UNOPPOSED CANDIDATES FOR  
OTHER POLITICAL SUBDIVISIONS (NOT COUNTY)  
CERTIFICACIÓN DE CANDIDATOS ÚNICOS  
PARA OTRAS SUBDIVISIONES POLITICAS (NO EL CONDADO)**

**To: Presiding Officer of Governing Body**  
*Al: Presidente de la entidad gobernante*

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 07, 2016

*Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 7 de mayo del 2016*

**List offices and names of candidates:**  
*Lista de cargos y nombres de los candidatos:*

<b>Office(s) Cargo(s)</b>	<b>Candidate(s) Candidato(s)</b>
Mayor (Alcalde)	Chris Riley
Place 2 (Lugar 2)	Belinda G. Ealy
Place 4 (Lugar 4)	Benny Martinez

  
Signature (*Firma*)

Sandra Passailaigue  
Printed name (*Nombre en letra de molde*)

City Secretary  
Title (*Puesto*)

February 24, 2016  
Date of signing (*Fecha de firma*)



See reverse side for instructions  
(*Instrucciones en el reverso*)

**AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 07, 2016 GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the General City Election was called for May 07, 2016, for the purpose of electing members to the City Council; and

**WHEREAS**, the city secretary has certified in writing that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

**WHEREAS**, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the City Council to declare the candidates elected to office and cancel the election.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS THAT:**

Section 1. The following candidates, who are unopposed in the May 07, 2016 General City Election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed.

Chris Riley	-	Mayor
Belinda G. Ealy	-	Place 2
Benny Martinez	-	Place 4

Section 2. The May 07, 2016 General City Election is canceled, and the city secretary is directed to cause a copy of this ordinance to be posted on election day at each polling place used or that would have been used in the election.

Section 3. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgement or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

Section 4. This ordinance shall take effect upon its passage, and it is so ordained.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 1st day of March, 2016.

**APPROVED**

---

**CHRIS RILEY**  
MAYOR

Attest:

---

**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

---

**ROXANN PAIS COTRONEO**  
City Attorney

Proposed

**ORDENANZA QUE DECLARA ELECTOS A LOS CARGOS A LOS CANDIDATOS SIN Oponentes DE ELECCIÓN GENERAL DE LA CIUDAD DEL 7 DE MAYO DE 2016; CANCELA LA ELECCIÓN; DISPONE LA FECHA DE EFECTIVIDAD.**

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**EN VISTA DE QUE** la Elección General de la Ciudad fue convocada para el 7 de mayo de 2016 con el fin de elegir miembros del Consejo Municipal; y

**EN VISTA DE QUE** la secretaria de la ciudad ha certificado por escrito que ninguna persona hizo presentó una declaración de candidatura por escrito, y que ningún candidato en la boleta de votación tiene oponentes para la elección del cargo; y

**EN VISTA DE QUE**, bajo estas circunstancias, el Capítulo 2, Subcapítulo C, del Código Electoral autoriza al Consejo Municipal a declarar electos al cargo a los candidatos y cancelar la elección.

**AHORA, POR LO TANTO, EL CONSEJO MUNICIPAL DE LA CIUDAD DE LEON VALLEY, TEXAS, DECRETA QUE:**

Sección 1. Los siguientes candidatos, quienes no tienen oponentes en la Elección General de la Ciudad del 7 de mayo de 2016, son declarados electos a los cargos y que se emitirán los certificados de elección posteriormente a la fecha en la que los resultados de la elección hubieran sido escrutados:

Chris Riley	-	Alcalde
Belinda G. Ealy	-	Lugar 2
Benny Martinez	-	Lugar 4

Sección 2. La Elección General de la Ciudad del 7 de mayo de 2016 es cancelada y se instruye a la Secretaria de la Ciudad a que haga colocar una copia de esta ordenanza el día de la elección en cada uno de los lugares de votación utilizados o que se hubieran utilizado en la elección.

Sección 3. Se declara que es la intención del Consejo Municipal que las frases, cláusulas, oraciones, párrafos y secciones de esta ordenanza sean divisibles, y si cualquier frase, cláusula, oración, párrafo o sección de esta ordenanza es declarada inválida por el fallo o decreto de un tribunal con competencia jurisdiccional, dicha invalidez no afectará ninguna de las frases, cláusulas, oraciones, párrafos y secciones restantes de esta ordenanza, debido a que la misma hubiera sido promulgada por el Consejo Municipal sin la porción inválida.

Sección 4. Esta ordenanza entrará en vigencia a partir de su aprobación, y así se ordena.

**PASADA, ADOPTADA Y APROBADA** por el Consejo Municipal de la ciudad de Leon Valley este día 1 de marzo de 2016.

**APROBADA**

---

**CHRIS RILEY**  
ALCALDE

Atestigua:

---

**SAUNDRA PASSAILAIGUE, TRMC**  
Secretaria de la Ciudad

Aprobada en cuanto a su legalidad:

---

**ROXANN PAIS COTRONEO**  
Abogada de la Ciudad

Propuesta

# City of Leon Valley

Ordinance No. 16-010 declaring unopposed candidates in the May 07, 2016 General City Election, elected to office; canceling the election; providing an effective date.

City Council Meeting

Tuesday, March 01, 2016

# Purpose

- Consideration of Ordinance No. 16-010 declaring unopposed candidates in the May 7, 2016 to elect three Council Members: (Places 2, 4 and for the Office of the Mayor) .
- Declaring those unopposed candidates elected.
- Canceling the May 7, 2016 General Election.
- Providing for an effective date.

# Timeline

- The deadline to file for a place on the ballot was 5:00 p.m. on February 19, 2016.
- The last day a write-in may declare candidacy is tomorrow, February 23, 2016.
- The candidates are unopposed and there were no write-ins.
- May 17, 2016 the candidates will be sworn in and received their Statement of Elected Official and take their Oath of Office.

# Unopposed Candidates

- The following candidates, who are unopposed in the May 07, 2016 General City Election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed.

Chris Riley - Mayor

Belinda G. Ealy - Place 2

Benny Martinez - Place 4

# Cancellation of May 7, 2016 General Election

- The May 07, 2016 General City Election will be canceled, and the city secretary will be directed to cause a copy of Ordinance No. 16-010 to be posted on election day at each polling place used or that would have been used in the election.

# Fiscal Impact

- City will save approximately \$4000 by NOT participating in this Joint Election.

# S.E.E. IMPACT STATEMENT

- Social Equity – The City will conduct the electoral process in a fair and prompt manner.
- Economic Development – *Not applicable*
- Environmental Stewardship – *Not applicable*

# Recommendation

- City staff recommends the City Council adopt the attached Ordinance No. 16-010, declaring unopposed candidates in the May 07, 2016 General City Election, elected to office; canceling the election; providing an effective date.

Questions?

# City of Leon Valley

Ordinance No. 16-010 declaring unopposed candidates in the May 07, 2016 General City Election, elected to office; canceling the election; providing an effective date.

City Council Meeting

Tuesday, March 01, 2016

BEAUTIFICATION COMMITTEE MEETING  
City of Leon Valley

20 January 2016

SUBJECT: Minutes of Meeting

1. **OPENING OF MEETING:** The Chair, Mayor Riley, opened the meeting at 5:58 p.m. on 20 January 2016 at Cha Cha's Restaurant on Bandera Road.
2. **ATTENDANCE:**  
Members Present: Donna Charles, Lupe Carpio, Carolyn Diaz, Belinda Ealy, Jean Johnson, Shirley Jonas, Carrie Macias, Jerry Perales, Chris Riley  
Members Absent: Lyn Joseph  
Guests Present: None
3. **APPROVAL OF MINUTES:** The minutes of last meeting, 16 December 2015, were approved as written.
4. **FOLLOWUP ON PREVIOUS AGENDA TOPICS:**
  - **Beautification Awards Judging Procedures for Residences and Businesses-**The members discussed in length the procedures by which judging will take place in the month of May. It was agreed that the members will conduct, by neighborhood, a review of properties in March and turn the likely winning addresses over to Ms. Johnson. For this year she has secured the services of the Gardening Volunteers of South Texas to do the final judging in the month of May. The neighborhoods and businesses were divided among the members as listed:
    - ❖ Business addresses-Ms. Charles and Ms. Diaz
    - ❖ Seneca, Seneca III, and Castle Hills Estates-Ms. Diaz
    - ❖ Shadow Mist Subdivision and Linkwood-Ms. Jonas
    - ❖ Forrest Oaks and Monte Robles-Mayor Riley
    - ❖ Canterfield and Grass Valley-Mrs. Ealy
    - ❖ Old Mill and Sawyer Road-Ms. Macias
    - ❖ Pavona Place-Mr. Perales
    - ❖ Althea, Hodges, Sun Valley, and Forrest Oaks Estates-Ms. Carpio and Ms. Johnson
    - ❖ Leon Valley Ridge, El Verde, and Mobile Home Park (Reindeer Trail)-Ms. Charles

The Mayor agreed to obtain maps showing boundaries for each neighborhood and the city limits from the Zoning Commission.

Ms. Charles shared an article informing the businesses and residents of Leon Valley that the Beautification Awards Program has been reworked and will be active as of May 2016. The article is to be published in the Lion's Roar in February. Additionally, Mr. Fimble will be asked to place it on the city's website. Ms. Charles will inform Mr. Fimble of one recommended change, listing the Gardening Volunteers of South Texas as the judges.

- **Clean Up Fix Up Day Presentation**-Due to a packed agenda for the Town Hall Meeting on 23 January 2016, the Clean Up Fix Up presentation by Ms. Jordan Matney could not be accommodated. She willingly offered to present at the City Council Meeting on 16 February 2016 at 7 p.m. The Mayor encouraged each of the members to attend. The potential time frame for this activity has been set for fall.
- **Beautification Projects Presentation for Chamber of Commerce Members**-Ms. Charles has spoken with the President, Leon Valley Area Chamber of Commerce, about presenting the Beautification Committee's purposes, goals, and projects in order to obtain the support of the business community. Within the next two months, this presentation should be scheduled. She is working on a handout for the meeting and asked that the members review and make suggestions regarding it. As soon as she is informed of the date, she will notify the members so that they may attend.

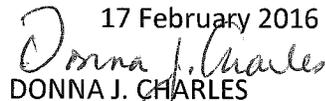
5. GENERAL DISCUSSION:

- The Mayor announced that a Dedication Ceremony for the newly renovated City Hall will take place on 2 April 2016 at 10 a.m. She invited the members to attend and take the tours which will be offered.
- Town Hall Meeting-23 January 2016 at the Leon Valley Conference Center beginning at 8 a.m.
- TX DOT Stakeholders Meeting-28 January 2016 beginning at 5:30 p.m. at the Conference Center.

6. MEMBERS' EMAILS:

Lupe Carpio	<a href="mailto:dcarpio65@att.net">dcarpio65@att.net</a>
Donna Charles	<a href="mailto:donna.charles@sbcglobal.net">donna.charles@sbcglobal.net</a>
Carolyn Diaz	<a href="mailto:CJD44@hotmail.com">CJD44@hotmail.com</a>
Belinda Ealy	<a href="mailto:msg8111@msn.com">msg8111@msn.com</a>
Jean Johnson	<a href="mailto:satjean1@earthlink.net">satjean1@earthlink.net</a>
Shirley Jonas	<a href="mailto:shirleyjonas1961@yahoo.com">shirleyjonas1961@yahoo.com</a>
Lyn Joseph	<a href="mailto:lynjille@aol.com">lynjille@aol.com</a>
Carolina Macias	<a href="mailto:macias.carrie@icloud.com">macias.carrie@icloud.com</a>
Jerry Perales	<a href="mailto:j.perales@leonvalleytexas.gov">j.perales@leonvalleytexas.gov</a>
Chris Riley	<a href="mailto:mayorriley@leonvalleytexas.gov">mayorriley@leonvalleytexas.gov</a>

7. ADJOURNMENT: The meeting adjourned at 6:44 p.m. The next meeting is scheduled for 17 February 2016 at 5:30 p.m. at the Leon Valley Fire Department.

  
 DONNA J. CHARLES  
 Secretary

Leon Valley Board of Trustees Minutes

December 9, 2015

Those present at this meeting were Library Director Sandy Underwood, Board President Katie Gwaltney, Dr. Horace Staph, Heather Haskin, Jill Crane, Bridid Cooley and Secretary Peggy Proffitt.

The meeting was called to order by President Katie Gwaltney at 5:40 pm. The main item on the agenda was the discussion of the library's current fee schedule. Sandy noted that the fee schedule has remained the same for several years. A copy of the recommended fee schedule is attached. After discussion, the Board approved the new fee schedule. Dr. Staph moved to approve the new fee schedule. Heather Haskin seconded the motion. Motion was passed.

The meeting was adjourned at 7:30 pm. The next board meeting will be January 12, 2016 at 5:30 pm.

  
Chair

## Minutes

### Library Board of Trustees Meeting of January 12, 2016 at 5:30pm at the Library

The Meeting was called to order by Chairperson, Katie Gwaltney at 5:30pm. Those present were Barbara Owens, Carol Poss, Jill Crane, Peggy Proffitt, Katie Gwaltney, Heather Haskin, Brigid Cooley and Library Director Sandy Underwood. Absent: Dr. Horace Staph. A quorum is present

Teen Liaison Brigid Cooley is celebrating her birthday today. She is making and collecting blankets for a project called "Knot it Forward" which collects handmade fleece blankets for hospice patients.

There were no citizens to be heard.

A motion was made by Jill Crane and seconded, by Heather Haskins that the minutes for the special December 2015 meeting to approve the fee schedule be accepted as presented. Unanimous approval. Minutes for the November meeting need to be recreated and presented at next meeting due to missing information.

The Teen Advisory Group is working to get a consistent group of teens to attend. They hope to be able to have on-going activities at the library to include (but not limited to) poetry reading and book discussion groups.

Policy Updates: The board voted on the previously presented policies of Internet and Circulation. It was suggested that the number of items the library allows out per card be increased. The Circulation Policy will reflect the fees as passed per December Meeting as well as increasing the number of items out to 25 per card. A motion was made by Heather and seconded by Barbara to approve the two policies with the changes as noted above. Sandy passed out proposed policies on Meeting Room Use and Collection Development for Trustees to review before voting on at the next meeting.

Room Dedication Update: The City Council approved the naming of the Children's Wing after Joyce Miller Trent and the naming of the meeting room after Peggy Bissett. Marcy Meffert made a donation of \$300 to cover the cost of the plaques for both rooms.

Public Meetings will be held on Tuesday, February 23 from 6:30 – 7:30 pm and again on Saturday, February 27 from 10:30 – 11:30 am for the purpose of inviting the public for their input on our Strategic Plan.

Director's Report: November and December statistics were presented. Discussion ensued regarding our Axis360 and One Click numbers being down. These are ebook and downloadable audio books, respectively. In April, we will be switching to Overdrive for both mediums and joining a consortium of other libraries, giving our members thousands of ebook and downloadable audio book options, rather than the 100 plus that we currently hold by ourselves.

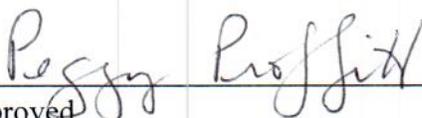
The library has started an adult Spanish Language collection that is being very well received. The Friends Group has earmarked money for the development of this collection. Concentration is currently on the Adult Collection and we will expand the Children's Spanish later.

Carol Poss reported that the last Friends book sale brought in \$55.00. It was thought that the holiday break may have contributed to the small turnout. Spring book sale dates will be announced next month.

Carol reported on the vandalism of the Annex. Books and shelves were tossed to the ground and a fire extinguisher sprayed throughout the front rooms. Maintenance Crews (Friends members and Public Works) are working on the clean up and repair. PW is also working to repair the heater.

The next board meeting is scheduled for February 9, 2016.

There being no further business or announcements, Jill Crane moved to adjourn the meeting, Barbara Owens seconded the motion, motion approved and the meeting adjourned at 6:45 pm.

  
Approved \_\_\_\_\_

## Minutes

Library Board of Trustees Meeting of  
November 10, 2015 at 5:30pm at the Library

The Meeting was called to order by Chairperson, Katie Gwaltney at 5:35pm. Those present were Barbara Owens, Carol Poss, Jill Crane, Katie Gwaltney, Heather Haskin, Dr. Horace Staph, Brigid Cooley and Library Director Sandy Underwood. A quorum is present

There were no citizens to be heard.

A motion was made by Jill Crane and seconded, by Heather Haskins that the minutes for the October 2015 meeting be accepted as presented. Unanimous approval.

Election of Officers: The following were suggested to fill the positions.

Chair: Katie Gwaltney

Vice Chair: Jill Crane

Secretary: Peggy Proffitt

It was moved by Heather Haskin and seconded by Barbara Owens that the proposed officers fill the indicated positions. The motion was passed unanimously.

Teen Group Update: Nothing new to report at this time. Continuing to collect emails and interested teens and have some ideas for movie days.

Policy Updates: The Unattended Child Policy was passed by City Council at the October 20 meeting. On Saturday, October 31, the library had their Halloween Party, the City had the Arbor Day Event in Library Parkig lot, and the seniors had Trash to Treasure. The Unattended Child Policy was passed out at the library entrance by a police officer as he greeted and welcomed attendees. The policy has also been posted on the Library Website and is available at the Circulation Desk.

It was suggested that the vong for donations, Interlibrary Loans, Circulation and Internet use be tables until January so tht rustees have more time to review.

Room Dedication Update: Families and honorees have been notified the rooms being named in their honor. Event will probably be in April/May. Signs to be look into and event details planned.

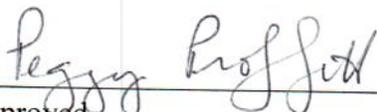
Strategic Planning Session recap: Mission and Vision Statements complete. Some brainstorming done on will is for the library. Katie is going to type a up for our next session.

After discussion, it was decided that the board will meet one last time before inviting the public for input. Tuesday, December 8 at 5:30 pm will be the next planning session.

Director's Report: October statistics for the library were presented. The joint Halloween/Arbor Day/Trash to Treasure Sale was a success for everyone. Each event reported record attendance and has committed to working together annually on these events. The library will participate in the coming Holiday Fest to be held on Sunday, December 13<sup>th</sup>. We will be open for a puppet show presentation and crafting.

The next board meeting is scheduled for January 12, 2016.

There being no further business or announcements, Jill Crane moved to adjourn the meeting, Barbara Owens seconded the motion, motion approved and the meeting adjourned at 6:45 pm.

  
\_\_\_\_\_  
Approved