

NOTICE OF PUBLIC MEETING

**LEON VALLEY CITY COUNCIL
WORK SESSION –6:00 P.M.**

&

**REGULAR MEETING –7:00 P.M.
MONDAY, NOVEMBER 18, 2013**

**LEON VALLEY CITY COUNCIL CHAMBERS
6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238**

AGENDA

1. **6:00 – WORK SESSION:** Discussion and direction on proposed enhanced Fourth of July event and 2014 Fall Jazz Festival as recommended by the City Council Festival Subcommittee. (Biever/Ruiz)
 2. **6:45 – CEREMONIAL ITEMS**
-

Regular City Council Meeting Agenda

1. **7:00 P.M.** Call to order, Determine a Quorum is Present, Pledge of Allegiance.
2. Consideration of an ordinance canvassing election returns for the November 5th Special Election. **M&C 2013-11-18-02** (Callanen)
3. Presentation of the Final Architectural Design for the Fire Station, Police Station and City Hall Improvements, and related discussion on the budget for the Project. **M&C 2013-11-18-03** (Longoria)
4. **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 at that meeting. Council may direct staff to contact the requestor or request 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]

CONSENT AGENDA

5. Consider the approval of the minutes from the September 21st and November 2nd Coffee with the Mayor and the City Council. (Callanen)
6. Consider the approval of the October 14, 2013 Regular City Council Meeting Minutes. (Callanen)
7. A Resolution Casting the City Leon Valley's (9) nine votes for Mr. Jim Martin, nominated by Northside Independent School District, in the Election of Bexar Appraisal District Board of Directors for 2014-2015. **M&C 2013R-11-18-07** (Callanen)
8. Consider a Sign Variance by Budget Signs for Ancira Chevrolet to relocate a Light Emitting Diode (LED) sign from 5783 Wurzbach to 6111 Bandera Road. **M&C 2013-11-18-08** (Flores)
9. Consider a Sign Variance by M&S Group Incorporated DBA Wing Daddy's to utilize an existing pole sign at 6430 Bandera Road. **M&C 2013-11-18-09** (Flores)
10. Approval of the annual Services Agreement between the Leon Valley Economic Development Corporation (LVEDC) and the City of Leon Valley. **M&C 2013-11-18-10** (Mora)

REGULAR AGENDA

11. Consideration of proposed Panhandling Regulations for the City of Leon Valley. **M&C 2013-11-18-11** (R. Wallace)
12. A Resolution authorizing the City Manager to submit a grant application in the amount of \$1,500,000 to the Metropolitan Planning Organization (MPO) for the Evers Road Street Reconstruction Project. **M&C 2013R-11-18-12** (D. Dimaline)
13. Discussion and consider action pertaining to the evaluation of the survey results related to the Recycling Pilot Program at the Ridge and providing direction to Staff on related contractual provisions in the Solid Waste Agreement with Waste Management Inc. **M&C 2013-11-18-13** (Caldera/Longoria)
14. An ordinance authorizing the use of Community Center Funds (Hotel Motel Revenue) in the amount of \$5,000 for the Earthwise Living Day and related activities. **M&C 2013-11-18-14** (Smith)

15. An Ordinance authorizing the City Manager to purchase (5) five parcels of land from Bexar County for the purpose of the Fire Department expansion project. **M&C 2013-11-18-15** (Longoria)

16. City Manager's Report

- a. Annual Town Hall Meeting/Update of 2010 Strategic Plan (Saturday February 1, 2013)
- b. Monthly Departmental Reports
- c. Approved Minutes from Boards, Commission, Committees
- d. Future Agenda Items:
 - Presentation on Preliminary Design of the Huebner Creek Hike and Bike Trail (December)
 - Payday and other lending institutions process change (December)
 - Follow-up Report on Feral Cat/Spay-Neuter-Release Initiative (December)
 - Boards and Commissions Policy Review and Recommendations (December)
 - *Pending Appointments*
 - Leon Valley Economic Development Corporation
 - Parks Commission
 - Earthwise Living Committee
 - Community Events Committee
 - Meeting of Leon Valley Crime Control & Prevention District declaring that the City Council shall be the Crime Control and Prevention District (CCPD) Board of Directors (February)
 - Resolution of City Council approving the City Council to serve as CCPD Board of Directors (February)
 - Review Proposed Park Master Plan (December)

17. Citizens to be Heard.

18. 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.

19. 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).

20. Adjourn.

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of other City boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of other City boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of other boards, commissions and/or committees of the City, whose members may be in attendance. The members of other City boards, commissions, and/or committees may not participate in discussions on the items listed on the agenda, which occur at the meeting, and no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that City board, commission or committee subject to the Texas Open Meetings Act. [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 on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at 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.

Leticia Callanen, Interim City
Secretary

MAYOR AND COUNCIL COMMUNICATION

M&C #2013-11-14-01

DATE: NOVEMBER 18, 2013
TO: MAYOR AND CITY COUNCIL
FROM: Manuel Longoria, Jr., City Manager
SUBJECT: 6:00 P.M. Work Session

PURPOSE

This is a City Council Work Session to discuss the recommendations of the City Council Festival Subcommittee. The Subcommittee is Chaired by Councilmember Paul Biever and also includes Councilmember Ruiz.

The discussion will be related to proposed enhancements to the Fourth of July Event and a proposed 2014 Fall Jazz Festival. City Staff will be seeking direction from City Council on an approach to proceed with the Subcommittee recommendations.

FISCAL IMPACT

There is no fiscal impact associated with this item as it is for presentation and discussion purposes only.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

MAYOR AND COUNCIL COMMUNICATION

M&C: # 2013-11-18-02

DATE: November 18, 2013
TO: MAYOR AND CITY COUNCIL
FROM: Leticia Callanen, Interim City Secretary
THROUGH: Manuel Longoria, Jr., City Manager
SUBJECT: Canvass the Returns of the November 5, 2013 Special Election

PURPOSE

The purpose of this agenda item is to allow the City Council to canvass the results of the November 5, 2013 Special Election for two ballot measures:

- a. Allowing voters to cast their support for or against “the reauthorization of the local sales and use tax in the City of Leon Valley at the rate of one-quarter (1/4) of one percent (0.0025) to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the 10th anniversary of the date of this election unless the imposition of the tax is reauthorized.”
- b. Allowing voters to cast their support for or against “the Creation of the Leon Valley Crime Control and Prevention District Dedicated to crime reduction programs and the adoption of a proposed Local Sales and Use Tax at a rate of one-eighth (1/8) of one percent (0.00125).”

FISCAL IMPACT

The revenue generated from the continuation of the street maintenance sales and use tax over the next ten years will offer the City the opportunity to fund long range infrastructure improvements.

The creation of the Crime Control and Prevention District and the associated local sales and use tax will go into effect in April of 2014.

RECOMMENDATION

Staff recommends approval of this item.

S.E.E. IMPACT STATEMENT

Social Equity: The City of Leon Valley City Council affirms its commitment to a superior quality of life by providing a superb infrastructure. By providing revenue for the maintenance and repair of municipal streets and crime prevention programs, Leon Valley demonstrates its responsiveness to a superior quality of life to residents, businesses, and stakeholders.

Economic Development: Ensuring a safe community and well maintained streets serves as the foundation of the City of Leon Valley's commitment and attraction of quality economic development initiatives.

Environmental Stewardship: Not applicable.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

RESOLUTION 2013R-11-18-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE NOVEMBER 5, 2013 SPECIAL ELECTION OF CITY OF LEON VALLEY HELD FOR THE PURPOSE OF ALLOWING VOTERS TO VOTE FOR OR AGAINST THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF LEON VALLEY, TEXAS AT THE RATE OF ONE-QUARTER (1/4) OF ONE PERCENT (0.0025000) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS AND FOR OR AGAINST CREATING THE CITY'S CRIME CONTROL AND PREVENTION DISTRICT AND ADOPTING A 1/8TH OF ONE PERCENT LOCAL SALES AND USE TAX

WHEREAS, on August 20, 2013 the City Council of the City of Leon Valley, approved Ordinance No. 2013-08-20-02 and Resolution No. 2013R-08-20-01 ordering a Special Election to be held in the City of Leon Valley on November 5, 2013 to allow the voters to vote for or against the reauthorization of the local sales and use tax in the City of Leon Valley, Texas at the rate of one-quarter (1/4) of one percent (0.0025000) to continue providing revenue for maintenance and repair of municipal streets and the creation of the Leon Valley Crime Control and Prevention District and the adoption of a 1/8th of one percent crime control and prevention district sales and use tax; and

WHEREAS, the Leon Valley City Council which is the City's local canvassing authority has conducted the required post-election canvass of the election returns and finds that said election was duly held at the time and place specified, after due notice as required by law had been given by posting and publication and that all votes of the electorate have been received; and

WHEREAS, state law requires that the governing body of the City of Leon Valley canvass this Special Election.

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

1. The City of Leon Valley held a Special Election on November 5, 2013 to allow its voters to vote for or against the reauthorization of a local sales and use tax in the City of Leon Valley, Texas at the rate of one-quarter (1/4) of one percent (0.0025000) to continue providing revenue for maintenance and repair of municipal streets under the authority of section 327.007(b) of the Texas Tax Code and the creation of the Leon Valley Crime Control and Prevention District and the adoption of a 1/8th of one percent crime control and prevention district sales and use tax as required by section 363.251 of the Local Government Code; and
2. The Leon Valley City Council officially finds, determines, and declares that the election was duly and properly conducted and noticed in accordance with the Texas Election Code and that the returns of the Special Election are hereby canvassed by the City Council in accordance with the law; and

3. The Leon Valley City Council accepts the canvassed results of said Special Election which indicate:

Results by Precinct	For		Against		Over/Under	
<i>Summary of Overall Votes</i>	505		101		0 / 11	
	EV	ED	EV	ED	EV	ED
2061	31	15	4	3	0 / 0	0 / 0
2112	64	31	16	9	0 / 2	0 / 1
2143	108	57	18	7	0 / 4	0 / 1
3002	146	49	23	16	0 / 3	0 / 0
3003	0	4	1	4	0 / 0	0 / 0

On the following proposition:

Proposition

“The Reauthorization of the Local Sales and Use Tax in the City of Leon Valley, Texas at the Rate of One-Quarter (1/4) of One Percent to Continue Providing Revenue for Maintenance and Repair of Municipal Streets. The tax expires on the 10th anniversary of the date of this election unless the imposition of the tax is reauthorized”

The results reflected by the election returns indicate that the proposition passed by a total of 505 votes.

Results by Precinct	For		Against		Over/Under	
<i>Summary of Overall Votes</i>	436		170		0 / 11	
	EV	ED	EV	ED	EV	ED
2061	27	13	8	5	0 / 0	0 / 0
2112	54	27	26	13	0 / 2	0 / 1
2143	97	44	29	20	0 / 4	0 / 41
3002	132	40	37	25	0 / 3	0 / 0
3003	0	2	1	6	0 / 0	0 / 0

On the following proposition:

Proposition

“The creation of the Leon Valley Crime Control and Prevention District dedicated to crime reduction programs and the adoption of a proposed local sales and use tax at a rate of one-eighth (1/8th)of one percent (0.00125)”,

The results reflected by the election returns indicate that the proposition passed by a total of 436 votes.

- The Leon Valley City Council, acting as the canvassing board, finds and declares that figures on election records correspond to the figures on these election returns for the Special Election held on November 5, 2013 and declares that the election results reflect the expressed desires of those persons voting at said election.

PASSED and **RESOLVED** this 18th day of November 2013.

Chris Riley, Mayor

ATTEST:

Leticia Callanen, City Secretary

APPROVED AS TO FORM:

City Attorney

TOTAL VOTES % EARLY VOTE ELECTION DAY

CITY OF LEON VALLEY Leon Valley Special 1

VOTE FOR 1

(WITH 5 OF 5 PRECINCTS COUNTED)

FOR	505	83.33	349	156
AGAINST	101	16.67	62	39
Over Votes	0		0	0
Under Votes	11		9	2

CITY OF LEON VALLEY Leon Valley Special 2

VOTE FOR 1

(WITH 5 OF 5 PRECINCTS COUNTED)

FOR	436	71.95	310	126
AGAINST	170	28.05	101	69
Over Votes	0		0	0
Under Votes	11		9	2

Jaquelyn F. Callan

NUMBERED KEY CANVASS

RUN DATE:11/06/13 10:01 AM

BEXAR COUNTY, TEXAS
Amend, Joint, Genrl, Spec & Bond
NOVEMBER 5, 2013

(EARLY VOTE)

REPORT-EL52 PAGE 0001

CITY OF LEON VALLEY Leon Valley Special 1

VOTES PERCENT

VOTES PERCENT

VOTE FOR 1

01 = FOR

02 = AGAINST

349 84.91
62 15.09

03 = OVER VOTES
04 = UNDER VOTES

0
9

	01	02	03	04
2061	31	4	0	0
2112	64	16	0	2
2143	108	18	0	4
3002	146	23	0	3
3003	0	1	0	0

NUMBERED KEY CANVASS

BEXAR COUNTY, TEXAS
Amend. Joint, Gen'l, Spec & Bond
NOVEMBER 5, 2013

(EARLY VOTE)

RUN DATE:11/06/13 10:01 AM

REPORT-EL52 PAGE 0002

CITY OF LEON VALLEY Leon Valley Special 2

VOTES PERCENT

VOTES PERCENT

VOTE FOR 1

01 = FOR

02 = AGAINST

310 75.43
101 24.57

03 = OVER VOTES
04 = UNDER VOTES

0
9

01 02 03 04

2061	27	8	0	0
2112	54	26	0	2
2143	97	29	0	4
3002	132	37	0	3
3003	0	1	0	0

NUMBERED KEY CANVASS

BEXAR COUNTY, TEXAS
Amend, Joint, Genrl, Spec & Bond
NOVEMBER 5, 2013

(ELECTION DAY)

RUN DATE:11/06/13 10:04 AM

REPORT-EL52 PAGE 0001

CITY OF LEON VALLEY Leon Valley Special 1

VOTES PERCENT

VOTES PERCENT

VOTE FOR 1

01 = FOR

156 80.00

03 = OVER VOTES

0

02 = AGAINST

39 20.00

04 = UNDER VOTES

2

	01	02	03	04
2061	15	3	0	0
2112	31	9	0	1
2143	57	7	0	1
3002	49	16	0	0
3003	4	4	0	0

NUMBERED KEY CANVASS

BEXAR COUNTY, TEXAS
Amend. Joint, Gen'l, Spec & Bond
NOVEMBER 5, 2013

(ELECTION DAY)

RUN DATE:11/06/13 10:04 AM

REPORT-EL52

PAGE 0002

CITY OF LEON VALLEY Leon Valley Special 2

VOTES PERCENT

VOTES PERCENT

VOTE FOR 1

01 = FOR

02 = AGAINST

126 64.62
69 35.38

03 = OVER VOTES
04 = UNDER VOTES

0
2

01 02 03 04

2061	13	5	0	0
2112	27	13	0	1
2143	44	20	0	1
3002	40	25	0	0
3003	2	6	0	0

NUMBERED KEY CANVASS

BEXAR COUNTY, TEXAS
Amend, Joint, Genrl, Spec & Bond
NOVEMBER 5, 2013

Unofficial Results

RUN DATE:11/06/13 10:05 AM

REPORT-EL52 PAGE 0001

CITY OF LEON VALLEY Leon Valley Special 1

VOTES PERCENT

VOTES PERCENT

VOTE FOR 1

01 = FOR
02 = AGAINST

505 83.33
101 16.67

03 = OVER VOTES
04 = UNDER VOTES

0
11

	01	02	03	04
2061	46	7	0	0
2112	95	25	0	3
2143	165	25	0	5
3002	195	39	0	3
3003	4	5	0	0

NUMBERED KEY CANVASS

RUN DATE:11/06/13 10:05 AM

BEXAR COUNTY, TEXAS
Amend. Joint, Gen'l, Spec & Bond
NOVEMBER 5, 2013

Unofficial Results

REPORT-EL52

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CITY OF LEON VALLEY Leon Valley Special 2

VOTES PERCENT

VOTES PERCENT

VOTE FOR 1

01 = FOR

02 = AGAINST

436 71.95
170 28.05

03 = OVER VOTES
04 = UNDER VOTES

0
11

01 02 03 04

2061	40	13	0	0
2112	81	39	0	3
2143	141	49	0	5
3002	172	62	0	3
3003	2	7	0	0

City of Leon Valley Canvass of Election Returns

City Council Meeting
November 18, 2013

Purpose

- Allow the City Council to canvass the results of the November 5, 2013 Special Election

Reauthorization of Street Maintenance Local Sales and Use Tax

Results by Precinct	For		Against		Over/Under	
<i>Summary of Overall Votes</i>	505		101		0 / 11	
	EV	ED	EV	ED	EV	ED
2061	31	15	4	3	0 / 0	0 / 0
2112	64	31	16	9	0 / 2	0 / 1
2143	108	57	18	7	0 / 4	0 / 1
3002	146	49	23	16	0 / 3	0 / 0
3003	0	4	1	4	0 / 0	0 / 0

Creation of a Crime Control & Prevention District and adoption of a 1/8th of one percent local sales and use tax

Results by Precinct	For		Against		Over/Under	
<i>Summary of Overall Votes</i>	436		170		0 / 11	
	EV	ED	EV	ED	EV	ED
2061	27	13	8	5	0 / 0	0 / 0
2112	54	27	26	13	0 / 2	0 / 1
2143	97	44	29	20	0 / 4	0 / 41
3002	132	40	37	25	0 / 3	0 / 0
3003	0	2	1	6	0 / 0	0 / 0

Recommendation

- Staff recommends approval of this resolution to canvass election returns for the Special Election held November 5, 2013

City of Leon Valley Canvass of Election Returns

City Council Meeting
November 18, 2013

MAYOR AND COUNCIL COMMUNICATION

M&C #2013-11-14-3

DATE: NOVEMBER 18, 2013
TO: MAYOR AND CITY COUNCIL
FROM: Manuel Longoria, Jr., City Manager
SUBJECT: PRESENTATION OF THE FINAL ARCHITECTURAL DESIGN FOR THE FIRE STATION, POLICE STATION AND CITY HALL IMPROVEMENTS

PURPOSE

The purpose of this item is to receive a presentation from Mr. Mickey Conrad of the architecture firm of OCO Architects on the final architectural designs for the new Municipal Facilities, Police Department Headquarters and the Fire Station. The City Manager will also provide an update on the project budget. No action is required.

The PowerPoint presentation will be distributed by OCO Architects to the City Council on Monday, November 18, 2013.

POLICY STATEMENT

This action by City Council serves to address the approved Strategic Goals for 2013-2014; specifically items 2, "Continue to Work on Capital and Planning Projects."

FISCAL IMPACT

There is no fiscal impact associated with this item as it is for presentation and discussion purposes only.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

MINUTES

COFFEE WITH MAYOR AND CITY COUNCIL

Kinman House

6421 Evers Road

Leon Valley, TX 78238

Saturday, November 2, 2013

9:00 A.M. – 11:00 A.M.

The Leon Valley City Council hosted a citizen meeting at the Kinman House on Saturday, November 2, 2013.

Mayor Chris Riley called the meeting to order at 9:02 a.m.

All members of council were present.

Staff present at various times during the meeting was Ms. Callanen, Interim City Secretary.

Discussions took place individually and among residents and City Council on topics of general interest, to include, but not limited to:

Code Issues

Pet Adoption

Economic Development (Small Business Initiatives)

Special Election

No action was taken at the meeting.

Mayor Riley adjourned the meeting at 11:00 a.m.

Mayor Riley

Leticia Callanen, Interim City Secretary

MINUTES

COFFEE WITH MAYOR AND CITY COUNCIL

Leon Valley Conference Center

6421 Evers Road

Leon Valley, TX 78238

Saturday, September 21, 2013

9:00 A.M. – 11:00 A.M.

The Leon Valley City Council hosted a citizen meeting at the Conference Center on Saturday, September 21, 2013.

Mayor Pro Tem Art Reyna called the meeting to order at 9:02 a.m.

All members of council were present; the Mayor, having a previous obligation, was not in attendance.

Staff present at various times during the meeting was Mr. Longoria, Chief Wallace, Ms. Wallace, and Ms. Callanen.

Discussions took place individually with residents on topics of general interest, to include but not limited to:

- DPS center
- Economic Development
- Library addition
- Bond project
- Employee benefits
- City pool management
- November election
- Recycling and solid waste disposal

No action was taken at the meeting.

Councilman Art Reyna adjourned the meeting at 11:00 a.m.

Mayor Pro Tem Art Reyna

Leticia Callanen, Interim City Secretary

MINUTES

**LEON VALLEY CITY COUNCIL
SPECIAL MEETING –5:30 P.M.
&
REGULAR MEETING –7:00 P.M.
MONDAY, OCTOBER 14, 2013**

Mayor Riley convened the Special Meeting of City Council at 5:32 p.m., and confirmed a quorum of City Council was present.

At this time, Mayor Riley announced that the Council was convening to Executive Session for the following matters.

EXECUTIVE SESSION: In Accordance with the Texas Government Code, Section 551.071, Consultation with Attorney, the City of Leon Valley City Council will convene in Executive Session for the following matters:

- a. Pursuant to Tex. Gov't Code Ann. Section 551.071 (1)(2), pending litigation consultation with attorney Larry Little v. LVEDC; Tex. Gov't Code Ann. Section 551.072 Deliberations Regarding Real Property. (Civil Cause No. 2011-CI-17823)
- b. Pursuant to Tex. Gov't Code Ann. Section 551.071, Consultation with Attorney, in Accordance with the Texas Government Code, regarding litigation, Case No. 2013-CI-03399 WM RANCHER ESTATES JOINT VENTURE Et Al vs. City of Leon Valley Et Al.

At 6:45 p.m. Mayor Riley reconvened the Special Meeting and announced that Council met in Executive Session and no action was taken.

At this time Mayor Riley moved to recess the meeting until 7:00 p.m. for the Regular meeting.

* * *

At 7:04 p.m., Mayor Riley called the Regular City Council Meeting to order, and requested Mr. Rich Sarnin of the Arbor Day Planning Committee to lead the Pledge of Allegiance.

Council Members present: Ruiz, Reyna, Diaz, Dean, Biever

Staff Present: Longoria, Callanen, Flores, Smith, Mora, Fire Chief Valdez and Assistant Fire Chief Lawson, Police Chief Wallace, Dimaline, V. Wallace

* * *

Item 2 Mayor Riley presented the following proclamations on behalf of the Mayor and City Council:

- a. Proclamation Declaring October 2013, as "Fire Prevention Month" in Leon Valley, with emphasis this year on Kitchen Safety
- b. Proclamation in Recognition of Arbor Day 2013
- c. Proclamation in Appreciation of Service for Pamela Kroyer, Retired Library Employee.

* * *

Item 3 **Presentation**—*Air Quality Update. Peter Bella, Natural Resources Director, Alamo Area Council of Governments (AACOG)*

Mayor Riley introduced Mr. Bella, who presented a PowerPoint outlining the services that AACOG provides for an 8-county region. (A copy of the PowerPoint is made part of the official records for this meeting.)

After his presentation, Mr. Bella clarified for Council the non-attainment policy and the new standards, which are updated about every 5 years. He explained that under the current standards, Leon Valley is in compliance.

In response to a question from Councilman Biever, regarding the impact to the City's attainment level from sugar cane fires in Mexico, Mr. Bella explained that if you can demonstrate that you are in compliance "but for" the pollution coming from interstate crop burnings from Mexico, you may be considered in compliance. The Federal Government is trying to find a way to develop interstate rules for these difficult situations.

Discussion ensued regarding air quality trends and the possible impacts caused by weather situations and mass transit incentives such as vouchers for cab rides.

* * *

Citizens to Be Heard

Mr. Albert Uvietta, 6923 Sunlight Drive, discussed the first Coffee with the Mayor and Council as a great opportunity to talk with Council and have two way conversations. He also stated that is easily accessible to all residents, and encouraged more community involvement.

Ms. Smith, 6602 Huebner, discussed that after speaking with Public Works staff, she learned that the water ponding issue in front of her house is scheduled to be addressed in January of 2014 as part of the City's street maintenance plan.

Ms. Patty Manea, 6103 Britania Court, discussed her concerns with the Economic Development Corporation, and requested cost information for the Coffee with Mayor and Council events.

* * *

Consent Agenda

Prior to the vote on the Consent Agenda, Councilman Reyna requested that Item 6 be pulled for individual consideration.

Councilman Reyna then made a motion to approve the balance of the Consent Agenda. Councilman Dean seconded the motion. The motion passed by consensus vote.

Item 5 Consider the approval of the September 17, 2013 Regular City Council Meeting Minutes. (Callanen)

Item 7 Consideration of a Resolution #**2013R-10-14-01** adopting Local Agency Management Procedures (LAM) for the Hike and Bike Project. **M&C 2013-10-14-7**(Smith)

Item 8 Consideration of **Ordinance #2013-10-14-01** of the purchase of property known as P-7D, Abstract 432, CB 4430, in 6800 block of Poss Rd, for the purpose of future Huebner Creek bank stabilization. **M&C 2013-10-14-8** (Smith)

Item 9 Approval of Quarterly Investment Report for the Quarter, which ended September 30, 2013. **M&C 2013-10-14-9** (V. Wallace)

Item 10 Approval of Annual Investment Report for the Fiscal Year, which ended September 30, 2013. **M&C 2013-10-14-10** (V. Wallace)

Item 11 Consideration of the Annual Review and Adoption of the Investment Policy, **Ordinance #2013-10-14-02. M&C 2013-10-14-11** (V. Wallace)

Item 12 Consideration of a Memorandum of Understanding (MOU) with the City of San Antonio Police Department for continuation of the High Intensity Drug Trafficking areas program. **M&C 2013-10-14-12** (R. Wallace)

* * *

At this time, Council took up Item 6 as a regular agenda item.

Item 6 Consideration of the appointment of Ms. Monica Alcocer to the Parks Commission, an advisory commission, effective immediately. **M&C 2013-10-14-6**

Councilman Reyna raised an objection to considering this agenda item to appoint a member to the Parks Commission by referring to the adopted minutes (Item 5) that reflect a review of the board applications would be done by the end of the year. Councilman Reyna further stated his concern with making an appointment prior to hearing staff recommendations on a board appointment policy.

Councilman Reyna made a motion to postpone this item until the Economic Development Corporation appointments are brought back in December, with recommendations from staff on a board appointment policy. Dean seconded the motion.

Mayor Riley stated her disagreement with the motion in that it may hold up necessary committee volunteers. Councilman Reyna discussed the difference between volunteering for committees and being appointed to a board.

Voting Aye: Ruiz, Reyna, Diaz, Dean, Biever. Voting Nay: None. The motion to postpone the item passed.

* * *

Item 13 Consideration of an ordinance amending The Leon Valley Code of Ordinances to "Memorial Naming/Renaming of City Streets and Facilities," And Amending Appendix A, "Fee Schedule," to establish a policy and procedure for requesting memorialization of city streets and/or facilities. **M&C 2013-10-14-13**

City Manager Longoria presented the recommendation for a proposed policy to manage requests to memorialize building and street names within the City of Leon Valley. Mr. Longoria addressed questions related to comparability with other cities, and the consideration process which would be brought to City Council for final approval.

Councilman Reyna made a motion to approve the proposed policy. Councilman Dean seconded the motion. The motion passed by consensus vote.

ORDINANCE 2013-10-14-03

AMENDING THE LEON VALLEY CODE OF ORDINANCES CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.01, "CODE OF ORDINANCES," TO ADD SECTION 1.11, "MEMORIAL NAMING/RENAMING OF CITY STREETS AND FACILITIES," AND AMENDING APPENDIX A, "FEE SCHEDULE," AND TO AMEND ARTICLE A.2.000, "ADMINISTRATIVE FEES," TO ADD SEC. A2.012, "MEMORIAL NAMING/RENAMING APPLICATION AND CONSIDERATION FEE" TO ESTABLISH A POLICY AND PROCEDURE FOR REQUESTING MEMORIALIZATION OF CITY STREETS AND/OR FACILITIES.

* * *

Item 14 City Manager's Report

- Mr. Longoria announced that Melinda Smith had been appointed Director of Public Works announced recent staffing changes that include longtime employee Ms. Melinda Smith being appointed Director of Public Works. Mr. Longoria then introduced Mr. David Dimaline who has been appointed Assistant Director of Public Works.
- 2010 Strategic Plan Update –tentatively scheduled for November 16, 2013, and moderated by Mike De La Garza

- Annual Town Hall Meeting –Saturday January 25, 2014, to be held at either the Conference or Community Center.
- Monthly Departmental Reports (Finance, Fire, Library, Police, Public Works)
- Other announcements: Mr. Longoria discussed a proposed change to the Agenda format to reschedule ceremonial items to 6:30 as a time certain, and requested direction to proceed. After discussion, Mayor Riley agreed with the recommendation and suggested making the time 6:45.

* * *

Item 15 Citizens to be Heard

Ms. Kim Crawford, 7007 Forest Mont, provided a recommendation to waive fees associated with building and street naming policy for soldiers missing or killed in action.

* * *

Item 16 Announcements by the Mayor and Council Members

Councilman Biever requested that it be noted in the minutes a reiteration of Ms. Pam Kroyer’s service to the City and further expressed his personal gratitude to her for her exceptional customer service at the Library.

Mayor Riley announced the next Coffee with Mayor and Council, to be held November 2nd at the Kinman House, from 9 a.m. to 11 a.m. Mayor Riley spoke about the upcoming Historical Society event to be held, Saturday November 9th at the Homestead, from 6:30 to 8:30 p.m. The cost is \$35 a ticket, which is going toward raising funds for a match award. Mayor Riley also discussed the TML conference held in Austin, which she and other members of City Council attended. Mayor Riley spoke to Town Lake’s hike and bike trail and how popular it is with the residents, and what an amenity the City of Leon Valley’s hike and bike trail will be when it is completed.

Mayor Riley moved to adjourn the meeting at 8:20 p.m. and announced the next meeting would be held Monday, November 18th.

* * *

Mayor Riley

Leticia Callanen

MAYOR AND COUNCIL COMMUNICATION

M&C 2013R-11-18-07

DATE: NOVEMBER 18, 2013
TO: MAYOR AND CITY COUNCIL
FROM: Leticia Callanen, Interim City Secretary
THROUGH: Manuel Longoria, Jr., City Manager
SUBJECT: Casting the City’s allotted votes in the Bexar Appraisal District Board election

PURPOSE

Nominations for the Bexar Appraisal District Board of Directors for the 2014-2015 terms have been submitted, and pursuant to Section 6.03(K) of the Texas Tax Code, eligible taxing units may cast votes for the nominees.

The City of Leon Valley is entitled to nine (9) votes in this election. Per the above mentioned tax code, Leon Valley shall determine its vote by resolution and submit it to the Chief Appraiser before December 15, 2013. Therefore, this proposed resolution shall effectuate the casting of the City Leon Valley’s (9) nine votes for Mr. Jim Martin, nominated by Northside Independent School District, in the Election of Bexar Appraisal District Board of Directors for 2014-2015.

FISCAL IMPACT

This resolution does not have a fiscal impact to the City.

RECOMMENDATION

Staff recommends approval of this resolution to vote for the Northside Independent School District’s nominee.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary



411 N. Frio, P.O. Box 830248
San Antonio, TX 78283-0248
Phone (210) 242-2432
Fax (210) 242-2451
Website www.bcad.org

10/21/13
at

BEXAR APPRAISAL DISTRICT

October 18, 2013

VIA CERTIFIED MAILER
7004-1160-0005-6426-4309
The Honorable Chris Riley, Mayor
City of Leon Valley
6400 El Verde Rd.
San Antonio, TX 78238

RE: Voting Phase of Selection Process for Election of Bexar Appraisal District Board of Directors for 2014-2015

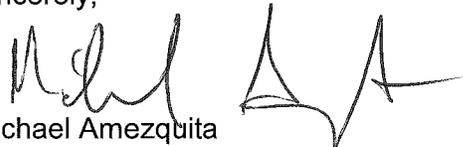
The Honorable Mayor Riley:

Nominations for the Bexar Appraisal District Board of Directors for the 2014–2015 terms have been submitted; thank you to those who participated in this process. As required by Section 6.03(k), Texas Tax Code, eligible taxing units may now cast votes for the nominees.

Enclosed is a copy of the voting entitlement of each taxing unit and a ballot listing all persons nominated by the taxing units in alphabetical order. Each taxing unit authorized to vote may do so by resolution of its governing body. Per Section 6.03(k), Texas Tax Code, "The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the Chief Appraiser before December 15." The results of this election will be delivered to each taxing unit by December 31.

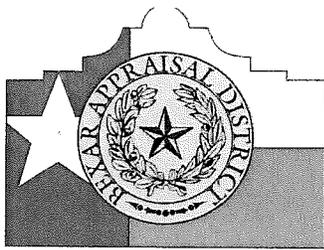
If you have any questions regarding this process, please contact me or my Executive Assistant Jennifer Rodriguez at (210) 242-2406.

Sincerely,


Michael Amezquita

Enclosures

CC Via Regular Mail: Mr. Manuel Longoria Jr, City Manager



OFFICIAL ELECTION BALLOT
OF BEXAR APPRAISAL DISTRICT BOARD OF DIRECTORS
TO SERVE TWO-YEAR TERM
FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2015

CANDIDATE

NUMBER OF VOTES

JACK E. BURTON, JR
(NOMINATED BY CITY OF BALCONES HEIGHTS)

CHERI BYROM
(NOMINATED BY SOUTHWEST ISD)

KEITH HUGHEY
(NOMINATED BY NORTH EAST ISD)

DENVER MCCLENDON
(NOMINATED BY ALAMO COMMUNITY COLLEGE DISTRICT)

JOSE MACIAS
(NOMINATED BY JUDSON ISD)

JUAN MANCHA
(NOMINATED BY HARLANDALE ISD)

JIM MARTIN
(NOMINATED BY NORTHSIDE ISD)

SERGIO "CHICO" RODRIGUEZ
(NOMINATED BY BEXAR COUNTY)

LEO SALAS
(NOMINATED BY SOMERSET ISD)

RICK A. SCHRODER
(NOMINATED BY CITY OF HELOTES)

ROBERTO C. TREVINO
(NOMINATED BY CITY OF SAN ANTONIO & SAN ANTONIO ISD)

TAXING UNIT NAME: _____

IMPORTANT -- VOTE MUST BE BY RESOLUTION.
PLEASE BE SURE TO ATTACH THIS BALLOT TO YOUR RESOLUTION.
THANK YOU.

Taxing Unit	2012 Tax Levy	Sum of Levies	Votes
Alamo Community College	\$148,375,262.00	\$2,198,893,506.00	337
City of Alamo Heights	\$5,128,840.00	\$2,198,893,506.00	12
Alamo Heights I.S.D.	\$60,074,426.00	\$2,198,893,506.00	137
City of Balcones Heights	\$1,207,703.00	\$2,198,893,506.00	3
Bexar County	\$289,399,279.00	\$2,198,893,506.00	658
Boerne I.S.D.	\$15,615,206.00	\$2,198,893,506.00	36
City of Castle Hills	\$2,409,409.00	\$2,198,893,506.00	5
Town of China Grove	\$95,005.00	\$2,198,893,506.00	0
Comal I.S.D.	\$22,205,318.00	\$2,198,893,506.00	50
City of Converse	\$4,808,660.00	\$2,198,893,506.00	11
East Central I.S.D.	\$26,610,434.00	\$2,198,893,506.00	61
Edgewood I.S.D.	\$13,004,078.00	\$2,198,893,506.00	30
City of Elmendorf	\$171,282.00	\$2,198,893,506.00	0
Fair Oaks Ranch	\$1,657,214.00	\$2,198,893,506.00	4
Floresville I.S.D.	\$15,845.00	\$2,198,893,506.00	0
City of Grey Forest	\$33,653.00	\$2,198,893,506.00	0
Harlandale I.S.D.	\$17,582,498.00	\$2,198,893,506.00	40
City of Helotes	\$2,639,286.00	\$2,198,893,506.00	6
City of Hill County Village	\$280,551.00	\$2,198,893,506.00	1
Town of Hollywood Park	\$2,108,188.00	\$2,198,893,506.00	5
Judson I.S.D.	\$87,444,904.00	\$2,198,893,506.00	199
City of Kirby	\$1,365,648.00	\$2,198,893,506.00	3
City of Leon Valley	\$3,820,317.00	\$2,198,893,506.00	9
City of Live Oak	\$3,937,404.00	\$2,198,893,506.00	9
City of Lytle	\$2,581.00	\$2,198,893,506.00	0
Medina Valley I.S.D.	\$3,193,739.00	\$2,198,893,506.00	7
North East I.S.D.	\$389,938,329.00	\$2,198,893,506.00	887
Northside I.S.D.	\$457,926,840.00	\$2,198,893,506.00	1041
City of Olmos Park	\$2,516,326.00	\$2,198,893,506.00	6
City of San Antonio	\$401,950,307.00	\$2,198,893,506.00	914
San Antonio I.S.D.	\$161,203,500.00	\$2,198,893,506.00	367
City of Schertz	\$625,080.00	\$2,198,893,506.00	1
Schertz-Cibolo I.S.D.	\$4,588,577.00	\$2,198,893,506.00	10
City of Selma	\$1,228,364.00	\$2,198,893,506.00	3
City of Shavano Park	\$2,568,038.00	\$2,198,893,506.00	6
City of Somerset	\$276,067.00	\$2,198,893,506.00	1
Somerset I.S.D.	\$4,213,109.00	\$2,198,893,506.00	10
South San Antonio I.S.D.	\$18,753,288.00	\$2,198,893,506.00	43
Southside I.S.D.	\$8,542,423.00	\$2,198,893,506.00	19
Southwest I.S.D.	\$19,375,500.00	\$2,198,893,506.00	44
City of St. Hedwig	\$479,254.00	\$2,198,893,506.00	1
City of Terrell Hills	\$4,287,454.00	\$2,198,893,506.00	10
City of Universal City	\$5,237,572.00	\$2,198,893,506.00	12
City of Von Ormy	\$74,140.00	\$2,198,893,506.00	0
City of Windcrest	\$1,922,608.00	\$2,198,893,506.00	4
TOTAL	\$2,198,893,506.00		5000

Texas Property Tax Code Sec. 6.03

"The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district."

RESOLUTION NO.

CASTING THE CITY LEON VALLEY'S ALLOTTED (9) NINE VOTES FOR MR. JIM MARTIN, NOMINATED BY NORTHSIDE INDEPENDENT SCHOOL DISTRICT, IN THE ELECTION OF BEXAR APPRAISAL DISTRICT BOARD OF DIRECTORS FOR, FOR A TWO YEAR TERM, 2014-2015.

WHEREAS, Nominations for the Bexar Appraisal District Board of Directors for the 2014-2015 terms have been submitted, and pursuant to Section 6.03(K) of the Texas Tax Code, eligible taxing units may cast votes for the nominees, and

WHEREAS, The City of Leon Valley is entitled to nine (9) votes in this election, and

WHEREAS, the above mentioned tax code, Leon Valley shall determine its vote by resolution and submit it to the Chief Appraiser before December 15, 2013.

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

1. The City Leon Valley casts its (9) nine votes for Mr. Jim Martin, in the Election of Bexar Appraisal District Board of Directors for 2014-2015.

PASSED and **APPROVED** this the 18th day of November, 2013.

Mayor Chris Riley

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

MAYOR AND COUNCIL COMMUNICATION

M&C# 2013-11-18-8

DATE: NOVEMBER 18, 2013

TO: MAYOR AND CITY COUNCIL

FROM: KRISTIE FLORES, DIRECTOR OF COMMUNITY DEVELOPMENT

THROUGH: MANUEL LONGORIA JR., CITY MANAGER

SUBJECT: CONSIDER A SIGN VARIANCE TO CHAPTER 14, "ZONING," SECTION 14.02.305, "REGULATIONS FOR ALL DISTRICTS," SUB-SECTION (m), "OVERLAY DISTRICTS, PART 2j., "PROHIBITED SIGNS," TO ALLOW A LIGHT EMITTING DIODE (LED) SIGN TO BE RELOCATED ALONG WURZBACH ROAD

PURPOSE

In July 2010, Waterworks Carwash was granted a variance to install and utilize a 51 square foot LED on Wurzbach Road. Budget Signs on behalf of Ancira is requesting to relocate the existing LED sign box that is on the former Waterworks Carwash property to the Enterprise Rental Car location along Wurzbach Road (see attachments).

LED signs are prohibited by Code and in order to relocate the noted LED sign from one lot to another requires consideration and variance approval by City Council.

The existing sign box for Enterprise would be removed and replaced with the LED sign, creating no additional sign clutter. Spurring economic development by supporting reasonable business requests is also in line with the City's Strategic Goals.

FISCAL IMPACT

\$100 variance consideration fee was paid by the applicant; if approved, the permit to relocate the sign will be an additional \$100.

RECOMMENDATION

The existing LED sign has been in place on Wurzbach since 2010, thus staff has no objections to the request and recommends approval.

S.E.E STATEMENT

Social Equity- The City encourages collaborative participation by businesses by supporting this type of request.

Economic Development- The proposed sign and its relocation would allow a business owner to advertise their business while updating their signage at a different location.

Environmental Stewardship- Essentially the property owner is recycling the sign to a different location which reflects positively on the environment.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

City Secretary



City of Leon Valley City Council

**Consider a Sign Variance Request
to Relocate an Existing LED Sign
on Wurzbach Road**

November 18, 2013



Purpose

- Relocate an existing LED sign from the former Waterworks Carwash location on Wurzbach Road to the Enterprise Rental Car location on Wurzbach Road



Property Details

Account
 Property ID: 217782
 Geo. ID: 04429-601-0020
 Type: Real
 CB 4429F BLK 1 LOT 2
 Legal Description: (19.622 AC) & 3 (4.094 AC) (ANCIRA - WINTON)

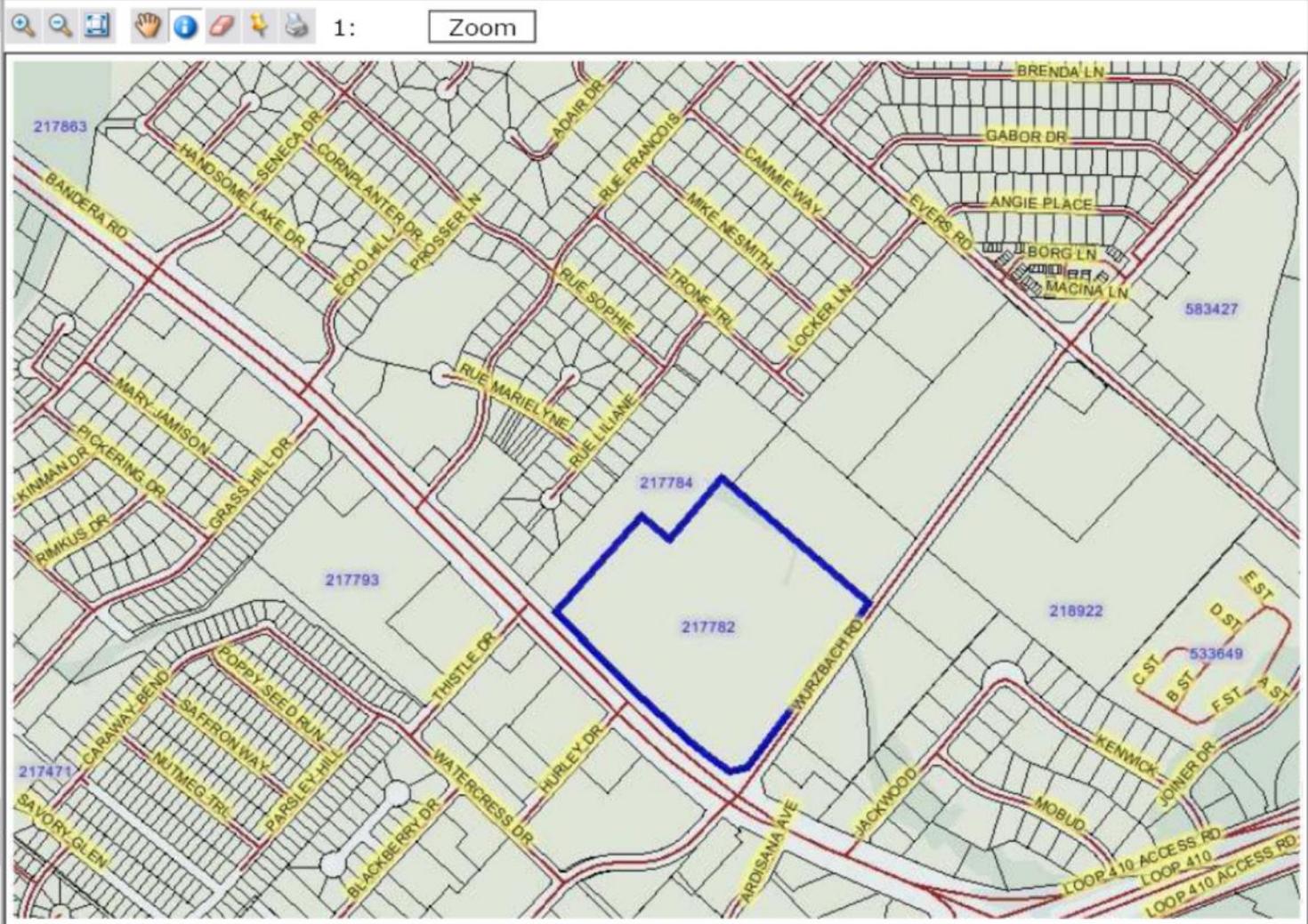
Location
 Address: 6111 E BANDERA RD TX
 Neighborhood: NBHD code 13320
 Mapsco: 580C4
 Jurisdictions: [06](#), [08](#), [09](#), [10](#), [11](#), [32](#), [56](#), [CAD](#)

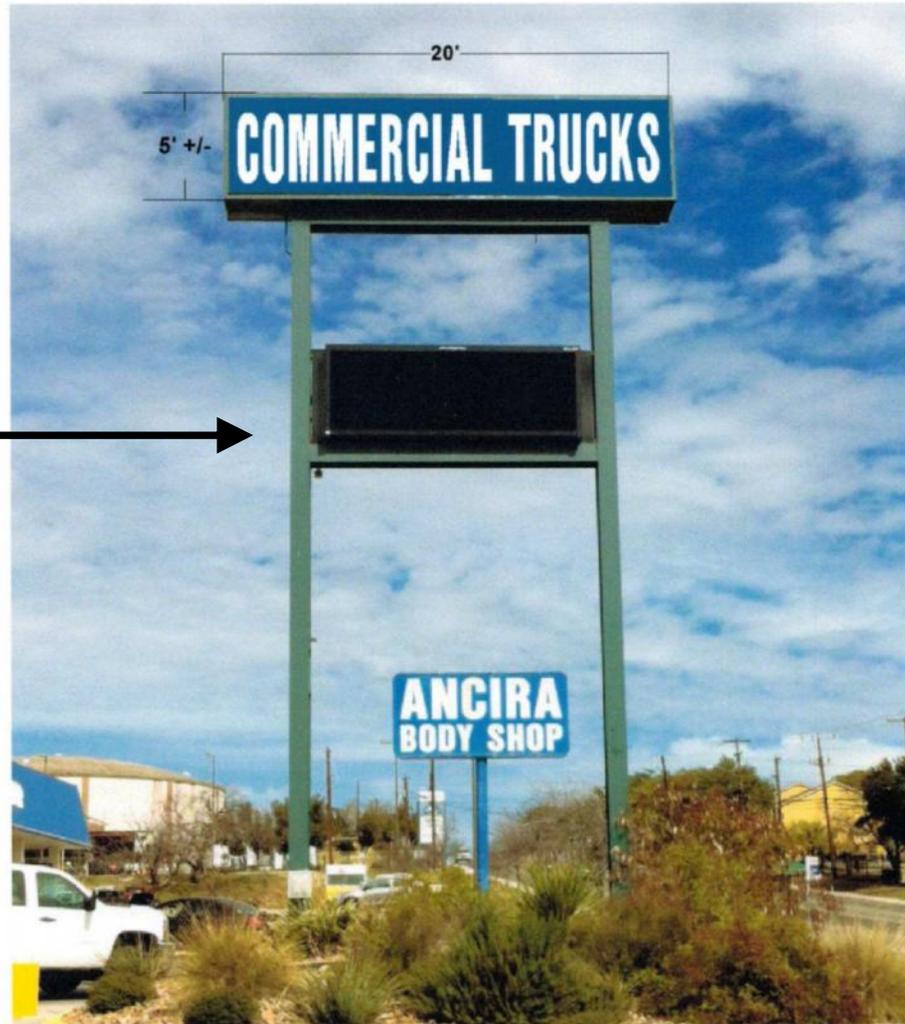
Owner
 Name: ANCIRA-WINTON CHEVROLET
 Address: ERNESTO ANCIRA JR, TRUSTEE
 PO BOX 29719
 SAN ANTONIO, TX 78229-0719

Property
 Appraised Value: \$7,600,000

Map Layers

Radius Search



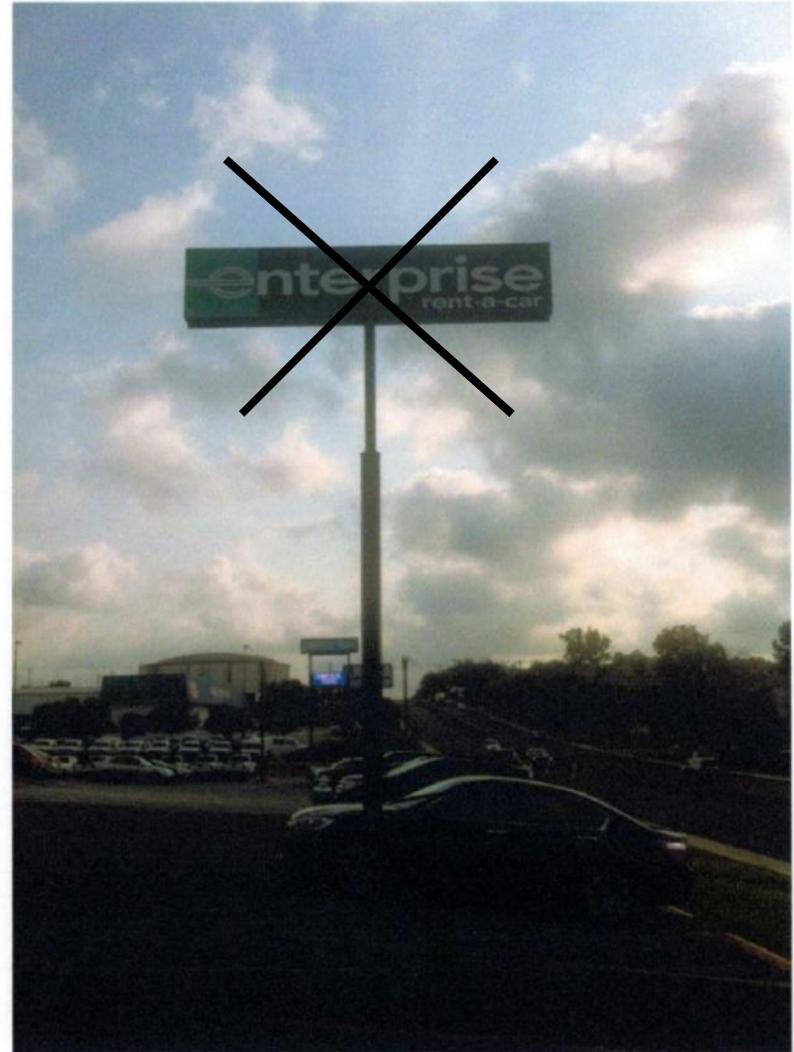


Reface Existing Pylon
(2) New Lexan Faces
Applied Translucent Med Blue Vinyl
"COMMERCIAL TRUCKS" Reverse Cut
Install into Cabinet
Paint Poles And Cabinet Blue
Service as Required

BUDGET SIGNS	2801 WEST AVE SAN ANTONIO, TX 78201 (210) 349-7446 FAX (210) 342-8800 www.budgetsigns.com	CLIENT APPROVAL		Contact: WEB PUTNAM www.budgetsigns.com
		<input type="checkbox"/> APPROVED AS SUBMITTED	Client Signature _____	Date _____
		<input type="checkbox"/> APPROVED AS NOTED		
<input type="checkbox"/> REVISE AND RESUBMIT				



ELIMINATE SIGN →

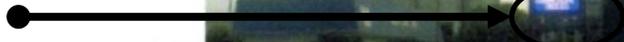




NEW location



OLD location



BUDGET SIGNS	2801 WEST AVE SAN ANTONIO, TX 78201	CLIENT APPROVAL	Contact: WES HURMAN wes@budgetsigns.com
	(210)348-7448 FAX (210)342-9800 www.budgetsigns.com	<input type="checkbox"/> APPROVED AS SUBMITTED	Client Signature _____
		<input type="checkbox"/> APPROVED AS NOTED	Date _____
		<input type="checkbox"/> REVISE AND RESUBMIT	

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Fiscal Impact

- \$100 variance consideration
- Additional \$100 for relocation if approved



Recommendation

- Approval – sign has been in place since 2010 and is more useful to the business at the newly proposed location



City of Leon Valley City Council

Consider a Sign Variance Request
to Relocate an Existing LED Sign
on Wurzbach Road

November 18, 2013

MAYOR AND COUNCIL COMMUNICATION

M&C# 2013-11-18-09

DATE: NOVEMBER 18, 2013

TO: MAYOR AND CITY COUNCIL

FROM: KRISTIE FLORES, DIRECTOR OF COMMUNITY DEVELOPMENT

THROUGH: MANUEL LONGORIA, JR., CITY MANAGER

SUBJECT: CONSIDER A SIGN VARIANCE TO CHAPTER 5, "SIGNS," SECTION 5.3.3, "FREE-STANDING SIGNS," TO ALLOW THE USE OF AN EXISTING 18-FOOT SIGN POLE WITH A NEW SIGN FACE AT 6430 BANDERA ROAD

PURPOSE

The existing Texian's free-standing sign was granted a variance in 2008 for continued use of a non-conforming sign which had become discontinued by the previous tenant, which per the Sign Code would need to be removed to come into conformance with current Code. The sign code only allows one (1) free-standing **OR** multi-tenant sign per 250-feet of frontage (**not both**). Additionally, if the site had 250-feet of frontage then there would need to be a distance of 100-feet between signs. This site includes an existing multi-tenant sign within 49-feet of the existing pole sign.

Wing Daddy's is requesting a variance to Chapter 5, Signs," Section 5.3.3, "Free-Standing Signs," Sub-section A.4, "Number and Location," to allow an existing free-standing sign to be used for their advertisement after being abandoned by the previous tenant.

If approved by Council, the sign would have a sign face of 97.5 square feet and would 18-feet in height. The sign pole at this location dates back to the 1980's and will not be increased in size and will not create additional sign clutter. Spurring economic development by supporting reasonable business requests is also in line with the City's Strategic Goals.

FISCAL IMPACT

\$100 variance consideration fee was paid by the applicant; If approved, the permit to relocate the sign will be an additional \$100.

RECOMMENDATION

The existing sign pole dates back to the 1980's and creates no additional sign clutter, thus Staff has no objections to the request and recommends approval.

S.E.E STATEMENT

Social Equity- The City encourages collaborative participation by businesses by supporting this type of request.

Economic Development- The proposed refacing of the sign would allow a business owner to advertise their new business.

Environmental Stewardship- Essentially the property owner is recycling the sign by placing a new face in the sign frame.

APPROVED:_____ DISAPPROVED:_____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

City Secretary



City of Leon Valley City Council

Consider a Sign Variance Request to Utilize and
Existing Non-Conforming, Discontinued Sign
Pole at 6430 Bandera Road

November 18, 2013



Purpose

- Use the pole sign at 6430 Bandera Road
- Existing non-conforming & discontinued
 - one pole sign OR multi-tenant sign if there is 250-ft or more of frontage
 - minimum distance of 100-ft (currently 49-ft)



Property Details

Account

Property ID: 217668
Geo. ID: 04429-102-0390
Type: Real
CB 4429A
BLK 2 LOT 39
Legal Description: BANDERA CROSSING SUBD.

Location

Address: 6430 E BANDERA RD TX
Neighborhood: NBHD code13320
Mapsc0: 580B4
Jurisdictions: 06, 08, 09, 10, 11, 22, 56, CAD

Owner

Name: PBH INC
Address: 10924 VANCE JACKSON RD STE 306 SAN ANTONIO, TX 78230-2559

Property

Appraised Value: \$1,000,000

Map Layers

Radius Search

1: Zoom



EXISTING D/S PYLON



PROPOSED OPTION 2 D/S PYLON



REMOVE EXISTING PYLON FACES AND DISCARD.

PROPOSED OPTION 2 D/S PYLON:

POLE AND CABINET TO BE RE-PAINTED TO MATCH PMS 1797 RED.
 FURNISH AND INSTALL TWO (2) NEW PRE-FINISHED WHITE LEXAN FACES INTO D/S PYLON.
 FACES TO HAVE FIRST SURFACE APPLIED 3M TRANSLUCENT CUT 3630-33 RED AND REVERSE
 CUT 3630-22 BLACK VINYL.



EXECUTIVE SIGNS, LTD

16147 College Oak ST. 100
 San Antonio, TX 78249
 Office: 210-492-9436
 Fax: 210-492-9433
 Toll Free: 866-452-9436
 www.executivesigns.com

Client: WING DADDY'S
 Address: 6430 BANDERA
 Location: LEON VALLEY TX
 Sales: _____ Designer: EJS
 Date: 11/5/2013

File: C:\Users\ADMIN\Documents\WING DADDY'S LEON VALLEY

This is an original drawing created by Executive Signs. It is submitted for your personal use. However, it shall at all times remain the property of Executive Signs. It may be used in connection with the project being prepared for you by Executive, but not otherwise. You are not authorized to alter these drawings to anyone outside your organization, nor to be reprinted, used, copied or exhibited in any fashion.

Notes:

Signs will be manufactured with 120 Volt A/C. All Primary electrical service to the sign must be provided by the buyer. All work is to be done in accordance with the purchase agreement attached here to. In case of variance between the specifications of the purchase agreement and the drawing, the drawing shall prevail.

Buyer: _____ Date: _____

Sales: _____ Date: _____

Production: _____ Date: _____



ELIMINATE SIGN →





PROPOSED
WING DADDY'S
POLE SIGN



SURVEY PHOTO - EXISTING POLE SIGNS



AERIAL PHOTO - EXISTING POLE SIGNS



EXECUTIVE SIGNS, LTD

16147 College Oak ST. 100
San Antonio, TX 78249
Office: 210-492-9436
Fax: 210-492-9483
Toll Free: 888-492-9496
www.executivesigns.com

Client: WING DADDY'S
Address: 6430 BANDERA RD.
Location: LEON VALLEY, TX
Sales: DSF Designer: EJS
Date: 11-5-2013

NOTE: Zoning Ordinance 17.04.001 LEON VALLEY

DISCLAIMER

This is an original drawing created by Executive Signs. It is submitted for your personal use. However, it shall at all times remain the property of Executive Signs. It may be used in connection with the project being planned for you by Executive, but not otherwise. You are not authorized to show these drawings to anyone outside your organization, nor to be reproduced, used, copied or exhibited in any fashion.

Signs will be manufactured with 120 Volt A.C. All Primary electrical service to the sign and final connection thereof, is the responsibility of the buyer. All work to be done in accordance with the purchase agreement attached hereto. In case of variance between the specifications of the purchase agreement and this drawing, the drawing shall prevail.

Buyer: _____ Date: _____

Sales: _____ Date: _____

Production: _____ Date: _____





Fiscal Impact

- \$100 variance consideration
- Additional \$100 for relocation if approved



Recommendation

- Approval – sign has been in place since the 80's, is not increasing in size and will not increase sign clutter



City of Leon Valley City Council

Consider a Sign Variance Request to Utilize and
Existing Non-Conforming, Discontinued Sign
Pole at 6430 Bandera Road

November 18, 2013

MAYOR AND COUNCIL COMMUNICATION

M&C #2013-11-18-10

DATE: NOVEMBER 18, 2013

TO: MAYOR AND CITY COUNCIL

FROM: Claudia Mora, Economic Development Director

THROUGH: Manuel Longoria, Jr., City Manager

SUBJECT: CONSIDER RENEWING THE SUPPORT SERVICES CONTRACT WITH THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT FOR FACILITIES AND SUPPORT SERVICES

PURPOSE

The City of Leon Valley has provided support services to the Leon Valley Economic Development Corporation since 2009. The attached service agreement continues the same terms and conditions as previously approved on December 21, 2010, December 20, 2011, and February 5, 2013. Exhibit A is the document entitled "Service Agreement between the City of Leon Valley and the Leon Valley Economic Development Corporation".

On October 23, 2013, the LVEDC unanimously approved resolution #2014-04 which renewed the support services agreement with the City of Leon Valley for FY 2014 beginning December 1, 2013 and ending November 30, 2014. A copy of the resolution is attached as Exhibit B.

This item supports the approved Strategic Goals for 2013-2014; specifically:
Goal 1. Align City Resources to meet City Council Objectives/Expectations
Goal 5. Establish Organization Culture to Spur Economic Development

FISCAL IMPACT

The LVEDC will pay the City of Leon Valley \$42,414 for the contract period or \$3,534.50 monthly.

RECOMMENDATION

Staff recommends approval.

S.E.E. IMPACT

Social – To continue developing a diverse and versatile business environment that will encourage a superior quality of life for residents.

Economic – To provide a diverse and versatile business environment that supports a healthy economy by attracting viable businesses.

Environmental – N/A

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

ORD. NO.

AN ORDINANCE

**APPROVING THE RENEWAL OF THE SERVICE AGREEMENT
BETWEEN THE CITY OF LEON VALLEY AND THE LEON VALLEY
ECONOMIC DEVELOPMENT CORPORATION (LVEDC) FOR SUPPORT
SERVICES FROM THE CITY AND SUBSEQUENT REIMBURSEMENT
TO THE CITY BY THE LVEDC**

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

1. The following proposed Service Agreement for support services to the Leon Valley Economic Development Corporation (LVEDC) by the City of Leon Valley, Texas, for the period of twelve months beginning retroactive on December 1, 2013 through November 30, 2014. The Service Agreement, a true copy of which will be placed on file in the office of the City Secretary and made a part hereof by reference when executed, is hereby adopted and approved.

Leon Valley Economic Development Corporation Service Agreement

2. No expenditure of the funds of the City of Leon Valley, Texas, is authorized unless under strict compliance with said support Service Agreement between the City and the LVEDC.
3. Under 4B law, the LVEDC is required to reimburse the City for use of anything of value.

PASSED and APPROVED this 18th day of November 2013.

Mayor Chris Riley

ATTEST:

Leticia Callanen, Interim City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Service Agreement between the City of Leon Valley and the Leon Valley Economic Development Corporation

STATE OF TEXAS

COUNTY OF BEXAR

This agreement is entered into by and between the CITY OF LEON VALLEY, a Texas Municipal Corporation (hereinafter referred to as "City"), acting by and through its City Manager, pursuant to Ordinance No. _____, passed and approved on November 11, 2013, and Leon Valley Economic Development Corporation, a non-profit corporation (herein referred to as "LVEDC") acting by and through its President.

WHEREAS, the Leon Valley Economic Development Corporation (LVEDC) is a non-profit corporation requiring support services from the City; and

WHEREAS, the City is in agreement with providing such services for staff support, a portion of the cost of utilities, a portion of the cost of office equipment and facility use in consideration for reimbursement of such by the LVEDC; and

WHEREAS, the LVEDC will contribute \$42,414.00 annually to the City for such services:

NOW THEREFORE:

SECTION 1.

The LVEDC agrees to pay the City the amount of forty-two thousand, four-hundred and fourteen dollars and no cents (\$42,414.00) for their assistance and reimbursement for the following:

1. Staff time of 40 hours per week to be used for LVEDC activity such as telephone inquiries, distribution and processing of EDC project applications, photocopying services, correspondence, meeting and agenda preparation and posting, record keeping, bank reconciliation, responding to LVEDC walk-in clients, and monthly financial reports; and,
2. A portion of the facilities use to include such items as: electricity, water, sewer, gas, fire alarm system, security alarm system, telephone service, internet service, and facilities repair and maintenance.

These services will be provided for the period from December 1st through November 30th of each year. In consideration therefore, the City agrees to exclusively use said funds for such purpose. Items #1-2 above outline the purposes and fees for said services. The fees to the City will be paid by the LVEDC on or about the 15th of each month to coincide with the receipt of sales tax revenues.

SECTION 2.

The City, and its agents, if any, shall properly maintain all books records, documents, papers and accounting records, and shall make such materials available at their respective office at reasonable times and as often as the LVEDC may deem necessary.

SECTION 3.

The City nor its agents, employees or anyone under its control will discriminate against any individual or group on the basis of race, sex, color, age, religion, national origin, or disability in employment practices or while in performance of rights, duties, and obligations hereunder.

SECTION 4.

It is agreed that the LVEDC shall carry insurance coverage as required by typical or standard City agreements.

SECTION 5.

It is expressed and understood and agreed by both parties hereto that each acts independently of each other, and to that as such, neither has the authority to bind the other or to hold out to a third party that it is the authority for the other. The parties hereto understand and agree that the City shall not be liable for any claims, which may be asserted by any third party occurring in connection with the performance of the LVEDC.

Nothing contained herein shall be deemed or construed by the parties hereto or by any third party, as creating the relationship of employer-employee, principal agent, joint ventures, or any other similar such relationships, between the parties hereto.

Any and all of the employees of the City, wherever located or situated, while engaged in the performance of any work required by this agreement shall be considered contract employees of the LVEDC for those work periods only, and not of the City, and shall be the sole obligation and responsibility of the LVEDC.

SECTION 6.

The City and the LVEDC agree to comply with all applicable local, state and federal laws while in the performance of any rights, duties, or obligations under this agreement.

EXECUTED ON THIS 11th day of November 2013.

CITY OF LEON VALLEY

**LEON VALLEY ECONOMIC
DEVELOPMENT CORPORATION**

Manuel Longoria, Jr.
City Manager

Stephen Ynostrosa, President

Approved to as form:

RESOLUTION #2014-04

A RESOLUTION OF THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) APPROVING THE RENEWAL OF THE SUPPORT SERVICES CONTRACT WITH THE CITY OF LEON VALLEY

WHEREAS, the mission of the Leon Valley Economic Development Corporation is to promote businesses within the City or businesses relocating into the City; and

WHEREAS, the mission of the Leon Valley Economic Development Corporation also supports improvements to businesses which will improve sales tax generation and attract other businesses to the City; and

WHEREAS, the attached proposed Service Agreement for support services to the Leon Valley Economic Development Corporation (LVEDC) by the City of Leon Valley, Texas, for the period of twelve months beginning on December 1, 2013 through November 30, 2014. The Service Agreement, a true copy of which is on file in the office of the City Secretary and made a part hereof by reference, is hereby adopted and approved.

Leon Valley Economic Development Corporation Service Agreement

1. No expenditure of the funds of the City of Leon Valley, Texas, is authorized unless under strict compliance with said support Service Agreement between the City and the LVEDC.
2. Under 4B law, the LVEDC is required to reimburse the City for use of anything of value.

NOW THEREFORE, BE IT RESOLVED that the Leon Valley Economic Development Corporation of the City of Leon Valley, that:

1. The Board approves the Leon Valley Economic Development Corporation Service Agreement.

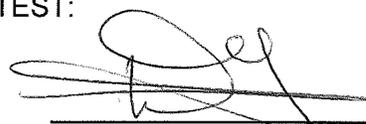
PASSED AND APPROVED by the Leon Valley Economic Development Corporation this **23rd day of October 2013**.

SIGNED:



Stephen Ynostrosa, Board President

ATTEST:



David J. Gannon, Board Secretary



City of Leon Valley City Council Meeting

Renewal of Support Services Contract with the Leon Valley Economic Development Corporation (LVEDC)

Monday, November 18, 2013



Purpose

- Consider Action on Renewing Support Services Contract with LVEDC
- Authorize City Manager to enter into Agreement for Facilities and Support Services known as “Service Agreement between the City of Leon Valley and the Leon Valley Economic Development Corporation”



Contract Information

- Annual Amount = \$42,414
- Monthly Amount = \$3,534.50
- Period: December 1, 2013 to November 30, 2014



Recommendation

Staff recommends approval of the Service Agreement between the City of Leon Valley and the Leon Valley Economic Development Corporation



City of Leon Valley City Council Meeting

Renewal of Support Services Contract with the Leon Valley Economic Development Corporation (LVEDC)

Monday, November 18, 2013

MAYOR AND COUNCIL COMMUNICATION

M&C # 2013-11-18-11

DATE: November 14, 2013

TO: Mayor and Council

FROM: Randall Wallace, Chief of Police

THROUGH: Manuel Longoria Jr., City Manager

SUBJECT: Amending the City of Leon Valley's Code of Ordinances, Chapter 4, "Peddlers, Solicitors, and Handbill Distributors" to regulate the solicitation on roadways from occupants of vehicles along with amending Appendix A, Fee Schedule for Solicitors Permits.

PURPOSE

The City of Leon Valley has determined that solicitation from occupants of vehicles has dramatically increased.

This practice has been identified as being unsafe for both the person engaging in the solicitation and for vehicular traffic in general. The activity of soliciting or attempting to solicit employment, business, or contributions from occupants of any vehicle on the roadway creates a distraction to drivers and constitutes an impediment to the normal and safe flow of traffic in the City of Leon Valley.

Currently the Police Department relies on Texas Transportation Code Section 552.007 for enforcement. The Transportation Code specifies only regulates standing with the road itself to solicit and does not incorporate the other areas of the street or sidewalk area.

This Ordinance will make it unlawful for anyone, unless they have obtained a permit, to stand on a traffic median, shoulder, improved shoulder, roadway, or sidewalk to solicit, peddle or attempt to solicit or peddle employment, business, or charitable contributions from occupants of any vehicle on a roadway.

There are two exceptions to the enforcement of this Ordinance. One with a person with a permit issued by the Police Department and the other is the newspaper distributors.

A permit is obtained from the Police Department and follows the same guidelines as the current Solicitors Permit. The person must submit an application along with a \$100 non-refundable fee, which covers the cost of the investigation. The applicant will have a background check run for the protection of the public good.

If the applicant passes the background check, the person will be issued a permit valid for 2 days.

Any violations of this Ordinance will be a Class C Misdemeanor punishable by a fine only.

The City does not have a less restrictive means of addressing the problems associated with this activity but the Ordinance leaves open ample alternative channels of communication, such as solicitation on the sidewalk from pedestrians, telephone campaigns, or direct mail.

While reviewing this Ordinance it was found that our fees for Solicitors Permits were not an accurate representation of the expenses, so we are taking this time to increase the fees for all solicitors permits to \$100.00 for each individual.

S.E.E. IMPACT

Social Equity - This Ordinance will give the Police Department a tool to assist in managing this problem

Economic Development – N/A

Environmental Stewardship – N/A

FISCAL IMPACT

None

STRATEGIC GOALS

This Ordinance will align City resources to meet City Council expectations along with changing our Organizational Culture to spur Economic Development.

RECOMMENDATION

Approve the Ordinance which will amend Chapter 4 and will regulate the solicitation from occupants of vehicles.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

ORDINANCE NO. _____

AMENDING THE CITY OF LEON VALLEY’S CODE OF ORDINANCES, , CHAPTER 4 “PEDDLERS SOLICITORS AND HANDBILL DISTRIBUTORS TO REGULATE SOLICITATIONS ON ROADWAYS FROM OCCUPANTS OF VEHICLES; AND PROVIDING FOR A PENALTY; AMENDING APPENDIX A, ARTICLE A7.000, REPEALER, SEVERABILITY AND SAVINGS CLAUSEES, AND AN EFFECTIVE DATE.

WHEREAS, the City of Leon Valley is authorized to adopt ordinances for the purpose of good government, peace, or order of the municipality pursuant to Chapter 51 of the Local Government Code and has exclusive control over its streets and alleys pursuant to Chapter 311 of the Transportation Code; and

WHEREAS, the City Council of the City of Leon Valley, Texas (the “City Council”) has determined that the activity of soliciting, or the attempted soliciting of employment, business, or charitable contributions from the occupants of vehicles on the roadway has dramatically increased; and

WHEREAS, the City Council has determined that this activity also involves the use of sidewalks, traffic medians, and shoulders by solicitors, who then step off these neutral zones and meander through vehicular traffic in order to approach occupants of vehicles; and

WHEREAS, this practice has been identified as being unsafe for both the person engaging in the solicitation and for vehicular traffic in general; and

WHEREAS, the activity of soliciting or attempting to solicit employment, business, or contributions from occupants of any vehicle on the roadway creates a distraction to drivers and constitutes an impediment to the normal and safe flow of traffic in the City of Leon Valley; and

WHEREAS, the City does not have a less restrictive means of addressing the problems associated with this activity; and

WHEREAS, the Ordinance leaves open ample alternative channels of communication, such as solicitation on the sidewalk from pedestrians, telephone campaigns, or direct mail;

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

SECTION I. That the statements above are found to be true and correct and are hereby incorporated.

SECTION II. Chapter 4, article 4.05 of the City’s Code of Ordinances is hereby amended as follows:

Sec. 4.05.001 “Definitions” is amended to add:

“Cause” shall mean aid, direct, hire, encourage, permit, or allow.

Sec. 4.05.004 “Charitable solicitation on roadways” is amended to read:

“Sec. 4.05.004 “Soliciting and peddling from Occupants of Vehicles Prohibited”

(a) It shall be unlawful for a person to stand on a traffic median, shoulder, improved shoulder, roadway, or sidewalk and solicit, peddle, or attempt to solicit or peddle, employment, business or charitable contributions from the occupants of any vehicle on a roadway or to cause a person to stand on a traffic median, shoulder, improved shoulder, roadway, or sidewalk and solicit, peddle, or attempt to solicit or peddle, employment, business, or charitable contributions from the occupants of any vehicle on a roadway unless the solicitation is done in accordance with this section.

(b) Exemptions

- i. A person seventeen (17) years of age or older may solicit or peddle employment, business or charitable contributions while standing on a traffic median, shoulder, improved shoulder, roadway, or sidewalk from occupants of any vehicle on a roadway provided said person wears a florescent orange visibility vest, does not impede traffic, enters or remains in a roadway only while the controlling traffic signal prohibits vehicle movement, and has obtained a permit to do so, or who is a member of an organization which has obtained a permit to do so, from the Chief of Police.
- ii. Owner or publishers of newspapers will be responsible for periodically monitoring the activity of any such solicitor under the age of eighteen (18) who solicit for the purpose of selling newspapers for that owner or publisher. Such monitoring shall be done by an agent or employee of the newspaper who is at least twenty-one (21) years of age.
- iii. The owner or publisher of any newspaper distributed pursuant to this subsection shall maintain at is sole expense insurance coverage:
 - a. That is written by an insurance company with a A- or better rating by AM Best and that is submitted and licensed to do business in the state;
 - b. That is in full force and effect at any time sales and distributions are being conducted pursuant to this article;
 - c. That provides one million dollars (\$1,000,000.00) of liability coverage per occurrence;
 - d. That insures the newspaper and all persons who will be selling and distributing on its behalf;
 - e. That names the City, its officers, employees, and elected representatives as additional insured;
 - f. That provides that any insurance or self-insurance maintained by the City shall apply in excess of and not contribute with it; and
 - g. That is written on an occurrence basis
 - i. The owner and publisher shall file and keep current a certificate of insurance signed by an agent authorized to bind covered indicating

that the owner and publisher has obtained the
aforementioned insurance coverage, with the
Chief of Police

- (c) Any solicitor under the age of eighteen (18) who solicits for the purpose of selling newspapers for that owner or publisher must have the consent of a parent or adult having custody of the child.

Section 4.05.049 is amended as follows:

The provisions of this article shall not apply to sales made to dealers by commercial travelers or sales agents in the usual course of business nor sales under authority and by order of law. Further, the license fee shall not apply to charitable, religious or nonprofit organizations which would otherwise be regulated by this article.

Section 4.05.051 Expiration is amended as follows:

All permits, with the exception of those issued under Section 4.05.004, shall expire at 6:00 p.m. on the 120th day following the date of issuance. Permits issued under Section 4.05.004 may be issued to no person or organization more than once per calendar year for a period of no more than two (2) consecutive days and for no hours other than those between the hours of 9:00 a.m. and one (1) hour before sunset.

Appendix A Fee Schedule Article a7.000 Peddlers, Solicitors, and Handbill Distributors is amended as follows:

Permit Fee (Single Individual) \$100

SECTION III. All provisions of the Code of Ordinances of the City of Leon Valley codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Leon Valley codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION IV. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance. .

SECTION V. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION VI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED this _____ day of _____ 2013.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED AS TO FORM:

City Attorney

City of Leon Valley

Ordinance Prohibiting Soliciting from
Occupants of Vehicles

November 18, 2013

Background

- The City of Leon Valley has determined that solicitation from occupants of vehicles has increased dramatically
- This practice has been identified as being unsafe for both the person engaging in the solicitation and vehicular traffic in general
- Currently the Police Department relies on the Texas Transportation Code
 - State Law only prohibits standing in roadway

Purpose of Ordinance

- This Ordinance will make it unlawful for anyone, unless they have obtained a permit, to stand on a traffic median, shoulder, improved shoulder, roadway, or sidewalk to solicit, peddle or attempt to solicit or peddle employment, business, or charitable contributions from occupants of any vehicle on a roadway

Exceptions to Enforcement

- A person or organization may obtain a permit from Police Department
 - Application and \$100 non refundable application fee for each person
 - Good for 2 days
 - Must pass background check performed by the Police Department
 - Must wear a orange fluorescent vest
 - Hours are 9:00 a.m. to one (1) hour prior to sunset

Exceptions to Enforcement

- Newspaper distributors
 - Owner or Publisher of Newspaper must have \$1,000,000 liability coverage
 - City is named as additional insured
 - Must have fluorescent vest
 - Exempt from application/fee process

Enforcement

- A violation of this Ordinance is a Class C Misdemeanor
 - Punishable by fine only
 - Not less than \$25 nor more than \$2,000 a day

Desired Outcome

- Ordinance is very similar to the one enforced by the City of San Antonio
- Another tool to deal with panhandler issue
- This alone will not make problem disappear
- Police Department will continue to work with business community and residents to address this issue

Increase in Fee Schedule

- While reviewing Ordinance found our fees for all Solicitors Permits needed reviewing
 - Currently \$50
 - Recommendation - \$100 per individual applicant
- Helotes \$103.65 annual /\$57 temporary
- Shavano Park \$100 for three months
- Castle Hills \$10 per day, \$25 per week, \$60 per month

MAYOR AND COUNCIL COMMUNICATION

M&C #2013-11-18-12

DATE: NOVEMBER 18, 2013

TO: MAYOR AND CITY COUNCIL

FROM: David Dimaline, Public Works Assistant Director

TRHOUGH: Manny Longoria, City Manager

SUBJECT: APPROVING A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE SAN ANTONIO-BEXAR COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) FY 2015-2018 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

PURPOSE

To authorize the City Manager to submit an application with the San Antonio-Bexar County Metropolitan Planning Organization FY 2015-2018 Transportation Improvement Program that is funded through the Surface Transportation Program-Metro Mobility Program, funded through the Surface Transportation Program – Metro Mobility (STP-MM); authorizing the City Manager to act on behalf of the City of Leon Valley in all matters related to the application; and pledging that if a grant is received the City Of Leon Valley will comply with the grant requirements. The application is for funding to reconstruct Evers Rd. (Forest Dell to N. of Huebner Rd.).

BACKGROUND

The City of Leon Valley is applying for grant funding for the FY 2015-2018 Transportation Improvement Program to assist with the reconstruction of Evers Rd. The reconstruction will address the quality of streets, drainage, and sidewalks, all of which are in poor condition.

The pavement condition of Evers Rd. is poor and there are many locations where the base has failed and repairs have been made. There have also been numerous utility repairs made along Evers Rd. with base failures occurring as a result of trenches settling. A total street reconstruction is proposed to address these failures. The bridge over Huebner Creek on Evers Road needs reconstruction, as the culverts in the bridge are too small for adequate drainage during flooding events. There are numerous areas where the sidewalks are failing or are non-existent.

Evers Rd. provides a critical linkage to key utility operations to include the City of Leon Valley Public Works Department, City Public Service transformer station, and San Antonio Water System Northwest Service Center. It also provides an important connection to three schools. In addition, the Northside Independent School District has administrative offices located at 5900 Evers Rd. The street also crosses over Huebner Creek, and at this location is Raymond Rimkus Park, a 42 acre, Multi-use Park that serves an estimated 30,000

citizens of Leon Valley and San Antonio. A hike and bike trail has been constructed that links nearby neighborhoods with the Park, and currently plans are in design to extend the hike and bike trail an additional 1.5 miles to connect to the City of San Antonio's Leon Creek Greenway Trail System.

FISCAL IMPACT

The Transportation Improvement Program has limited funding and applications are ranked by priority from within the MPO region. The estimated project cost is \$5,085,668. If the project is selected for funding, the City will provide a local match of 70% or \$3,585,668.

RECOMMENDATION

It is recommended that the City Council adopt a Resolution authorizing the City Manager to file an application with the San Antonio-Bexar County MPO for the FY 2015-2018 Transportation Improvement Program.

S.E.E. IMPACT STATEMENT

Social Equity – Improving existing roadway improves transportation and public safety.
Economic Development – Reduction in costs associated with accidents and street closures improving overall connectivity with the community.
Environmental Stewardship – Effective management of storm water runoff provides for improvement in the quality of the receiving water bodies and in conservation of water resources.

STRATEGIC GOALS STATEMENT

Strategic Plan Goal #3 – Transportation – Develop strategies to mitigate traffic congestion and improve travel safety through Leon Valley. This Goal has three objectives:

- A. Develop a plan to minimize the impact of road construction for residents and businesses.
- B. Develop and implement a neighborhood transportation safety policy.
- C. Develop a long-term traffic management plan.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

RESOLUTION NO. # _____

A RESOLUTION OF THE CITY OF LEON VALLEY AUTHORIZING THE FILING OF AN APPLICATION WITH THE SAN ANTONIO-BEXAR COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) FY 2015-2018 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FUNDED THROUGH THE SURFACE TRANSPORTATION PROGRAM – METRO MOBILITY (STP-MM); AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF LEON VALLEY IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF LEON VALLEY WILL COMPLY WITH THE GRANT REQUIREMENTS.

WHEREAS, the San Antonio-Bexar County Metropolitan Planning Organization (MPO) has issued a call for projects for the FY 2015-2018 Transportation Improvement Program-Metro Mobility; and

WHEREAS, the City of Leon Valley is a city with limited financial resources and desires to reconstruct Evers Rd. (Forest Dell to North of Huebner Rd.) in order to address the existing pavement conditions, sidewalks, and drainage; and

WHEREAS, the City of Leon Valley is determined to support community development projects that leverage state funds with other public and private resources, including coordinated efforts involving other programs targeting community development; and

WHEREAS, the City of Leon Valley will commit as its local match 70% of the overall project cost. In addition, the City of Leon Valley will comply with the grant requirements and other federal and state law;

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

1. The City Manager of the City of Leon Valley, Texas is authorized to submit an application with the San Antonio-Bexar County Metropolitan Planning Organization FY 2015-2018 Transportation Improvement Program that is funded through the Surface Transportation Program-Metro Mobility Program.
2. The City of Leon Valley's local match will be 70% of the overall project cost.
3. The City of Leon Valley will continue its commitment toward strategic community development for the citizens of Leon Valley and the region.

PASSED and **APPROVED** this the 18th day of November, 2013.

Mayor Chris Riley

ATTEST:

City Secretary

Evers Road Reconstruction
FY 2015-2018 Transportation
Improvement Program
City Council Meeting
November 18, 2013



Purpose

- To authorize the City Manager to submit an application with the MPO FY 2015-2018 TIP in the amount of \$1,500,000 for the Evers Rd. Project
 - Grant funding source is the Surface Transportation Program-Metro Mobility Program.
- Estimated project cost is \$5,085,668
 - City Expense: \$3,585,668
 - MPO Grant: 1,500,000
 - TOTAL \$5,085,668
- The City's local match will be 70% of the overall project cost.

Background

- Evers Rd. (Forest Dell to North of Huebner Rd.)
Approximately 1.2 miles in length.
- In overall poor condition. Project will address the pavement condition, sidewalks, and drainage.
- Young Professional Resources conducted an initial street assessment and has recommended reconstruction.

Background

- Street – numerous locations with base failures, and locations where trenches from utility repairs have settled.
- Drainage – curb and gutter system is in poor condition because of settling consistent with base failure. Evers Rd. at Rimkus Park closures due to severe flooding.
- Sidewalks – existing sidewalks in need of repair, no sidewalks, Not compliant with ADA



Recommendation

- If funded, MPO funds would be available in 2017
 - Evers Road project will be completed in 2017
 - PW Dept. will use an asphalt reclamation process in 2014 to address the worst areas of pavement in the interim until the project is approved for grant funding
- Resolution authorizes the filing of an application with the SA-Bexar County MPO
- Staff recommends approval

S.E.E. Statement

- Social Equity – Improving existing roadway helps with transportation and public safety
- Economic Development – Reduction in costs associated with accidents and street closures
- Environmental Stewardship – Effective pavement management and storm water runoff provides for improvement in the quality of the receiving water bodies and in conservation of water resources

Evers Road Reconstruction
FY 2015-2018 Transportation
Improvement Program
City Council Meeting
November 18, 2013



MAYOR AND COUNCIL COMMUNICATION

M&C 2013-11-18-13

DATE: November 18, 2013
TO: MAYOR AND CITY COUNCIL
FROM: Crystal Caldera, Human Resources Director
THROUGH: Manuel Longoria, City Manager
SUBJECT: ACTION ON THE WASTE MANAGEMENT PILOT RECYCLING PROGRAM AT THE RIDGE

PURPOSE

The purpose of this item is to present follow-up survey results as directed by City Council. Further, to have Council decide whether to incorporate the new pilot recycling program in the Ridge at Leon Valley neighborhood and to direct staff regarding city wide implementation of the program.

The Ridge at Leon Valley Home Owners Association (HOA) held a board meeting on January 14, 2013. At this meeting the HOA board voted to incorporate a six month pilot program for all association home owners with Waste Management. The six month pilot program would modify the trash pick-up from twice a week with a small uncovered recycle bin to once-a-week pick up with a large covered recycle bin. The pilot recycling program began in April 2013.

In July of 2013 the HOA conducted a satisfaction survey (*See attachment A for detailed results*). The survey asked the residents to respond ("agree", "disagree", or "neither") to the following statements:

1. I like having the new larger recycling bins more than the old small recycling bins.
2. I notice less trash around the neighborhood now that we have larger, closed recycling bins.
3. Having a recycling bin with wheels is more convenient than a small bin that I have to lift and carry.
4. Adding the new large recycling bin at no additional charge was worth changing to once –a-week trash pickup so that we can keep the same rates.
5. I would rather have the large recycling bin and twice-a-week pickup event if it meant paying a higher rate.
6. I would rather have the old, small recycling bin and twice-a-week pickup with the same rate.

Of the 80 surveys received back by the HOA, the majority agreed with statements 1-4, and the majority disagreed with statements 5-6. On August 20, 2013 Ms. Nicole Monsibais, President of the HOA, presented to City Council that overall 66% of their respondents agreed to; "like having the new, larger recycling bins more than the old, small recycling bins". Further, the HOA recommended "that the City of Leon Valley implement a city-wide large bin recycling program. However, if possible the current rate should be reduced." Council considered the HOA's request, but asked City staff to collect demographic information.

On September 10, 2013 the City of Leon Valley mailed out another survey to the residents at the Ridge at Leon Valley (*See attachment A for detailed results*). The survey included the same questions as above asking residents to respond agree, disagree, or neither to the above statements, but included the following:

1. The number of individuals that reside at the residence (including children).
2. The ages of the persons that resided at the residence.

Of the 50 surveys received back by the City 56% have three (3) or more individual's living in their household, the majority are between the ages of 31-40, and have children under the age of 18. The City's survey seems to match the HOA's survey, in that, the majority agreed with statements 1-4 and the majority disagreed with statements 5-6.

RECOMMENDATION

The City recommends the continuation of the pilot program in the Ridge at Leon Valley Neighborhood.

STRATEGIC GOALS

Enhancing the recycling program to once- a-week provides efficient use of city resources.

FISCAL IMPACT

N/A

S.E.E.

Social Equity – The City of Leon Valley will promote a superior quality of life by responding to citizens in a fair and prompt manner, by providing efficient and excellent services and ensuring that the public health is protected using the most effective service delivery methods.

Economic Development – Not applicable.

Environmental Stewardship – The enhanced recycling service program will promote the conservation of materials and natural resources.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

Attachment A

HOA Survey Total Respondents	80							
Questions	Agree	%	Disagree	%	Neither	%		
I like having the new larger recycling bins more than the old small recycling bins.	53	66.25%	25	31.25%	2	2.50%		
I notice less trash around the neighborhood now that we have larger, closed recycling bins.	42	52.50%	27	33.75%	10	12.50%		
Having a recycling bin with wheels is more convenient than a small bin that I have to lift and carry.	53	66.25%	25	31.25%	1	1.25%		
Adding the new large recycling bin at no additional charge was worth changing to once –a-week trash pickup so that we can keep the same rates.	44	55.00%	31	38.75%	4	5.00%		
I would rather have the large recycling bin and twice-a-week pickup event if it meant paying a higher rate.	8	10.00%	65	81.25%	6	7.50%		
I would rather have the old, small recycling bin and twice-a-week pickup with the same rate.	30	37.50%	49	61.25%	5	6.25%		

City Survey Total Respondents	52										
Questions	Agree	%	Disagree	%	Neither	%					
I like having the new larger recycling bins more than the old small recycling bins.	35	67.31%	14	26.92%	3	5.77%					
I notice less trash around the neighborhood now that we have larger, closed recycling bins.	37	71.15%	11	21.15%	3	5.77%					
Having a recycling bin with wheels is more convenient than a small bin that I have to lift and carry.	42	80.77%	8	15.38%	2	3.85%					
Adding the new large recycling bin at no additional charge was worth changing to once –a-week trash pickup so that we can keep the same rates.	32	61.54%	14	26.92%	4	7.69%					
I would rather have the large recycling bin and twice-a-week pickup event if it meant paying a higher rate.	8	15.38%	39	75.00%	3	5.77%					
I would rather have the old, small recycling bin and twice-a-week pickup with the same rate.	18	34.62%	27	51.92%	6	11.54%					
The number of individuals that reside at the residence (including children).	1	2	3	4	5	6					
	4	18	11	10	5	2					
The ages of the persons that resided at the residence.	0-18	19-30	31-40	41-50	51-60	60-70	70+				
	26	17	23	13	10	6	2				

**ACTION ON THE WASTE MANAGEMENT PILOT
RECYCLING PROGRAM AT THE RIDGE**

**City Council Meeting
November 18, 2013**

Purpose

- Present Follow-up survey results as directed by the City Council
- To decide whether or not to incorporate the new pilot recycling program, in the Ridge at Leon Valley neighborhood.
- Direction to staff regarding city wide implementation of the program.

What is the Pilot Program?

- It modified the trash pick-up from twice-a-week with a small uncovered recycle bin to once-a-week pick up with a large covered recycle bin.

Before



After



Timeline

- January 14, 2013
 - HOA voted to try the Pilot Program
- March 2013
 - Neighborhood was notified of the program
- April 2013
 - The Pilot Program was launched
- July 2013
 - HOA Satisfaction Survey was conducted

Timeline (Cont)

- August 20, 2013
 - HOA presented to Council to continue the program City-wide
 - Council requested demographic information
- September 10, 2013
 - City sent out another survey with demographic information

Survey Results

- On both survey the majority of residents like having the new large recycling bins more than the old small recycling bins (over 65%).
- Demographics of respondents
 - Estimated 56% of respondents have 3 or more individual's living in their household, the majority are between the ages of 31-40, and have children under the age of 18.

Council Consideration

- Whether the City agrees to implement the Pilot Program on a permanent basis in the Ridge Subdivision or revert to the original services.
- Whether the City wants to implement the pilot program city-wide.

Recommendation

- The City recommends the continuation of the program in the Ridge Neighborhood

Fiscal Impact

- No additional cost to the city to continue the pilot program at the ridge

**ACTION ON THE WASTE MANAGEMENT PILOT
RECYCLING PROGRAM AT THE RIDGE**

**City Council Meeting
November 18, 2013**

MAYOR AND COUNCIL COMMUNICATION

M&C #2013-11-18-14

TO: MAYOR AND COUNCIL

FROM: Melinda Smith, Public Works Director

THROUGH: Manuel Longoria, Jr., City Manager

DATE: November 18, 2013

SUBJECT: APPROVAL OF A BUDGET ADJUSTMENT FOR THE COMMUNITY CENTER FUND IN THE AMOUNT OF \$5,000 FOR THE EARTHWISE LIVING DAY CELEBRATION.

PURPOSE

The City of Leon Valley Earthwise Living Day will be held on March 1, 2014. To help commemorate the event, additional funding is being requested to cover costs associated with entertainment and commemorative items. Musical entertainment will be provided by the band *Vocal Trash* from Dallas, Texas. The band has been described as “Glee meets Stomp” and uses recycled materials for their instruments. Commemorative items such as totes or t-shirts will be sold.

Funding for the Earthwise Living Day was approved in the amount of \$3,000, however, after careful planning, it was determined that the budgeted amount was not sufficient to pay for the cost of the entertainment and commemorative items. All proceeds from the event are returned to the City, with last year’s event proceeds equaling \$3,163. Approximately 800 non-local participants and residents are expected to be drawn to this City sponsored event.

This item supports the approved Strategic Goals for 2013-2014; specifically Goal #3 - Strengthen Communications to the Community. The Earthwise Living Day provides an opportunity to share helpful, environmentally friendly information with the community, and market our City.

FISCAL IMPACT

Funding in the amount of \$5,000 will be taken from Hotel/Motel taxes collected within the Community Center Fund.

RECOMMENDATION

Staff recommends approval.

S.E.E. IMPACT STATEMENT

Social Equity – The event will provide an opportunity for collaborative participation with residents, businesses and stakeholders.

Economic Development – Attracting a wider audience provides an opportunity to introduce Leon Valley to non-local vendors. The Earthwise Living Day event is an opportunity to market the City of Leon Valley, while providing high quality educational, recreational and cultural amenities.

Environmental Stewardship – Educational materials and information regarding conservation, preservation of natural resources, and expansion of recycling initiatives help encourage sustainability practices.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

AN ORDINANCE 2013-11-18-xx

APPROVING AMENDMENTS TO THE ORIGINAL BUDGET OF THE CITY OF LEON VALLEY, TEXAS, FOR THE FISCAL YEAR OF 2014

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

1. The attached Mayor and Council Communication # 2013-11-18-11 contains an amendment to the original Budget for the City of Leon Valley, Texas, for Fiscal Year 2014, a true copy of which is file in the office of the City Secretary and made a part hereof by reference, are hereby amended and approved and ordered filed in the office of the City Secretary.
 - a. **Budget adjustment in the amount of \$5,000 from the Community Center Fund**
2. This ordinance shall become effective on and after its passage, approval and publication, as provided by law.

PASSED and **APPROVED** this day of November 18, 2013.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

Approval of Budget Adjustment for Earthwise Living Day

City Council Meeting
November 18, 2013

Purpose

- To consider approval of a budget adjustment in the amount of \$5,000 for the Earthwise Living Day event

Background

- Earthwise Living Day will celebrate its 25th year anniversary on March 1, 2014
- Currently funded at \$3,000, with any proceeds from the event being returned to the City
- Event proceeds returned last fiscal year were \$3,163
- Additional grant funding is being requested to cover costs associated with entertainment and commemorative items

Purpose of Funds

- For musical entertainment provided by the band *Vocal Trash* from Dallas
- For commemorative items such as totes or t-shirts, which will be sold at the event

Fiscal Impact

- \$5,000 to be paid out of Hotel-Motel Tax Revenue in the Convention Center Fund
- Consistent with the purpose of Hotel-Motel Tax Revenue
 - Approximately 500 non-local attendees are expected
 - Buying and spending in Leon Valley

S.E.E. Statement

- Social Equity – The event provides an opportunity for collaborative participation with residents, businesses and stakeholders
- Economic Development – Attracting a wider audience provides an opportunity to introduce Leon Valley to non-local vendors
- Environmental Stewardship – Educational materials and information regarding conservation, preservation of natural resources, and expansion of recycling initiatives help to preserve our environment and encourage earth-friendly practices

Strategic Goals Statement

- 3. Strengthen Communications to the Community
 - Earthwise Living Day provides the opportunity for the sharing of helpful, environmentally friendly information to the community

Recommendation

- City Staff recommends approval of this item.

Approval of Budget Adjustment for Earthwise Living Day

City Council Meeting
November 18, 2013

MAYOR AND COUNCIL COMMUNICATION

M&C #2013-11-18-15

DATE: NOVEMBER 18, 2013

TO: MAYOR AND CITY COUNCIL

SUBJECT: AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF LOTS 54, 55, 56, 57 AND 83, CB 5784, OUT OF THE LEON VALLEY RANCHES SUBDIVISION, BEING APPROXIMATELY 1.7437 ACRES AND 0.38 ACRES OF LAND, LOCATED IN THE 6300 BLOCK OF EL VERDE ROAD AND THE 6300 BLOCK OF JEFF LOOP RD, FOR THE PURPOSE OF BUILDING A FIRE STATION AND A PARKING LOT

PURPOSE

To adopt an ordinance authorizing the City Manager to enter into a contract for the purchase of Lots 54, 55, 56, 57, and 83, CB 5784, out of the Leon Valley Ranches Subdivision, for a total of 2.1237 acres land, located in the 6300 block of El Verde and Jeff Loop roads, for the purpose of building a new Fire Station and a Municipal Facilities parking lot.

BACKGROUND

The construction of a new fire station and a municipal facilities parking lot are an integral part of the Municipal Facilities Bond Program, which was approved by the voters in May of 2012. Originally, this land was to be deeded to the City at no charge, after improvements to Huebner Creek were considered to be “substantially complete” by Bexar County Flood Control.

Since that time, Bexar County Flood Control has delayed their project by approximately two years. The subject lots are currently only marginally located in the floodplain and could be considered to be in “substantial completion”. After improvements to the creek are performed, they will be completely out of the floodplain, with the exception of one corner of Lot 54, which will be landscaped. The City cannot wait for substantial completion of the Bexar County Flood Control project, due to increasing costs for labor and materials, and a decision was made to propose a purchase of the property, through condemnation procedures, at fair market value.

These lots were appraised as follows:

Lot	Appraised Value
Lot 54	\$10,600
Lot 55	\$11,500
Lot 56	\$11,700
Lot 57	\$11,800
Lot 83	\$9,900

The appraisal indicates the properties are all valued at \$0.60 per square foot.

FISCAL IMPACT

With closing costs, the total sale amount is approximately \$57,000. These funds would be taken from the Municipal Facilities Bond Program fund.

RECOMMENDATION

It is recommended that the City Council authorize the City Manager to enter into a contract for the purchase Lots 54, 55, 56, 57, and 83, CB 5784, out of the Leon Valley Ranches Subdivision, for a total of 2.1237 acres land, located in the 6300 block of El Verde and Jeff Loop roads, for the purpose of building a new Fire Station and a Municipal Facilities parking lot. This proposed authorization is subject to approval by Bexar County Commissioners Court on December 10, 2013.

S.E.E. IMPACT STATEMENT

Social Equity – New facilities provides access to the handicapped, creating social equity by allowing access to all citizens.

Economic Development – Enhances emergency service response time, due to better organization and efficiency.

Environmental Stewardship – Use of property will assure municipal management and reduction of stornwater runoff.

STRATEGIC GOALS STATEMENT

Item 2(d) Fire Station, Police and City Hall Administration Facilities

Purchase of these properties will assure timely development of the new municipal facilities, resulting in cost savings, as materials and labor increase over time.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Leticia Callanen, Interim City Secretary

Real Estate Sales Contract

This contract to buy and sell real property is between Seller and Buyer as identified below and is effective on the date ("Effective Date") of the last of the signatures by Seller and Buyer as parties to this contract and by Title Company to acknowledge receipt of the Earnest Money. Buyer must deliver the Earnest Money to Title Company and obtain Title Company's signature before the Earnest Money Deadline provided in section A.1. for this contract to be effective. If the Earnest Money is paid by check and payment on presentation is refused, Buyer is in default.

Seller: Bexar County

Address: 100 Dolorosa
San Antonio, TX 78205

Phone: 210-335-2011
Fax:

Type of entity: Political Subdivision of the State of Texas

Seller's Attorney: Bexar County District Attorney, Susan Reed
Bexar County Assistant District Attorney, Katherine Ramos

Address: 101 W Nueva, Floor 4
San Antonio, TX 78205-3406

Phone: 210-335-2139
Fax: 210-335-2151

Seller's Broker: None

Buyer: City of Leon Valley

Address: 6400 El Verde Rd
San Antonio, TX 78238-2322

Phone: (210) 684-1391
Fax: (210) 684-4476

Type of entity: Texas Municipal Corporation

Buyer's Attorney Jameene Y. Banks
DENTON, NAVARRO, ROCHA & BERNAL
A Professional Corporation

Address: 2517 N. Main Avenue
San Antonio, Texas 78212

Phone: 210-227-3243
Fax: 210-225-4481

Buyer's Broker: None

Property: **Approximately 1.7437 acres of land out of the Leon Valley Ranches Subdivision, being Lots 54, 55, 56, and 57, CB 5955, and more particularly described in the plat for that subdivision, filed in Volume 3025, Page 320, of the Bexar County Deed Records and approximately 0.38 acres of land out of the Leon Valley Ranches Subdivision, being Lot 83, CB 5955, and also described in the plat in Volume 3025, Page 320.**

Specifically, the following lots described as:

a. Lot 54, Leon Valley Ranches, Second Filing, in the City of Leon Valley, Bexar County, Texas, according to plat recorded in Volume 3025, Page(s) 320, Deed and Plat Records of Bexar County, Texas.

b. Lot 55, Leon Valley Ranches, Second Filing, in the City of Leon Valley, Bexar County, Texas, according to plat recorded in Volume 3025, Page(s) 320, Deed and Plat Records of Bexar County, Texas.

c. Lot 56, Leon Valley Ranches, Second Filing, in the City of Leon Valley, Bexar County, Texas, according to plat recorded in Volume 3025, Page(s) 320, Deed and Plat Records of Bexar County, Texas.

d. Lot 57, Leon Valley Ranches, Second Filing, in the City of Leon Valley, Bexar County, Texas, according to plat recorded in Volume 3025, Page(s) 320, Deed and Plat Records of Bexar County, Texas.

e. Lot 83, Leon Valley Ranches, Second Filing, in the City of Leon Valley, Bexar County, Texas, according to plat recorded in Volume 3025, Page(s) 320, Deed and Plat Records of Bexar County, Texas,

as more particularly described in the plat attached as Exhibit "A".

Title Company: Alamo Title Company

Address: 18618 Tuscany Stone, Suite 240
San Antonio, Texas 78258

Phone: 210-490-1313
Fax: 210-490-1312

Underwriter: Nannette Gagne

Purchase Price: List Price for each lot

Lot 54 - \$ 10,600
Lot 55 - \$ 11,500
Lot 56 - \$ 11,700
Lot 57 - \$ 11,800
Lot 83 - \$ 9,900

Earnest Money Earnest money in the amount of Seven Hundred and 00/100 Dollars (\$700.00) shall be tendered to the Title Company concurrent with the delivery of this Sales Contract.

County for Performance: Bexar County, Texas

A. Deadlines and Other Dates

All deadlines in this contract expire at 5:00 P.M. local time where the Property is located. If a deadline falls on a Saturday, Sunday, or national holiday, the deadline will be extended to the next day that is not a Saturday, Sunday, or national holiday. A national holiday is a holiday designated by the federal government. Time is of the essence.

1. Delivery of UCC Search: Not applicable
2. Delivery of Title Objections: Thirty (30) days after delivery of the Title Policy, Survey, and legible copies of the instruments referenced in them
3. Delivery of Seller's records as specified in Exhibit C: Thirty (30) days after the Effective Date.
4. End of Inspection Period: Ninety (30) days after the Effective Date.
5. Closing Date: Thirty (30) days after the End of the Inspection Period.

Closing Time: 4:00 p.m. local time unless otherwise agreed by Buyer and Seller.

B. Closing Documents

1. At closing, Seller will deliver the following items:
 - a. Evidence of Seller's authority to close this transaction
 - b. Signed general warranty deed
 - c. Possession of Property
2. At closing, Buyer will deliver the following items:
 - a. Purchase Price in cash or cash equivalent
 - b. Evidence of Buyer's authority to close this transaction

The documents listed in this section B are collectively known as the "Closing Documents." Unless otherwise agreed by the parties before closing, the deed will be prepared on the form attached as Exhibit E.

C. Exhibits

The following are attached to and are a part of this contract:

Exhibit A— Plat

Exhibit B— Representations; Environmental Matters

Exhibit C— Seller's Records

Exhibit D—Deed of Conveyance

D. Purchase and Sale of Property; Consideration

1. Seller agrees to sell and convey the Property to Buyer, and Buyer agrees to buy and pay Seller for the Property. The promises by Buyer and Seller stated in this contract are the consideration for the formation of this contract. **Seller and Buyer agree that this Agreement shall not be binding upon or enforceable against Seller until the City Council and Commissioners' Court have approved this Agreement in a properly noticed open meeting of each entity.**

2. In consideration for Seller's agreement to sell and convey the Property to Buyer, Buyer will pay Seller the following prices for each lot:

a. Lot 54 - \$ 10,600

b. Lot 55 - \$ 11,500

c. Lot 56 - \$ 11,700

d. Lot 57 - \$ 11,800

e. Lot 83 - \$ 9,900

Total price paid for Property: \$55, 520.00

3. In addition to the purchase price to be paid by Buyer to Seller for the Property, Buyer will also obtain a title insurance policy and will pay all costs associated

E. Interest on Earnest Money

Buyer may direct Title Company to invest the Earnest Money in an interest-bearing account in a federally insured financial institution by giving notice to Title Company and satisfying Title Company's requirements for investing the Earnest Money in an interest-bearing account. Any interest earned on the Earnest Money will be paid to the party that becomes entitled to the Earnest Money.

F. Title and Survey

1. *Review of Title.* The following statutory notice is provided to Buyer on behalf of the real estate licensees, if any, involved in this transaction: Buyer is advised that it should either have the abstract covering the Property examined by an attorney of Buyer's own selection or be furnished with or obtain a policy of title insurance.

2. *Title Commitment; Title Policy.* "Title Commitment" means a Commitment for Issuance of an Owner Policy of Title Insurance by Title Company, as agent for Underwriter, stating the condition of title to the Land. The "effective date" stated in the Title Commitment must be after the Effective Date of this contract. "Title Policy" means an Owner Policy of Title Insurance issued by Title Company, as agent for Underwriter, in conformity with the last Title Commitment delivered to and approved by Buyer.

3. *Survey.* "Survey" means an on-the-ground, staked plat of survey and metes-and-bounds description of the Land, prepared by Surveyor or another surveyor satisfactory to Title Company, dated after the Effective Date, and certified to comply with the current standards and specifications as published by the Texas Society of Professional Surveyors for the Survey Category.

4. *UCC Search. Not applicable.*

5. *Title Objections.* Buyer has until the deadline stated in section A.6. ("Title Objection Deadline") to review the Survey, Title Commitment, and legible copies of the title instruments referenced in them and notify Seller of Buyer's objections to any of them ("Title Objections"). Buyer will be deemed to have approved all matters reflected by the Survey and Title Commitment to which Buyer has made no Title Objection by the Title Objection Deadline. The matters that Buyer either approves or is deemed to have approved are "Permitted Exceptions." If Buyer notifies Seller of any Title Objections, Seller has five days from receipt of Buyer's notice to notify Buyer whether Seller agrees to cure the Title Objections before closing ("Cure

Notice”). If Seller does not timely give its Cure Notice or timely gives its Cure Notice but does not agree to cure all the Title Objections before closing, Buyer may, within five days after the deadline for the giving of Seller's Cure Notice, notify Seller that either this contract is terminated or Buyer will proceed to close, subject to Seller's obligations to resolve the items listed in Schedule C of the Title Commitment, remove the liquidated liens, remove all exceptions that arise by, through, or under Seller after the Effective Date, and cure only the Title Objections that Seller has agreed to cure in the Cure Notice. At or before closing, Seller must resolve the items that are listed on Schedule C of the Title Commitment, remove all liquidated liens, remove all exceptions that arise by, through, or under Seller after the Effective Date of this contract, and cure the Title Objections that Seller has agreed to cure.

G. Inspection Period

1. *Review of Seller's Records.* Seller will deliver to Buyer copies of Seller's records specified in Exhibit C, or otherwise make those records available for Buyer's review, by the deadline stated in section A.7.

2. *Entry onto the Property.* Buyer may enter the Property before closing to inspect it, subject to the following:

a. Buyer must deliver evidence to Seller that any entity performing inspection services for Buyer has insurance in amounts and with coverages that are substantially the same as those maintained by Seller or in such lesser amounts or with such lesser coverages as are reasonably satisfactory to Seller;

b. Buyer may not unreasonably interfere with existing operations or occupants of the Property;

c. Buyer must notify Seller in advance of Buyer's plans to conduct tests so that Seller may be present during the tests;

d. If the Property is altered because of Buyer's inspections, Buyer must return the Property substantially to its pre-inspection condition promptly after the alteration occurs;

e. Buyer must deliver to Seller copies of all inspection reports that Buyer prepares or receives from third-party consultants or contractors within three days of their preparation or receipt; and

f. Buyer must abide by any other reasonable entry rules imposed by Seller.

H. Condition of the Property until Closing; Cooperation; No Recording of Contract

1. *Maintenance and Operation.* Until closing, Seller will (a) maintain the Property as it existed on the Effective Date, except for reasonable wear and tear and casualty damage; (b) operate the Property in the same manner as it was operated on the Effective Date; and (c) comply with all contracts and governmental regulations affecting the Property. Until the end of the

Inspection Period, Seller will not enter into, amend, or terminate any contract that affects the Property other than in the ordinary course of operating the Property and will promptly give notice to Buyer of each new, amended, or terminated contract, including a copy of the contract, in sufficient time so that Buyer may consider the new information before the end of the Inspection Period. If Seller's notice is given within three days before the end of the Inspection Period, the Inspection Period will be extended for three days. After the end of the Inspection Period, Buyer may terminate this contract if Seller enters into, amends, or terminates any contract that affects the Property without first obtaining Buyer's written consent.

2. *Casualty Damage.* Seller will notify Buyer promptly after discovery of any casualty damage to the Property. Seller will have no obligation to repair or replace the Property if it is damaged by casualty before closing. Buyer may terminate this contract if the casualty damage that occurs before closing would materially affect Buyer's intended use of the Property, by giving notice to Seller within fifteen days after receipt of Seller's notice of the casualty (or before closing if Seller's notice of the casualty is received less than fifteen days before closing). If Buyer does not terminate this contract, Seller will (a) convey the Property to Buyer in its damaged condition, (b) assign to Buyer all of Seller's rights under any property insurance policies covering the Property, and (c) pay to Buyer the amount of the deductibles and coinsurance provisions under any insurance policies covering the Property, but not in excess of the cost to repair the casualty damage and less any amounts previously paid by Seller to repair the Property. If Seller has not insured the Property and Buyer does not elect to terminate this contract in accordance with this section, the Purchase Price will be reduced by the cost to repair the casualty damage.

3. *Condemnation.* Seller will notify Buyer promptly after Seller receives notice that any part of the Property has been or is threatened to be condemned or otherwise taken by a governmental or quasi-governmental authority. Buyer may terminate this contract if the condemnation would materially affect Buyer's intended use of the Property by giving notice to Seller within fifteen days after receipt of Seller's notice to Buyer (or before closing if Seller's notice is received less than fifteen days before closing). If Buyer does not terminate this contract, (a) Buyer and Seller will each have the right to appear and defend their respective interests in the Property in the condemnation proceedings, (b) any award in condemnation will be assigned to Buyer, and (c) if the taking occurs before closing, the description of the Property will be revised to delete the portion taken.

4. *Claims; Hearings.* Seller will notify Buyer promptly of any claim or administrative hearing that is threatened, filed, or initiated before closing that affects the Property.

5. *Cooperation.* Seller will cooperate with Buyer (a) before and after closing, to transfer the applications, permits, and licenses held by Seller and used in the operation of the Property and to obtain any consents necessary for Buyer to operate the Property after closing and (b) before closing, with any reasonable evaluation, inspection, audit, or study of the Property prepared by, for, or at the request of Buyer.

6. *No Recording.* Buyer may not file this contract or any memorandum or notice of this

contract in the real property records of any county. If, however, Buyer records this contract or a memorandum or notice, Seller may terminate this contract and record a notice of termination.

I. Termination

1. *Disposition of Earnest Money after Termination*

a. *To Buyer.* If Buyer terminates this contract in accordance with any of Buyer's rights to terminate, Seller will, within five days of receipt of Buyer's termination notice, authorize Title Company to deliver the Earnest Money to Buyer, less \$100, which will be paid to Seller as consideration for the right granted by Seller to Buyer to terminate this contract.

b. *To Seller.* If Seller terminates this contract in accordance with any of Seller's right to terminate, Buyer will, within five days of receipt of Seller's termination notice, authorize Title Company to pay and deliver the Earnest Money to Seller, less \$100 which will be paid to Buyer as consideration for right to terminate.

2. *Duties after Termination.* If this contract is terminated, Buyer will promptly return to Seller all documents relating to the Property that Seller has delivered to Buyer and all copies that Buyer has made of the documents. After return of the documents and copies, neither party will have further duties or obligations to the other under this contract, except for those obligations that cannot be or were not performed before termination of this contract.

J. Closing

1. *Closing.* This transaction will close at Title Company's offices at the Closing Date and Closing Time. At closing, the following will occur:

a. *Closing Documents.* The parties will execute and deliver the Closing Documents.

b. *Payment of Purchase Price.* Buyer will deliver the Purchase Price and other amounts that Buyer is obligated to pay under this contract to Title Company in funds acceptable to Title Company. The Earnest Money will be applied to the Purchase Price.

c. *Disbursement of Funds; Recording; Copies.* Title Company will be instructed to disburse the Purchase Price and other funds in accordance with this contract, record the deed and the other Closing Documents directed to be recorded, and distribute documents and copies in accordance with the parties' written instructions.

d. *Delivery of Originals.* Seller will deliver to Buyer the originals of Seller's Records.

e. *Possession.* Seller will deliver possession of the Property to Buyer, subject to the Permitted Exceptions existing at closing and any lien and security interest in favor of Seller, if the sale is seller-financed.

2. *Transaction Costs*

a. *Buyer's Costs.* Buyer will pay the basic charge for the Title Policy; the escrow fee charged by Title Company; the costs to prepare the deed; the costs to obtain, deliver, and record all documents other than those to be recorded at Seller's expense; the costs to obtain the Survey; the costs to record all documents to cure Title Objections agreed to be cured by Seller; the cost of certificates or reports of ad valorem taxes; the Title Company's inspection fee to delete from the Title Policy the customary exception for parties in possession; the additional premium for the "survey/area and boundary deletion" in the Title Policy, if the deletion is requested by Buyer; the costs of work required by Buyer to have the survey reflect matters other than those required under this contract; the costs to obtain financing of the Purchase Price, including the incremental premium costs of mortgagee's title policies and endorsements and deletions required by Buyer's lender; the cost of the appraisal prepared for Seller not to exceed \$2,000.00; Seller's attorney's fees not to exceed \$2,500.00; and Buyer's expenses and attorney's fees.

b. *Ad Valorem Taxes.* Seller represents that it is entitled to an exemption from ad valorem taxes during the time it owned the Property. If this sale or Buyer's use of the Property results in the assessment of any ad valorem taxes for the Property for the calendar year of closing all such taxes and any associated costs will be paid by the Buyer. Buyer shall be responsible for notifying all taxing units having jurisdiction over the property of the change of ownership, and Buyer shall be responsible for any and all taxes, late fees or penalties assessed against the Property by reason of Buyer's failure to so note the change of ownership. Seller will, upon request, provide to Buyer proof of Seller's ownership of the property prior to the date of closing, and will assist Buyer in demonstrating Seller's exemption from ad valorem taxes.

e. *Brokers' Commissions.* Buyer and Seller each represent and warrant that no real estate broker or agent has been involved in this transaction on that party's behalf, and that no fees or commissions are payable to any broker or agent.

K. Default and Remedies

1. *Seller's Default.* If Seller fails to perform any of its obligations under this contract or if any of Seller's representations is not true and correct as of the Effective Date or on the Closing Date ("Seller's Default"), Buyer, as its sole and exclusive remedy, may terminate this contract by giving notice to Seller on or before the Closing Date and Closing Time and have the Earnest Money, less \$100 as described above, returned to Buyer.

2. *Buyer's Default.* If Buyer fails to perform any of its obligations under this contract ("Buyer's Default"), Seller, as its sole and exclusive remedy may terminate this contract by giving notice to Buyer on or before the Closing Date and Closing Time and have the Earnest Money paid to Seller less \$100.00.

3. *Liquidated Damages.* The parties agree that just compensation for the harm that would be

caused by a default by either party cannot be accurately estimated or would be very difficult to accurately estimate and that the Earnest Money, in the case of default, by either Buyer or Seller and the amounts provided above are reasonable forecasts of just compensation to the nondefaulting party for the harm that would be caused by a default.

L. Miscellaneous Provisions

1. *Notices.* Any notice required by or permitted under this contract must be in writing. Any notice required by this contract will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this contract. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein. Copies of each notice must be given by one of these methods to the attorney of the party to whom notice is given.
2. *Entire Contract.* This contract, together with its exhibits, and any Closing Documents delivered at closing constitute the entire agreement of the parties concerning the sale of the Property by Seller to Buyer. There are no oral representations, warranties, agreements, or promises pertaining to the sale of the Property by Seller to Buyer not incorporated in writing in this contract.
3. *Amendment.* This contract may be amended only by an instrument in writing signed by the parties.
4. *Prohibition of Assignment.* Buyer may not assign this contract or any of Buyer's rights under it without Seller's prior written consent, and any attempted assignment is void. This contract binds, benefits, and may be enforced by the parties and their respective heirs, successors, and permitted assigns.
5. *Survival.* The obligations of this contract that cannot be performed before termination of this contract or before closing will survive termination of this contract or closing, and the legal doctrine of merger will not apply to these matters. If there is any conflict between the Closing Documents and this contract, the Closing Documents will control.
6. *Choice of Law; Venue; Alternative Dispute Resolution.* This contract will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the County for Performance, except as otherwise provided by applicable law. Time permitting, the parties will submit in good faith to an alternative dispute resolution process before filing a suit concerning this contract.
7. *Waiver of Default.* It is not a waiver of default if the nondefaulting party fails to declare immediately a default or delays taking any action with respect to the default.

8. *No Third-Party Beneficiaries.* There are no third-party beneficiaries of this contract.
9. *Severability.* The provisions of this contract are severable. If a court of competent jurisdiction finds that any provision of this contract is unenforceable, the remaining provisions will remain in effect without the unenforceable parts.
10. *Ambiguities Not to Be Construed against Party Who Drafted Contract.* The rule of construction that ambiguities in a document will be construed against the party who drafted it will not be applied in interpreting this contract.
11. *No Special Relationship.* The parties' relationship is an ordinary commercial relationship, and they do not intend to create the relationship of principal and agent, partnership, joint venture, or any other special relationship.
12. *Counterparts.* If this contract is executed in multiple counterparts, all counterparts taken together will constitute this contract.
13. *Confidentiality.* The parties will keep confidential this contract, this transaction, and all information learned in the course of this transaction, except to the extent disclosure is required by law or court order or to enable third parties to advise or assist Buyer to investigate the Property or either party to close this transaction.

SELLER:

COUNTY OF BEXAR, State of Texas,
Nelson Wolff, County Judge

Date: _____

BUYER:

CITY OF LEON VALLEY, A Municipal Corporation
Manuel Longoria, City Manager

Date: _____

Title Company acknowledges receipt of Earnest Money in the amount of \$700.00 and a copy of this contract executed by both Buyer and Seller.

[Name of title company]

By: _____

Name: _____

Title: _____

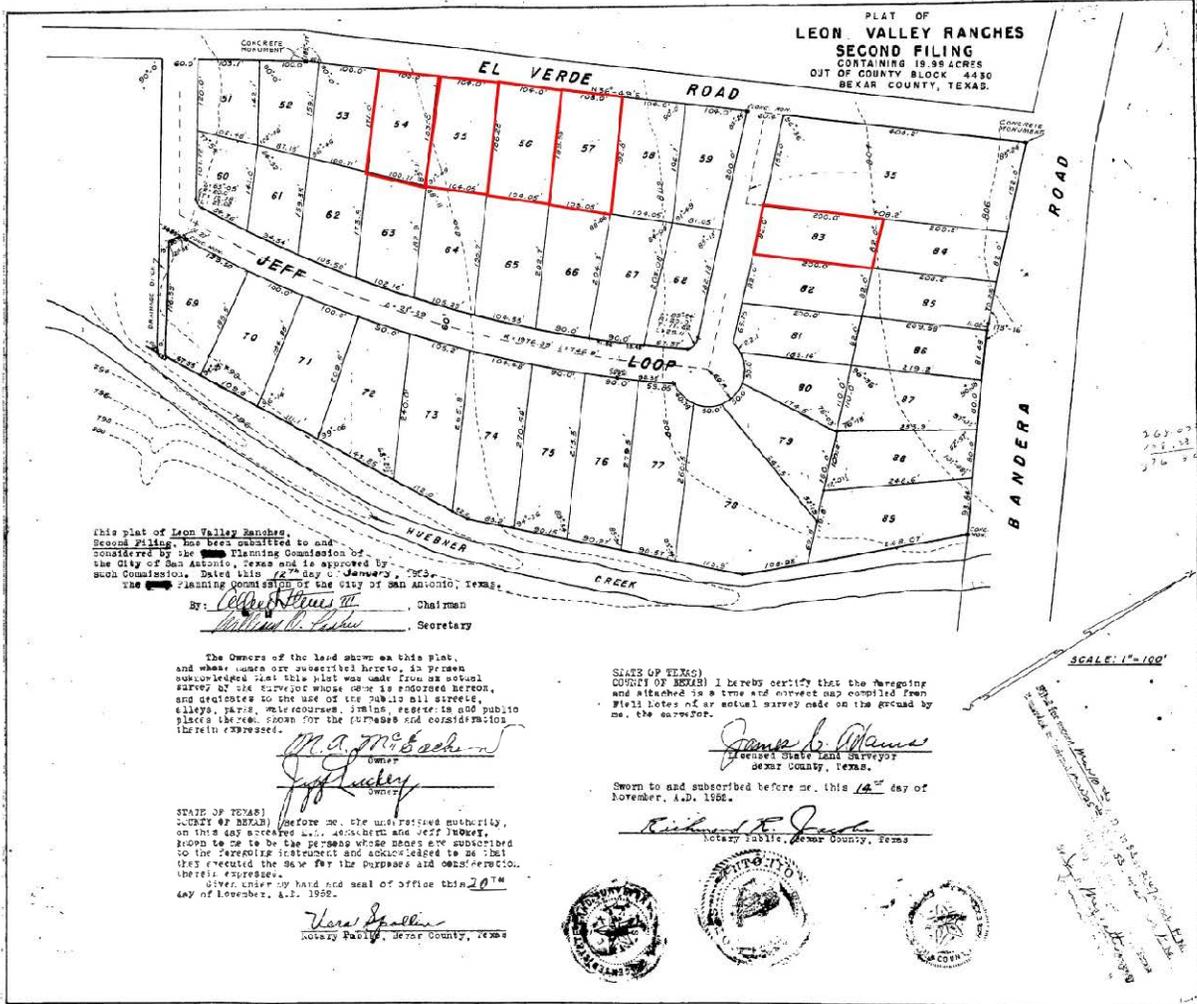
Date: _____

**Exhibit A
Plat**

SUBDIVISION PLAT

826307

3025 320



This plat of Leon Valley Ranches, Second Filing, has been submitted to and considered by the Planning Commission of the City of San Antonio, Texas and is approved by such Commission. Dated this 12th day of January, 1958. The undersigned, Chairman of the City of San Antonio, Texas.

By: Charles Travis III Chairman
William M. Fisher Secretary

The Owners of the land shown on this plat, and whose names are subscribed hereto, in witness whereof, this plat was made from an actual survey of the surveyor whose name is endorsed hereon, and declares to the use of the public all streets, alleys, paths, water courses, drains, easements and public places therein shown for the purposes and considerations therein expressed.

M. B. McEachern
Jeff Luckey

STATE OF TEXAS)
COUNTY OF BEKAR) I hereby certify that the foregoing and attached is a true and correct map compiled from field notes of an actual survey made on the ground by me, the surveyor.

James S. Adams
Licensed State Land Surveyor
Bekar County, Texas.

Sworn to and subscribed before me, this 14th day of November, A.D. 1958.

Richard E. Jones
Notary Public, Bekar County, Texas

STATE OF TEXAS) before me, the undersigned authority, on this day appeared M. B. McEachern and Jeff Luckey, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 14th day of November, A.D. 1958.

David Spaulding
Notary Public, Bekar County, Texas



SCALE: 1" = 100'

REPLAT IN
VOL. 95
PAGE 6

EXHIBIT B
Schedule “B” Reservations to and Exceptions from Conveyance

EXHIBIT C
Seller's Records

To the extent that Seller has possession of the following items pertaining to the Property, Seller will deliver or make the items or copies of them available to Buyer by the deadline stated in section A.7.:

Land

Soil reports

Environmental

Reports engineering

Reports prior

Surveys site plans

Exhibit D

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER’S LICENSE NUMBER.

THE STATE OF TEXAS)

COUNTY OF BEXAR)

GENERAL WARRANTY DEED

Date: _____

Grantor: BEXAR COUNTY, A political subdivision of the State of Texas

Grantor’s Mailing Address: 100 Dolorosa
San Antonio, TX 78205

Grantee: CITY OF LEON VALLEY, A Municipal Corporation

Grantee’s Mailing Address: 6400 El Verde Rd
San Antonio, TX 78238-2322

Attn: City Manager

“Know all men by these presents, That I, County of Bexar (Grantor), in the state aforesaid, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, to me in hand paid by the City of Leon Valley, Texas (Grantee), have granted, sold, and conveyed, and by these presents do grant, sell, and convey unto the said City of Leon Valley, of the County of Bexar, in the state of Texas, all that certain

Approximately 1.7437 acres of land out of the Leon Valley Ranches Subdivision, being Lots 54, 55, 56, and 57, CB 5955, and more particularly described in the plat for that subdivision, filed in Volume 3025, Page 320, of the Bexar County Deed Records and approximately 0.38 acres of land out of the Leon Valley Ranches Subdivision, being Lot 83, CB 5955, and also described in the plat in Volume 3025, Page 320, and more particularly described in the plat attached as Exhibit A.

To have and to hold the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging, unto the said Grantor, his heirs or assigns forever.

And I do hereby bind myself, my heirs, executors, and administrators to warrant and forever defend all and singular the said premises unto the said Grantee, its heirs, and assigns, against every person whomsoever, lawfully claiming or to claim the same, or any part thereof.”

Reservations from and Exceptions to Conveyance:

As reflected in Exhibit B.

When the context requires, singular nouns and pronouns include the plural.

By:

NAME

GRANTOR’S ACKNOWLEDGMENT:

STATE OF TEXAS §
 § ACKNOWLEDGMENT
COUNTY OF BEXAR §

BEFORE ME, a Notary Public, on this day personally appeared Nelson Wolff, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon his oath stated that he is the County Judge of the County of Bexar, Texas; that he was authorized to execute such instrument on behalf of the County of Bexar, Texas; and that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes and consideration expressed therein.

WITNESS MY HAND, this the _____ day of _____, 2013.

SIGNED AND DELIVERED IN THE PRESENCE OF
_____, County Judge of Bexar County, Texas.

Notary Public, State of Texas

GRANTEE’S ACKNOWLEDGMENT

STATE OF TEXAS

§

ACKNOWLEDGMENT

§

COUNTY OF BEXAR

§

BEFORE ME, a Notary Public, on this day personally appeared Manny Longoria, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon his oath stated that he is the City Manager of the City of Leon Valley; that he was authorized to execute such instrument on behalf of the City of Leon Valley; and that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes and consideration expressed therein.

WITNESS MY HAND, this the _____ day of _____, 2013.

SIGNED AND DELIVERED IN THE PRESENCE OF _____, City Manager of the City of Leon Valley.

Notary Public, State of Texas

Return to Grantee's Address:

CITY OF LEON VALLEY
6400 El Verde Rd
San Antonio, TX 78238-2322

Attn: City Manager

A RESOLUTION AUTHORIZING THE PURCHASE OF LOTS 54, 55, 56, 57 AND 83, CB 5784, OUT OF THE LEON VALLEY RANCHES SUBDIVISION, BEING APPROXIMATELY 1.7437 ACRES AND 0.38 ACRES OF LAND, LOCATED IN THE 6300 BLOCK OF EL VERDE ROAD AND THE 6300 BLOCK OF JEFF LOOP RD, OWNED BY BEXAR COUNTY FOR THE PURPOSE OF BUILDING A FIRE STATION AND A PARKING LOT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BEXAR COUNTY AND REMIT PAYMENT IN ACCORDANCE WITH SAID CONTRACT

WHEREAS, the City Council finds that the construction of a new fire station and a municipal facilities parking lot are an integral part of the Municipal Facilities Bond Program, which was approved by the voters in May of 2012; and

WHEREAS, originally, this land was to be deeded to the City at no charge, after improvements to Huebner Creek were considered to be “substantially complete” by Bexar County Flood Control; and

WHEREAS, since that time, Bexar County Flood Control has delayed their project by approximately two years. The City cannot wait for substantial completion of the Bexar County Flood Control project, due to increasing costs for labor and materials, and a decision was made to propose a purchase of the property at fair market value or to proceed with condemnation procedures if necessary; and

WHEREAS, after negotiations with Bexar County representatives, it appears that the city has reached an agreement with the County on the terms of the purchase of the needed lots at the following prices which represent the market value determined by a certified appraisal which was conducted to assess the value of the property:

Lot 54	\$10,600
Lot 55	\$11,500
Lot 56	\$11,700
Lot 57	\$11,800
Lot 83	\$9,900

The appraisal indicates the properties are all valued at \$0.60 per square foot; and

WHEREAS, based on the fair market value of the property and the County’s tentative acceptance of the City’s offer to purchase the lots at the above prices, the city council hereby finds and determines that moving forward with this purchase transaction is in the City’s best interest.

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

Section 1. That the City hereby officially offers to purchase the above lots at the

stated prices and the City Council hereby authorizes said purchase if approved by the Bexar County Commissioners.

Section 2. That the City Manager is hereby authorized to enter into a contract for the purchase of Lots 54, 55, 56, 57, and 83, CB 5784, out of the Leon Valley Ranches Subdivision, for a total of 2.1237 acres land, located in the 6300 block of El Verde and Jeff Loop roads, for the purpose of building a new Fire Station and a Municipal Facilities parking lot and to execute said contract and any other necessary documents to effect this purchase.

PASSED and APPROVED on this the 18th day of November, 2013.

APPROVED:

Chris Riley, Mayor

ATTEST:

Leticia Callanen, City Secretary

CITY MANAGERS REPORT

B. MONTHLY DEPARTMENTAL REPORTS

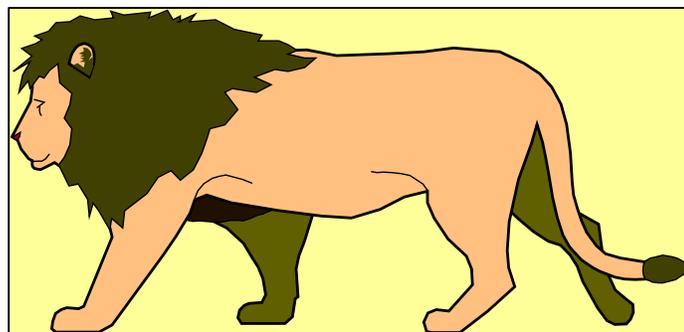
C. APPROVED MINUTES FROM BOARDS COMMISSIONS AND COMMITTEES

LEON VALLEY PUBLIC LIBRARY STATISTICS

OCTOBER 2013

(*Library soft-opened 9/21/13, still operating well below par/unfinished)

	OCTOBER 2013	Compared to	SEPTEMBER 2013
Items Loaned	2077		854
OneClickAudio Sessions	0		0
Days Open/Average Per Day	22/94		6/142
Door Count	5903		3929
Volunteer Hours	281		239
Items Added New/Redo	261/196		202/152
Value of Gift Items	\$1899		\$1768
Reference Questions	707		270
Items Withdrawn	3		6
Library Cards Issued	61		13
Internal Internet Sessions	483		106
External Wi-Fi LVP Accesses	1579		524
Faxes Sent	62		12
Facebook Reaches	1267		643
Lit. Students/Items Used	3stu/6bks		3stu/6bks
ILL Received TexPress	13pkg/13bks		1pkg/1bks
ILL Returned TexPress	8pkg/8bks		0pkg/0bks
ILL Mailed	0 in/0 out		0 in/0 out
Library Fines	\$14.00		\$37.00
Library Copy	\$66.00		\$17.85
Tax Equivalent	\$207.50		\$42.50
Gifts and Memorials	\$75.00		\$0.00
Member Amount Saved	\$26,459.07		\$9352.97



Monthly Report

Finance

October 2013

Sales Tax Revenue

- ❖ Sales tax revenue of \$147,231 was received from the State Comptroller's office in October. After consideration of the October sales tax payment, year-to-date sales tax revenues are 6.21% higher than this time last year. The October and November sales tax payments are for the fiscal year that ended September 30, 2013 and will be reflected in the sales tax revenue for that fiscal year.

Street Maintenance Sales Tax Revenue

- ❖ Street Maintenance Sales tax revenue of \$36,803 was received from the State Comptroller's office in October.

Ad Valorem Taxes

- ❖ Tax collections are already flowing in with \$184,968 in total collections for October. Collections for October 2012 were \$166,835.

Fiscal Year 2013 Audit

- ❖ Audit field work for the City's annual financial audit began on October 28. The compiling and reviewing of the report should be completed by December with expected delivery of the draft report by mid-December and formal presentation of the report to Council in February. The Finance Director is currently drafting the FY year 2013 transmittal letter and statistical section updates for inclusion in the comprehensive annual financial report (CAFR).

FY 2015-2018 Transportation Improvement Program

The City of Leon Valley is applying for grant funding for the FY 2015-2018 Transportation Improvement Program to assist with the reconstruction of Evers Rd. (Forest Dell to North of Huebner Rd.). The project will improve the street conditions; improve drainage; enhance linkages with other trails system and improve pedestrian accessibility and mobility and improve safety for both pedestrians and vehicle motorists. The project is consistent with the City's Master Plan. The estimated project cost is \$5,085,668. The City of Leon Valley will provide a local match of 70% or \$3,585,668.

Background

Evers Rd. is a four lane minor arterial street that serves as a North/South connection between Huebner Rd. and Loop 410. The street is approximately 1.2 miles in length (6,336 linear feet); has 2 travel lanes in each direction and is approximately 44 feet wide. Evers Rd. is parallel to Bandera Rd., and serves both the residents of the City of Leon Valley and the City of San Antonio as an alternate route, especially during peak traffic periods. The most recent traffic counts taken in March 2013 indicate that Evers Rd. has approximately 9600 average daily vehicle traffic counts. Accident data reflects 113 accidents since January of 2010 (34 months).

Evers Rd. provides a critical linkage to key utility operations to include the City of Leon Valley Public Works Department, City Public Service transformer station, and San Antonio Water System Northwest Service Center. It also provides an important connection to three schools— John Marshall High School, Pat Neff Middle School, and Leon Valley Elementary School. In addition, the Northside Independent School District has administrative offices located at 5900 Evers Rd.

At Evers Rd. and Poss Rd., Evers Rd. crosses over Huebner Creek—a tributary to Leon Creek. At this location is Raymond Rimkus Park, a 42 acre, Multi-use Park that serves an estimated 30,000 citizens of Leon Valley, San Antonio and Bexar County. A hike and bike trail has been constructed that links nearby neighborhoods with the Park, and currently plans are in design to extend the hike and bike trail an additional 1.5 miles to connect to the historic Huebner - Onion house complex and the City of San Antonio's Leon Creek Trail System.

Existing Conditions

The City of Leon Valley engaged the firm of Young Professional Resources (YPR) to provide an assessment of the current street conditions which exist on Evers Road and to make recommendations as to the required improvements. Additionally, YPR provided the City with a preliminary cost estimates for recommended improvements. YPR is a local civil engineering firm licensed to practice engineering in the State of Texas. The input provided by YPR for this report was provided by Mr. Leonard D. Young, P.E., YPR's Principal. Mr. Young has 30 years of

experience in the planning, design, construction and operations of public infrastructure. The assessment, recommendations and preliminary cost estimates have incorporated in this document. The Principal are the opinions of Young Professional Resources based on its experience and data provided.

The three major areas to be addressed in this Roadway Rehabilitation Project are pavement, drainage and sidewalks with the existing conditions are discussed in the following.

Pavement

Records indicate that between 1973 and 1991 there were ten (10) projects completed which improved traffic control, street conditions and drainage conditions on Evers Road. It has been 30 years since any major improvements have been performed on Evers Road which is far beyond the time recommended by industry standards.

- The street section consists of 8 to 10 inches of base materials and 2 to 4 inches of final asphalt.
- The street has water, sewer and telecom systems in the ROW and underneath pavement. There have been numerous utility repairs made along Evers Rd. with base failures occurring because of trenches settling.
- Evers Road has numerous locations where the base has failed and repairs were made.
- VIA Metropolitan Transit operates along the street and there are locations where significant pavement failures at bus stops had occurred.
- The ROW outside of the pavement is highly congested with utility poles, signage and shrubbery.

YPR's assessment of the current pavement condition of Evers Rd. is that street is poor condition requiring major upgrades and improvements.



Illustrations of typical street condition along Evers Rd.

Drainage

The drainage on Evers is accomplished by either drainage pipe systems or curb and gutter surface drainage.

Curb, Gutter, Piping

- A large portion of the curb and gutter system is in poor condition because of cracking and settling consistent with failing base materials.
- There is no visual evidence or information provided which gives indications of any drainage piping system failures.

YPR's assessment of the current curb and gutter condition of Evers Rd. is that curb/gutter is in poor condition requiring major improvements.

Drainage at Huebner Creek

Another area along Evers Rd. that poses a drainage challenge is located at the bridge over Huebner Creek near Poss Rd. A review of the "2 foot" contours for the area reflects that the drainage in the area is very flat. The downstream channel which goes through the park is narrow and shallow. Most of the flood producing storms that occur over the Huebner Creek watershed are experienced in the spring and fall. The higher floods that have occurred in this area have resulted from generally heavy rains during this time; however, severe flooding can be produced by intense local thunderstorms, which often results in the closing of the road. This results in additional traffic offloading onto Bandera Rd., and significant disruption to emergency services.

YPR's assessment of the drainage condition at this location is very poor and major improvements are required to rectify the flooding conditions.



Evers Rd. Street closure due to flooding of Huebner Creek.

Sidewalks

Many of the sidewalks along Evers Rd. are in need of repair. In some locations, no sidewalks exist, causing gaps in continuity. In addition, portions of existing sidewalks are not compliant with the Americans with Disability Act (ADA).

YPR's assessment of the current sidewalk conditions on Evers Rd. to be poor requiring major improvements or rehabilitation.



Recommended Improvements

1. **Street:** This project will remove and replace the entire pavement section for the entire length of Evers Road. The street materials will be removed to a depth of 12 inches and replaced with new materials. 10 inches of asphalt treated base and 2 inches of hot asphalt will be installed.
 - a. Numerous **driveways** which will have to be replaced.
 - b. New **traffic markings** will have to be installed including at pedestrian crossings.
 - c. Traffic signage will be replaced as required.
 - d. **Curbs** must be replaced as required.
 - e. **Bus stop locations**, the street pavement section must be designed and constructed to support bus traffic. (Typically, concrete bus pads are provided at the bus stop.)

2. **Sidewalks:**
 - a. The existing sidewalks will be replaced where required.
 - b. New sidewalks will be added where they currently do not exist.
 - c. All sidewalks whether new or existing will be **ADA compliant**.
 - d. On the side of the street new six (6) wide sidewalks will be added for both vehicle and pedestrian access.

3. **Drainage:** The drainage issue at Rimkus Park will be remedied by **building a bridge** over the drainage channel. YPR considered the option of widening, deepening and realigning the channel through the park but it is very expensive; requires extensive permitting and will have numerous environmental and regulatory hurdles to overcome. **Elevated walk paths** shall be included in the bridge project.

Find attached a Map Exhibit depicting locations improvements enclosed.

Summary of Costs

YPR estimates that the total cost of project is **\$5,085,667.58**. A preliminary cost estimate is attached.

- Design - **\$ 503,985.08**
- Construction - **\$4,581,682.50**

Schedule

YPR estimates that the total duration of project is 30 months.

- Design and Bidding - **12 months**
- Construction – **18 months**

Leonard D. Young P.E.
President -Young Professional Resources

Date: _____



Leon Valley Police Department Monthly Report October 2013

Calls for Service

	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Calls for Service	808	8,034	826	7,768
Index Crimes	72	749	72	734
Non-Index Crimes	736	7,285	754	7,037

Non-index calls are contacts with citizens and/or visitors that are either non-criminal in nature, or are criminal in nature but are not categorized as an index crime.

An index crime is defined as murder, rape, robbery, theft, theft of a motor vehicle, assault, burglary, or burglary of a motor vehicle. These are the crimes that are reported to the Federal Bureau of Investigations on a monthly basis.

Non-Index Crimes

	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Suspicious Vehicle	76	727	67	584
Assist the Public/Other Agency	57	611	65	703
Disturbance	52	679	72	734
Violation of City Ordinance	22	208	28	136
Traffic Offenses	35	243	32	277
Burglar Alarm	89	1027	103	971
Accidents	72	587	67	541
Criminal Mischief	13	208	18	171
Other	171	1,579	125	1,643
N-Code 10*	9	95	6	77
N-Code 14**	29	311	54	300
N-Codes	111	1,013	117	900

* N-Code 10 – Private property accident where blue forms issued

** N-Code 14 – Accident which occurred on the roadway where a blue form was issued



Leon Valley Police Department Monthly Report

Index Crimes

	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Burglary	8	76	5	93
Burglary – Motor Vehicle	12	108	15	169
Assault	6	61	5	81
Homicide	0	0	0	0
Rape	0	4	0	2
Theft	41	435	39	336
Theft of Service	0	11	3	23
Vehicle Theft	5	21	4	19
Robbery	0	8	1	8

Citations

	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Citations Issued	580	3,968	403	6,172

Citations by Selected Categories	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Expired License Plates	47	322	48	695
Expired Inspection Certificate	105	634	60	1,068
No/Expired/Invalid DL	52	328	36	523
No Insurance	105	708	79	1,171
Ran Red Light	17	99	6	110
Ran Stop Sign	21	119	15	380
Speeding	56	267	37	426

Hazardous vs. Non-Hazardous	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Hazardous	94	485	68	926
Non-Hazardous	486	3,483	335	5,246

Hazardous citations are for actions that could cause accidents. Examples include speeding, ran red light, and ran stop sign. Non-hazardous citations are for violations of either the Traffic Code or City Ordinance, which would not result in the potential for an accident. These include expired license plates, no liability insurance, expired motor vehicle inspection certificate, no drivers license, expired drivers license, etc.



Leon Valley Police Department Monthly Report

Arrest

Arrests	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Felony Offense	7	41	7	46
Misdemeanor Offense	28	398	32	520
Warrants	11	70	14	120

Investigations

	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Assigned	176	1,397	120	1,182
Arrest/Charges Filed at Large	27	301	31	289
Suspended	26	260	89	815
Closed by Exception	43	609	19	139

A suspended case is one where no leads are available or what leads were available did not lead to an arrest

A case closed by exception is one where either the Complainant did not wish to pursue charges, the Defendant died, or for some other reason a known Defendant was not prosecuted.

Communications

Total 911 Calls/ by Source	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Total	830	10,054	1,079	9,629
Business	63	634	65	554
Residential	47	489	39	353
Coin	6	53	2	53
Cellular	695	7,193	818	7,758
Voice over Internet Protocol	7	794	34	311
Unknown	25	891	118	1,570



Leon Valley Police Department Monthly Report

Community Resource Officer

	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Violations of City Ordinance	8	225	9	272

Reserve Officers

Our Reserve Officers continue to supplement our Patrol as well as perform functions of security at City events. We have Reserve Officers provide for security as well as clerical support for our Thursday Municipal Court sessions.

	Oct 2013	YTD 2013	Oct 2012	YTD 2012
Hours	145	1,411	132	2,276
Calls for Service Handled	41	366	47	635
Citations	7	71	10	266

Code Enforcement

The Code Enforcement and Animal Control Officers completed a total of 198 inspections.

Public Works Monthly Report

October 2013

Director's Report

- Slurry Seal project completed satisfactory
- Pedestrian traffic delineators for Evers Road installed
- Received final report on assessment of Evers Road
- A total of 957 boxes of expired documents, were sorted and re-boxed for destruction, was completed
- Assistant Director began employment
- Poss Road property purchase secured
- Purchased software to enhance efficiency in operations of Public Works by providing tracking system for service order requests, inventory, equipment, and routine work orders to be utilized between Public Works, City Hall and the citizens via the City website
- Assisted in preparing the revisions to 2010 Parks, Recreation and Open Space Master Plan for Park Commission presentation to City Council
- Met at Edwards Aquifer Authority to discuss water conservation plan
- DPS signage was approved; installation pending
- Huebner/Evers traffic signal on review for replacement

Construction Crew Activities

The following streets were repaired with cold mix asphalt:

- Evers at Poss Road

The following streets had Sidewalk repairs:

- Forest Haven

Drainage remediation underway at:

- Seneca and Edinborough
- Repairs under the bridge on Wurzbach
- Huebner and Millstream
- Alley between Forest Bend and Forest Crest
- Dhamma Bucha Temple on Sawyer

Public Works: removal of portion of spoils pile at Public Works facility

Library: Crew finished laying curb and asphalt at Library and constructing drainage swale on southeast side

Water Crew Activities

Water Samples for S.A. Health District	12 Water Samples for Analysis
Disconnect Notices	132
Disconnect Water Service	22
Flush Dead-End Water Mains	27 Flushed
Meter Reading	3 Days
Meter Re-reads	18 Re-reads
Meter Change Out Program	0 Meters changed out
Temporary Meters Installed	0 Installed
Move Outs	4 Closed
Move Ins	9 Activated
Locates	1 Completed
Wells\Tower Sites	Cut Grass and Trim
City Wide	Fire Hydrant List

Location

Work done

7306 Crownpiece	replaced u branch
Huebner Well	removed tree branches
City Hall	executed a pressure test
7616 Eckhert	dug up water leak
6136 Stirrup	put new grass down
6502 Pecan Acres	repaired service line
Raymond Rimkus Park	SAWS inspection on recycle water line
Library Complex	repaired 27 sprinkler heads
Kinman House	repaired 3" water line
7216 Poss	repaired sewer line
7301 Linklea	replaced hose bib
7216 Poss	formed side walk
Shop	clean up yard

Maintenance Crew

- Performed routine landscaping (tree trimming, mowing, weed removal, debris removal) at all City facilities
- Collected recycling
- Performed routine updating of marquee
- Mowed right-of-ways (City Wide)
- Mowed Huebner Creek at Bandera Road
- Set up and cleaned Community Center for Seniors
- Cleaned windows at Community Center
- Provided set ups and cleanups for Community Center and Conference Center rentals
- Crew assisted Fire Department with debris removal from fire at Public Storage facility
- Addressed graffiti at Pavona Place subdivision
- Set up and Clean-up for Los Leones Art Festival
- Removed fallen tree from drainage easement in back of 6234 and 6300 Stirrup repaired fence
- Waiting for response from City of San Antonio to gain access to drainage area behind 7083 Settler's Ridge – mowed and fallen tree removed
- Repaired sink holes at soccer field in park for weekend activities
- Removed all mulch from Library Annex and replaced with rock
- Maintained park clean up
- Delivered BBQ Keys to Large Pavilion rentals
- Toilet Rebate Inspections

Fleet Crew

- Mechanics repaired mortar mixer, lawn mowers and performed preventative maintenance on various vehicles
- Mechanic was able to repair tractor shredder with welds, however, replacement parts are not available, so we are investigating costs for new shredder attachment
- Installed new gas tank for generator
- Replaced tires on front end loader and skid loader



**MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION**

April 24, 2013

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:31 p.m. on **Wednesday, April 24, 2013** in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. CALL TO ORDER

Present were President Abraham Diaz, Vice President Stephen Ynostrosa, Treasurer Michael McCarley, Board Member Claude Guerra, and Board Member Herman Segovia. Absent from the meeting was Board Member Gannon. Excused from the meeting was Board Member Georgia Zannaras. Also present were Board Attorney Steven Peña and Economic Development Director Claudia Mora, acting as staff support and recording secretary.

Agenda Items IV, V and VI were taken up immediately after Agenda Item I; however, for purposes of record, the minutes will be presented in the order of the official meeting Agenda.

**II. PRESENTATION AND POSSIBLE ACTION ON INVESTMENT ADVISORY SERVICES –
PATTERSON & ASSOCIATES**

Linda Patterson presented information on public entity pledged collateral in banks. She indicated that up to \$250,000 is insured; any amount in the same account would not be insured. Groups like the LVEDC should not have more than \$250,000 in any holding institution. The LVEDC has some flexibility to go outside of Leon Valley to select another institution in which to deposit some of the corporation's funds.

Discussion ensued on the type of investment advice Patterson & Associates provide clients. Ms. Patterson suggested that the LVEDC retain a firm on retainer or through an agreement so that the financial situation of the LVEDC would be reviewed. In addition, Board members posed questions regarding Patterson's assistance with administering an EDC loan program. Ms. Patterson indicated that her firm worked in an advisory capacity regarding investments. She mentioned that state charter banks may consider administering a loan program for the EDC.

Ms. Patterson offered to look at the LVEDC's proposed investment policy. Staff Liaison Mora will send her a copy.

**III. PRESENTATION AND POSSIBLE ACTION ON THE LEON VALLEY RETAIL OUTLOOK GUIDE
AND ICSC RECRUITMENT STRATEGY – THE RETAIL COACH**

Aaron Farmer, Vice President of The Retail Coach (TRC) presented the updated Leon Valley Retail Outlook Guide (ROG). He reported that the ROG was updated for use at ICSC as an outline or flyer to leave with people and appointments at the conference. He reviewed the data and pointed out that Leon Valley had good statistics to present to prospective retailers. One of the important facts in the ROG was the daily traffic count along Bandera Road.

Mr. Farmer also provided some tips for working through ICSC RECon. He suggested that we use the ROG as a one-sheet flyer to distribute. He advised the group going to focus on retail recruitments seminars and appointments. He also advised to know who the Leon Valley primary retailers were as well as be familiar with primary retailers in the general area. It was important that the team know what the available space or properties were in the community.

Mr. Farmer also provided information on what the next steps could be for the LVEDC to pursue in preparing a plan for retail development. He outlined some of the services TRC could perform for the LVEDC including a license plate analysis, retailer match list, retailer feasibility package, etc. Finally, he suggested that LVEDC plan to attend the ICSC Texas conference in November in Dallas.

IV. PRESENTATION AND POSSIBLE ACTION ON BRANDING SURVEY RESULTS - MDLG + COMPANY

Mike De La Garza reported that 87 people responded to the survey conducted earlier in the month. He reviewed the rankings of strengths and weaknesses as identified by the respondents. In addition, he presented information on the existing City of Leon Valley logo and seal. He discussed the demographics of the people responding to the survey. Mr. De La Garza explained the design of a logo concept and how the branding process would take place over the next few months.

V. CITIZENS TO BE HEARD

There were no citizens to be heard.

VI. CONSIDER LVEDC MINUTES – MARCH 27, 2013

Board Member Segovia moved that the minutes of the LVEDC Board meeting of March 27, 2013 be approved. Board Member Guerra seconded the motion. The motion carried.

VII. FINANCIAL REPORT BY LVEDC TREASURER AND CONSIDERATION

Board Treasurer McCarley reported he transferred \$20,000 from the money market account to the checking account. He also reported that as of 2:30 p.m., the LVEDC had \$462,875.82 in the money market account and \$25,553.87 in the checking account for a total of \$488,429.69 in funds. The accounts payable amount of \$10,813.56 would reduce the total funds available to \$477,616.13.

Board Member Guerra moved to accept the financial report. Board Member Segovia seconded the motion. The motion carried.

VIII. DISCUSSION ON LVEDC AND ECONOMIC DEVELOPMENT STRATEGIC PLAN

Since Board Member Gannon is the lead on the economic development strategic plan, and because he was not in attendance, it was recommended that this agenda item be tabled. Board Member Segovia moved to table this agenda item. Board Member Guerra seconded the motion. The motion carried.

IX. DISCUSSION AND ELECTION OF A BOARD SECRETARY

Board Member Guerra nominated Board Member Gannon. Board Member Segovia seconded the nomination. The Board elected Board Member Gannon as Board Secretary.

X. PRESENTATION OF LEON VALLEY INFORMATION FORMAT FOR ICSC

Staff Liaison Mora presented a draft PowerPoint presentation for the ICSC RECon in May. The Board Members made suggestions on testimonials, format, and information to be provided in the presentation.

XI. FUTURE AGENDA ITEMS---

Board President Diaz asked if it was possible to rescind the grant and loan that it has approved for El Sol. The Board has been waiting for a response from the El Sol attorney or El Sol. It was stated that the item needed to be put on the agenda for the May meeting. It was also requested that Patterson & Associates be asked to submit a proposal and that the proposal be considered at the next LVEDC Board meeting.

XII. ANNOUNCEMENTS

There were no announcements.

XIII. ADJOURN

Board Member Ynostrosa moved to adjourn, seconded by Board Member Guerra. The motion carried

by voice vote and the meeting was adjourned at 8:34 p.m.


STEPHEN YNOSTROSA
BOARD VICE PRESIDENT


CLAUDIA MORA
STAFF LIAISON



**MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION**

July 24, 2013

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:38 p.m. on **Wednesday, July 24, 2013** in the City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. CALL TO ORDER

Present were Board President Stephen Ynostrosa, Board Treasurer Mike McCarley, Board Secretary David Gannon, and Board Member Claude Guerra. Board Member Georgia Zannaras and Board Member Rudy Garcia were excused. Board Member Herman Segovia was absent. Also present were Board Attorney Steven Peña, Attorney and Economic Development Director Claudia Mora, acting as staff support and recording secretary.

II. CLOSED SESSIONS IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE

The City of Leon Valley Economic Development Corporation Board convened in Closed Session at 6:39 p.m. for the following:

A. Pursuant to Tex. Gov't Code Ann. § 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations; or (2) to Deliberate the Offer of a Financial or Other Incentive to a Business Prospect Described by Subdivision (1), Regarding El Sol Bakery.

B. Tex. Gov't Code Ann. § 551.071(1),(2) update Little v. Leon Valley EDC;

C. Tex. Gov't Code Ann. § 551.071 (1),(2) penalty for late submission of IRS form 990 for tax year 2011.

D. The City of Leon Valley Economic Development Corporation Board reconvened into Open Session at 7:53 p.m. No action was taken on items A, B or C during the closed session. Board Member Gannon moved that the LVEDC pay the penalty per the IRS letter received and direct staff to pursue action to receive refund of the penalty. Board Member Guerra seconded the motion. The motion carried by voice vote.

III. CITIZENS TO BE HEARD

There were no citizens to be heard.

IV. CONSIDER LVEDC MINUTES – June 26, 2013

Board Member Gannon moved that the June 26 minutes be approved. Board Member Guerra seconded the motion. The motion carried by voice vote.

V. FINANCIAL REPORT BY LVEDC TREASURER AND CONSIDERATION

Board Treasurer McCarley reported that as of 4:30 p.m., the LVEDC had a total of \$517,544.42 in the bank. This amount included the sales tax deposit of \$17,612 for the month of July 2013. Treasurer McCarley reported that

\$493,060.83 was the balance in the money market account, and \$24,483.59 was the total in the checking account. This amount includes a transfer of \$20,000 from the money market account.

VI. UPDATE ON BRANDING/LOGO DESIGN

Staff Liaison Mora reported that the Branding Subcommittee agreed on another design for a logo. The new proposed logo would be presented to the City Council on August 6. The Board Members were asked to provide comments on the logo by August 2.

VII. UPDATE ON RETAIL ECONOMIC DEVELOPMENT PLAN

Staff Liaison Mora presented a brief summary of The Retail Coach's (TRC) license plate survey report. The document provided by TRC was the first in Phase 1 and 2 of the deliverables. TRC counted the cars once during the survey; repeats were eliminated. Most traffic appeared twice during the day – between 12 and 1, and again around 5:30 to 6:30. HEB Marketplace was the retail center with the largest non-Leon Valley draw. TRC will provide information on how many of the license plates were those of Leon Valley residents.

The Board asked how long the information on the license plate survey is kept. Also, the Board asked how much would the count increase in August, when the new school year begins. Ms. Mora said she would pose these questions to TRC and get responses for the next Board meeting.

VIII. DISCUSSION ON LVEDC FAÇADE AND SIGNAGE PROGRAM

The Board briefly discussed the development of criteria for a façade and signage program. Staff will draft up a policy for the Board to review before the next meeting. The draft will be the basis of the program on which the Board will work to develop the façade and signage program.

Discussion ensued regarding whether to have a program where the Board received proposals from businesses. LVEDC would provide a match of funds to the business to help with the façade or signage improvements. Another idea was to set up the program to run on a first come-first served basis. The application process should be simple; the form should be simple. The Board directed staff to check with the Community Development Department on the standards required for signage in Leon Valley.

IX. DISCUSSION ON STRATEGIC PLAN

Board Member Gannon stated that an overview of the process had been presented at the last meeting. He said that at the end of the calendar year the Board should look at a vision and mission statement. This would be an agenda item for the November or December Board meeting. Board Member Gannon and Staff Liaison Mora will work together to set up a timeline and plan for the Board to work on the Strategic Plan. In addition, they will gather information on executive summaries to use as examples for the Board's work on the plan.

X. ACTION ON ADMINISTRATIVE SPENDING PLAN

Staff Liaison Mora stated that this item was a repeat from the last meeting. The Board had already approved a plan and provided some direction on the reporting. No further discussion was needed.

XI. ELECTION OF A BOARD VICE PRESIDENT

Board Member McCarley moved to table this agenda item until the full board was present. Board Member Gannon seconded the motion. The motion carried.

XII. FUTURE AGENDA ITEMS

The Board discussed placing the following items on the agenda for the next board meeting:

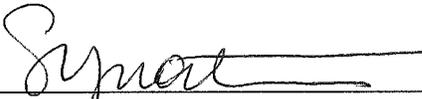
- A. Investment Policies, Financial Operations and Information on Banks – Staff will contact Ms. Patterson one more time and ask for a proposal to provide services to the LVEDC. Also, staff will ask the City’s Finance Director for information regarding the City providing some of the services; and will check with TEDC on required filings.
- B. Work Session(s) on Façade and Signage Program – This was addressed in Agenda Item VIII, and will continue at next Board meeting.
- C. Quarterly Special Joint Meeting with City Council – Staff will coordinate this with the City Secretary.
- D. Budget – The budget for FY 2013-2014 will need to be approved at the next Board meeting. Staff will do a budget adjustment for the current FY budget to accommodate the contribution to the monuments for Bandera Road. The Board directed staff to make the adjustment to the Advertising line item.

XII. ANNOUNCEMENTS

Staff Liaison Mora reminded the Board that the terms for Board Director Places 1, 3, 5, and 7 expire September 30. Current Board members in those places were urged to reapply for appointment as soon as possible. Ms. Mora would forward the current board application again.

XIII. ADJOURN

Board Member Gannon moved that the meeting be adjourned. Board Member Guerra seconded the motion. The motion carried by voice vote. Board Vice President Ynostrosa adjourned the meeting at 8:57 p.m.



Stephen Ynostrosa, Board President



David J. Gannon, Board Secretary

LEON VALLEY

T E X A S

SMALL TOWN HOSPITALITY. BIG CITY ADVANTAGES.

MINUTES OF THE MEETING OF THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION

June 26, 2013

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:34 p.m. on **Wednesday, June 26, 2013** in the City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. CALL TO ORDER

Present were Board Vice President Stephen Ynostrosa, Board Treasurer Mike McCarley, Board Secretary David Gannon, Board Member Claude Guerra, Board Member Georgia Zannaras, Board Member Herman Segovia, and Board Member Rudy Garcia . Also present were Board Attorney Steven Peña, Attorney Lisa Gonzales, and Economic Development Director Claudia Mora, acting as staff support and recording secretary.

II. CLOSED SESSIONS IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE

The City of Leon Valley Economic Development Corporation Board convened in Closed Session at 6:36 p.m. for the following:

- A. Pursuant to Tex. Gov't Code Ann. § 551.071(1) Consultation with Attorney, Regarding Litigation Larry Little and/or Town Center Project.
- B. Pursuant to Tex. Gov't Code Ann. § 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations; or (2) to Deliberate the Offer of a Financial or Other Incentive to a Business Prospect Described by Subdivision (1), Regarding El Sol Bakery.
- C. The City of Leon Valley Economic Development Corporation Board reconvened into Open Session at 7:55 p.m. No action was taken on Closed Session Items A and B.

III. CITIZENS TO BE HEARD

There were no citizens to be heard.

IV. CONSIDER LVEDC MINUTES – APRIL 24, 2013 and May 29, 2013

Board Member Guerra requested that the May 29 minutes reflect under agenda item XI Future Agenda Items, it show he reminded the Board that the Board had expressed an interest in setting up a façade and signage program. Board Member Guerra moved that the April 24 and May 29 minutes be approved as changed. Board Member Gannon seconded the motion. The motion carried by voice vote.

V. FINANCIAL REPORT BY LVEDC TREASURER AND CONSIDERATION

Board Treasurer McCarley reported that as of 4:50 p.m., the LVEDC had a total of \$515,528.77 in the bank. Of that amount, \$495,445.64 was the balance in the money market account, and \$20,083.13 was the total in the checking account. After the expenses for the month are applied, the balance is \$499,880.71. He also reported the average sales tax per month was \$19,352.84.

Board Member Guerra moved to accept the Treasurer's report. Board Member Garcia seconded the motion. The motion carried by voice vote.

VI. PRESENTATION OF BRANDING/LOGO DESIGN

Mike De La Garza of MDLG+ Company explained the branding process, as it has taken place, to the Board. The plan was to emphasize "valley" and include the iconic image of the mountain lion in the logo. The logo would be used for various things but would serve primarily as a marketing element for economic development. Tag lines would be developed for specific uses.

The Board provided comment on the logo with Board Member McCarley stating the branding process was a good process. Board Member Segovia stated it was important to have "Texas" as part of the logo either as a name/word or the outline of the shape of the state.

VII. UPDATE ON RETAIL ECONOMIC DEVELOPMENT PLAN

Staff Liaison Mora presented a brief summary of The Retail Coach's (TRC) kick-off meeting presentation. The timeline of the project was highlighted for the LVEDC Board. The Board asked staff to provide the TRC products and materials prior to Board meetings so that there is time to review before discussing them.

VIII. DISCUSSION ON LVEDC FAÇADE AND SIGNAGE PROGRAM

The Board briefly discussed the development of criteria for a façade and signage program. Staff provided some information on programs in neighboring communities. Board Member Guerra commented he would provide staff with a list of cities with façade and/or signage programs. He asked that the next meeting agenda include an item on developing a façade and signage program.

IX. DISCUSSION AND POSSIBLE ACTION ON ADMINISTRATIVE SPENDING PLAN

Staff Liaison Mora reported on a \$100 monthly spending budget for staff to take care of LVEDC-related incidentals. Staff would provide a monthly report on if and how the funds were expended. The money would be used to purchase things such as board meeting supplies (pens, pads, binders), snacks, chamber of commerce luncheon meetings, color copies at Kinko's, etc.

Board Member Gannon moved that the LVEDC Board allow staff to have a monthly spending budget of \$100 to be used for incidentals, and for staff to report the incidental expenses to the LVEDC Board each month. Board Member Guerra seconded the motion. The motion carried by voice vote.

X. ELECTION OF BOARD PRESIDENT

Board Member Guerra nominated Stephen Ynostrosa for LVEDC Board President. Board Member Segovia seconded the nomination. There were no other nominations. Board Member Guerra moved to close the nominations. Board Member Garcia seconded the motion. The motion carried by voice vote. The Board elected Mr. Ynostrosa LVEDC Board President by voice vote.

XI. FUTURE AGENDA ITEMS

The Board discussed placing the following items on the agenda for the next board meeting:

- A. Façade and signage program
- B. Election of a Board Vice President
- C. Update on El Sol
- D. Strategic Plan

XII. ANNOUNCEMENTS

Board Member Garcia informed the Board that he would not be present at the next Board meeting as he had scheduled a vacation prior to being appointed to the LVEDC Board.

Ms. Mora also reminded the Board that the terms for Board Director Places 1, 3, 5, and 7 expired September 30. Current Board members in those places were urged to reapply for appointment as soon as possible. Ms. Mora would forward the current board application.

XIII. ADJOURN

Board Member Gannon moved that the meeting be adjourned. Board Member McCarley seconded the motion. The motion carried by voice vote. Board Vice President Ynostrosa adjourned the meeting at 9:28 p.m.



Stephen Ynostrosa, Board President



David J. Gannon, Board Secretary



**MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION**

March 27, 2013

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:33 p.m. on **Wednesday, March 27, 2013** in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. CALL TO ORDER

Present were President Abraham Diaz, Vice President Stephen Ynostrosa, Treasurer Michael McCarley, Board Member Claude Guerra, Board Member David Gannon, Board Member Georgia Zannaras, and Board Member Segovia. Also present were Board Attorney Steven Peña and Economic Development Director Claudia Mora, acting as staff support and recording secretary.

II. CITIZENS TO BE HEARD

There were no citizens to be heard.

III. CONSIDER LVEDC MINUTES – DECEMBER 12, 2012 and January 23, 2013

Board Member Gannon moved to approve the LVEDC Board meeting minutes of February 27, 2013. Board Member Zannaras seconded the motion. The motion carried.

IV. FINANCIAL REPORT BY LVEDC TREASURER AND CONSIDERATION

Treasurer McCarley reported that as of 4:30 p.m. on March 27, 2013, the balance in the checking account was \$16,387.29; in the money market account, \$465,269.79. The total in both accounts was \$481,657.08. Board Member Guerra moved to accept the financial report. Board Member Gannon seconded the motion. The motion carried.

V. DISCUSSION ON OFFICE AND OPERATING EXPENSES

Staff Liaison Mora requested the Board provide direction on staff spending for the LVEDC. Spending would include purchases of snacks and supplies for the Board meetings. Currently, Ms. Mora purchases items and the LVEDC reimburses her. Ms. Mora also asked the Board to consider approving staff to obtain a credit card on behalf of the LVEDC to make purchases and take care of online registrations and travel arrangements for Board members attending training and conferences.

Discussion ensued. The Board discussed allowing a \$100 spending limit for staff. Also, the Board discussed the merits of having a credit card with a \$5,000 to \$10,000 limit. Staff was directed to present a policy on spending to the Board, preferably at the next meeting.

VI. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2013-02, REGARDING THE CONTRIBUTION OF UP TO \$7,500 TO THE CONSULTANT CONTRACT TO DEVELOP A BRAND FOR THE CITY OF LEON VALLEY AND THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION

Ms. Mora reported that work has begun on the development of a brand for Leon Valley. The consultant, MDLG + Company, began conducting a survey. Some Board members may have received an email with a link to the online survey. The survey will be conducted through April 1. After the results are compiled, the consultant will meet with the Branding Committee and other groups, including the LVEDC, to present and discuss the results of the survey. Staff recommended that the Board contribute up to \$7,500 toward the consultant contract for branding. The Board asked Ms. Mora whether local designers and printers will be used in the production of the new brand or logo. Staff indicated that had not been discussed but that staff would discuss this with the consultant. The Board also asked if LVEDC would be included on the Branding Committee. Staff indicated that interested Board members

had to submit a volunteer application. Staff will send the Board the application, and any Board member may submit for appointment. City Council will appoint committee members as applications are received and considered. Board Member Gannon commented that he had spoken with the Mayor and was asked to apply for appointment.

The Board indicated that they would like to participate but would like to pay their contribution in proportion to the completion of the phases of the contract and the invoices received from the consultant. Board Member Gannon moved to contribute up to \$7,500 for the consultant contract to develop a brand for Leon Valley, and for the contribution to be made in proportion to the phases and invoices received by the consultant. Board Member Segovia seconded the motion. The motion carried.

VII. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2013-09, REGARDING THE ADOPTION OF THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION INVESTMENT POLICY

Staff Liaison Mora reported that the draft policy mirrored the City of Leon Valley's policy. The draft contains the basic elements required by law for an investment policy, including quarterly reports. Board Attorney Peña recommended that the LVEDC Board consider hiring a consultant to perform investment services for the LVEDC. The services would include the development of the investment policy, movement of funds in excess of \$250,000, etc.

Discussion ensued with the Board deciding to have a consultant come to the next Board meeting to discuss the types of services that can be provided to the LVEDC regarding investment, banks, and basic money management.

Board Member Segovia moved to table the item until the next Board meeting. Board Member Gannon seconded the motion. The motion carried.

VIII. STATUS REPORT ON EL SOL BAKERY PERFORMANCE AGREEMENT AND POSSIBLE ACTION

Board Attorney Peña reported he had sent a letter to and called Mr. Longoria, the attorney for the Romeros and El Sol. To date, he has not received a response. The Board briefly discussed removing the status report from future meeting agendas. Board Member Gannon moved to remove the status report on El Sol from the agenda. Board Member Zannaras seconded the motion. The motion carried.

IX. DISCUSSION ON LVEDC AND ECONOMIC DEVELOPMENT STRATEGIC PLAN

Board Member Gannon reported that the economic development section of the City's Master Plan was wordy and that several of the goals and strategies had been achieved through the LVEDC.

It was recommended the Board review the LVEDC mission statement for the next meeting. Board Member Gannon briefly outlined a process that would take place that included the review of materials provided to the board (City's mission statement, LVEDC mission statement, etc.) and the discussion at a retreat or work session.

The strategic plan will be on the agenda for the April LVEDC Board meeting to consider the mission statement.

X. DISCUSSION AND ELECTION OF A BOARD SECRETARY

Staff Liaison Mora reported that the agenda item had been absent from past agendas in order for the Board to consider other items. It was being brought back for discussion and election due to the requirements that the LVEDC have at least a president and secretary, as required by law.

Board Attorney Peña provided comment on the duties of secretary. The primary role of the secretary is to attest to the minutes and resolutions. Discussion ensued on amending the by-laws to reflect the actual duties of the secretary. Mr. Peña commented on the lengthy and, somewhat, difficult process for

amending by-laws. Board Members weighed in with comments on how the LVEDC by-laws were developed using boilerplate language from other entities' by-laws. Mr. Peña asked that this item be tabled until the next meeting so that he could review the by-laws before the Board proceeded with the election of a secretary.

This agenda item is tabled until the next Board meeting.

XI. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2013-10, REGARDING THE EXPENDITURE OF \$2,500 TO THE RETAIL COACH TO PERFORM RETAIL ECONOMIC DEVELOPMENT SERVICES TO UPDATE CERTAIN REAL ESTATE REPORTS AND SERVICES REPORTS FOR USE AT THE 2013 ICSC RECON IN MAY 2013

Staff Liaison Mora presented this item. A sample of the work previously done by the consultant was shown to the Board. The purpose of updating retail outlook guide is to use the information as a marketing tool at the ICSC RECon, place on the City's website, and have on hand to provide information to inquiring companies and individuals. In addition to updating the materials, The Retail Coach offered to present the information at the next Board meeting along with a strategy for ICSC RECon.

Board Member Guerra moved to approve the resolution. Board Member Zannaras seconded the motion. The motion carried.

XII. FUTURE AGENDA ITEMS

Board Member Gannon informed the Board that he had met with Mayor Riley regarding this item. She offered to send him some information and materials regarding the City's Master Plan. He asked the Board to table the item until the information was obtained. Board Member Gannon moved to table the item. Board Member Segovia seconded the motion. The motion carried.

XIII. ANNOUNCEMENTS

Ms. Mora provided an update on the Texas Wide Open for Business ad and contract. The City is participating in the ribbon cutting and grand opening of Next Level Fitness at 2 p.m. at 6737 Grissom Road. The Branding survey will be up on the website until April 1. The Board was reminded that the deadline to RSVP for the Volunteer Appreciation Dinner is March 29 and the dinner is April 10 at 6.

Board Member McCarley informed the Board that a new retail center on Eckhert Road. The center includes a café and jewelry store. He recommended the café.

Ms. Mora informed the Board that the list of Leon Valley businesses is now posted on the Economic Development Department web page. The list is as of March 1, 2013 and does not include all businesses, just those that wanted to be included on the list. A list of commercial property vacancies and undeveloped properties will be up on the website next.

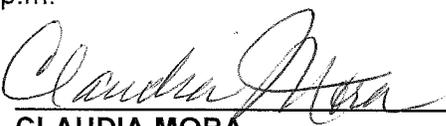
Board President Diaz reminded the Board Members interested in attending ICSC to see Claudia for information on registration and travel arrangements.

XIV. ADJOURN

Board Member Guerra moved to adjourn, seconded by Board Member Gannon. The motion carried by voice vote and the meeting was adjourned at 8:03 p.m.



STEPHEN YNOSTROSA
BOARD VICE PRESIDENT



CLAUDIA MORA
STAFF LIAISON



**MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION
May 29, 2013**

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:32 p.m. on **Wednesday, May 29, 2013** in the City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. CALL TO ORDER

Present were Board Vice President Stephen Ynostrosa, Board Treasurer Mike McCarley, Board Secretary David Gannon, Board Member Claude Guerra, Board Member Georgia Zannaras, and Board Member Herman Segovia. Also present were Board Attorney Steven Peña and Economic Development Director Claudia Mora, acting as staff support and recording secretary.

II. CITIZENS TO BE HEARD

Abraham Diaz, Board President, resigned from the LVEDC Board. He was elected to the Leon Valley City Council on May 11 and was unable to continue serving on the LVEDC Board of Directors. The Board commented on Mr. Diaz's service on the LVEDC and thanked him for his contributions. Board Vice President Ynostrosa presented Mr. Diaz with a plaque of appreciation from the LVEDC Board.

III. CONSIDER LVEDC MINUTES – APRIL 24, 2013

The minutes were not ready for consideration. Consideration and approval will be taken up at the next board meeting.

IV. FINANCIAL REPORT BY LVEDC TREASURER AND CONSIDERATION

Board Treasurer McCarley reported that as of 4:00 p.m., the LVEDC had a total of \$505,203.35 in the bank. Of that amount, \$476,438.33 was the balance in the money market account, and \$28,765.02 was the total in the checking account. Mr. McCarley reported that he transferred \$10,000 from the money market account to the checking account on May 20. He also reported that the average sales tax revenue this year has been approximately \$19,000 per month.

Board Member Gannon moved to accept the Treasurer's report. Board Member Guerra seconded the motion. The motion carried by voice vote.

V. DISCUSSION AND POSSIBLE ACTION ON PROPOSAL FROM THE RETAIL COACH FOR CONSULTING SERVICES ON A RETAIL ECONOMIC DEVELOPMENT PLAN

Aaron Farmer, Vice President of The Retail Coach, addressed the LVEDC Board. He said that there was good opportunity for retail development in Leon Valley. In particular, Mr. Farmer indicated that Leon Valley had redevelopment opportunities –existing vacant locations that would be attractive to retailers. Mr. Farmer explained the different phases of the development of the retail plan.

During the discussion, Board Member Segovia and Board Member Gannon indicated that the development of the retail plan would be beneficial for Leon Valley to have prior to the Texas ICSC conference in November. Mr. Farmer indicated that most of the work on the plan would be done in time for the Texas ICSC conference, and that The Retail Coach would help set up appointments for Leon Valley for that conference.

Board Member Segovia moved to adopt a resolution to approve the proposal from The Retail Coach for consulting services on a retail economic development plan subject to the approval of the agreement language by the Board Attorney. Board Member Zannaras seconded the motion. The motion carried by voice vote.

VI. PRESENTATION OF DRAFT LVEDC BUDGET FOR FY2013-2014

Staff Liaison Mora presented the DRAFT LVEDC budget for Fiscal Year 2013-2014. Ms. Mora proposed a budget of \$215,922 for the coming fiscal year. The amount is based on an average of the actual economic development sales tax amounts for the preceding fiscal years:

2009-2010	\$210,980
2010-2011	\$214,736
2011-2012	\$222,050

Ms. Mora indicated that the Contractual Services line item would increase from \$41,153 to \$42,227 to show the increase in FICA, retirement, health benefits, cafeteria plan for additional medical coverage, workers compensation, liability insurance and longevity pay. The Advertising line item is proposed at \$7,645 to cover ads or subscription services to promote Leon Valley and the LVEDC. The Membership line item is increased from \$700 to \$1,050 to include individual memberships for each board member to the International Council of Shopping Centers (ICSC) and the Texas Economic Development Council. The EDC Project Funding line item is increased from \$108,147 to \$115,000.

The final budget will be considered and acted upon by the LVEDC Board at the July meeting. Board Member Gannon moved to table discussion and action. Board Member Segovia seconded the motion to table. The motion carried by voice vote.

VII. DISCUSSION ON LVEDC AND ECONOMIC DEVELOPMENT STRATEGIC PLAN

Board Treasurer McCarley moved to defer this agenda item to next month. Board Member Zannaras seconded the motion. The motion carried by voice vote.

VII. REPORT ON ICSC RECon

Staff Liaison Mora reported on the recruitment trip to Las Vegas and the ICSC RECon. Ms. Mora reported that Board Members Gannon and Segovia represented the LVEDC on the trip. The Leon Valley contingent met with six business representatives and/or developers including In-N-Out Burger, Chipotle Mexican Grille, Dunkin' Brands, Jersey Mike's Subs, Endura Advisory Group (Panera Bread) and Dots, LLC. The meetings were positive and informative. The key will be to follow-up and plan to meet with these groups again in Dallas in November.

IX. EXECUTIVE SESSIONS IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE

The City of Leon Valley Economic Development Corporation Board convened in Executive Session:

A. Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations; or (2) to Deliberate the Offer of a Financial or Other Incentive to a Business Prospect Described by Subdivision (1), Regarding El Sol Bakery.

Executive Session Convened at 8:00 p.m.

B. The City of Leon Valley Economic Development Corporation Board will Reconvene into Open Session.

The LVEDC Board reconvened into open session at 8:53 p.m.

C. The City of Leon Valley Economic Development Corporation Board will Take Any Possible Actions Resulting from the Executive Session.

No action was taken as a result of the Executive Session.

X. FUTURE AGENDA ITEMS

The Board discussed whether to place the following items on future agendas:

A. Presentation on spending policy – next meeting.

B. Amendments to Articles of Incorporation and Bylaws – remove from list.

C. Investment Policies, Financial Operations and Information on Banks – place with proposal from Linda Patterson of Patterson & Associates.

Board Vice President Ynostrosa commented that he would like for an updated presentation from Acción to be placed on a future meeting agenda.

Board Member Guerra reminded the Board that the Board had expressed an interest in setting up a façade program.

Board Member Segovia asked for a report on the Branding Committee.

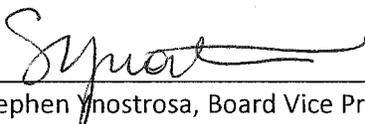
XI. ANNOUNCEMENTS

Staff Liaison Mora informed the Board that a tentative special joint meeting with the City Council was scheduled for June 18. Ms. Mora would confirm and provide more information to the Board.

Ms. Mora also reminded the Board that the terms for Board Director Places 1, 3, 5, and 7 expired September 30. Current Board members in those places were urged to reapply for appointment as soon as possible. Ms. Mora would forward the current board application.

XII. ADJOURN

Board Member Gannon moved that the meeting be adjourned. Board Member Guerra seconded the motion. The motion carried by voice vote. Board Vice President Ynostrosa adjourned the meeting at 9:18 p.m.



Stephen Ynostrosa, Board Vice President



David J. Gannon, Board Secretary



**MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION**

August 28, 2013

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:40 p.m. on **Wednesday, August 28, 2013** in the City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. CALL TO ORDER

Present were Board President Stephen Ynostrosa, Board Treasurer Mike McCarley, Board Member Claude Guerra, Board Member Segovia, Board Member Georgia Zannaras and Board Member Rudy Garcia. Board Secretary David Gannon was excused. Also present were Board Attorney Steven Peña, and Economic Development Director Claudia Mora, acting as staff support and recording secretary.

At this point in the meeting, Board President Ynostrosa proceeded to agenda item III. Citizens to be Heard. For the purposes of the minutes, the items will remain in the order they appeared in the agenda.

II. CLOSED SESSIONS IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE

The City of Leon Valley Economic Development Corporation Board convened in Closed Session at 7:00 p.m. for the following:

- A. Pursuant to Tex. Gov't Code Ann. § 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations; or (2) to Deliberate the Offer of a Financial or Other Incentive to a Business Prospect Described by Subdivision (1), Regarding El Sol Bakery.
- B. Tex. Gov't Code Ann. § 551.071(1),(2) update Little v. Leon Valley EDC;
- C. The City of Leon Valley Economic Development Corporation Board reconvened into Open Session at 7:50 p.m. No action was taken on items A, B or C during the closed session.

III. CITIZENS TO BE HEARD

There were no citizens to be heard.

IV. CONSIDER LVEDC MINUTES – July 24, 2013

Board Member McCarley moved that the July 24 minutes be approved. Board Member Garcia seconded the motion. The motion carried by voice vote.

other communities on their application and evaluation processes, and to report back at the next LVEDC Board meeting.

XI. DISCUSSION AND ACTION ON FY 2013 BUDGET ADJUSTMENT INCREASING ADVERTISING LINE ITEM BY \$32,598 FOR LVEDC CONTRIBUTION TO THE CITY LEON VALLEY FOR MONUMENTS ON BANDERA ROAD, AND DECREASING PROJECT LINE ITEM BY \$32,598

Staff Liaison Mora commented that the Board asked for this item to be put on the agenda for this Board meeting. Ms. Mora reminded the Board that during the FY 2013 budget process, the Board had expressed interest in contributing to the monuments to be placed on Bandera Road marking the entrances to Leon Valley. The figure discussed at the time had been \$32,598. At the last Board meeting, the Board had asked that staff make a budget adjustment to reflect the moving of funds from the EDC Project line item to the Advertising line item to make the contribution.

Board Member Garcia moved to make the budget adjustment. Board Member Zannaras seconded the motion. The motion carried by voice vote.

XII. DISCUSSION AND ACTION ON REQUEST TO CONTRIBUTE \$47,500 TO THE CITY OF LEON VALLEY FOR BUILDING IMPROVEMENTS TO THE KINMAN HOUSE AS PART OF THE EL SOL BAKERY PROJECT

The Board briefly discussed this agenda item. Board President Ynostrosa reported that he had met with the City Manager and proposed that the LVEDC Board contribute the \$47,500 approved for the El Sol Bakery project to the City to make improvements to the Kinman House. This might be a solution to the personal guarantee situation with the performance agreement. Discussion ensued on the elements that a memorandum of understanding would include. The MOU would be between the LVEDC and the City of Leon Valley.

The Board requested staff draft an MOU for the next Board meeting.

Board Member McCarley moved to table this agenda item. Board Member Guerra seconded the motion. The motion carried by voice vote.

XIII. FUTURE AGENDA ITEMS

Staff Liaison Mora mentioned that she would follow-up on the investment and financial services proposal from Patterson & Associates. The Board will continue the façade and signage program work at the next meeting with the new draft that would add and/or delete language requested by the Board.

Board President Ynostrosa mentioned that he had spoken with the City Manager regarding contracting with consultants to provide loan analysis for funding applications. Mr. Ynostrosa mentioned he may know of some consultants that the LVEDC may engage.

XIV. ANNOUNCEMENTS

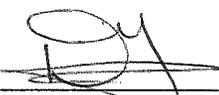
Ms. Mora reminded the Board of the Special Joint Meeting between the City Council and the LVEDC Board of Directors scheduled for Tuesday, September 3.

XV. ADJOURN

Mr. Segovia moved that the meeting be adjourned. Mr. McCarley seconded the motion. The motion carried by voice vote. Board President Ynostrosa adjourned the meeting at 9:46 p.m.



Stephen Ynostrosa, Board President



David J. Gannon, Board Secretary



**MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION**

September 25, 2013

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:30 p.m. on **Wednesday, September 25, 2013**, in the City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Call to Order and Determine if Quorum is Present

Present were Board President Stephen Ynostrosa, Board Vice President Herman Segovia, Board Treasurer Mike McCarley, Board Secretary Dave Gannon, Board Member Garcia, Board Member Guerra. Board Member Zannaras was excused. Also present were Board Attorney Steven Peña, and Economic Development Director Claudia Mora, acting as staff support and recording secretary.

II. Closed Sessions in Accordance with the Texas Government Code

The City of Leon Valley Economic Development Corporation Board convened in Closed Session at 6:32 p.m. for the following:

- A. Pursuant to Tex. Gov't Code Ann. § 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations; or (2) to Deliberate the Offer of a Financial or Other Incentive to a Business Prospect Described by Subdivision (1), Regarding El Sol Bakery.
- B. Tex. Gov't Code Ann. § 551.071(1),(2) update Little v. Leon Valley EDC;

The City of Leon Valley Economic Development Corporation Board reconvened into Open Session at 7:08 p.m. No action was taken on items A or B during closed session.

III. Citizens to be Heard

There were no citizens to be heard.

IV. Consider LVEDC Minutes – August 28, 2013

Board Member Guerra moved to approve the minutes of August 28. Board Member Gannon seconded the motion. The motion carried by voice vote.

V. Financial Report by LVEDC Treasurer and Consideration

Board Treasurer McCarley reported that the September sales tax deposit was \$19,121.15. For the fiscal year, a total of \$195,315.42 had been deposited. Mr. McCarley reported that as of September 25, the balance in both accounts amounted to \$491,229.02; \$31,369.71 in the checking account and \$459,859.31 in the money market account.

VI. Discussion and Possible Action on El Sol Project

Board Member Gannon moved to table this agenda item. Board Member McCarley seconded the motion. The motion carried by voice vote.

VII. Discussion and Possible Action on Proposal from Patterson and Associates to Provide Investment Advisory Services to the LVEDC

Staff Liaison Mora presented a summary of the proposal from Patterson and Associates to provide investment advisory services to the LVEDC. There were two fees quoted based on the services to be provided. For a fee of \$1,000 per month, Patterson and Associates would provide full investment advisory/management services which include all investment monthly and quarterly reporting, and all work with banking proposals. On an “as needed basis”, Patterson and Associates would provide services in investment alternatives, investment placement, consulting for treasury functions such as banking, policies and controls. This option would be provided on an hourly basis at \$200 per hour.

Discussion ensued. The Board asked staff to contact Ms. Patterson and clarify the services. In addition, the Board wanted clarification on whether the services would include assistance with the IRS and the 501(c)(6) designation, and the completion and filing of the IRS Form 990 due in February. The supplemental information is requested for the next LVEDC Board meeting.

Board Member Gannon moved to table this agenda item. Board Member Garcia seconded the motion. The motion carried by voice vote.

VIII. Discussion on LVEDC Façade and Signage Program

Ms. Mora presented an update on the changes made to the draft program guidelines as provided by the LVEDC Board at the previous meeting. Discussion ensued on the amount of the matching grant. The consensus was that the matching grant be up to 50%; however, the maximum dollar amount was not decided. The suggestions ranged from \$3,000 to \$10,000. Discussion ensued regarding whether the dollar amount for signage should be different from façade. The consensus was to not distinguish between the two and wait for public input on the proposed draft guidelines.

Additional discussion focused on new language changes. Board Attorney Peña informed the Board that he would work on the language regarding obligation of the LVEDC to fund projects. Also, Board Member Guerra commented that the re-application period was too long at 12 months. There was no consensus on a term for this section. The Board opted to leave that discussion for the time, and wait until public comment was made on the guidelines.

The Board asked staff to send copies of the draft program guidelines to Leon Valley businesses along with a letter signed by the Board president informing them of the program and inviting the businesses to provide comment. The Board asked that this be done by October 15. They also requested that a special meeting be set up so that businesses have an opportunity to address the Board and provide comments on the draft guidelines. Ms. Mora indicated that she would schedule a meeting for November 12 or 13.

Board Member Gannon moved to table this agenda item and asked for staff to provide an update on the email and specific dates for gathering the comments, including a meeting date in November. Board Member Garcia seconded the motion. The motion carried by voice vote.

IX. Future Agenda Items

As items A and B had already been discussed in Agenda Items VII and VIII, they were not discussed here. Item C, Work Session on Strategic Plan was discussed. Board Member Gannon said the Board would wait for the final report from The Retail Coach in December. The strategic plan process would begin in January.

Staff was asked to check with the State Comptroller’s Office on whether the Board could sponsor different events in the community.

X. Announcements

Ms. Mora informed the Board that she would send a link on the TEDC Annual Conference to the board members attending: Board President Ynostrosa, Board Vice President Segovia, Board Treasurer McCarley and Board Member Garcia.

Also, Board Member Garcia, Board Member Guerra, and Board President Ynostrosa were reminded about the sales tax training on October 15.

XI. Adjourn

Board Member Guerra moved to adjourn the meeting. Board Member McCarley seconded the motion. The motion carried by voice vote. The meeting was adjourned at 8:49 p.m.



Stephen Ynostrosa, Board President



David J. Gannon, Board Secretary