

NOTICE OF PUBLIC MEETING
AGENDA
LEON VALLEY CITY COUNCIL MEETING
TUESDAY, NOVEMBER 1, 2011
LEON VALLEY CITY COUNCIL CHAMBERS
6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238

SPECIAL CITY COUNCIL MEETING – 6:30 P.M.

1. **Call to Order and Determine a Quorum is Present.**
 2. **Executive Session in Accordance with the Texas Government Code.**
 - A. **The City Council of the City of Leon Valley will Convene in Executive Session Pursuant to Section 551.074, Personnel Matters, to Deliberate the Duties and Responsibilities of Public Officers, the City of Leon Valley Economic Development Corporation Board Members, Related to Upcoming Appointments to the Board of the City of Leon Valley Economic Development Corporation, M&C # 11-01-11.**
 - B. **The City Council of the City of Leon Valley will Reconvene into Open Session and Take Any Possible Actions Resulting from the Executive Session.**
 3. **Adjournment.**
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REGULAR CITY COUNCIL MEETING – 7:00 P.M.

1. **Call to Order, Determine a Quorum is Present, and Pledge of Allegiance.**
2. **Citizens to be Heard and Time for Objections to the Consent Agenda.**

“Citizens to be Heard” is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council for which the subject was not posted on the agenda of that meeting, the Council may receive the information, but cannot act upon it at that meeting. They may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion by the Council.

Consent Agenda

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council or have been previously discussed in Open Session and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests.

3. **Consider Approval of the Meeting Minutes of the October 18, 2011 Regular City Council Meeting. (Willman)**
4. **Consider Approval of the Meeting Minutes of the October 19, 2011 Special City Council Meeting. (Willman)**

5. **Consider Action on M&C # 11-02-11, Appointing Members to the City's Boards, Committees, and Commissions: Business Managers' and Owners' Alliance Committee (BOMA), Community Events Committee, and the Capital Facilities Committee. (Mayor Riley)**

Discussion Agenda

6. **Discussion and Update of the American Textile Recycling Service (ATRS) Boxes for Future Consideration of the Expanded Use of the ATRS Boxes, M&C # 11-03-11.** *This agenda item is a follow-up report to the City Council on the initial six month trial of a non-attended recycling bin for textiles and recycling service program-related materials. (Jonathan Vela, ATRS)*
7. **Community Yard Sale, M&C # 11-04-11.** *This agenda item is to allow the Council to discuss community yard sales in response to an idea proposed by a resident during the City Council's National Night Out meeting. (Mayor Riley)*
8. **Report Update on Initiation of the Process to Obtain a Provider for Towing Services for the City of Leon Valley, M&C # 11-05-11.** *This agenda item is to allow the City Council to receive an update on the progress of process to obtain a provider for towing services in the City of Leon Valley; initially reported to the Council on October 18, 2011. (Chief Wallace)*
9. **Discussion of Chapter 6, "Health & Sanitation," Article 6.05, "Smoking Regulations." M&C # 11-06-11.** *This agenda item is to allow the City Council to receive a report from the Department of Community Development on a concern from a resident about enforcement of the City's Smoking Ordinance. (Flores)*
10. **Discussion for Future Consideration of Revisions to Chapter 3, "Signs," Article 3.04.013, "Temporary Signs." M&C # 11-07-11.** *This agenda item is to allow the City Council to receive a report and discuss the proposed temporary sign revisions as developed through the work of the ad-hoc Sign Committee. (Flores)*
11. **Update on Progress of Town Center Project, M&C # 11-08-11.** *This agenda item is to allow the City Council to receive a status report from the City Manager regarding the progress of the work on the Town Center Project. (Longoria)*
12. **City Manager's Report. (Longoria)**
 - A. Informational Issues.
 - B. **Approved Minutes of City-Affiliated Boards, Committees, and Commissions.** *This agenda item is to allow the City Council to review the work of its boards, committees, commissions, and affiliated City boards through the publication of approved meeting minutes on an ongoing basis.*
 - (1) Leon Valley Economic Development Corporation Meeting Minutes of September 28, 2011.
 - (2) Leon Valley Zoning Commission Meeting Minutes of September 27, 2011.
 - (3) Earthwise Living Committee Meeting Minutes of September 13, 2011.
 - C. **Future Agenda Items.**
 - (1) Appointments to the Leon Valley Economic Development Corporation Board.
 - (2) Medical Director Contract, November 15, 2011.
 - (3) Canvass the Results of the Street Maintenance Sales Tax Election, November 15, 2011.
 - (4) Report Activities to Strengthen the City of Leon Valley's Code of Ordinances, November 15, 2011.
 - (5) Report on Activities to Commemorate the 60th Anniversary of the City of Leon Valley and to Commemorate the Sesquicentennial (150th) Anniversary of the Huebner-Onion

House, December, 2011.

13. Citizens to be Heard.

14. Announcements by the Mayor and Council Members.

At this time, reports about items of community interest regarding 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 Council or a City official.

Community Events:

Early Voting through 11-04-11

Street Maintenance Sales Tax Election Early Voting Begins at the Leon Valley Conference Center, 6421 Evers Road, and continues through 10 – 28 from 8 a.m. to 6 p.m., 10 – 29 from 10 a.m. to 6 p.m., 10 – 30 from 12 p.m. to 6 p.m., 10 – 31 through 11 – 04 from 8 a.m. to 8 p.m., Election Day, 11 – 08, 7 a.m. – 7 p.m.

11-03-11 Community Meeting at 6:30 p.m., Bexar County Flood Control, Leon Valley Conference Center, 6427 Evers Road, Leon Valley.

11-10-11 VIA Bus Rapid Transit (BRT) Charrette, 1 p.m.-5 p.m., Leon Valley Conference Center, 6421 Evers Road, Leon Valley.

11-12-11 Annual Leon Valley Arbor Day, Saturday, 9 a.m. – 12 Noon, Leon Valley Public Library and Leon Valley Conference Center Courtyard, 6421 Evers Road, Leon Valley.

12-03-11 Breakfast with Santa, Saturday, 8:30 a.m. – 10:30 a.m., Leon Valley Community Center, 6427 Evers Road, Leon Valley.

12-05-11 Leon Valley Tree Lighting Ceremony, Monday, 6:30 p.m. – 8:30 p.m., Leon Valley Community Center, Leon Valley.

12-11-11 Holiday Concert, Sunday, 2:30 p.m. – 4 p.m., Leon Valley Community Center, 6427 Evers Road, Leon Valley.

Executive Session

15. Executive Session in Accordance with the Texas Government Code.

The City Council of the City of Leon Valley will Convene in Executive Session Regarding the Fiesta Dodge Property, M&C # 11-09-11.

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.

B. The City Council of the City of Leon Valley will Reconvene into Open Session and Take Any Possible Actions Resulting from the Executive Session.

16. Executive Session in Accordance with the Texas Government Code.

The City Council of the City of Leon Valley will Convene in Executive Session Regarding the Town Center Project, M&C # 11-10-11.

A. Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial

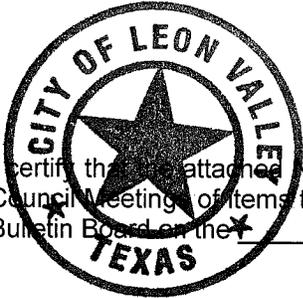
Information that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and With Which the Governmental Body is Conducting Economic Development Negotiations.

B. The City Council of the City of Leon Valley will Reconvene into Open Session and Take Any Possible Actions Resulting from the Executive Session.

17. 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).

18. Adjourn.

I hereby certify that the above NOTICE OF PUBLIC MEETING AND AGENDA OF THE LEON VALLEY CITY COUNCIL MEETING was posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, on October 28, 2011 by 11:30 a.m. and remained posted until after the meeting hereby posted concluded. This notice was likewise 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 ahead of the meeting. To make arrangements call (210) 684-1391, Ext. 216.




Janie Willman, City Secretary

I certify that the attached Notice of the Public Meetings and Agenda of the Leon Valley Regular and Special City Council Meetings of items to be considered by the Leon Valley City Council was removed by me from the City Hall Bulletin Board on the _____ day of _____ at _____.

Title: _____

MAYOR AND COUNCIL COMMUNICATION

DATE: November 1, 2011
M&C: # 11-01-11

TO: MAYOR AND CITY COUNCIL

SUBJECT:

The City Council of the City of Leon Valley will convene in Executive Session pursuant to section 551.074, personnel matters, to deliberate the duties and responsibilities of public officers, the City of Leon Valley Economic Development Corporation board members, related to the upcoming appointments to the board of the City of Leon Valley Economic Development Corporation.

PURPOSE

With four (4) terms of six (6) members of the City of Leon Valley Economic Development Corporation Board expiring on September 30, 2011, the City Council adopted Ordinance 11-022, providing for the staggering of terms of office for members of the Board of Directors, creating place numbers and assigning members to the various places on the Board. With the adoption of Ordinance 11-022, establishing the procedures for the appointment of members to the Board, the City Council continues its work of deliberating the duties and responsibilities of the Board in advance of considering appointments to fill those positions whose terms expired on September 30, 2011.

S.E.E. IMPACTS

Social Equity – The City of Leon Valley City Council in discharging its duty of appointing Board Members to the City of Leon Valley Economic Development Corporation (LVEDC) Board ensures a superior quality of life through diverse representation of the LVEDC to encourage collaborative participation by the City’s residents, businesses and stakeholders.

Economic Development – The City of Leon Valley City Council promotes and provides a diverse and versatile business environment and ensures the City’s continued economic growth through its defined leadership by the LVEDC Board. The Board appointments strengthen the City’s economic engine as supported by 4B Sales Tax monies as authorized by the qualified voters of the City of Leon Valley.

Environmental Stewardship – Not applicable.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

None applicable.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Janie Willman, City Secretary

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
OCTOBER 18, 2011**

The City Council of the City of Leon Valley, Texas, met on the 18th of October 2011 at 7:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

REGULAR CITY COUNCIL MEETING – 7:00 P.M.

1. Call to Order, Determine a Quorum is Present, and Pledge of Allegiance.

Mayor Riley called the Regular City Council Meeting to order at 7:00 p.m. Mayor Riley asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, Baldrige, and Dean. Councilman Biever was excused from the meeting due to a prior commitment.

City Staff in attendance: City Manager Longoria, City Attorney Onion, City Secretary Willman, Finance Director Wallace, Human Resources Director Caldera, and Police Chief Wallace.

Mayor Riley led the assembly in the Pledge of Allegiance.

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

“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. They may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion by the Council.

The following persons spoke during the Citizens to be Heard concerning Economic Development Director Rose Ryan:

Ogden Chamberlain.

Gail Tribble, 6003 Forest Bend, Leon Valley.

Al Baldrige, 6368 Parsley Hill, Leon Valley.

Steven Price, 6300 Rue Marie Lyne, Leon Valley.

Rose Ryan, Leon Valley Economic Development Corporation Staff Liaison, and Economic Development Director. Ms. Ryan read a petition into the record of business owners supporting Ms. Rose Ryan.

Adam Valenzuela, Sari Sari Oriental Market, 5732 Wurzbach Road, Leon Valley.

Tony Flores, President, Leon Valley Area Chamber of Commerce.

Consent Agenda

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council or have been previously discussed in Open Session and will be enacted with one

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motion. There will be no separate discussion of these items unless a Council Member so requests.

Motion by Councilman Reyna and second by Councilman Dean to approve Consent Agenda Items 3,4, 5, 6, 7, and 8. Voting Aye: Hill, Reyna, Baldrige, and Dean. Voting Nay: None. Absent: Biever. Mayor Riley announced the motion carried.

3. **Consider Approval of the Meeting Minutes of the September 27, 2011 Special City Council Meeting. (Willman)**
4. **Consider Approval of the Meeting Minutes of the October 3, 2011 Regular City Council Meeting. (Willman)**
5. **Consider Approval of the Meeting Minutes of the October 4, 2011 Special City Council Meeting (National Night Out). (Willman)**
6. **Consider Approval of the Quarterly Investment Report for the Quarter Ended September 30, 2011, M&C # 10-08-11. (Wallace)**
7. **Consider Approval of the Annual Investment Report, M&C # 10-09-11 (Wallace)**
8. **Conduct Annual Review and Consider Adoption of the City of Leon Valley's Amended Investment Policy with Ordinance, M&C # 10-10-11. (Wallace)**

Regular Agenda

9. **Conduct a Public Hearing on Taxing Tangible Personal Property in Transit Which Would Otherwise Be Exempt Pursuant to Texas Tax Code Section 11.253 and Consider Adoption of an Ordinance That Authorizes The City To Continue To Tax These Goods, M&C # 10-11-11. (Wallace)**

Finance Director Wallace informed the City Council this agenda item allows the City of Leon Valley to continue to tax tangible personal property in transit if the ordinance presented is adopted. During the 2011 Special Legislative Session, the Texas Legislature updated section 11.253 of the Texas Tax Code, which was originally passed in the 2007 Legislative Session. The updated Section 11.253 requires a taxing unit to take action after October 1, 2011 but before December 31, 2011, if it wants to continue to tax these goods.

- A. **Open Public Hearing.** Mayor Riley opened the Public Hearing at 7:34 p.m.
- B. **Close Public Hearing.** Mayor Riley closed the Public Hearing at 7:34 p.m. as no one came forward to speak.
- C. **Action by City Council.** Motion by Council Member Baldrige and second by Council Member Hill to adopt an ordinance of the City of Leon Valley to tax tangible personal property in transit which would otherwise be exempt pursuant to Texas Tax Code, Section 11.253. Voting Aye: Hill, Reyna, Baldrige, and Dean. Voting Nay: None. Absent: Biever. Mayor Riley announced the motion carried.

Discussion Agenda

10. **Report on Initiation of the Process to Obtain a Provider for Towing Services for the City of Leon Valley, M&C # 10-12-11. (Chief Randall Wallace)** Police Chief Wallace informed the City Council about the process proposed to obtain a provider for towing services for the City of Leon Valley. Chief Wallace detailed the process outlined

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including an advertisement period for a minimum of two weeks and scoring criteria that will be used to evaluate the Requests for Proposals (RFPs) received. He noted that the criteria will consist of company qualifications, driver qualifications, pricing, additional services, revenue, and storage facility with points awarded within each category.

The City Council asked that the advertisement period be extended to 30 days. They discussed potential wrecker responses.

Steven Price, 6300 Rue Marie Lyne, asked the City Council to ensure that liability insurance is included in the criteria process. Staff affirmed that liability insurance is a requirement of the State and is therefore contained in the RFP criteria.

Don Banis, Banis Towing, 6213 Grissom, addressed the City Council affirming his Towing services.

11. Report on Elections Legislation-Mandated Changes Regarding Senate Bill (SB) 100, M&C # 10-13-11. (Willman)

City Secretary Willman updated the City Council on the effect of Elections-mandated changes regarding Senate Bill (SB) 100. Ms. Willman explained that SB 100 is Texas' effort to implement federal legislation designed to help overseas military personnel participate in elections. She noted that two key changes included moving the date from primary runoffs from April to May in even-numbered years for Presidential Primary Elections. This change causes primary runoffs to overlap with local government elections. In order to give county elections administrators some options, the Legislature authorized county elections administrators the right to refuse to handle municipal elections. Willman pointed out the additional cost of electronic voting machines promulgated by the Help America Vote Act in 2006, and the added cost of additional staffing during the overlap period. She emphasized that in Bexar County, Ms. Jacque Callanen, Bexar County Elections Administrator, had agreed to continue providing municipal elections support, and that the City of Leon Valley's cost of the estimated additional \$20,000 will be ten percent. It was noted that the City Council will need to authorize a budgetary adjustment to offset the estimated additional cost next Spring. The uniform Election Date in May 2012 is Saturday, May 12, 2012.

12. Update on Progress of Town Center Project, M&C # 10-14-11. (Longoria) City Manager Longoria reported no new developments other than business points had been completed on the Development Agreement. Mr. Longoria reported on October 3 that the the business points are under review and being evaluated. A mediation meeting on the Town Center Project is scheduled for October 27.

13. City Manager's Report. (Longoria)

A. Informational Issues. It was reported that the Police Department will be serving as a collection site for dangerous controlled substances on Saturday, October 29 between the hours of 10 a.m. and 2 p.m. as part of the U.S. Drug Enforcement Administration's program, Living Drug Free Starts at Home. Mayor Riley announced that Walgreen's also has an ongoing program that supports the collection of unused medications.

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The City Council will participate in a photography session preceding the next City Council Meeting on November 1. The photos taken will be used on the City's new website. Staff will inform the City Council of the time to come for the photo session.

Mr. Longoria highlighted some of what he and the City Council learned at the Texas Municipal League Conference in Houston.

- B.** Monthly Departmental Reports. There were no questions regarding the Monthly Departmental Reports.
 - C.** Approved Minutes of City-Affiliated Boards, Committees, and Commissions. The City Manager explained this item will be carried on a regular basis on future agendas with copies of approved meeting minutes. This will allow the City Council to be informed of the work of its boards, committees, and commissions. Staff liaisons will begin providing approved minutes effective for meetings held in September 2011.
 - D.** Financial Statement for the Month of September 2011. Finance Director Wallace shared highlights of the September 2011 Financial Statement.
 - E. Future Agenda Items.**
 - (1) Appointments to the LVEDC Board.
 - (2) Report Activities to Strengthen the City of Leon Valley's Code of Ordinances, November 2011.
 - (3) Smoking Ordinance Report, November, 2011.
 - (4) Report on Activities to Commemorate the 60th Anniversary of the City of Leon Valley and to Commemorate the Sesquicentennial (150th) Anniversary of the Huebner-Onion House, November, 2011.
- 14. Citizens to be Heard.** Rudy Garcia, 6819 Evening Sun Drive, asked the City to resolve the issues related to Economic Development when possible so that the City can re-focus its efforts on Economic Development.

Steven Price, 6300 Rue Marie Lyne, asked the City Council to consider a spot near the InTown Suites which is lacking concrete which creates a problem for persons using disability carts for transportation. He noted that without sidewalks there is no access on that side of the street for the disabled.

- 15. Announcements by the Mayor and Council Members.**
At this time, reports about items of community interest regarding 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 Council or a City official.

Community Events or Council Announcements:

Council Member Hill shared that the Texas Municipal League Conference was a very good opportunity to learn more about how other cities deal with the same kinds of issues that the City of Leon Valley faces. She noted that there were lots of opportunities to learn about economic development, code enforcement, and youth leadership programs.

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Councilman Reyna indicated that this year's TML Conference was a good one. He shared that information is available on the TML website following the conference. Staff was requested to place a web link to the TML Conference materials on the City's website.

Council Member Baldrige announced that the Leon Valley Historical Society still has tickets available for its annual fund raising dinner on October 28.

Councilman Dean expressed the City Council's sympathy of the loss of Mayor Riley's father over the weekend.

Mayor Riley thanked the Council and staff for its support during the recent loss of her father. She spoke of her father and his legacy of his family and values. She continued speaking about the positive experience of the TML Conference noting social media including Twitter and Facebook website use by other cities. She noted that the City of Brownsville amongst others banned plastic bags. She asked the City Council to look at its ordinance and encouraged Leon Valley to become the leader of that initiative in Bexar County. She announced the \$3 million grant through VIA which will include an extension of the VIA Primo into Leon Valley. She announced the press conference at the VIA Administration on Friday at 1:30 p.m. and invited the City Council to attend. Mayor Riley announced that Early Voting begins on October 24 for the Street Maintenance Sales Tax Election.

Executive Session

16. The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

No Executive Session was held under this agenda item.

17. **Adjourn.** There being no other business to come before the Council, Mayor Riley adjourned the meeting at 8:20 p.m.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

Item 4

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
OCTOBER 19, 2011**

The City Council of the City of Leon Valley, Texas, met on the 19th of October 2011 at 12 p.m. at The School of Science and Technology, at 5707 Bandera Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

SPECIAL CITY COUNCIL MEETING – 11:30 A.M. – 1:00 P.M.

- 1. Call to Order, and Determine a Quorum is Present.**
Mayor Riley called the Special City Council Meeting to order at 12:00 p.m. Mayor Riley asked that the minutes reflect that the following City Council Members were present: Hill, Reyna, and Baldrige. Councilman Biever and Councilman Dean were excused due to other prior commitments.

City Staff in attendance: City Manager Longoria, Community Development Director / Interim Economic Development Director Flores, Finance Director Wallace, Human Resources Director Caldera, and Police Chief Wallace.
- 2. State of the City Address by the Honorable Chris Riley, Mayor, City of Leon Valley.**
Mayor Riley's address focused on the major accomplishments of the City of Leon Valley over the last year, including the Town Hall Meeting in January, the successful completion of the AIA-SDAT study, and various other initiatives. Mayor Riley noted the Street Maintenance Sales Tax Special Election on November 8. She announced the VIA Rapid Transit System grants obtained through the Federal Transit Administration which will provide an extension of the VIA Primo into Leon Valley.
- 3. Adjourn.** There being no other business to come before the Council, Mayor Riley adjourned the meeting at 12:27 p.m.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

Item # 5

MAYOR AND COUNCIL COMMUNICATION

DATE: November 1, 2011
M&C # 11-02-11

TO: MAYOR AND CITY COUNCIL

SUBJECT: TO MAKE BOARD, COMMITTEE, AND COMMISSION APPOINTMENTS BY MINUTE ORDER.

PURPOSE

The following application reflects a request to serve on the City of Leon Valley Boards, Committees, and Commissions:

Business Managers' and Owners' Alliance Committee (BOMA):

Ricardo B. Ruiz

Community Events Committee:

Ricardo B. Ruiz

Capital Facilities Committee:

Ricardo B. Ruiz

S.E.E IMPACT

Social Equity – Every resident, business owner/operator, and other stakeholders are encouraged to volunteer and actively participate in the decision-making process that directly affects their community.

Economic Development – Citizens whom engage in the decision making process and contribute to the policy making of Leon Valley are spokesmen for the City.

Environmental Stewardship – Citizens whom engage in the process understand the City's initiatives and work to improve the quality of life in Leon Valley.

FISCAL IMPACT

Not applicable.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Janie Willman, City Secretary

City of Leon Valley - VOLUNTEERS WANTED!

Volunteers help to make the City of Leon Valley a great place to live, work and do business! If you are willing to share your time and talents with your community, we would very much be interested hearing from you! Please consider these opportunities to meet new community members, learn more about your City and help make Leon Valley its best!

- Bandera Road Site - Community Advisory Group:** This new Group will meet quarterly to listen to updates from the Environmental Protection Agency (EPA) about the contaminate water plume in the City and inform the Council and the community about the EPA's actions and findings and make suggestions in the remediation and investigation process. The water plume is centered at approximately the intersection of Grissom and Bandera Roads. They usually meet quarterly at 5:30 p.m. at the Leon Valley Conference Center.
- Board of Adjustment:** The Board of Adjustment (BOA) has the power to review and approve variances from zoning ordinance requirements and administrative decisions (Zoning Interpretations) that create unnecessary hardships in the development of property because of exceptional or extraordinary conditions. Unlike other boards or commissions, the BOA makes the final decision on items that come before it; variances are not passed on to City Council for final approval. Meetings are held on call and are typically held on Monday evenings at 6:30 p.m. at City Hall. There are five (5) members and four (4) alternates.
- Business Managers' and Owners' Alliance Committee (BOMA):** This committee, formerly the Business Alliance Committee, has taken a new name and a new emphasis to act as a business advisory committee to City Council and local businesses on business-related topics. Additional goals are: to assist in providing business incentive ideas and programs to encourage a robust economy and to retain and attract businesses; to advise on specific efforts that will market the Leon Valley business community; to facilitate business vitality by new and existing business retention, expansion, and beautification projects; and to assist the City in creating a unified theme of development that will promote future business development and redevelopment of existing properties. Meetings are held the second Wednesday of each month, at 1:00 p.m. at the Leon Valley Kinman House, 6417 Evers Road.
- Community Events Committee:** The Community Events Committee (CEC) is committed to providing volunteer support and coordination for the various City-sponsored civic events including the 4th of July Celebration, the Beautification Awards Program, the Grandparents' Day Concert, and the Holiday Lighting Program. Monthly meetings are held on the third Wednesday at 6:30 p.m. at the Conference Center or Kinman House.
- Earthwise Living Committee:** The Earthwise Living Committee (EWLC) is dedicated to providing community education that will develop a sustainable way of life in harmony with the natural surroundings. The EWLC sponsors and coordinates the annual Earthwise Living Day held on the last Saturday in February. Monthly meetings are held on the second Tuesday at 6:00 p.m. at the Public Works Service Center off Evers Road.
- Library Board of Trustees:** This Board of seven appointed members serve for terms of 2 years, and meets the second Monday of each month in the Library at 7:00 p.m. to discuss Library projects and plans and to review Library policies.
- Park Commission:** The Park Commission (PC) is an advisory commission, of Leon Valley citizens, which makes recommendations to the City Council regarding park ordinances and policies, as well as serves as a liaison for the City with the public for park matters. Meetings are held on the second Monday of each month at 7:00 p.m. at City Hall. There are nine (9) members on this commission.

Ricardo B. Ruiz

Tree Advisory Board: This seven member (7) Board with three (3) alternate members will meet to oversee the Leon Valley Tree Challenge and work toward the City's goal to plant 10,000 trees by the year 2020. Board members serve a term co-terminus with the Mayor. This Board began meeting in July 2009 and holds their meetings monthly at 6:30 p.m. in Council Chambers on the 3rd Wednesday of the month.

Zoning Commission: The Zoning Commission (ZC) acts as an advisory board to the City Council on land use and zoning matters. The Commission holds public meetings on all matters relating to:

- the creation of zoning districts
- the enforcement of zoning regulations
- amendments to all zoning ordinances
- any other matter within the scope of the zoning power

Meetings are held on the fourth Tuesday of each month at 6:30 p.m. at City Hall. There are seven (7) members and three (3) alternates.

Leon Valley Now Volunteers: These volunteers serve as volunteer code enforcement assistants. They patrol a designated area of the City and report violations of City Code which the Code Enforcement Officer will investigate. There are no formal meetings after the initial training sessions. These volunteers work closely with the Community Development Department and the City's Code Enforcement Officers.

Volunteer Park Patrol: This new volunteer group assists the Leon Valley Police Department in to helping to manage our recreational and trail areas within the City. The volunteers will be called upon to assist staff in providing a safe environment for park patrons. The Park Patrol volunteers will receive basic training in various subjects related to the position, including public relations, first aid, CPR, policies and procedures, and special event assistance. Please see the homepage of the City's website at www.leonvalleytexas.gov for additional information.

Other Volunteer Activities: If you would like to assist with July 4th parade activities, the annual holiday tree lighting event, on actual Trade & Market Days, in our library shelving books and etc., or just when there is a special event - consider checking this box. You will be assigned duties on the day of the activity and your help is always welcomed!

Capital Facilities Committee: This is an ad-hoc committee of the City Council which will work to advise the Council, inform and educate the City of Leon Valley residents and business owners, regarding possible City of Leon Valley Capital Improvements, focusing on major infrastructure facilities to be funded through a variety of financial mechanisms.

I would like to serve on the Committee(s) I have checked above. Please contact me with further information regarding meetings and appointment.

I'm not able to volunteer at this time, but perhaps in the future.

Name Ricardo B. Ruiz	Address 5616 Bardem Rd El Paso / 5616 Poppyeod Rd Leon Valley
Phone Number (210) 867-5464 (cell#)	E-mail Address
Alternate Phone Number (210) 681-2066 (@chadras)	

Where to return your application:
Mail or drop off your application in care of the Mayor's Office at Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas 78238-2399, or fax your application to (210) 684-4476, or email to Mayorriley@leonvalleytexas.gov.

Ricardo B. Ruiz

Item # 6

MAYOR AND COUNCIL COMMUNICATION

**DATE: November 1, 2011
M&C: #11-03-11**

TO: MAYOR AND CITY COUNCIL

**SUBJECT: DISCUSSION AND UPDATE OF THE AMERICAN TEXTILE
RECYCLING SERVICE (ATRS) BOXES FOR FUTURE
CONSIDERATION OF THE EXPANDED USE OF THE ATRS BOXES**

PURPOSE

On February 1, 2011 the City Council authorized the City Manager to allow a single ATRS box for a six (6) month trial basis to evaluate the program. This is the follow up discussion to that action.

FISCAL IMPACT

There is potential for more revenue to the City. The current box produced \$250 in revenue.

RECOMMENDATION

Council may initiate a request to the Zoning Commission to consider the incorporation of the use "unattended donation station" in the permitted use table. The final approval would be subject to the City Council.

S.E.E IMPACT STATEMENT

Social Equity – Items that may be recycled are useful to others or may be recycled into new textiles.

Environmental Stewardship – The ATRS Program encourages recycling and minimizes shoes and other textiles from being dumped in landfills by 5%-10%.

Economic Development – A portion of the proceeds from the textile recycling goes back to the City.

APPROVED:_____

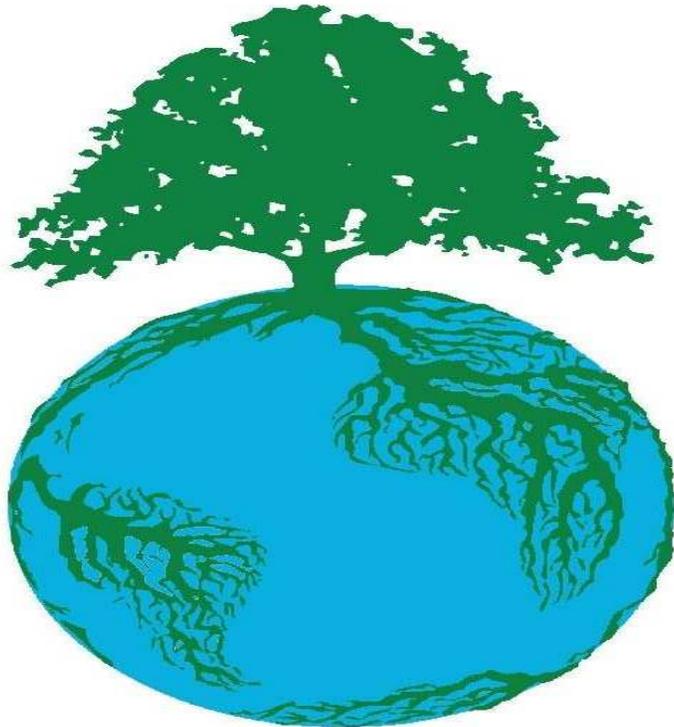
DISAPPROVED:_____

APPROVED WITH THE FOLLOWING COMMENTS:_____

ATTEST:

Janie Willman, City Secretary

AMERICAN TEXTILE RECYCLING SERVICES JONATHAN P. VELA



Leon Valley Recycling Center *Clothing, Shoes & Toys*

EARTHWISE LIVING

in LEON VALLEY, TEXAS

No Furniture - No Mattresses - No Appliances

For Large Donations or Assistance, please call 866-900-9308.

LEON VALLEY TEXTILE RECYCLING RECAP

- ✘ Over the past six months Leon Valley became the first city in Texas to begin recycling textiles
- ✘ Currently there is one box located in the parking area in front of City Hall/Fire Station
- ✘ This box has been kept clean and has experienced ZERO graffiti

MONEY

- ✘ ATRS has paid the City \$250 since this program began.
- ✘ Currently we are paying \$50 per month for this lone box
- ✘ The City could generate greater revenue with the addition of more boxes.

ENVIRONMENTAL IMPACT

- ✘ The City has helped reduced 4,352 pounds of textiles from our landfills.
- ✘ The carbon footprint is reducing each day that this program is in place.
- ✘ The addition of more boxes will multiply these numbers.

AESTHETICS

- ✘ Over the past six months there was only one instance where someone left a bag next to the box and it was collected promptly
- ✘ There has been ABSOLUTELY no graffiti on this box.
- ✘ The citizens of Leon Valley have gone out of there way to make this program successful with the help of the mayor and city officials

WHERE DO WE GO FROM HERE?

- ✘ We would like to place four more additional boxes throughout the City with the logo on them.
- ✘ We would like them to be high traffic areas to increase the amount of pounds collected.
- ✘ We would like to pay the City 2 cents per pound which could be higher than the current \$50 per box and be exclusive in the City.

THANK YOU!!

- × Want to thank Mayor Riley and the City Council for all their help over the past six months.
- × It has been a true pleasure partnering with you all and hope we can continue to do so for many years to come.

Item # 7

MAYOR AND COUNCIL COMMUNICATION

**DATE: November 1, 2011
M&C: # 11-04-11**

TO: MAYOR AND CITY COUNCIL

SUBJECT: COMMUNITY YARD SALE

PURPOSE

The purpose of this agenda item is to allow City Council discussion on community yard sales. The idea of community yard sales was brought forward by a resident in the Forest Court area during the Council's National Night Out visits on October 4.

FISCAL IMPACT

None at this time.

RECOMMENDATION

Not applicable.

S.E.E. IMPACT STATEMENT

Social Equity: The City of Leon Valley City Administration affirms its commitment to a superior quality of life by responding to the governing body, citizens, and businesses in fair, prompt, and consistent manner. Establishing a dialogue about community initiatives fosters two-way and open communication regarding the City's governance and is a demonstration of the City Council's commitment to social equity.

Economic Development: Not applicable.

Environmental Stewardship: The City of Leon Valley demonstrates its commitment to becoming carbon-neutral by conserving and preserving natural resources and enhancing the environment through its continued program of reusing objects in order to reduce waste stream from going into our landfills. Community yard sales would allow residents to recycle through the sale of serviceable items.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

MAYOR AND COUNCIL COMMUNICATION

DATE: November 1, 2011
M&C # 11-05-11

TO: MAYOR AND CITY COUNCIL

SUBJECT: REPORT UPDATE ON INITIATION OF THE PROCESS TO OBTAIN A PROVIDER FOR TOWING SERVICES FOR THE CITY OF LEON VALLEY

PURPOSE

The City Council at its October 18, 2011 meeting heard details about the City’s proposal to advertise for Requests for Proposals (RFP) for a company to provide towing services for the City of Leon Valley. Staff informed the Council about the elements and criteria involved in seeking and evaluating Requests for Proposals (RFPs).

The Council also heard at the October 18 meeting details on the scoring criteria that will be used to evaluate the RFPs received. The criteria will consist of company qualifications, driver qualifications, pricing, additional services, revenue, and storage facility with points awarded within each category.

This report seeks to update the City Council on the progress of the process as it evolves to include the City Council’s input.

S.E.E. IMPACT

Social Equity – To ensure that the City of Leon Valley is acting with the best interest of persons whose vehicles must be towed

Economic Development – N/A

Environmental Stewardship – N/A

FISCAL IMPACT

N/A

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

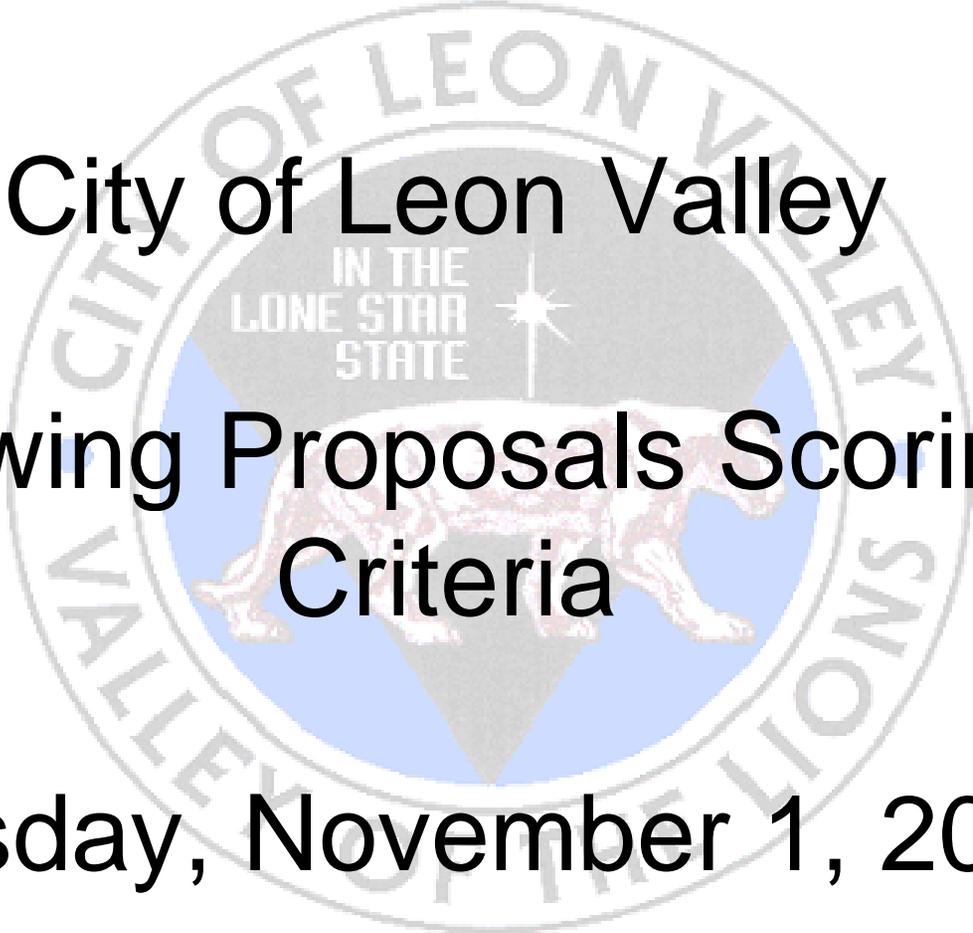
Janie Willman, City Secretary

CITY OF LEON VALLEY TOWING PROPOSALS

Max. Points	Scoring Criteria - 100 Points	Points awarded			
		Company A	Company B	Company C	Company D
	Company Qualifications - 35 Points				
10	Minimum number of light duty vehicles available to Leon Valley 1 point for every light duty vehicle available to Leon Valley for a maximum of 10 points				
4	Minimum number of medium duty vehicles available to Leon Valley 1 point for every medium duty vehicle available to Leon Valley for a maximum of 4 points				
3	Minimum number of heavy duty vehicles available to Leon Valley 1 point of every heavy duty vehicle available to Leon Valley for a maximum of 3 points				
8	Company Location (proximity to Leon Valley) 8 points-Within Leon Valley 4 points-Within three (3) miles of any point of the City limits of Leon Valley 2 point-Within five (5) miles of any point of the City limits of Leon Valley				
5	Number of governmental entities your company has a contractual relationship with 5 points-Greater than seven (7) 3 points-Three (3) to seven (7) 1 point-Less than three (3)				
5	Number of years your company has been in business 5 points-Greater than ten (10) 3 points-Five (5) to ten (10) 1 point-Less than five (5)				
	TOTAL COMPANY QUALIFICATIONS POINTS AWARDED				

Max. Points	Scoring Criteria - Continued	Points awarded			
		Company A	Company B	Company C	Company D
10	Driver Qualifications - 15 Points				
	Drivers with an IMTP				
	10 points-At least 90% of drivers with IMTP that are available to Leon Valley				
	8 points-At least 80% of drivers with IMTP that are available to Leon Valley				
	4 points-At least 70% of drivers have IMTP that are available to Leon Valley				
5	2 points-At least 50% of drivers have IMTP that are available to Leon Valley				
	Drivers with additional training specific for vehicle recovery (other than required for IMTP) If at least 50% of the drivers available to Leon Valley have document training in the following:				
	2 points- First Aid training				
	3 points-Vehicle Recovery (Other than required by the IMTP)				
	TOTAL DRIVER QUALIFICATIONS POINTS AWARDED				
	Additional Services - 6 Points				
3	No-Charge to tow City vehicles/ChangeTires/Jumpstart Vehicles				
3	Available to respond for road cleanup only				
	Other -8 Points				
8	Location of storage facility (proximity to Leon Valley)				
	8 points-Within Leon Valley				
	4 points-Within three (3) miles of any point of the City limits of Leon Valley				
	2 point-Within five (5) miles of any point of the City limits of Leon Valley				
	TOTAL OTHER POINTS AWARDED				

Max. Points	Scoring Criteria - Continued	Points awarded			
		Company A	Company B	Company C	Company D
	Accident Scenarios - 6 Points				
	<i>An 18-wheeler caught fire on Bandera Road, burned the cab portion and most of the support beams for the trailer, and also spilled 15,000 of household goods.</i>				
2	Does your company have the in-house resources to respond and managed the scene? Yes No				
2	If no, does your company have a written agreement(s) with other companies to assist in your response? Yes No				
2	If yes, will the company(s) have a 30 minute response time? Yes No				
	TOTAL ACCIDENT SCENARIOS POINTS AWARDED				
	Pricing - 15 Points				
	Pricing will be evaluated only after the company's ability to provide the best overall service to the City has been evaluated. Points will be awarded from a 5 to a 1 with 5 being the lowest price.				
5	<u>Light Duty Tow</u> -is defined as including but not limited to the following; passenger vehicles, light pickup trucks, motorcycles, and sport utility vehicles. Based on a Light Duty Flat Tow from Bandera and Wurzbach to the Companies storage facility, what would the price charged be \$				
5	<u>Medium Duty Tow</u> -is defined as including but not limited to the following; delivery vehicles, class C motor homes, and towed travel trailers less than 28 feet. Based on a Medium Duty Flat Tow from Bandera and Wurzbach to the Companies storage facility, what would the price charged be \$				
5	<u>Heavy Duty Tow</u> -is defined as including but not limited to the following; over the road truck tractor, class A motor homes, and travel trailers more than 28 feet. Based on a Heavy Duty Flat Tow from Bandera and Wurzbach to the Companies storage facility, what would the price charged be \$				
	TOTAL PRICING POINTS AWARDED				
	Administrative Fee - 15 Points				
	Administrative Fee for City of Leon Valley				
15	Return to Leon Valley for Administrative Fee				
	TOTAL ADMINISTRATIVE FEE POINTS AWARDED				
	GRAND TOTAL POINTS				



City of Leon Valley

Towing Proposals Scoring
Criteria

Tuesday, November 1, 2011



Company Qualification – 35 points

Company Qualifications - 35 Points	
10	<p>Minimum number of light duty vehicles available to Leon Valley</p> <p>1 point for every light duty vehicle available to Leon Valley for a maximum of 10 points</p>
4	<p>Minimum number of medium duty vehicles available to Leon Valley</p> <p>1 point for every medium duty vehicle available to Leon Valley for a maximum of 4 points</p>
3	<p>Minimum number of heavy duty vehicles available to Leon Valley</p> <p>1 point of every heavy duty vehicle available to Leon Valley for a maximum of 3 points</p>
8	<p>Company Location (proximity to Leon Valley)</p> <p>8 points-Within Leon Valley</p> <p>4 points-Within three (3) miles of any point of the City limits of Leon Valley</p> <p>2 point-Within five (5) miles of any point of the City limits of Leon Valley</p>
5	<p>Number of governmental entities your company has a contractual relationship with?</p> <p>5 points-Greater than seven (7)</p> <p>3 points-Three (3) to seven (7)</p> <p>1 point-Less than three (3)</p>
5	<p>Number of years your company has been in business?</p> <p>5 points-Greater than ten (10)</p> <p>3 points-Five (5) to ten (10)</p> <p>1 point-Less than five (5)</p>



Driver Qualifications – 15 points

Driver Qualifications - 15 Points	
10	<p><i>Drivers with an IMTP</i></p> <p>10 points-At least 90% of drivers with IMTP that are available to Leon Valley</p> <p>8 points-At least 80% of drivers with IMTP that are available to Leon Valley</p> <p>4 points-At least 70% of drivers have IMTP that are available to Leon Valley</p> <p>2 points-At least 50% of drivers have IMTP that are available to Leon Valley</p>
5	<p><i>Drivers with additional training specific for vehicle recovery (other than required for IMTP)</i></p> <p>If at least 50% of the drivers available to Leon Valley have document training in the following:</p> <p>2 points- First Aid training</p> <p>3 points-Vehicle Recovery (Other than required by the IMTP)</p>



Additional Services – 6 points

Additional Services - 6 Points	
3	No-Charge to tow City vehicles/ChangeTires/Jumpstart Vehicles
3	Available to respond for road cleanup only



Other –
8 points

Other -8 Points	
8	<i>Location of storage facility (proximity to Leon Valley)</i> 8 points-Within Leon Valley 4 points-Within three (3) miles of any point of the City limits of Leon Valley 2 point-Within five (5) miles of any point of the City limits of Leon Valley



Accident Scenarios – 6 points

Accident Scenarios - 6 Points

An 18-wheeler caught fire on Bandera Road, burned the cab portion and most of the support beams for the trailer, and also spilled 15,000 of household goods.

- 2 Does your company have the in-house resources to respond and managed the scene? Yes No
- 2 If no, does your company have a written agreement(s) with other companies to assist in your response? Yes No
- 2 If yes, will the company(s) have a 30 minute response time? Yes No



Pricing – 15 points

Pricing - 15 Points	
	<p>Pricing will be evaluated only after the company's ability to provide the best overall service to the City has been evaluated. Points will be awarded from a 5 to a 1 with 5 being the lowest price.</p>
5	<p><i>Light Duty Tow-is defined as including but not limited to the following; passenger vehicles, light pickup trucks, motorcycles, and sport utility vehicles.</i></p> <p>Based on a Light Duty Flat Tow from Bandera and Wurzbach to the Companies storage facility, what would the price charged be \$</p>
5	<p><i>Medium Duty Tow-is defined as including but not limited to the following; delivery vehicles, class C motor homes, and towed travel trailers less than 28 feet.</i></p> <p>Based on a Medium Duty Flat Tow from Bandera and Wurzbach to the Companies storage facility, what would the price charged be \$</p>
5	<p><i>Heavy Duty Tow-is defined as including but not limited to the following; over the road truck tractor, class A motor homes, and travel trailers more than 28 feet.</i></p> <p>Based on a Heavy Duty Flat Tow from Bandera and Wurzbach to the Companies storage facility, what would the price charged be \$</p>



Administrative Fee – 15 points

Administrative Fee - 15 Points	
	<i>Administrative Fee for City of Leon Valley</i>
15	Return to Leon Valley for Administrative Fee



Next Steps

- Compile Request for Proposal (RFP)
- 30 day solicitation process for RFP
 - January 9, 2012 to February 9, 2012
- Pre-proposal conference
 - January 17, 2012



Next Steps - Continued

- Review and evaluate RFP's
- Present scoring matrix to City Council
 - February 21, 2012
- Contract commencement
 - April 1, 2012



Discussion

- Comments
- Questions

MAYOR AND COUNCIL COMMUNICATION

DATE: November 1, 2011
M&C: #11-06-11

TO: MAYOR AND CITY COUNCIL

SUBJECT: DISCUSSION OF CHAPTER 6, "HEALTH & SANITATION," ARTICLE 6.05, "SMOKING REGULATIONS."

PURPOSE

The purpose of this discussion is to report to the City Council on the City's existing smoking regulations and receive direction from City Council as to whether any further action is required.

This discussion was prompted by a voicemail message through the Mayor's office regarding a complaint against Bandera Bowl and allegations that smoke from the bowling alley was seeping into the Planet Fitness next door. Attached is a letter from Bradley Greenblum of Greenblum Investments which outlines the complaint that received and how they addressed the issue.

Councilmember Baldrige also asked for a report regarding the smoking ordinance.

FISCAL IMPACT

Additional regulation of smoking in Leon Valley establishments could result in an inspection fee by the Health Inspector of \$35 per inspection or complaint.

RECOMMENDATION

The current smoking ordinance appears to be adequate. Staff recommends no change to the smoking ordinance at this time unless otherwise directed by Council.

Complaints regarding tobacco or cigarette smoke are rarely received and when received they are addressed by the property owner or business manager. Additionally, there are not many establishments left in Leon Valley which allow smoking indoors.

S.E.E IMPACT STATEMENT

Social Equity – Tobacco was discovered and utilized for religious and medicinal purposes by Native Americans dating back to 600A.D. and was the primary cash crop in 1612 for the Jamestown Colony (first colony). Tobacco has history and tradition in the United States and is a substantial source of income. Conversely, it has also been found to be unhealthy and can even cause cancer and death. This topic is a continuing debate between health advocates and tobacco/cigarette advocates and in the end comes down to individual choices, actions and preferences.

Environmental Stewardship – Cigarette and tobacco create smoke and second hand smoke is not sustainable and contributes to air pollution.

Economic Development – The State of Texas received **\$1,388,764,873** in cigarette and tobacco taxes in fiscal year 2010. This is in addition to approximately **\$950 million** is received annually from a settlement payment as part of a lawsuit brought by Texas and other states in 1998.

APPROVED:_____

DISAPPROVED:_____

Item # 9

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

City Secretary

Angela Trejo

From: Kristie Flores
Sent: Thursday, October 27, 2011 1:18 PM
To: Angela Trejo
Subject: FW: Planet Fitness, Leon Creek Shopping Center

This is the email that is in the packet.



Director
Community Development
City of Leon Valley
6400 El Verde Road,
Leon Valley, TX 78238
210-684-1391 x227 (office)
210-885-6451 (cell)
210-509-8288 (fax)
k.flores@leonvalleytexas.gov

From: Brad Greenblum [mailto:brad@greenblum.com]
Sent: Wednesday, October 05, 2011 5:21 PM
To: k.flores@leonvalleytexas.gov
Cc: 'Matt Janysek'; 'Donise Monroe'
Subject: Planet Fitness, Leon Creek Shopping Center

Kristie: so sorry for the delay but I just today was able to secure the third party testing results for PF.

To summarize what has transpired:

In Jan 2011, we received notice from Planet Fitness that one of their customers (who apparently had some type of health condition) "smelled smoke in the facility which was exacerbating her condition". We were told that PF has over 5000 members and has since opening received very few complaints and only one that was very upset about the "smoke smell" which did not allow her to complete her exercise. Notwithstanding that we have very limited control over the internal spaces of our tenants, in February our SA prop mgr as well as our Austin based asset mgr made several visits to and throughout the facility and did not smell the purported smoke. The PF mgrs also told us that they did not smell smoke anywhere in their facility.

The main work out area which is open to patrons of PF is totally separated from the adjacent bowling alley (where smoking is permitted under certain conditions). The Planet Fitness back area (which is off limits to customers) serves mainly as a storage area where their excess equipment, cleaning products, and some various mechanical type equipment is located also does not have any connection to the bowling alley other than in a small closed joint riser room (fire and safety equipment) (like a large closet space). The back storage area has two large roof mounted vents.

In March, we received another complaint directly from a PF member (we believe the same person) again of the smoke smell. We had several discussions with our environmental testing group (they do testing for us for various purposes at many of our Texas properties) who visited the space and also did not smell smoke but thought it might be some other "compound" possibly related to the various equipment or flooring in the facility. The complaining party relayed to us that the "planet fitness and adjacent bowling alley shared "pipes" so maybe the smoke was coming from the bowling alley".

Based on that idea, we checked to see if there were any areas that smoke might leak over from the adjacent bowling alley (duct work, open area, hvac connections, other penetrations, etc. including the riser room). While we did not find any that seemed to support the “drift of smoke smell”, the riser room certainly allows limited air circulation between the backs of both leased spaces. Again we did not actually smell any smoke in the riser room.

However, after another complaint, to be abundantly cautious, in May 2011, to “exhaust” the riser room, we installed (at a cost of approx \$2500) in the Planet Fitness riser room a “power vent” to ventilate that area. That power vent and the two roof mounted vents in the storage area should thoroughly ventilate that area if there was any smoke smell.

Additionally, in August 2011, Planet Fitness engaged two (2) different third party companies to test the air quality/presence of smoke in their facility. Both concluded that there was “no smoke” and that the air quality was “acceptable”. One of the testing groups used a specific test for nicotine and found that none was present.

We have inquired with the bowling alley and were told that they comply with the existing Leon Valley ordinances. Smoking is only allowed in the upper seating area and never down in the actual bowling area (the pit). The upper concourse is outfitted with nine vented charcoal filter devices that are changed regularly. Smoking is prohibited in the entire bowling facility during “family friendly times” which I believe is Saturday from 8.00 am until 7;00 p.m.

Hopefully this will help you understand the steps we have taken so far to address the single smoke complaint received. We are always concerned with the conditions of our facilities and well being of our tenants and their customers. We certainly take steps and pride ourselves on being good corporate citizens and addressing important issues, such as having a healthy environment. We trust that you and the rest of Leon Valley have been pleased with the improvements to both our Leon Creek Center and the on-going upgrade to our Crossway Center.

Please note that we have secured bids for additional filtering options and because of the size of the facilities, could cost in excess of \$15,000.00.

If you need any further info or have other questions, please do not hesitate to contact us. We look forward to our continuing strong relationship with Leon Valley. Thank you for your continuing support.

J. BRADLEY GREENBLUM
811 Barton Springs Road
Suite 500
Austin, Texas 78704
Main: (512) 610-6600
Direct: (512) 610-6602
Fax: (512) 391-0919
brad@greenblum.com

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City of Leon Valley

Report Regarding Chapter 6,
“Health and Sanitation,” Article
6.05 “Smoking Regulations”

November 1, 2011



Purpose

- Provide a report and follow-up the concern and inquiry
- Planet Fitness & Bandera Bowl



Purpose

- Incident Investigated
- Smoke fumes/smell not unfounded
- Addressed Unsubstantiated Complaint
 - Installed a power vent - \$2,500



Purpose

- Addressed Unsubstantiated Complaint
 - Engaged two (2) 3rd party contractors
- Reports:
 - *no smoke – air quality “acceptable”
 - *no nicotine present
- Bowling Alley is in compliance with ordinance



Purpose

Additionally Bandera Bowl-

- *smoking only allowed in upper seating area

- *upper concourse has nine (9) vented charcoal filters w/ regular maintenance

- *smoking is not allowed during family friendly times (8:00 a.m. to 7:00 p.m.)



Purpose

- City of San Antonio
 - Revised Ordinance August 2011
- Smoking NOT allowed
 - INSIDE* restaurants, bars, pool halls, bingo halls
 - at the zoo and at bus stops



Purpose

- Smoking IS allowed
 - OUTSIDE* at Alamo Plaza, along the Riverwalk, patios at restaurants
 - at cigar bars and VFW Posts



Purpose

- Attempts to ban smoking statewide have failed twice
- 49 cities have enacted smoking regulations to varying degrees of these
- Only 29 ban smoking in *ALL* bars and restaurants



Fiscal Impact

- Additional regulation of smoking in Leon Valley establishments could result in an inspection fee by the Health inspector of \$35 per inspection.



Recommendation

- The current smoking ordinance appears to be adequate. Staff recommends no change to the smoking ordinance at this time unless otherwise directed by Council.



City of Leon Valley

Report Regarding Chapter 6,
“Health and Sanitation,” Article
6.05 “Smoking Regulations”

November 1, 2011

CITY OF LEON VALLEY

ARTICLE 6.05 SMOKING REGULATIONS*

Sec. 6.05.001 Penalties

Each violation of this article if a first offense shall be punished by penalty of a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00); a second conviction shall be punished by penalty of fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for a second conviction, and shall be fined an amount no less than one hundred dollars (\$100.00) for a third or more convictions nor more than two thousand dollars (\$2,000.00).

Sec. 6.05.002 Smoking ordinance adopted

The Surgeon General of the United States has declared that smoking is the number one public health issue. The United States Environmental Protection Agency has concluded that passive smoking poses a public risk larger than the hazardous air pollutants from all industrial emissions combined. The city recognizes the evidence that smoke creates a danger to the health of some citizens, and is a cause of annoyance and discomfort to those who are in confined spaces where some is present. The city also recognizes that it is the right of citizens to choose whether or not to smoke actively or passively and it is the policy of the city to encourage food service establishments which have enclosed dining areas to provide adequate seating for patrons and employers and employees of such establishments who prefer a smoke-free environment. In order to protect the health, safety and welfare of the general public as well as protect the rights of smokers and non-smokers this article has been created to restrict smoking in public places, except in areas designated as smoking areas.

Sec. 6.05.003 Definitions

Administrative areas. The area of an establishment not generally accessible to the public, including but not limited to individual offices, stockrooms, employee lounges, or meeting rooms.

Employee. Any person who is employed by any employer for direct or indirect monetary wages or profit, or is in a position that would lead one to believe that such person is employed.

Employer. Any person, partnership, corporation, association or other entity, that employs one or more persons.

Enclosed. Closed in by a roof and walls with appropriate openings for ingress and egress, but does not include areas commonly described as public lobbies.

Food establishment. Any operation defined as such in [section 6.02.003](#) of this code.

Hospital. Any institution that provides medical, surgical, and overnight facilities for patients.

Movie theater. Any establishment engaged in the business of exhibiting motion pictures to the public.

Public-owned facilities. All buildings or structures whatsoever owned or operated by the city to include the entirety thereof, where the public has access or not.

Public place. Any enclosed indoor area that may be used by the general public, and includes, but is not limited to: stores, offices, and other commercial establishments; restaurants; public and private institutions of higher education; and health care facilities.

Retail and service establishments. Any establishment which offers goods or services for sale to the general public.

Service line. Any indoor service line at which one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

Smoke/smoking. The carrying or holding of a lighted pipe, cigar or cigarette of any kind, or any other lighted smoking equipment or device, and the lighting of, emitting or exhaling the smoke of a pipe, cigar or cigarette of any kind.

Workplace. Any enclosed area of a structure, or portion thereof, intended for occupancy by employees who provide primarily clerical, professional or business services of a business entity, or which provide primarily clerical, professional, or business services to other business entities, or to the public, at that location. The enclosed indoor area under the control of the employer shall include those areas to which employees have access during the course of employment, including but not limited to work areas, employee lounges, employee restrooms, employee conference rooms, and employee cafeterias. A private residence is not considered a place of employment.

Sec. 6.05.004 Smoking prohibited in certain public areas

(a) A person commits an offense if he smokes or possesses a burning tobacco, weed or other plant product or any lighted burning pipe, cigar or cigarette of any kind, or smoking equipment or device in any of the following indoor or enclosed areas:

- (1) An elevator used or that may be used by the public;
- (2) A hospital or nursing home corridor providing direct access to patients;
- (3) Any publicly-owned facility or operated by the city as defined in [section 6.05.003](#) above;
- (4) All retail or service establishments and financial institutions serving the general public, including, but not limited to any department store, grocery store, drug store, clothing store, shoe store, hardware store, bank, savings and loan, laundromat, hair salon or barbershop and shall include all public areas and waiting rooms of public transportation facilities, including but not limited to, common areas of city-owned theaters, concert halls, and cultural facilities; provided that smoking may be allowed in common areas of the shopping malls and designated areas of public facilities;
- (5) The owner or person in control of a hospital, nursing home, or retail or service an area marked with a no smoking sign in accordance with [section 6.05.005](#) by establishment serving the general public; or
- (6) Any facility of a public primary or secondary school; or an enclosed theater, motion picture theater, library, museum, and transportation vehicles, such as buses and taxicabs; except on charter buses for private hire or in taxicabs clearly designated by the operator to permit smoking;
- (7) All rooms in which meeting and/or hearings are open to the public.

(b) The owner or person in control of an establishment or area designated in this section, shall post a sign, conspicuous to ordinary public view, at or near each public entrance to the establishment. The sign shall contain the words “No Smoking Except in Designated Areas, City of Leon Valley Ordinance,” the universal symbol for no smoking, or other language that clearly prohibits smoking.

(c) The owner of person in control of an establishment or areas described in subsection (a)(4) or (a)(6) may designate an area, including but not limited to

lobbies, meeting rooms, waiting rooms, or lounges as smoking area; provided that the designated smoking area may not:

- (1) Include the entire establishment;
- (2) Include cashier areas, over-the-counter service or sales areas, or service lines;
- (3) Include the viewing area of any theater or motion picture theater; or
- (d) It is the defense to prosecution under this section if the person was smoking:
 - (1) In a location that is not a designated nonsmoking area of a facility or establishment described in subsection (a)(4) or (a)(6) of this section;
 - (2) In a location that is an administrative area or office area of an establishment described in subsection (a)(4) or (a)(6) of this section;
 - (3) In a location that is a retail or service establishment serving the general public with less than 750 square feet of public showroom or service space or having one employee on duty, unless posted as designated in subsection (b) of this section;
 - (4) In a location that is a retail or service establishment which is primarily engaged in the sale of tobacco, tobacco products or smoking implements;
 - (5) In a retail or service establishment which is a food service establishment regulated by [section 6.05.005](#);
 - (6) As a participant in an authorized theatrical performance; or
 - (7) In a situation in which the person is present at an event in which an entire room or hall is used for a social function, and seating arrangements are under the control of the sponsor of the function and not the proprietor or person in charge of the place. However, the sponsor of the social function may designate a nonsmoking area.

Sec. 6.05.005 Regulation of smoking in food establishments

- (a) A food service establishment which has indoor or enclosed dining areas shall provide areas for both smoking and nonsmoking patrons.

(b) A nonsmoking area must:

- (1) Be separated from the smoking areas by a minimum of four feet of contiguous floor space, a partition or a wall;
- (2) Be ventilated and situated so that air from the smoking area is not drawn into or across the nonsmoking area, or the smoking area shall be separately ventilated;
- (3) Be clearly designated by appropriate signs visible to patrons within the dining area indicating the area that is designated nonsmoking; and
- (4) Have ash trays or other suitable containers for extinguishing smoking materials at the perimeter of the nonsmoking area.

(c) Each food establishment which has a dining area shall:

- (1) Have and implement a written policy on smoking which conforms to this article;
- (2) Make the policy available for inspection by employees; and
- (3) Have signs, conspicuous to ordinary public view, at each public entrance to the establishment indicating that nonsmoking seating is available.

(d) Non-dining areas of any food establishment affected by this section to which the public has general access including, but not limited to, food order areas, food service areas and restrooms, shall be designated as nonsmoking areas.

(e) It is a defense to the prosecution under this section that the food establishment is:

- (1) An establishment which has indoor seating arrangements for less than 50 patrons;
- (2) An establishment which has more than 70 percent of its annual gross sales in alcoholic beverages; or
- (3) A physically separated bar area of a food service establishment otherwise regulated.

(4) The establishments covered in subsections (1)–(3) above shall post a sign, conspicuous to the ordinary public view, at each public entrance to the establishment which shall contain the words “This Establishment Does Not Provide for a Nonsmoking Section.”

Sec. 6.05.006 Regulation of smoking in the workplace

Notwithstanding the provisions of [sections 6.05.004](#) and [6.05.005](#), any employer may designate a portion of the workplace as a nonsmoking area. Any employer who chooses to designate any portion thereof as a nonsmoking area shall:

- (1) Have and implement a written policy on smoking which conforms to this article;
- (2) Make the policy available for inspection by employees;
- (3) Prominently display reasonably sized signs conspicuous to ordinary public view, indicating that smoking is prohibited in certain areas; and
- (4) Provide facilities in sufficient numbers and at such locations to be readily accessible, for the extinguishment of smoking materials.

Sec. 6.05.007 Owner reporting requirements

This article does not require the owner, operator, employer, manager or any employee of an establishment to report a violation or to take any action against any individual violating [sections 6.05.002](#) through [6.05.006](#) of this article.

(Ordinance 08-053 adopted 11/18/08)

- Copperas Cove, May 18, 2004, banned in all enclosed workplaces, including bars and restaurants;^[4] exempts bingo halls (if enclosed non-smoking area is provided), fraternal organizations, designated hotel/motel smoking rooms, and private and semi-private rooms in nursing homes.^[citation needed]
- Corpus Christi, April 14, 2009, banned in all enclosed workplaces, including bars and restaurants^[4]
- Dallas, April 10, 2009, banned in all enclosed workplaces, including bars and restaurants^[4]
- El Lago, banned in all bars and restaurants, but not in all other workplaces^[4]
- El Paso, January 2, 2002, banned in all enclosed workplaces, including bars and restaurants^[4]
- Flower Mound, banned in all enclosed workplaces, including bars and restaurants^[4]
- Houston, September 1, 2007 banned in all enclosed workplaces, including bars and restaurants;^[4] exempts retail tobacco shops, cigar bars, and private function events not open to the public.^[citation needed]
- Laredo, October 2006, banned in all enclosed workplaces, including bars and restaurants^[4]
- Marshall, banned in all enclosed workplaces, including bars and restaurants^[4]
- McKinney, September 4, 2008, banned in all enclosed workplaces, including bars and restaurants;^[4] exempts retail tobacco shops and country club smoking rooms, but includes all outdoor areas of parks with the exception of parking lots.^[320]
- Nacogdoches, banned in all enclosed workplaces, including bars and restaurants^[4]
- Pasadena, banned in all enclosed workplaces, including restaurants but exempting bars^[4]
- Pearland, November 30, 2007, banned in all enclosed workplaces, including bars and restaurants;^[4] includes city-owned parks and playgrounds and within 25 feet (7.6 m) of entrances, operable windows and ventilation systems of places where smoking is banned.^[citation needed]
- Plano, June 1, 2007, banned in all enclosed workplaces, including bars and restaurants^[4]
- Richardson, banned in all enclosed workplaces, including bars and restaurants^[4]
- Rollingwood, banned in all bars and restaurants, but not in all other workplaces^[4]

- San Angelo, banned in all enclosed workplaces, including bars and restaurants.^[321]
- Socorro, banned in all enclosed workplaces, including bars and restaurants^[4]
- Southlake, June 1, 2007, banned in all enclosed workplaces, including bars and restaurants,^[4] does not exempt hotel/motel rooms.^[citation needed]
- Tyler, banned in all enclosed workplaces, including bars and restaurants^[4]
- Vernon, banned in all enclosed workplaces, including bars and restaurants^[4]
- Victoria, banned in all enclosed workplaces, including bars and restaurants^[4]
- Woodway, banned in all enclosed workplaces, including bars and restaurants^[4]
- Localities in Texas with a smoking ban that *does not* include *all* bars and restaurants (21 total):
 - Angleton, banned in all restaurants, but not bars or all other workplaces^[4]
 - Arlington, January 1, 2007, banned in all restaurants, but not bars or all other workplaces;^[4] includes private clubs and outdoor areas within 50 feet (15 m) of entrance or exit of a place where smoking is banned.^[citation needed]
 - Boerne, March 27, 2007, banned in all restaurants, but not bars or all other workplaces^[4]
 - Brenham, July 20, 2007, banned in all restaurants, but not bars or all other workplaces;^[4] exempts manufacturing facilities^[citation needed]
 - Brownsville, banned in all restaurants, but not bars or all other workplaces^[4]
 - Fort Worth, January 1, 2008; banned in all enclosed workplaces, including restaurants but exempting bars;^[4] also exempts private clubs, bingo halls, and outdoor dining areas over 20 feet (6.1 m) from an entrance or operable window.^[320]
 - Frisco, November 18, 2006, banned in all enclosed workplaces except bars and restaurants^[4]
 - Galveston, January 1, 2010, banned by City Council in all enclosed workplaces, and including all restaurants; but on September 23, 2010, City Council repealed smoking ban on bars, private clubs, and fraternal organizations. The ban that took effect in 2010 originally included bars and private clubs.^[322]
 - Harlingen, April 2, 2005, banned in all enclosed workplaces, including restaurants but exempting bars^[323]
 - Kaufman, banned in all enclosed workplaces except bars and restaurants^[4]
 - Kerrville, June 24, 2008, banned in bars, but not restaurants or other enclosed workplaces^[4]

- Leander, banned in all enclosed workplaces except bars and restaurants^[4]
 - New Braunfels, banned in all enclosed workplaces except bars and restaurants,^[4] also exempts private clubs^[citation needed]
 - Portland, banned in all enclosed workplaces, including restaurants but exempting bars^[4]
 - Prosper, banned in all restaurants, but not bars or all other workplaces^[4]
 - Robinson, banned in all enclosed workplaces, including restaurants but exempting bars^[4]
 - Rockwall, banned in all restaurants, but not bars or all other workplaces^[4]
 - Round Rock, banned in all enclosed workplaces, including restaurants but exempting bars^[4]
 - San Antonio, August 19, 2010, banned in all enclosed workplaces, including restaurants and some bars; excempts cigar bars, outdoor restaurants and bar patio areas, the River Walk, Alamo Plaza, and Main Plaza.^[324]
 - Sugar Land, January 1, 2008, banned in all enclosed workplaces, including restaurants but exempting bars^[4]
 - Sweeny, banned in all restaurants, but not in bars or all other enclosed workplaces^[4]
 - Yoakum, May 12, 2007 voters approved a referendum banning smoking in all enclosed workplaces, including restaurants but exempting bars^[citation needed]
 - Localities in Texas where a smoking ban was *rejected* in some manner (2 total):
 - Amarillo, May 2008, ban rejected by 238 votes in a May 2008 referendum.^[325]
- [\[edit\]](#)

MAYOR AND COUNCIL COMMUNICATION

DATE: November 1, 2011
M&C: #11-07-11

TO: MAYOR AND CITY COUNCIL

SUBJECT: DISCUSSION FOR FUTURE CONSIDERATION OF REVISIONS TO CHAPTER 3, "SIGNS," ARTICLE 3.04.013, "TEMPORARY SIGNS"

PURPOSE

In July 2010 the Mayor selected individuals to serve on an ADHOC Committee to review temporary sign regulations. Under the direction of Lanny Lambert, the City Manager, the committee began meeting in August of 2010.

The committee is made up of the following individuals: Joey Blackmon-Ancira, Mary Williams-Pinnacle Signs, Jim Carrillo-Halff Associates, Walter Geraghty-Geraghty Tennis, Councilmember Jack Dean, and Councilmember Art Reyna with staff assistance from Edward Tijerina-Code Enforcement and Kristie Flores-Director Community Development.

The committee finalized their proposed revisions in January 2011, but in the transition of losing Manager Lambert, the changes were not submitted to the City Council for consideration and action.

Mr. Longoria has asked that this item be picked up where the committee had left off and the revisions are now being presented to the Council.

FISCAL IMPACT

None. The temporary sign permit fees will remain the same \$25 for the permit and \$50 for the deposit.

RECOMMENDATION

The ADHOC Sign Committee recommends approval of the proposed temporary sign revisions.

S.E.E IMPACT STATEMENT

Social Equity – evaluation of these revisions are applicable to all businesses and business owners in Leon Valley.

Environmental Stewardship – less temporary signage is less visual clutter to the environment and along the retail/ commercial corridors.

Economic Development – in some instances less or no visual clutter is preferred by big name or solidly established businesses because they have marketing campaigns or large lease spaces so they do not like large banners or flags blocking the view of their businesses. For some of the small, less established businesses in the City they rely on banners and flags for visibility and advertisement of their business. They feel that further regulation is a hindrance for their business making the City appear less business friendly.

APPROVED:_____

DISAPPROVED:_____

Item # 10

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

RUBRIC OF PROPOSED CHANGES TO THE SIGN ORDINANCE

PROPOSED	EXISTING
Only one (1) temporary sign is allowed for 30 days per six (6) month period	Two (2) temporary signs are allowed for 30 days per quarter
Add exception for business in the flyover area and Loop 410 area to allow special event temporary signs from Saturday 6:00 a.m. to Sunday 8:00 p.m.	There are currently no exceptions for business under or near the flyover and Loop 410
Temporary weekend signs may be displayed from Saturday 6:00 a.m. to Sunday 8:00 p.m.	Temporary weekend signs may be displayed from Friday 8:00 a.m. to Monday at 12:00 p.m.
Remove language pertaining to when signs are placed and picked up	Signs may not be either placed or picked up between the hours of 6:00 a.m. to 9:00 a.m. or from 4:00 p.m. to 7:00 p.m.
Remove language pertaining to temporary signage and federally recognized holidays	(i) If a federally recognized holiday falls on a Friday, then the signs are permitted from the preceding Thursday to the following Monday. (ii) If a federally recognized holiday falls on a Monday, then the signs are permitted from Friday until the following Tuesday.
Add clarity stating that no temporary weekend signage shall be permitted on wood-frames or portable frames	No temporary weekend sign shall be permitted on a utility pole, streetlight pole, sign pole, fence, tree or other man-made or natural feature
Add wind-waver flags and figures and portable or vehicle driven digital or LED signs to the signs <u>prohibited</u> section	Not presently listed in sign code
Add state to flag description and remove logo or corporate flags	(4) Flags. The flags, emblems or insignia of any nation, county, city, religious [organization], logo or corporate flags

Note: Changes highlighted in yellow

Sec. 3.04.013 Temporary signs

- (a) Permits are required for temporary signs.
- (b) Each business may be allowed a total of ~~two (2) temporary~~ **ONE (1) temporary** sign **per six (6) month period** ~~each quarter of the year~~ for a time period of up to thirty (30) days. ~~The signs must be displayed simultaneously.~~ A permit is required and must be obtained each time a sign is displayed. A seasonal business may apply for a variance to display temporary signs for up to 120 days in lieu of thirty (30) days per quarter.
- (c) A deposit is required for each temporary sign permit issued. The deposit will be returned at the expiration of the permit time period provided that the temporary sign has been moved within 24 hours of permit expiration.
- (d) Special event temporary signs may be allowed **within the flyover area and Loop 410** without a permit for a planned group of temporary signs to advertise special events on a business property. Special event temporary signs shall be installed no earlier than ~~Friday~~ **Saturday** morning at ~~8:00 a.m.~~ **6:00 a.m.** and shall be removed **on Sunday by 8:00 p.m.** ~~no later than 12:00 p.m. a.m. on the following Monday~~ **Sunday**. ~~If a federal holiday falls on either the Friday or Monday of that weekend, the signs may be installed and removed to include the holiday.~~
- (e) Maximum size for temporary sign banners is fifty (50) square feet for banner signs placed on the property and one hundred (100) square feet for banner signs attached to the building.
- (f) The following temporary signs are allowed:
- (1) Banners. Banners must be wall mounted or attached with temporary stakes in the ground on the property. Banners must be kept in good condition and stakes firmly anchored so as to prevent dilapidation.
 - (2) Airborne signs. Hot or cold air balloons may be either attached to the building or placed behind the property line. There are no size restrictions for hot or cold air balloons. Balloons shall be allowed only as a part of a special event temporary sign event and as specified. Balloons must be kept in good condition and firmly anchored so as to prevent dilapidation or from being astray.
 - (3) Grand opening signs. Grand opening signs shall be allowed under this section, except that such permit shall be valid for thirty (30) consecutive days and shall not be renewable. One permit will be issued for each building occupant per certificate of occupancy.
 - (4) Street banners. Nonprofit organizations may erect street banners across collector

PROPOSED REVISIONS per DISCUSSIONS with SIGN COMMITTEE
January 2011 v.3

Note: Changes highlighted in yellow

and arterial roadways. The dimensions of the banner will not exceed 4' x 36' (144 square feet).

(5) Temporary weekend signs.

(A) Time period. Temporary weekend signs are permitted from **Friday Saturday 6:00 a.m. to Sunday at 8:00 p.m.** ~~Signs may not be either placed or picked up between the hours of 6:00 a.m. to 9:00 a.m. or from 4:00 p.m. to 7:00 p.m.~~ **Temporary signs including banners, airborne/balloon signs, grand opening signs and street banners shall not be display simultaneously with temporary weekend signs.**

~~(i) If a federally recognized holiday falls on a Friday, then the signs are permitted from the preceding Thursday to the following Monday.~~

~~(ii) If a federally recognized holiday falls on a Monday, then the signs are permitted from Friday until the following Tuesday.~~

(B) Size. Signs shall not exceed 24" by 32" in size. Irregular shaped signs shall fit in a 24" by 32" rectangle; the total height shall not exceed 36" in height from ground level. Signs may be two-dimensional only and shall be of a nonreflective surface.

(C) Spacing between signs. A minimum of five feet (5') spacing must be maintained between each temporary weekend sign of different advertisers. The signs of each advertiser must be spaced so that no two (2) signs advertising the same good, service, product, business, political campaign, or particular piece of real property (for sale or lease) are closer than one hundred feet (100') from each other measured in a straight line.

(D) Location. Signs must be self-supporting and placed into the ground by a single stake.

(i) No temporary weekend sign shall be permitted on a utility pole, streetlight pole, sign pole, fence, tree or other man-made ~~or natural feature,~~ **wooden-frame or portable frame.**

(ii) No sign may be placed closer than twenty-five feet (25') from a street intersection or median opening. Any temporary weekend sign determined to be in a location that causes an immediate hazard to public safety will be immediately removed by the city.

(iii) Signs shall be no closer than three feet (3') from the edge of the sign to the street curb or, if no curb is present, to the edge of the pavement. Signs shall not encroach on either sidewalks or streets.

(iv) No signs shall be placed in island medians or esplanades.

Note: Changes highlighted in yellow

(v) Except for political signs, no signs shall be placed further than three (3) miles from the location of the sale of the good, product, service, business or piece of real property being advertised.

(E) Permit.

(i) An annual permit fee, as stated in the schedule of fees in [appendix A](#) of this code, must be paid by the advertiser. Where an advertiser wishes to advertise multiple locations, a permit must be obtained for each location, subdivision location, or service location to be advertised by temporary weekend signs.

(ii) A temporary weekend sign shall not be placed on the right-of-way of a road or highway unless an annual temporary signs permit has been first obtained.

(F) Map of locations; placement on state roads prohibited. In addition to the payment of the appropriate fees, the advertiser shall provide an area map, drawn to scale, and listing the street and block number where the signs shall be placed. No temporary weekend sign shall be placed along the side of any road or highway belonging to the state department of transportation.

(Ordinance 06-034, sec. 1 (5.5), adopted 11/5/06)

Sec. 3.04.014 Prohibited signs

The following signs shall be prohibited in the city:

- (1) Any sign constructed or located in such a manner that it is or becomes an immediate hazard or danger to persons or property because of being in an unsafe condition, or which obstructs any window, door, or fire escape of any building.
- (2) Illegal signs or any other sign constructed after the enactment of this article which is not in compliance with the terms of this article.
- (3) Illuminated, highly reflective signs or spotlights which hamper the vision of motorists or bicyclists.
- (4) Any sign, banner or display placed on any public right-of-way, utility pole, traffic-control device, curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface located on, over, or across any public street or right-of-way (other than a government sign or allowed sign as per [section 3.04.011](#)).
- (5) Any banner placed on stakes on a property, unless otherwise permitted.
- (6) Portable signs. Any sign not permanently attached to the ground or other permanent

PROPOSED REVISIONS per DISCUSSIONS with SIGN COMMITTEE
January 2011 v.3

Note: Changes highlighted in yellow

structure, including those signs which may be transported to the site on wheels, on skids or on a truck; signs constructed as or converted to a T-frame sign; or umbrellas used for advertising purposes. Such sign, whether or not bolted or cemented to the ground, shall nonetheless be deemed to be a portable sign.

(7) Signs which contain or are an imitation of an official traffic sign or signal, or which are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic-control device, or which may hide from view any traffic or street sign or signal.

(8) Snipe/parasite signs.

(9) Temporary signage, except as permitted in [section 3.04.013](#).

(10) Vehicle signs. Signs placed on or affixed to vehicles and/or trailers that are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product, or direct people to a business or activity located on the same or nearby property, shall be prohibited. However, this is not intended in any way to prohibit signs placed on or affixed to vehicles and trailers where the sign is incidental to the primary use of the vehicle or trailer and where the vehicle is being operated in the normal course of business, is in operable condition, and carries a current and valid license plate and state inspection tag.

(11) Any sign placed on a property without the permission of the property owner.

(Ordinance 06-034, sec. 1 (5.6), adopted 11/5/06)

(12) Light emitting diode (LED) and static electronic digital display signs, except as allowed on-premises for freestanding, multitenant, window and door signs (only one per storefront) and government signs as regulated and defined in this article.

(Ordinance 08-025, sec. 1, adopted 6/17/08)

(13) Wind-waver flags.

(14) Portable or vehicle driven digital or LED signs.

Sec. 3.04.015 Address numbers required

For the purposes of this article, address numbers attached to the front plane of a building face and visible from the adjacent public right-of-way or private ingress/egress for the purpose of identifying the street address of the structure shall be considered a required sign. Such numbers shall be a minimum of four inches (4") in height, shall be of a color in distinct contrast to the color of the background, and shall be plainly visible from the

Note: Changes highlighted in yellow

adjacent public right-of-way or private ingress/egress. (Ordinance 06-034, sec. 1 (5.7), adopted 11/5/06)

Sec. 3.04.016 Signs exempt from permit requirements

The following signs are exempt from permit requirements. In no case shall a sign be placed in a public right-of-way, as per [section 3.04.003\(c\)](#) of this article.

- (1) Required signs.
- (2) Construction signs. One construction sign per construction project, provided that such signs shall not exceed the sign area allowed for a temporary sign under [section 3.04.013](#). Construction signs shall be erected no more than five (5) days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction, and shall be removed within ten (10) days after completion or issuance of the certificate of occupancy.
- (3) Directional or instructional signs. Directional signs are designed to provide directions to pedestrian and vehicular traffic. Signs directing to entrances, exits and other non-business elements of a project shall be exempt from this article if they do not exceed four (4) square feet in area.
- (4) Flags. The flags, emblems or insignia of any nation, **state**, county, city, **and** religious [organization], ~~logo or corporate flags.~~
- (5) Garage sale signs. Signs pertaining to garage sales in R-1, R-2, R-4, or R-6 zoned property, not exceeding four (4) square feet, as long as they shall be removed by the agent or owner within twenty-four (24) hours after the sale. Garage sale signs shall not be placed in the right-of-way.
- (6) Governmental signs are exempt, provided that the sign substantially complies with the provisions of this article.
- (7) Residential signage. House numbers, nameplates and residential business signs not exceeding one (1) square foot in area for each residential building. Refer to [article 14.02](#) (zoning ordinance) of the city code for more information about home occupations.
- (8) Interior signs. Signs on the interior of buildings which are not visible from the exterior of the building.
- (9) Memorial plaques or building identification signs when cut into any masonry surface or inlaid so as to be part of the building or when constructed of other noncombustible material, provided that such signs shall not exceed two (2) square feet.

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(10) “No Trespassing” or “No Dumping” signs. “No Trespassing” or “No Dumping” signs not to exceed one and one-half (1-1/2) square feet in area per sign and not to exceed four (4) in number per lot, except that special permission may be obtained from the city for additional signs under proven special circumstances.

(11) Political and campaign signs. Political or campaign signs on behalf of candidates for public office or measures on election ballots provided that said signs are erected not earlier than sixty (60) days prior to said election and shall be removed within fifteen (15) days following said election.

(12) Public notices. Official notices posted by public officers or employees in the performance of their duties.

(13) Public utility signs. Temporary or permanent signs erected by companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices.

(14) Real estate signs. One real estate “for sale” (including lease or rental) sign (single- or double-faced) on any lot or parcel zoned R-1, R-2, R-4, or R-6, provided such sign is located entirely within the property to which the sign applies, is not illuminated, does not exceed four (4) square feet in area, and is removed within ten (10) days after the sale, rental, or lease has been consummated. One (1) additional sign, as described above, is permitted where a parcel has in excess of three hundred feet (300') of frontage or fronts on two (2) streets.

(15) Permanent menu boards. Menu boards shall not count in the total sign area for the type of sign erected, provided that the menu board is designed specifically for drive-through ordering and does not exceed the sign area requirements for that sign type.

(16) Warning signs. Signs warning the public of the existence of danger, but containing no advertising material, of a size as may be necessary, to be removed upon subsidence of danger.

(17) Works of fine art.

(Ordinance 06-034, sec. 1 (5.8), adopted 11/5/06)



City of Leon Valley

Discussion for Future Consideration of
Revisions to Chapter 3, "Signs," Article
3.04.013, "Temporary Signs"

November 1, 2011



Purpose

- Discuss the Consideration of Temporary Sign regulation revisions as submitted by the Sign Committee
- Recommendations provide for less temporary signage and longer duration between the time a permit is issued



Fiscal Impact

- None.
- Temporary Signs Fees Remain the same
 - Permit \$25
 - Deposit \$50



Recommendation

- The ADHOC Sign Committee recommends approval of the proposed temporary sign revisions.



City of Leon Valley

Discussion for Future Consideration of
Revisions to Chapter 3, "Signs," Article
3.04.013, "Temporary Signs"

November 1, 2011

Item # 11

MAYOR AND COUNCIL COMMUNICATION

**DATE: November 1, 2011
M&C: # 11-08-11**

TO: MAYOR AND CITY COUNCIL

SUBJECT: UPDATE ON PROGRESS OF TOWN CENTER PROJECT

PURPOSE

The purpose of this agenda item is to update the City Council on the ongoing progress of the Town Center Project as many of the processes related to establishing the Town Center Project transpire on a continuum. This agenda item will be placed on the City Council's Discussion Agendas until the Project is completed.

FISCAL IMPACT

None at this time.

RECOMMENDATION

Not applicable.

S.E.E. IMPACT STATEMENT

Social Equity: The City of Leon Valley City Administration affirms its commitment to a superior quality of life by responding to the governing body, citizens, and businesses in fair, prompt, and consistent manner. Maintaining open communication regarding the progress of ongoing community projects is a further demonstration of the City Council's commitment to social equity.

Economic Development: The City of Leon Valley through its ongoing commitment to the Town Center Project is establishing a physical identity and promotes economic development opportunities through a mixed-use development in a town-centered design including pedestrian friendly connections.

Environmental Stewardship: The City of Leon Valley demonstrates its commitment to becoming carbon-neutral by conserving and preserving natural resources and enhancing the environment through its defined town-centered design for community and business gatherings and therein reducing the need to drive from location to location for a variety of retail and social opportunities.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

Item #12
Earthwise Living Committee Meeting
City of Leon Valley

Date: Tuesday, September 13, 2011
Time: 6:00 PM
Location: Leon Valley Public Works, 6427 Evers, Leon Valley, TX 78238
Staff Liaison: Valerie Siat
Members Present: Brenda Sarmiento, Erica Almaraz, Thomas Benavides, Rita Burnside, Jean Johnson, Sandra Keller (new member), Mary Key, Tom Kusiak, and Chris Riley.
Members Absent: Andrea Nocito, Gene Marck, Shirley Owen, Susan Price, and Marty Tome
Guest: Al Eisch

1. Call to Order and Determine a Quorum is Present.

- Meeting called to order at 6:00PM and Quorum was met.
- Meeting Minutes from August 9, 2011 corrected/accepted.

2. Discuss Status of Earthwise Living Day 2012.

- Theme submitted by Mary and accepted by the committee for Earthwise Living Day: *"It's Up to You!"*
- EWL Day will remain the same time slot as last year: 10:00AM to 2:00PM.
- Brenda & Valerie attended the 2nd Annual Green Product Showcase (Greater San Antonio Builders Association) Introduced the event and handed out announcement Flyers describing the event/contact information for anyone interested in participating.
 - All new prospective attendees from various green festivals will be added to a spreadsheet that was distributed at the meeting.
 - Committee agreed each anniversary year should be posted on EWL flyers & advertisements (i.e. 23rd Annual).
 - Jean sent an invitational letter to the Bank of America (Tracy Gatica) to participate in 2012.
 - Committee agreed to have members form groups to accomplish goals necessary to meet criteria for event.
 - Upper Cibolo Watershed Festival will be held in Boerne (Main Plaza) on Saturday, September 17, 2011.
 - "Moving Planet" will be held on Saturday, September 24, 2011.

3. Discuss Budget.

- Valerie provided budget report.
 - New banner for \$379.00 was purchased.
 - Remaining budget balance is \$61.25 (supplies will be purchased prior to end of fiscal year).

4. Discuss Banner Locations.

- Valerie reserved 3 banner locations (2 in Leon Valley & 1 at 281/ N. St. Marys).
- Mayor will inquire the possibility to hang EW banner in some location at the Onion House.

5. Discuss Status of Storage Shed, Gutters for Rain Barrel Installation and Compost Bin.

- Possibility that Public Works will be installing the gutters (Community Garden Shed) for the rain barrel.
- Mayor will seek assistance for storage shed purchase.

6. Discuss Facebook Page.

- Brenda set up the EWL committee on Facebook.
- Valerie listed our 2012 event at <http://festivalnet.com/>.

7. Discuss Prospective Speakers.

- Possible speakers/organizations to support to our Theme are as follows:
 - CPS Energy
 - Waste Management
 - San Antonio Water System
 - Texas A&M Extension Service

8. Adjourn.

- Meeting adjourned at 7:10PM

Item #12
Earthwise Living Committee Meeting
City of Leon Valley

- Next meeting will be on Tuesday, October 11, 2011 (6:00PM), at Leon Valley Public Works, 6427 Evers, Leon Valley, TX 78238.



MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION

September 28, 2011

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:30 p.m. on Wednesday, September 28, 2011, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. ROLL CALL

Present were President Chairman Mike Davis, Vice-President Abraham Diaz, Treasurer Michael McCarley, Secretary Nancy Marin, and Board Members Claude Guerra III and Stephen Ynostrosa. Absent and properly excused was Board Member Georgia Zannaras. Also present were Attorney Frank Onion and Consultant Trey Jacobson, and Kristie Flores, Director of Community Development and Interim Supervisor of Economic Development, acting as staff support and recording secretary.

II. APPROVAL OF MINUTES – August 31, 2011

Staff noted that the minutes of the August 31, 2011 were not located and were unavailable.

Board Member Claude Guerra III made a motion to move Item “VI. Discuss and Consider Action Regarding the need for Legal Representation for the affairs of the EDC,” to the next consideration. Board Member Abraham Diaz seconded the motion and the motion passed by voice vote.

Stephen Pena addressed the Board noting that he was with the firm of Davidson & Troilo and that their specialty was providing representation for local municipal governments. He noted his expertise with other cities where he serves as City Attorney for Helotes, Cotulla and Sabinal. He explained that each City has different needs such as build out consultation and development agreements. He also noted that the firm’s rates were competitive and there was always staff available to serve the needs of clients. He further explained that aside from the Corporation even staff support could be assisted by the firm.

Board Member Claude Guerra III asked if there would be lead legal counsel appointed or assigned to the Corporation. Mr. Pena noted that there was a professional attorney for every matter that needed to be addressed but that more than likely he would be the one representing them.

Again, Mr. Pena noted his experience with Helotes regarding Zoning, Market Days, variances and his counsel to the development of Old Towne and his collaboration with Rick Schroeder of the Helotes Economic Development Corporation.

The Corporation thanked Mr. Pena for his presentation and moved on to Item III.

III. Receive Financial Report from LVEDC Treasurer

Treasurer Michael McCarley addressed the Board and noted that the money market account balance as of September was \$286,782.70. He explained that the added sales tax for the month was \$13,926.75. He noted that there would be some accounts payable taken care of in the amount of \$8,481.63. Mr. McCarley also listed out the payables.

He also submitted the legal counsel billing invoice to the Board to review. Mr. Davis requested that before the payment was made to the City for the Service Agreement that costs needed to be assessed since Elvie Olivarri and Rose Ryan were no longer taking care of LVEDC business.

IV. Public Input

No members of the public were in attendance.

V. Executive Session in Accordance with the Texas Local Government Codes

- A. The Leon Valley Economic Development Corporation (EDC) convened in Executive Session at 7:05 p.m. pursuant to Section 551.071, Consultation with Attorney, McKamie Krueger LLP, and Regarding Litigation – Demand Letter from Larry Little Counsel.
- B. The Economic Development Corporation of the City of Leon Valley convened in Executive Session at 9:13 p.m. pursuant to Section 551.072, Deliberations about Real Property, to Deliberate the Purchase, Exchange, Lease, or Value of Real Property Regarding the Leon Valley Town Center Project, to Receive, Review, Discuss Information from Legal Consultants Drenner & Golden, Stuart & Wolff LLP, Regarding Town Center Project Agreement Negotiations and Alternative Scenarios to Project Funding.
- C. The Leon Valley Economic Development Corporation reconvened into Open Session at 9:20 p.m. and took no Action on Items V.A or V.B.

VI. Discuss and Consider Action Regarding the need for Legal Representation for the affairs of the EDC

President Mike Davis noted that an attorney was needed as soon as possible to represent the EDC and noted Ryan Henry who was representing the City on a different matter.

Vice Present Abraham Diaz asked if an RFP was necessary. Attorney Frank Onion noted that they did not need an RFP.

After brief discussion, Stephen Ynostrosa made a motion selecting the firm of Davidson & Troilo. Vice President Abraham Diaz seconded the motion and the vote passed unanimously by voice vote.

Secretary Nancy Marin noted that she would prefer that the person selected from the firm to represent the EDC have EDC experience.

The Board collectively agreed that President Mike Davis join into a contract with Davidson & Troilo.

VII. Suggest Items for Next Meeting

Items Suggested:

- Discuss Service Agreement with City and Alternative (i.e. Executive Director/Staff)
- Town Center Follow-Up
- Report on Sales Tax Meeting
- Discussion of Open Meetings/Records

VIII. ADJOURN

Vice-President Abraham Diaz made a motion to adjourn, seconded by Board Member Stephen Ynostrosa. The motion carried by voice vote and the meeting was adjourned at 9:45 p.m.


PRESIDENT


STAFF



**MINUTES OF THE MEETING OF THE
LEON VALLEY ZONING COMMISSION**

September 27, 2011

The regular meeting of the Leon Valley Zoning Commission convened at 6:30 p.m. on Tuesday, September 27, 2011, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. ROLL CALL

Present were Chairman Guerra III, Vice-Chair Wendy Phelps, 2nd Vice-Chair Olen Yarnell, and Members Rich Braune, Hal Burnside, Pedro Esquivel and Mike Davis Jr., and Alternate Members Linda Geraghty, and Carmen Sanchez. Absent and properly excused was Alternate Member Phyllis McMillan. Also present was Kristie Flores, Director of Community Development, acting as recording secretary.

II. APPROVAL OF MINUTES – August 23, 2011

Staff noted that Vice-Chair Wendy Phelps called in a revision to Item VI., "Adjourn," noting that she was not in attendance. Staff stated that the minutes were corrected to reflect that Member Hal Burnside made a motion to adjourn, seconded by Alternate Member Carmen Sanchez and adjourning at 8:03p.m. Commissioner Pedro Esquivel made a motion to approve the minutes as corrected. Commissioner Rich Braune seconded the motion and the motion passed unanimously by voice vote.

III. Zoning Case #2011-387 (Rezone approximately 3.578 acres of land from R-3 (Multiple-Family Dwelling) to B-3 (Commercial) in the 5500 block of Grissom Road

Staff presented the details of Zoning Case #2011-387, noting that Benito Gomez was the applicant and property owner. Staff explained that the request was to rezone approximately 3.578 acres of land from R-3 (Multiple-Family Dwelling) to B-3 (Commercial), being Lot 103, Block 101, CB 4433, Vaughn-Watson Subdivision, located in the 5500 block of Grissom Road. Staff presented the surrounding zoning and the history of the area noting that the property was rezoned from R-1 (Single-Family) to B-3 (Commercial) in 1975, was platted in 1984, and was rezoned again in 2007 from B-3 (Commercial) to R-3 (Multiple-Family Dwelling). Staff noted that the 2009 Master Plan, Section 4CC Grissom Road Corridor, addressed the area in general stating that Land Use in the area encouraged B-3 (Commercial) zoning and consolidation of properties in the area. Staff noted that the applicant's request was consistent and compatible with the Master Plan and surrounding zoning. Staff also noted that the applicant had submitted a preliminary site layout which indicated the use of the property would be a business park, but urged the Commission to look at the request in terms of zoning, and not use, as prescribed by Code. Staff explained that the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed activity would generate less than 100 peak hour trips. Staff stated that five (5) letters had been mailed to property owners within 200-feet and as of that evening none had been received in favor, none were received in opposition and none were returned undeliverable. Staff concluded the presentation and remained available for questions.

Arturo Fux, agent for the applicant, addressed the Commission and noted that the previous investor had rezoned the property from B-3, but was not able to develop the property due to the economy. He also noted that the new owner just wanted to return the property to the previous zoning of B-3 to construct a business park.

2nd Vice-Chair Olen Yarnell was concerned with access to the property and asked the applicant to further explain the access to the property. Mr. Fux referred to the site layout and noted that there would be access from Grissom Road and Timberhill Drive.

Commissioner Rich Braune asked staff if the proposed business park would generate less than 100 peak hour trips. Staff confirmed that it would.

Chairman Guerra III asked the applicant to discuss parking for the business park. Mr. Fux noted that there would be parking space for each office/warehouse. Staff noted that the site layout prepared by the applicant was very preliminary and would require a site plan with more detail which had adequately striped parking spaces measuring the standard 9-feet by 18-feet. Staff further explained that all of the required overlay standards and building standards would be reviewed at the permitting stage.

Chairman Guerra III opened the public hearing at 6:41 p.m. being no discussion; the public hearing was closed at 6:42 p.m.

2nd Vice Chair Olen Yarnell noted concerns with the ingress and egress to the property due to the hill and alignment of the proposed ingress/egress and explained how it was a visual barrier and had the potential to create accidents. He also noted that he had spoken to the Chief of Police Randall Wallace and he too agreed that the ingress/egress could be problematic. Staff explained that in the development of this lot staff and the applicant would work together to find the best ingress/egress layout for the site and even look at shared access with the adjacent *U-HAUL*. Staff also noted that the complete site plan and building permit request would be reviewed by all City Departments Police, Fire, Public Works, Engineering and Development.

Commissioner Hal Burnside noted that the access would be a concern whether the property was developed R-3 or B-3.

2nd Vice-Chair Yarnell noted that he did not have an issue with the rezoning; he was just very concerned about the ingress/egress and wanted to be sure it was addressed.

Commissioner Pedro Esquivel made a motion to recommend approval of Zoning Case #2011-387, stating that it was consistent and compatible with site and surrounding zoning, protected the health, safety and welfare of the general public and protected the property rights of all property owners affected by the zoning change. Commissioner Rich Braune seconded the motion and the motion passed, 7-0.

IV. Discussion of the 2007 Master Plan Revisions, the Timeline for Completion of the Revisions, and Recommendation Forwarding a Letter to the Mayor and Council Regarding Master Plan Revision Initiation

Staff noted that it was time to begin reviewing and revising the 2007 Master Plan. Staff explained that per the Zoning Code, the Commission was to initiate review of the Master Plan every four (4) years which was presently 2011. **Staff explained that part of the reason that the Master Plan was being discussed was because Commissioner Mike Davis had noted to City Council in regard to Zoning Case #2011-386 for the rezoning along Blackberry Drive that the Master Plan did not appear to be up-to-date with the zoning trends that were occurring in the area, so the Council asked staff and Chairman Guerra III to address the concern with the Zoning Commission.**

Staff noted that the Master Plan revisions could be initiated and this concern could be addressed as the Plan was being reviewed.

Commissioner Mike Davis Jr., noted that the Master Plan was the **2009 Master Plan**; staff noted the correction and stated that since it was the **2009 Master Plan** the revisions would not be due until **October of 2013**.

The Zoning Commission recommended initiating the Master Plan review and revisions in **January 2012**. All members and alternates were in agreement. Staff noted that a memo would be prepared in reference to the concern to update the Mayor and City Council.

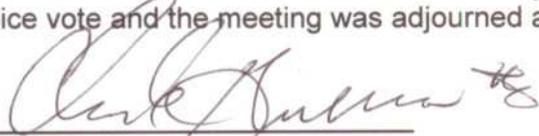
Staff suggested that since Master Plan revisions would not begin in October 2011, staff would provide a Zoning Workshop for the newest Members of the Commission and which would also act as a refresher for the rest of the Commission. The Commission agreed unanimously and also asked for staff to have a bullet point discussion of the Master Plan revisions they were to begin in 2012 as well.

V. Executive Session in Accordance with the Texas Local Government Codes

There was neither item, nor action necessary for this session.

VI. ADJOURN

Member Rich Braune made a motion to adjourn, seconded by Pedro Esquivel. The motion carried by voice vote and the meeting was adjourned at 7:15 p.m.



CHAIRMAN



STAFF

Item # 15

MAYOR AND COUNCIL COMMUNICATION

DATE: November 1, 2011
M&C #: **11-09-11**

TO: MAYOR AND CITY COUNCIL

SUBJECT:

The City Council of the City of Leon Valley will Convene in Executive Session Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body has Received from a Business Prospect 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.

Regarding the Fiesta Dodge Property.

PURPOSE

City Manager Longoria will brief the City Council in Executive Session regarding the Fiesta Dodge Property.

S.E.E IMPACT

Social Equity – The City will promote a superior quality of life by providing outstanding City services and a superb infrastructure. The basis for providing outstanding City services and a superb infrastructure, include a solid economic plan and healthy economy.

Economic Development – Responsible city governments that uphold the tradition of good governance do and will attract community and economic development.

Environmental Stewardship – Not applicable

FISCAL IMPACT

None at this time.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Janie Willman, City Secretary

MAYOR AND COUNCIL COMMUNICATION

DATE: November 1, 2011
M&C #: 11-10-11

TO: MAYOR AND CITY COUNCIL

SUBJECT:

The City Council of the City of Leon Valley will Convene in Executive Session Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body has Received from a Business Prospect 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.

Regarding the Town Center Project.

PURPOSE

City Manager Longoria will brief the City Council in Executive Session regarding the Town Center Project.

FISCAL IMPACT

None at this time.

S.E.E IMPACT

Social Equity – The City of Leon Valley City Administration affirms its commitment to a superior quality of life by responding to the governing body, citizens, and businesses in a fair, prompt, and consistent manner. Maintaining open communication regarding the progress of ongoing community projects is a further demonstration of the City Council’s commitment to social equity.

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Environmental Stewardship – The City of Leon Valley demonstrates its commitment to becoming carbon-neutral by conserving and preserving natural resources and enhancing the environment through its defined town-centered design for community and business gatherings and thereby reducing the need to drive from location to location for a variety of retail and social opportunities.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Janie Willman, City Secretary

Interoffice Memorandum

To: Mayor Riley and Council
From: Vickie Wallace, Finance Director
Through: Manuel Longoria, Jr, City Manager
Date: November 1, 2011
Subject: 2011 Accounts Receivable Write Off

On July 20, 2004, Council authorized the Finance Director to annually write off uncollectible EMS and Water and Sewer accounts receivable that are more than one year old and transfer them to a bad debt file.

For the fiscal year that ended September 30, 2011, the following amounts are considered uncollectible, are more than one year old and will be written off:

Water and Sewer	\$ 3,479.34
EMS	\$209,609.64

Please keep in mind that even though we have written these accounts off our general ledger the EMS accounts remain at the collection agency and the utility accounts are placed on our bad debt file.