

NOTICE OF PUBLIC MEETING

AGENDA

LEON VALLEY CITY COUNCIL MEETING

TUESDAY, DECEMBER 20, 2011

LEON VALLEY CITY COUNCIL CHAMBERS

6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238

SPECIAL CITY COUNCIL MEETING – 6:00 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 551.071, Consultation with Attorney on Pending Litigation, The Elijah Group, Inc. v. the City of Leon Valley, Civil Action # SA-08-CV0907 OG NN, Lowell Denton of Denton, Navarro, Rocha & Bernal, P.C., and McKamie Krueger, L.L.P., M&C # 12-13-11. *This agenda item will allow the assigned legal counsel to update the City Council on the status of this matter related to pending litigation. (Longoria)***
 - B. **The City Council of the City of Leon Valley will Reconvene into Open Session and Take Any Necessary Action Resulting from the Executive Session.**
 3. **Adjourn.**
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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. **Presentation of the Status Report by the Bandera Road Site - Community Advisory Group. (John R. Hoyt, P.G., Edwards Aquifer Authority) *This agenda item will allow the City Council to receive an annual report from the Bandera Road Site – Community Advisory Group Committee Chair John Hoyt.***
3. **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.

4. **Consider Approval of the Meeting Minutes of the December 6, 2011 Special and Regular City Council Meetings. (Willman)**
5. **Consider Action on M&C # 12-14-11 with Attached Ordinance, a Request to Amend the Leon Valley Code of Ordinances Chapter 2 "General Provisions," Section 2.401 "Official Newspaper" by Designating the Daily Commercial Recorder and the San Antonio Express News as the Official Newspapers to Publish Required Legal Notices for the City of Leon Valley for Fiscal Year 2012 Pursuant to Local Government Code §52.04. This agenda item will allow the City Council to consider renewing its designation of the San Antonio Express News and the Daily Commercial Recorder for the City of Leon Valley's required legal notices for the Fiscal Year 2012. (Willman)**
6. **Consider Action on M&C # 12-15-11, Appointing Members to the City's Boards, Committees, and Commissions: the Parks Commission. This agenda item will allow the City Council to consider making appointments to the City's Boards, Committees, and Commissions by minute order. (Mayor Riley)**

Regular Agenda

7. **Consider Action on M&C # 12-16-11 with attached Ordinance Amending the Fiscal Year 2012 Budget to Authorize a Match of Funds by the City of Leon Valley in the Amount of \$750 Towards the Historical Preservation and Clean-up of a Farm Shed (Racing Pigeon Coop) Abutting the Historic Huebner-Onion Homestead in the Natural Area as Part of a Matching Contribution by the Leon Valley Historical Society. This agenda item will allow the City Council to consider authorizing a Budget Amending in the amount of \$750 in a direct match of \$750 from the Leon Valley Historical Society for the removal and storage of building materials from a farm shed associated with pigeon racing located onsite at the Natural Area Abutting Historic Huebner-Onion Homestead. (Longoria)**
8. **Consider Action on M&C # 12-17-11 with Attached Ordinance Authorizing the City Manager to Enter into a Continued Service Agreement with the City of Leon Valley Economic Development Corporation (LVEDC) for Facilities and Support Services. On November 30, 2011, the LVEDC approved continuation of the service agreement by a vote of 5-0. This agenda item will allow the City Council to consider renewing its service agreement with the City of Leon Valley Economic Development Corporation for facility and support services and authorizing the City Manager to execute the documentation. (Flores)**

Discussion Agenda

9. **Discussion of Ordinance for Future Consideration Amending Chapter 6, Health and Sanitation, to Adopt New Article 6.06, "Property Maintenance Code," and Providing a Penalty of Up to Two Thousand Dollars (\$2,000), M&C # 12-18-11. This agenda item will allow the City Council to discuss and consider an ordinance amending and strengthening the City**

of Leon Valley's Code of Ordinances related to property maintenance. (Flores)

10. **Update on Progress of Town Center Project, M&C # 12-19-11.** *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)*

11. **City Manager's Report. (Longoria)**
 - A. Informational Issues.
 - B. Update City Council Regarding Library Bucks Program.
 - C. Monthly Departmental Reports.
 - D. 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) City of Leon Valley Economic Development Corporation (LVEDC) Board Meeting Minutes of October 26, 2011.
 - (2) City of Leon Valley Economic Development Corporation (LVEDC) Board Meeting Minutes of November 9, 2011.
 - (3) Leon Valley Tree Advisory Board Meeting Minutes of October 19, 2011.
 - E. **Future Agenda Items.**
 - (1) Consider Appointments to the LVEDC Board, January 2012.
 - (2) Discuss City New Website, January 2012.
 - (3) Consider Ordering the May 12, 2012 General Officers Election, January-March 2012.
 - (4) Presentation of Service Awards to Employees of the City of Leon Valley, January 2012.
 - (5) Consider Ordinance Establishing Library Bucks Program, January, 2012.
 - (6) Purchasing Policy, Contract Renewal Management Policy, and Personal and Professional Services Policy.
 - (7) Consider Approval of the Comprehensive Annual Financial Report for Fiscal Year 2011, January 24, 2012.

12. **Citizens to be Heard.**

13. **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:

01-07-12	Quarterly Walk with the Mayor, Meet at City Hall at 8:30 a.m., for a walk through Seneca III.
01-28-12	Town Hall Meeting, 9 a.m. – 12:30 p.m., Leon Valley Conference Center
02-25-12	23rd Anniversary Earthwise Living Day, 10 a.m. – 2 p.m., Leon Valley Community Center

Executive Session

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

Agenda Item 2 – Special City Council Meeting

MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2011
M&C # 12-13-11

TO: MAYOR AND CITY COUNCIL

SUBJECT:

The City Council of the City of Leon Valley will Convene in Executive Session as Authorized by the Texas Government Code, Section 551.071, Consultation with Attorney on Pending Litigation, The Elijah Group, Inc. v. the City of Leon Valley, Civil Action # SA-08-CV0907 OG NN.

PURPOSE

Lowell Denton, of Denton, Navarro, Rocha, and, Bernal, P.C., Attorneys at Law, assigned by the Texas Municipal League – Intergovernmental Risk Pool, to represent the City of Leon Valley in this matter, will brief the City Council in Executive Session.

Attorney Frank Onion, McKamie Krueger, L.L.P., from the City Attorney’s office, will also be present.

S.E.E IMPACT

Social Equity – The attorney consultation contract is an integral part of how citizens are equally represented in the municipal government process.

Economic Development – Responsible city governments that uphold the tradition of good governance will and do 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

Agenda Item 2

**Bandera Road Groundwater Plume
Superfund Site
Community Advisory Group**

Report to Leon Valley City Council

December 20, 2011

John Hoyt, CAG Chairman

Bandera Road Superfund Site Background Information

- Groundwater contamination found in 2004 near intersection of Poss and Bandera Road
- Primary contaminants are volatile organic compounds (VOCs) in groundwater and vapors
 - Tetrachloroethene (PCE) is primary VOC present
- 2004 to 2007 - TCEQ performed risk abatement and hazard ranking for NPL acceptance

Bandera Road Superfund Site Background Information (contd.)

- Site made Federal Superfund (NPL) list in March 2007
- EPA has been investigating site since 2007
 - EPA Project Manager (PM) is Chris Villarreal

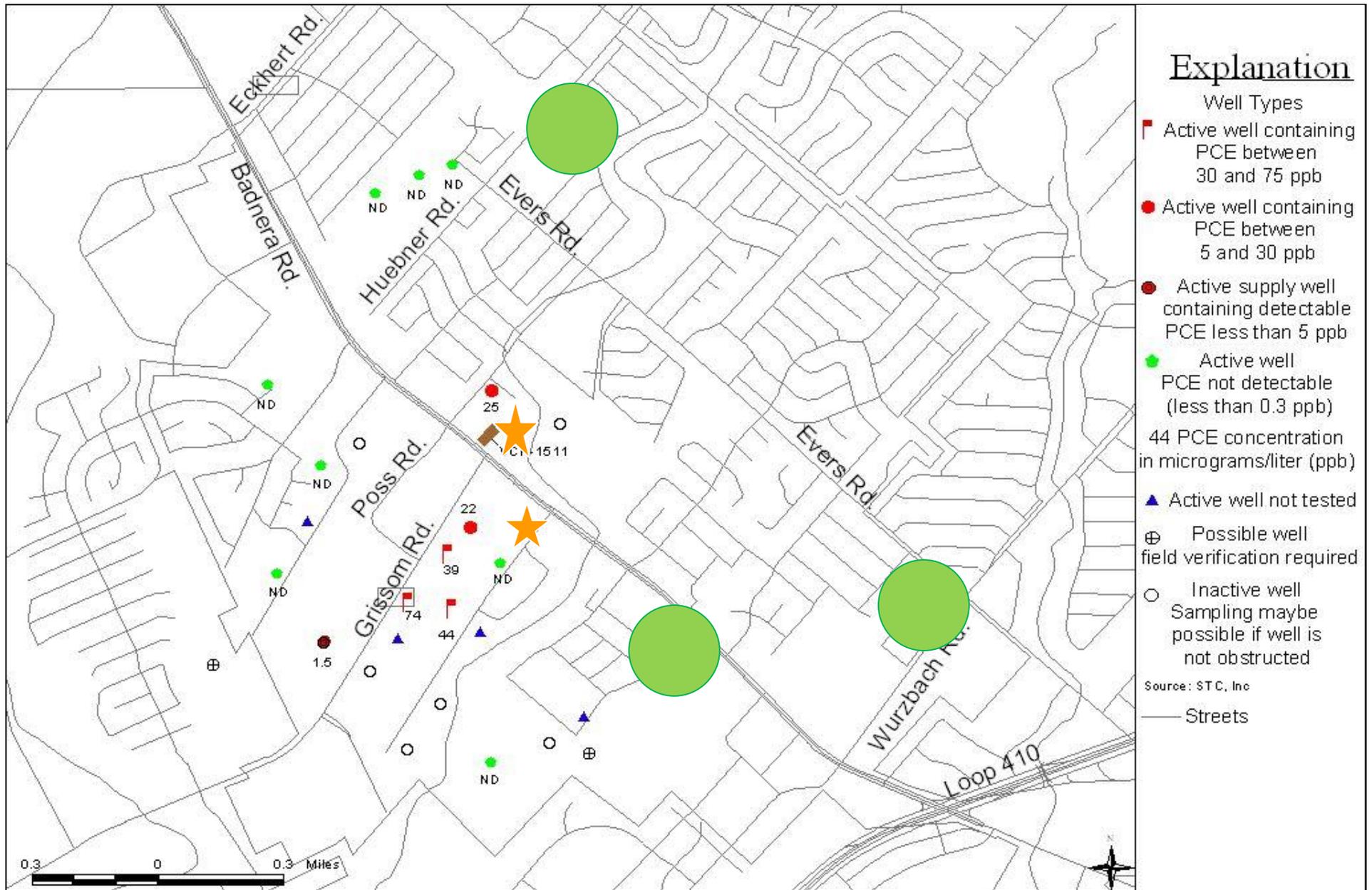
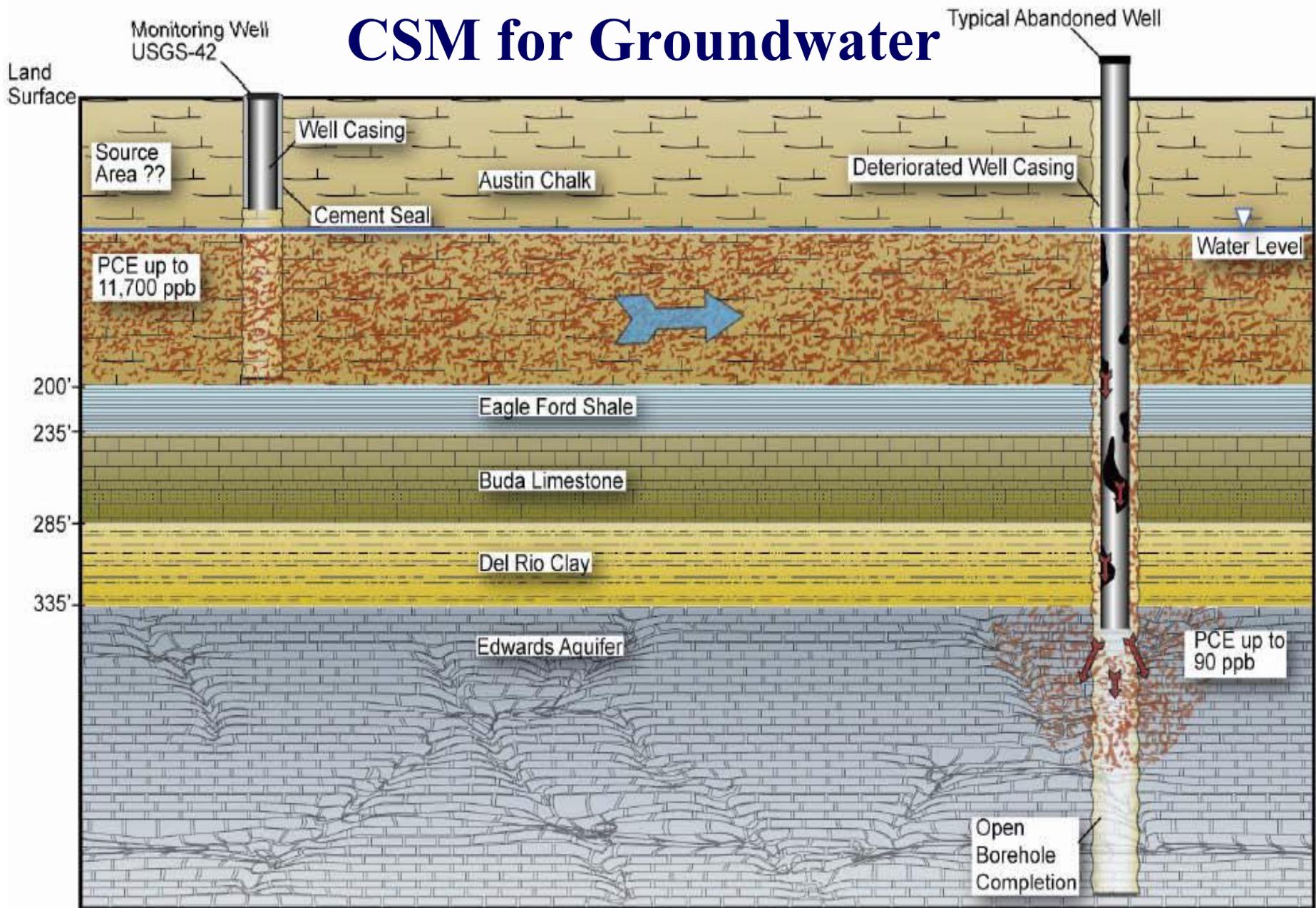


Figure 2- Location of project wells- Leon Valley area PCE Investigation



Map prepared by:
 Subhrajyoti, Hydrogeologist
 Edwards Aquifer Authority
 May 21, 2014
 Source: Edwards Aquifer Authority
 Revision: 02/14/14

CSM for Groundwater

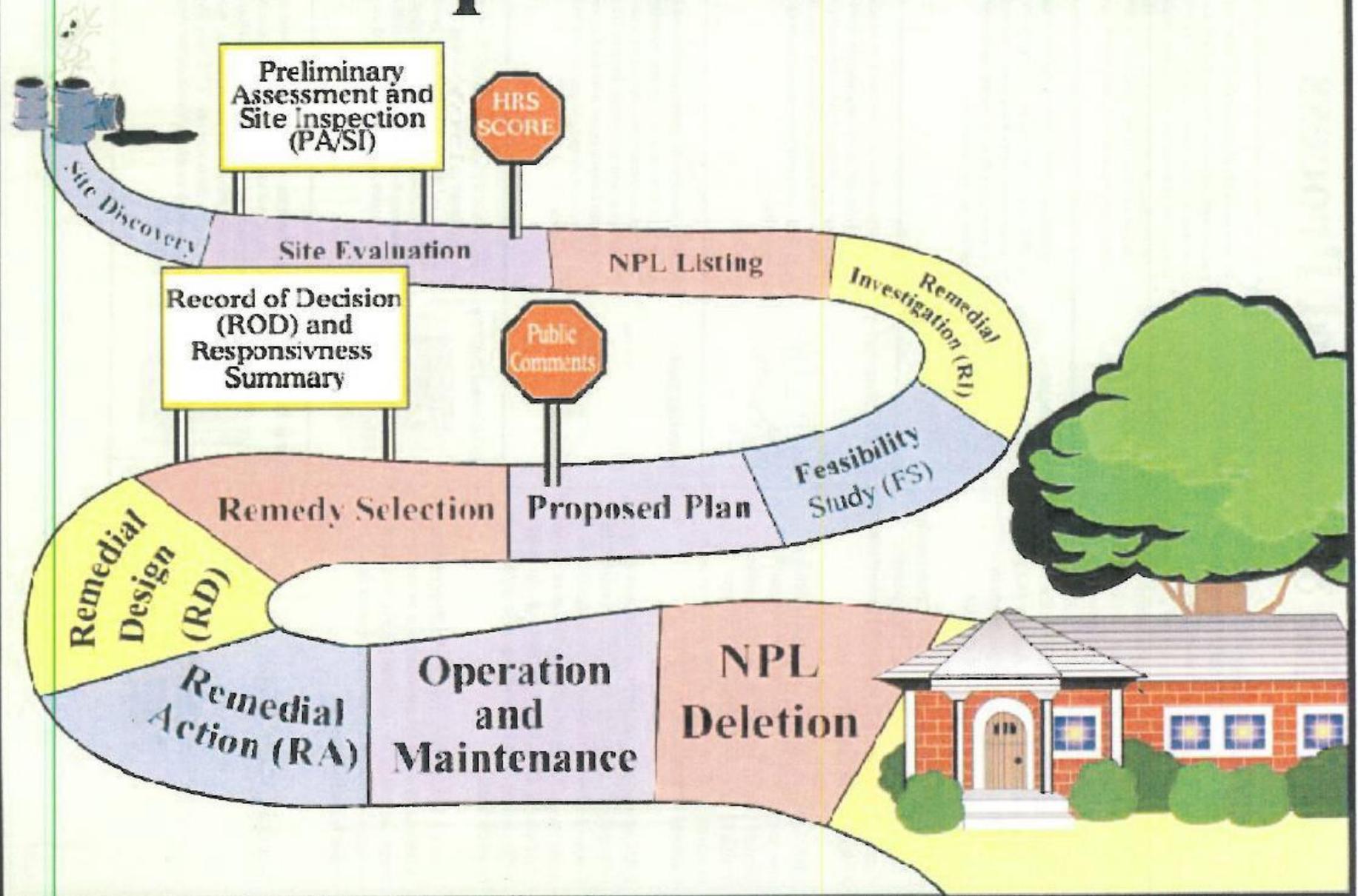


 = PCE Impacted Groundwater

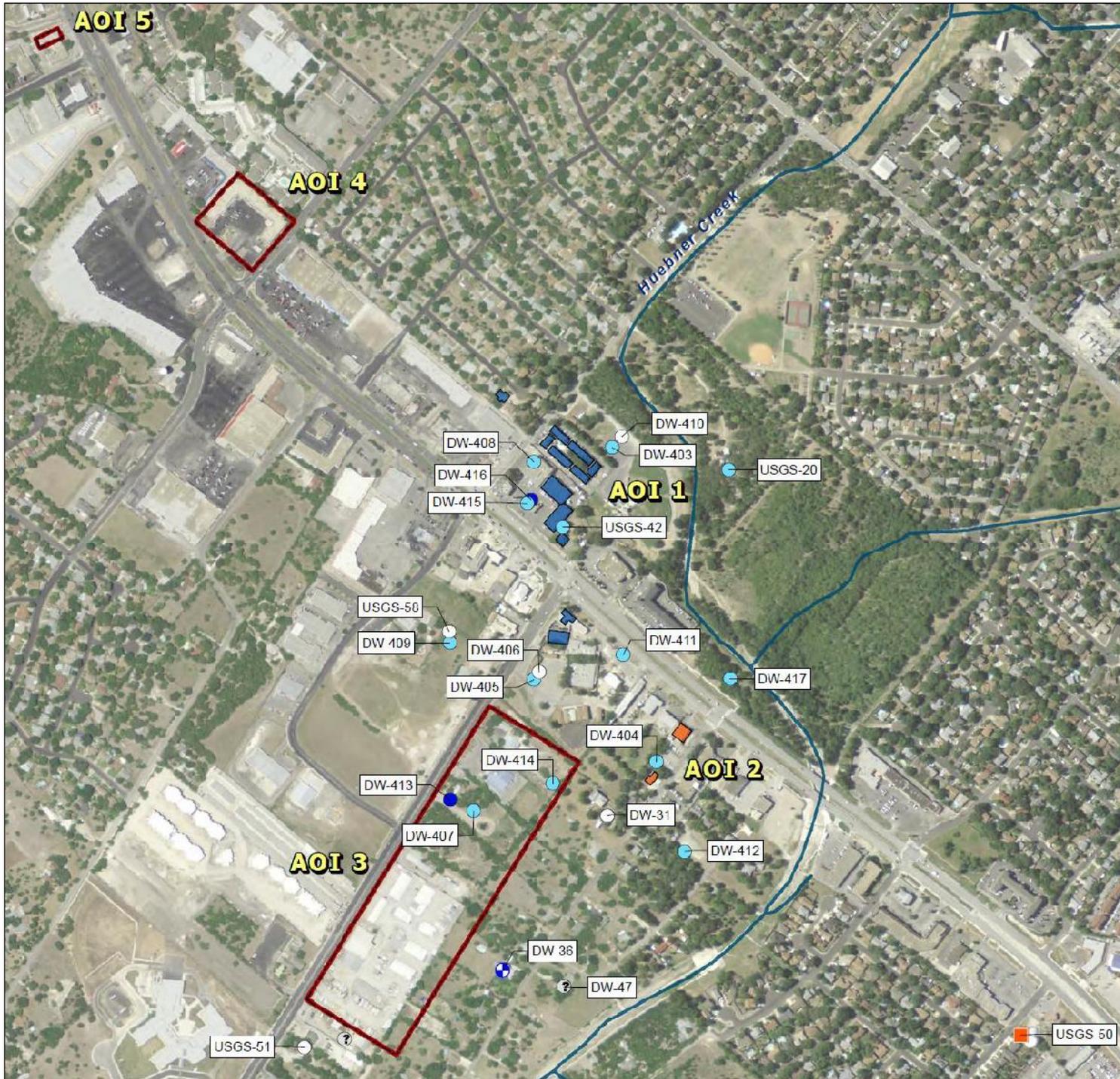
EPA Activities for 2011

- Continue data collection
 - Monthly sampling of COLV Public Supply wells
 - Quarterly sampling of project wells
 - Vapor monitoring
- Released Remedial Investigation and Feasibility Study (RI/FS) Reports
- Released Proposed Plan (a draft Record of Decision or ROD)
- Working with Potential Responsible Parties (RPs) on remedial action funding and further investigation

The Superfund Process



Remedial Investigation (RI) Report

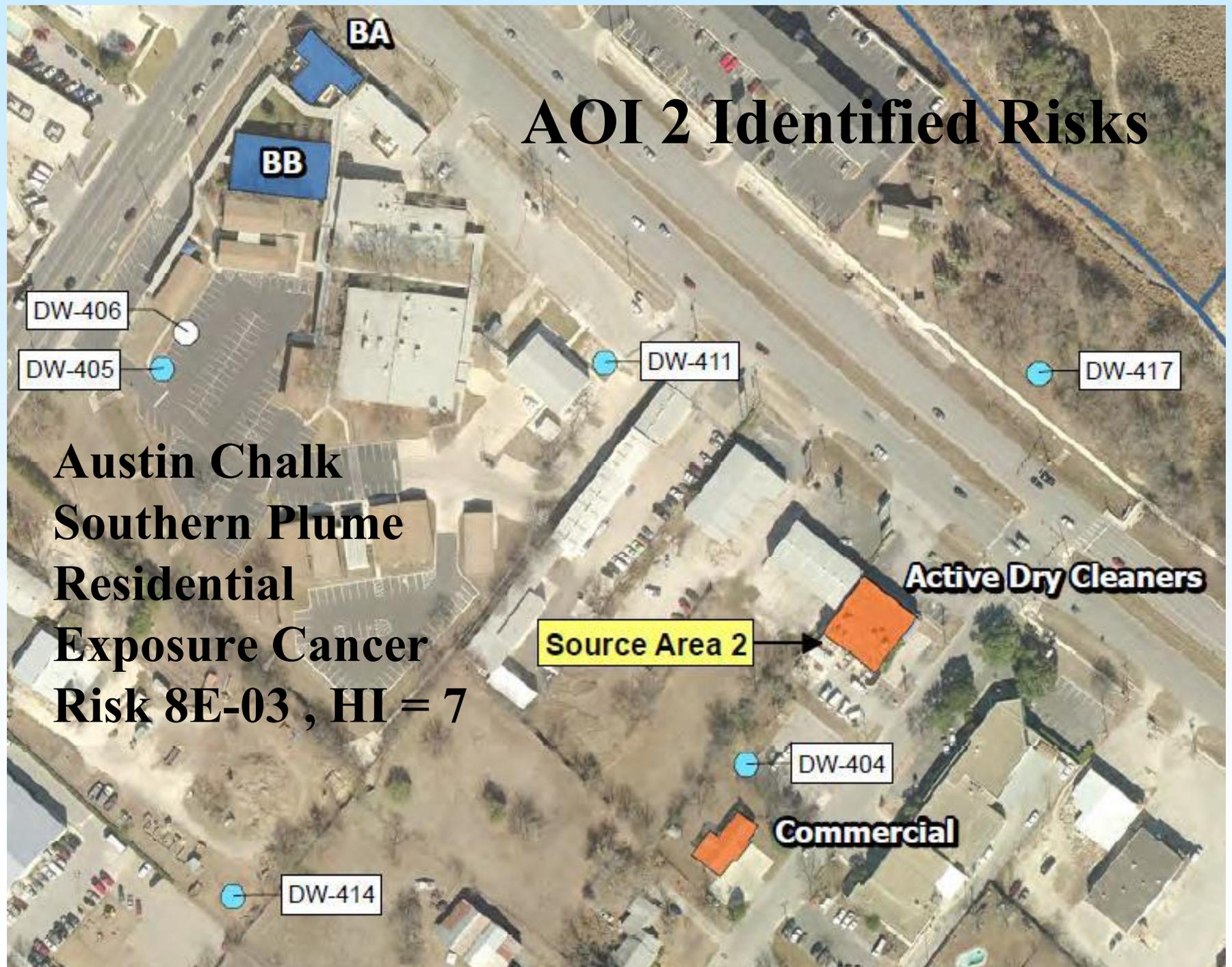


RI
identifies
AOI 1-5

AOI 1 Identified Risks



AOI 2 Identified Risks



**Austin Chalk
Southern Plume
Residential
Exposure Cancer
Risk $8E-03$, HI = 7**

RI Report (contd.)

- AOIs 3, 4, 5
 - EPA may do more in these areas, not considered significant sources or risks
- Tone of RI is that six Edwards wells were plugged, plug additional Edwards wells if needed
- Most future work will be to address vapors and Austin Chalk groundwater

Feasibility Study (FS) Report

FS Report

- Screening of remedial alternatives
 - Nine criteria used in screening process
- Supports remedy selection for ROD

FS – Nine Evaluation Criteria

1. Overall protection of human health and the environment.
2. Compliance with Applicable or Relevant and Appropriate Requirements (ARAR)
3. Long-term effectiveness and permanence
4. Reduction in toxicity, mobility or volume through treatment
5. Short-term effectiveness
6. Implementability (technical and administrative)
7. Costs
8. State acceptance
9. Community acceptance

FS Report (contd.)

- For groundwater treatment, considers:
 - No further action
 - Limited action – MNA
 - Municipal water supply – connecting residents
 - In-situ bioremediation – Austin Chalk groundwater
 - Pump and treat – Austin Chalk groundwater
 - Evaluate wells with unknown completions
 - Numerous wells in the plume area with unknown completions due to obstructions, etc.
 - Numerous known former wells that were covered during development

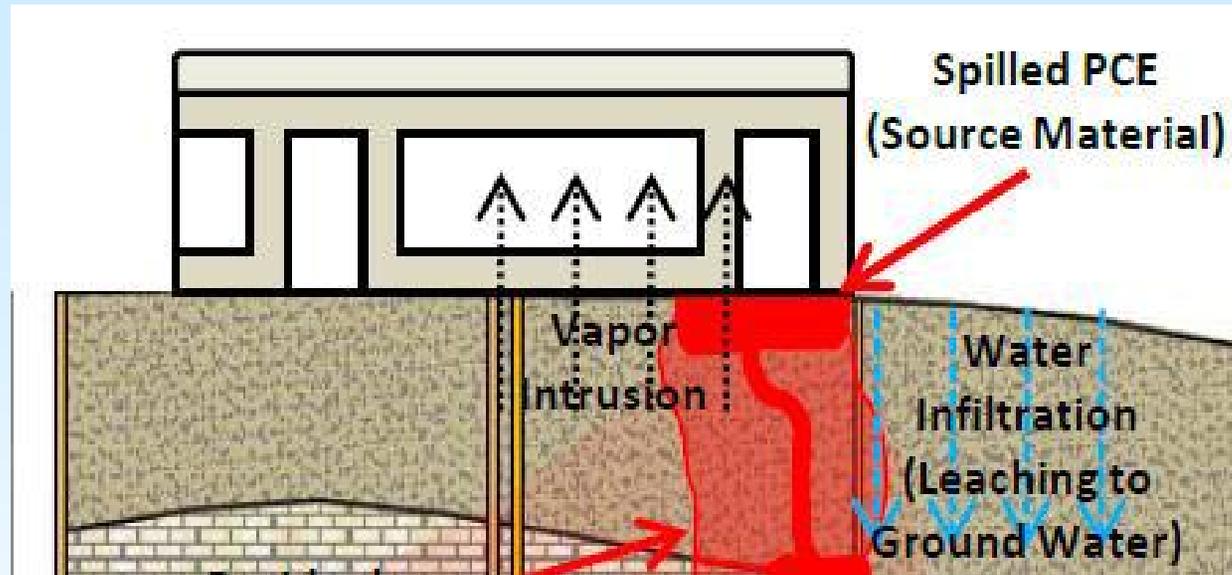
FS Report (contd.)

- For vapor treatment, considers:
 - Indoor air monitoring in area buildings.
 - Remove soils in AOI 1
 - “De-pressure” source areas (SVE)

Proposed Plan

- Proposes INITIAL remedial alternatives
- Public Comment Period closed October 16
- EPA now compiling public comments and drafting Record of Decision (ROD)
- ROD expected in early 2012

Indoor Air Alternatives (Building B1)



Alternative VI-1: No Further Action

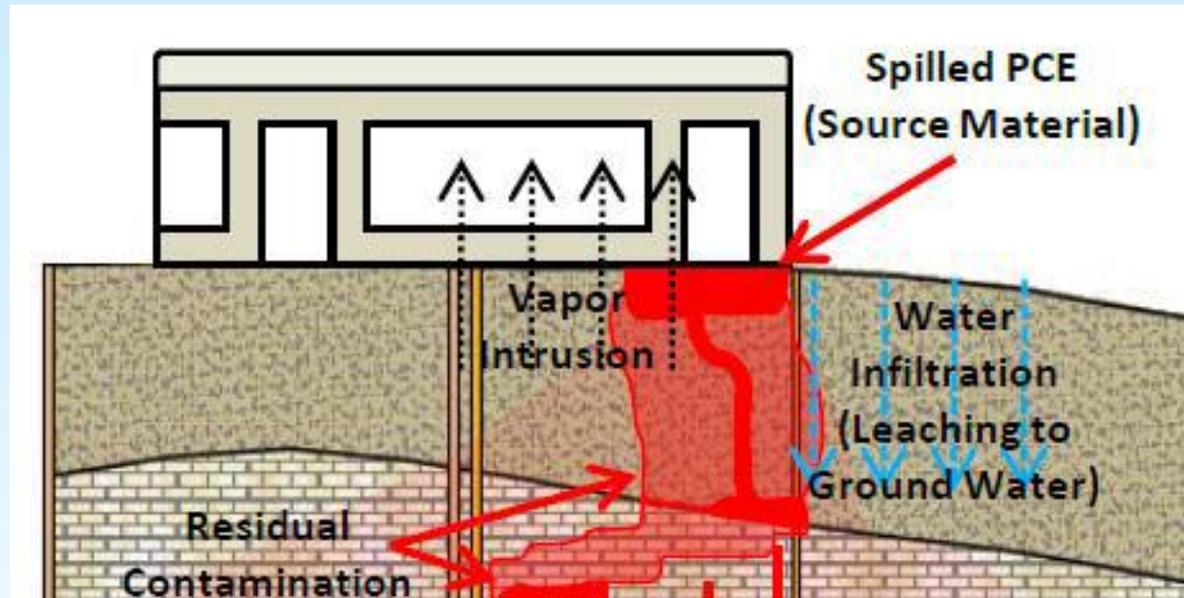
Alternative VI-2: Limited Action (\$84,000)

Alternative VI-3: Positive pressure system (\$249,000)

Alternative VI-4: Membrane/sealant with vapor ventilation (\$237,000)

Alternative VI-5: Sub-slab depressurization system (\$191,000)

Soil and Subsurface Soil Remedial Alts.



Alternative S-1: No further action

Alternative S-2: Limited Action (\$70,000 per area)

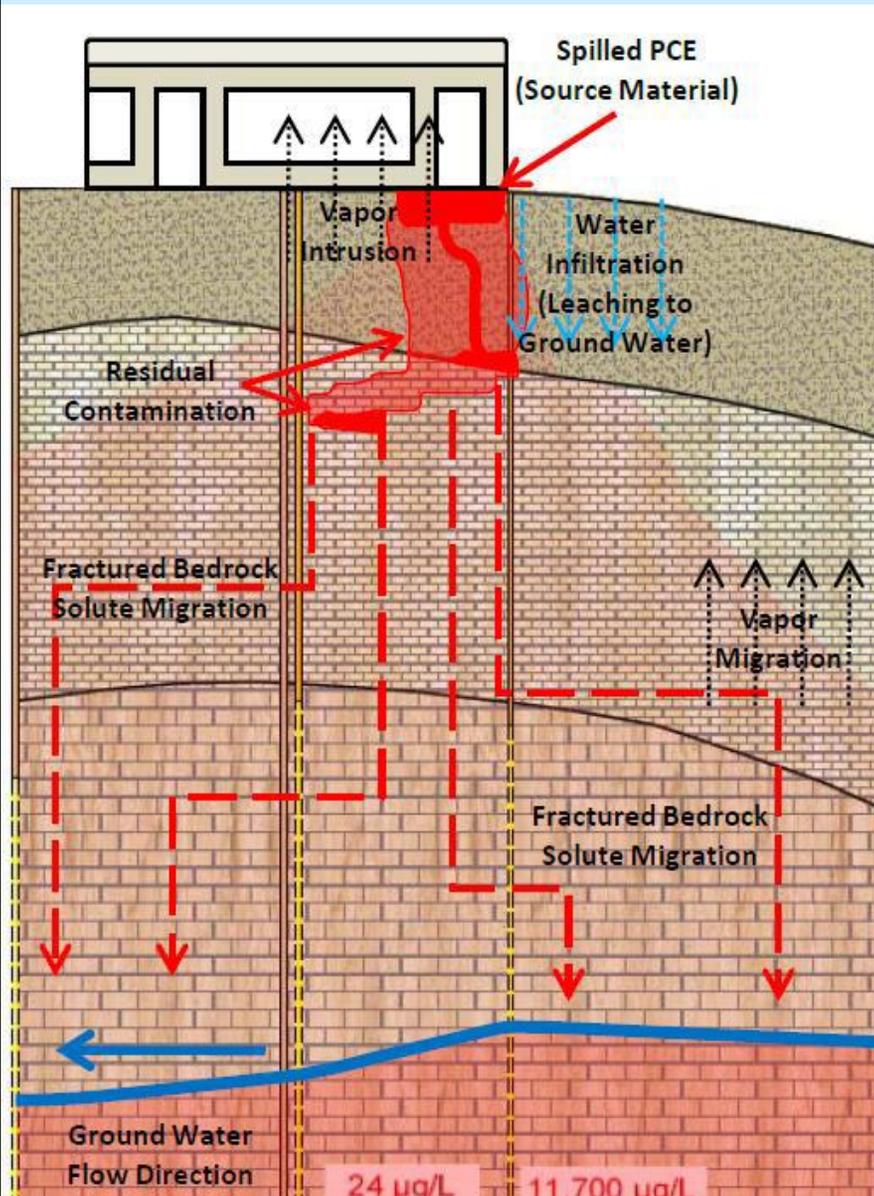
Alternative S-3: Excavation and off-site disposal

(Source Area 2 -\$725,000)

Alternative S-4: Soil Vapor Extraction

(Source Area 1 -\$1,039,000)

Vadose Zone Bedrock Remedial Alts.



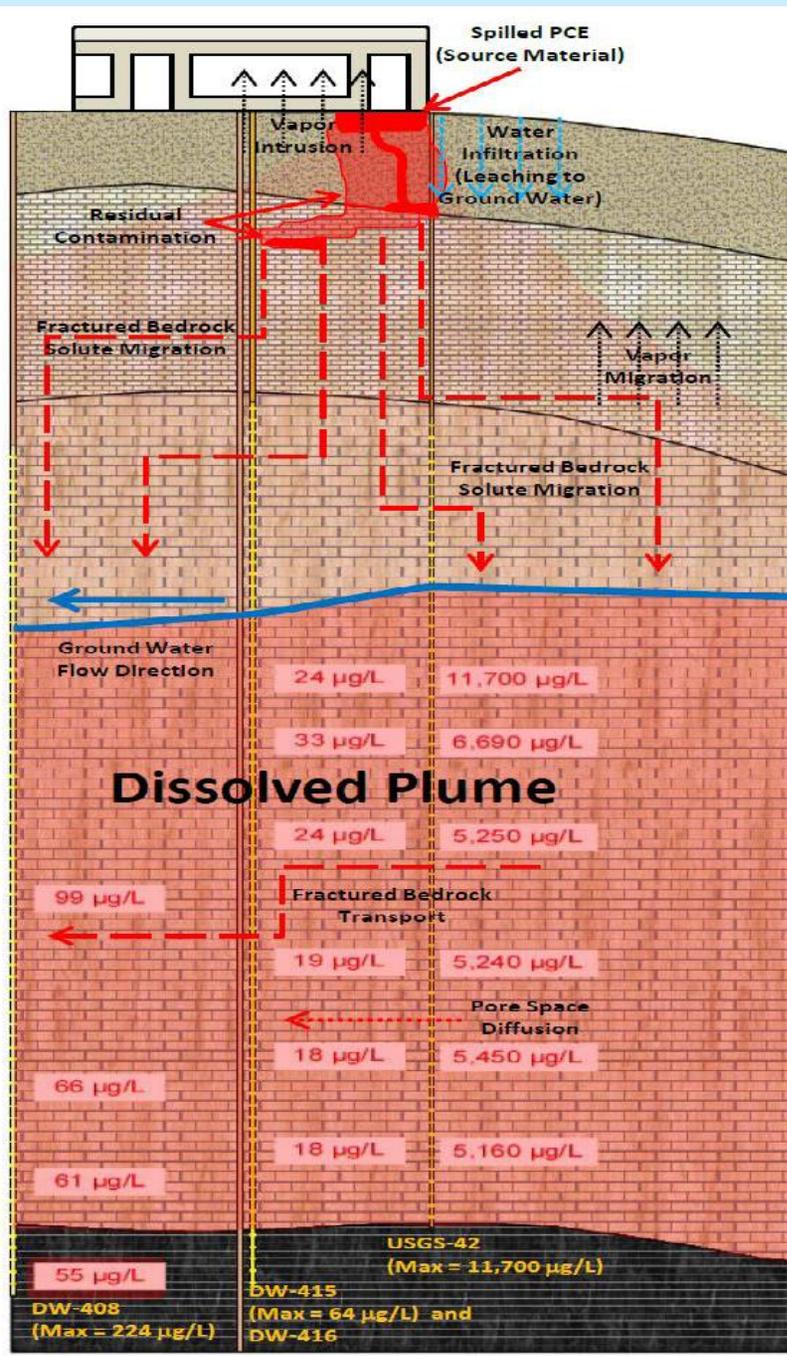
Alternative B-1: No further action

Alternative B-2: Limited Action (\$83,000 per source area)

Alternative B-3: Soil Vapor Extraction (\$2,928,000)

Alternative B-4: *In situ* desorption \$14,433,000)

Ground Water Remedial Alternatives



Alternative GW-1: No further action

Alternative GW-2: Limited Action (\$317,000 per area)

Alternative GW-3: Municipal water supply (\$445,000 per area)

Alternative GW-4: *In situ* bioremediation (includes ICs and P&A wells - \$4,773,000)

Alternative GW-5: Pump and treat (\$14,630,000)

Community Advisory Group (CAG)

Background Information

- CAG formed by Council Resolutions in 2007
 - CAG serves as a City Advisory Group
- CAG is also an EPA process used to facilitate community involvement in Superfund Site decisions

CAG Background (Contd.)

- CAG supported by City:
 - Receive assistance from City staff
 - City provides meeting facilities
 - City posts CAG information on City web site
- CAG supported by EPA's TASC Program
 - TASC = Technical Assistance Services for Communities
 - Site TASC PM is Dr. Eric Marsh with Skeo Soln.
 - TASC prepares site newsletters and provides technical review of EPA documents

CAG Background (Contd.)

- CAG membership
 - 18 regular members
 - 10 resource members (non-voting)
 - Members include:
 - COLV citizens (8)
 - EAA
 - SAWS
 - NISD
 - AACOG
 - Bexar County
 - Metro Health Dept
 - GEAA
 - Office of Joaquin Castro
 - Office of Leticia Van De Putte
 - Office of Charles Gonzalez
 - TCEQ
 - EPA and EPA Contractors
 - City of Leon Valley staff
 - Texas Dept of Health Services

CAG Background (Contd.)

- CAG 2011 activities:
 - Quarterly meetings (Jan. Apr. Jul. and Oct)
 - Received quarterly updates on EPA activities and comment as needed
 - Edited biannual newsletters
 - Newsletters on City Web Page under link titled “**EPA/CAG News Bandera Road Superfund Site**”
 - Provided comments on RI, FS, and Proposed Plan

CAG Background (Contd.)

- CAG 2012 planned activities:
 - Quarterly meetings (Jan. Apr. Jul. and Oct)
 - Meeting dates on City Web Page
 - Meeting dates are in Lion's Roar
 - Comment on progress of remedial actions in ROD
 - Maintain membership list
 - Continue community outreach
 - Distribute newsletters
 - City web page very useful for distributing information

2010 CAG Report

Questions?

John Hoyt, P.G.

CAG Chairman

jhoyt@edwardsaquifer.org

(210) 222-2204

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
DECEMBER 6, 2011**

The City Council of the City of Leon Valley, Texas, met on the 6th Day of December 2011 at 10:00 a.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

SPECIAL CITY COUNCIL MEETING – 10:00 A.M.

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

Mayor Riley called the Regular City Council Meeting to order at 10:15 a.m. with all City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

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

2. IPAD Training. Finance Director Vickie Wallace introduced Mr. Mike Raute, Information Technology Director for the City of Boerne. Mr. Raute informed the City Council that the City of Boerne demonstrated a savings of over \$12,000 over a nine month period during which its City Council started using iPads for processing emails and for receiving electronic (paperless) City Council Agenda Packets.

Mr. Raute and City staff initiated IPAD training with the City Council. City Manager Longoria indicated that the City Council would continue to receive paper packets through the month of January 2012 in order to allow the staff and City Council to become acclimated to the use of the iPads and the associated software for electronic delivery of City Council Agenda Packets.

3. Adjourn. There being no other business to come before the City Council, Mayor Riley adjourned the meeting at 12:00 p.m.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

Agenda Item 4, Regular City Council Meeting Minutes

CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS DECEMBER 6, 2011

The City Council of the City of Leon Valley, Texas, met on the 6th Day of December 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 7:03 p.m. with all City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

City Staff in attendance: City Manager Longoria, City Attorney McKamie, City Secretary Willman, Community / Economic Development Director Flores, Fire Chief Irwin, Human Resources Director Caldera, Police Chief Wallace, and Public Works Director Vick.

The Pledge of Allegiance was led by the Boy Scouts from the Church Jesus Christ of Latter Day Saints.

2. Presentation of Beautification Award to the Parks Commission. (Mayor Riley)

Mayor Riley presented a Good Neighbor Award to Bert Thomas, Parks Commission Chair, and Byron Vick, Public Works Director, expressing the City Council's gratitude and appreciation for the Parks Commission's continued commitment and effort to beautify Raymond Rimkus Park.

3. 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.

Rose Ryan, Vice-President of the Leon Valley Greater Chamber of Commerce, made a presentation to the City Council on the Economic Development progress made in the City of Leon Valley from 2006 to 2011.

Al Baldrige, 6368 Parsley Hill, presented the City Council with a petition with numerous signatures in support of reinstating Ms. Rose Ryan to her former position with the City of Leon Valley with the stipulation that the petition be made part of the official record.

Councilman Reyna asked that Consent Agenda Items 8, 9, and 10 be pulled for separate consideration.

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
DECEMBER 6, 2011**

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

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.

4. **Consider Approval of the Meeting Minutes of the November 15, 2011 Regular City Council Meeting.** Approved the Meeting Minutes of the November 15, 2011 Regular City Council Meeting.
5. **Consider Action on M&C # 12-01-11, Appointing Members to the City's Boards, Committees, and Commissions.** Appointed Ms. Margie Bullock to the Community Events Committee.
6. **Consider Action on Attached Resolution Rescheduling City Council Meetings of January 3, 2012 to January 10, 2012, and January 17, 2012 to January 24, 2012, M&C # 12-02-11.** Re-scheduled the City Council Meetings in January to reflect the City staff's completion of the Christmas and New Year holiday break.

Adopted Resolution 11-014, "Resolution of the City Council of the City of Leon Valley to Reschedule the Regular City Council Meetings of January 3, 2012 to January 10, 2012, and from January 17, 2012 to January 24, 2012."

7. **Consider Action on Attached Resolution Rescheduling City Council Meetings of March 6, 2012 to March 5, 2012, November 6, 2012 to November 5, 2012, and Authorizing the Use of the City of Leon Valley City Facilities for Early Voting by Personal Appearance and Election Day Voting for Bexar County Elections Held in 2012 Including the Anticipated May 22, 2012 Primary Runoff Election, M&C # 12-03-11.** Re-scheduled the City Council Meetings that coincide with dates that Bexar County Elections will be holding elections in the City Hall related to the 2012 Presidential Primary Elections in March and the 2012 Presidential Elections in November, and officially notified the City Council of the anticipated May 22, 2012 Joint Primary Runoff Election. Also authorized the use of City facilities for Bexar County Elections held in 2012.

Adopted Resolution 11-015, "Resolution of the City Council of the City of Leon Valley to Reschedule the Regular Council Meetings of March 6, 2012 to March 5, 2012, from November 6, 2012 to November 5, 2012, and to Authorize the Use of the City Facilities for Bexar County Elections in 2012 Including the Joint Primary Runoff Election on May 22, 2012."

8. **Consider Authorizing the City Manager to Enter into an Agreement with Dr. Donald**

Agenda Item 4, Regular City Council Meeting Minutes

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
DECEMBER 6, 2011**

J. Gordon, M.D., for Medical Direction for the Fire Department Emergency Medical Services (EMS) Program, M&C # 12-04-11. Authorized the City Manager to enter to an agreement for emergency medical directions services.

Fire Chief Irwin made a brief presentation to the City Council. Questions were raised about the procurement process used and the difference with the agenda documentation presented. A request was made that the City Council be provided with copies of materials used in the procurement process.

The City Council was informed that the same Request for Proposal previously used in obtaining EMS Program services was employed in bringing this agenda item and recommendation forward for consideration. City Manager Longoria indicated he would bring to the City Council a complete procurement process and contract handling policy in the first quarter of 2012. Mr. Longoria informed the City Council that staff has been providing more detailed materials on procurement items of a high profile or substantial interest.

Motion by Councilman Biever and second by Council Member Hill to authorize the City Manager to enter into an Agreement with Dr. Donald J. Gordon, M.D., for Medical Direction for the Fire Department Emergency Medical Services (EMS) Program. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

- 9. Consider Action on M&C # 12-05-11 with Attached Ordinance Amending the Fiscal Year 2012 Street Maintenance Sales Tax Budget to Allow for a Roll Over of Funds from Fiscal Year 2011 for the Poss Road Reconstruction Project in the Amount of \$106,751.** Adopted an ordinance approving budget adjustments to the Street Maintenance Sales Tax Fund to roll over funding to complete the Poss Road Reconstruction Project.

Public Works Director Vick made a presentation to the City Council. Councilman Reyna indicated that Mr. Vick answered the questions he had regarding the agenda item.

Motion by Councilman Reyna and second Council Member Baldrige to adopt the Ordinance amending the Fiscal Year 2012 Street Maintenance Sales Tax Budget to allow for the rollover of funds for the Poss Road Reconstruction Project in the amount of \$106,751. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

Adopted Ordinance 11-029, "Approving Amendments to the Original Budget of the City of Leon Valley, Texas, for the Fiscal Year of 2012."

- 10. Consider a Request to Accept the Bid and Award the Contract for the 2011 (Fiscal Year 2012) Bituminous Slurry Seal Project to Viking Construction, Inc. in the Amount of \$313,100.02, and Authorize the City Manager to Sign the Contract and Change Orders Up to an Additional 25 Percent of the Bid Amount, M&C # 12-06-11.** Accepted the bid and awarded the contract for the Slurry Seal Fiscal Year 2012 Project

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
DECEMBER 6, 2011**

and authorized change orders up to 25 percent of the bid amount by minute order.

Public Works Director Vick made a presentation to the City Council. Councilman Reyna indicated a concern with only having one bid. Mr. Vick informed the City Council that there normally only two bidders. In order to ensure that the City obtained the best bid during the bidding process, City staff called to inform the other vendor that normally bids on City projects for this kind of service.

Motion by Councilman Dean and second by Councilman Reyna to accept the bid and award the contract for the Slurry Seal Fiscal Year 2012 Project to Viking Construction, Inc., in the amount of \$313,100.02 and authorize the City Manager to sign the contract and change orders up to an additional 25 percent of the bid amount. Voting Aye: Hill, Reyna, Baldridge, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

Regular Agenda

11. **Conduct a Public Hearing and Consider Specific Use Permit Case No. 2011-269 with Attached Ordinance - a Request by Mary Garza, Applicant, to Construct and Operate a "Shopping Center," Adjacent to an R-1 (Single-Family Dwelling) Zoned District, Being Lot 44, Block I, CB 4446A, of the Linkwood Addition Subdivision, at 7600 Eckhart Road, City of Leon Valley, Texas, M&C # 12-07-11. On November 17, 2011, the Zoning Commission recommended approval of Specific Use Permit Case # 211-269, by a vote of 6-0.** Conducted a public hearing and granted a Specific Use Permit on Case No. 2011-269, to allow the applicant to construct and operate a shopping center adjacent to a single family dwelling zoned district in the Linkwood Addition.

Community Development Director Flores introduced this item and made a presentation to the City Council. Ms. Flores noted that that the applicant, Mary Garza, applied for a Specific Use Permit to construct and operate a "shopping center" adjacent to an existing R-1 (Single-Family Dwelling) district. Ms. Flores informed the City Council that Chapter 14, "Zoning," Section 14.02.662, "Exceptions," Part (a), "where the proposed new construction of freestanding buildings... abuts any residential zoning district requires a specific use permit to be obtained prior to the issuance of a building permit." Staff indicated the site plan meets the minimum requirements for streetscape/landscape, parking, lighting, trash receptacles, privacy fence and other overlay requirements. It was further noted that the property has a short lot depth. Consequently, Ms. Garza is also seeking a variance from the Board of Adjustment to locate the building closer to the rear property line within the required twenty-five (25) foot rear yard setback.

Zoning Commission Chair Guerra addressed the City Council. Mr. Guerra shared the Commission's questions and concerns regarding the intended property use and maintenance regarding lighting, alcohol, fencing, property and fencing maintenance, and garbage collection noise very early in the morning. Mr. Guerra stated that the Zoning Commission recommended approval of Specific Use Permit Case No. 2011-269 by a vote of 6 to 0 at their November 17 meeting.

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Thirteen letters were mailed to property owners within 200 feet of the subject property. As of this evening's City Council Meeting, no letters were received in favor of the request, one letter was received in opposition, and no letters were returned as undeliverable. Staff presented the site plan.

- A. Open Public Hearing.** Mayor Riley opened the Public Hearing at 7:46 p.m. Mrs. Mary Garza's husband addressed the City Council in her absence to ask the City Council's favorable consideration of the Specific Use Permit request. Mr. Garza indicated Mrs. Garza noted the neighbor's concerns and that those concerns will be addressed, if the permit is granted.

There were no other speakers to address the City Council.

- B. Close Public Hearing.** Mayor Riley closed the Public Hearing at 7:47 p.m.
C. Action by City Council. Councilman Biever asked if the order of consideration of this request being made before the City Council is proper as the applicant will be requesting a variance before the Board of Adjustment. City Attorney McKamie indicated the matter is being considered in the proper order; that zoning considerations come first.

Motion by Councilman Biever and second by Council Member Hill to approve the Ordinance granting Specific Use Permit Case No. 2011-269. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

Approved Ordinance 11-030, "Granting a Specific Use Permit to Allow New Construction and Operation of a Retail Shopping Center, To Be Located at 7600 Eckhert Road, Being Lot 44, Block I, CB 4446A, Linkwood Addition Subdivision, a B-2 (Retail) Zoned Property, Adjacent to an Existing R-1 (Single-Family Dwelling) Zoning District in the City of Leon Valley.

- 12. Consider Revision to Chapter 3, "Building Regulations," Article 3.04, "Signs," Sections 3.04.013, "Temporary Signs" with Attached Ordinance, M&C # 12-08-11. On January 25, 2011, the Ad-Hoc Sign Committee recommended forwarding the proposed temporary sign revisions to the City Council for consideration and action.** Adopted revisions to the Chapter 3 Article dealing with temporary signs as recommended by an ad-hoc committee of the City Council during its review initiated in 2010.

Community Development Director Flores made a brief presentation before the City Council regarding the history and review made by the ad-hoc Sign Committee.

- A. Consideration.** The City Council noted a correction that needed to be made to the rubric presented. Questions were raised regarding election signage and signage in the Bandera Road flyover area. Staff responded that the City's Code is much more restrictive regarding election signs than statutes and noted the City

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
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Attorney's recommendation that the City of Leon Valley adopt what is consistent with state statutes. It was further noted that businesses along the Bandera corridor and lying on either side of the flyover were addressed with consideration in the new regulations.

- B. Action by City Council.** Motion by Council Member Baldrige and second by Councilman Bieber to approve the ordinance for revisions to Chapter 3, "Building Regulations," Article 3.04, "Signs," Sections 3.04.013, "Temporary Signs." Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Approved Ordinance 11-031, "Amending Chapter 3, "Building Regulations," Article 3.04, "Signs," Section 3.01.013, "Temporary Signs."

- 13. Consider Action on a Resolution of the City of Leon Valley Authorizing the Filing of an Application with the San Antonio – Bexar County Metropolitan Planning Organization (MPO) FY 2013-2016 Transportation Improvement Program (TIP) Funded Through the Surface Transportation Program-Metro Mobility (STP-MM); Authorizing the City Manager to Act on Behalf of the City of Leon Valley in All Matters Related to the Application; and Pledging that if a Grant is Received the City of Leon Valley Will Comply with the Grant Requirements, M&C # 12-09-11.** Authorized the City Manager to file an application with the San Antonio – Bexar County Metropolitan Planning Organization on behalf of the City of Leon Valley for consideration for grant funding.

City Manager Longoria made a presentation to the City Council regarding this agenda item. The City Council raised a number of questions regarding timing, financing, and considered the conceptual plan. Mr. Longoria noted that applicants will be notified in the Spring of 2012. He emphasized that only three projects were submitted involving hike and bike trails. The City can start putting money aside in a reserve fund in addition to providing in-kind support and leveraging other grants. A question was raised about whether the City's in-kind support could be counted as part of the required 20 percent match. Staff responded that in-kind support would not be counted towards the required 20 percent match.

Al Uvietta, 6923 Sunlight Drive, addressed the City Council noting that it is important to convey to the Leon Creek (LC)-17 builders that the City of Leon Valley is very interested in connectivity of this kind.

Motion by Council Member Hill and second by Council Member Baldrige to approve the resolution authorizing the application and the City Manager to act on the City's behalf in all matters related to the application. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

Approved Resolution 11-016, "A Resolution of the City of Leon Valley Authorizing the Filing of an Application with the San Antonio-Bexar County Metropolitan Planning Organization (MPO) FY 2013-2016 Transportation Improvement Program (TIP) Funded

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Through the Surface Transportation Program-Metro Mobility (STP-MM); Authorizing the City Manager to Act on Behalf of the City of Leon Valley in All Matters Related to the Application; and Pledging that if a Grant is Received the City of Leon Valley will Comply with the Grant Requirements.

Discussion Agenda

- 14. Update on the Process to Obtain a Provider for Towing Services for the City of Leon Valley, M&C # 12-10-11.** The City Council received an update on the progress of process to obtain a provider for towing services in the City of Leon Valley. This matter was previously reported on at the City Council's Regular Meetings of October 18 and November 1, 2011.

Chief Wallace updated the City Council on administrative fees assessed by other cities. He cited the City of Leon Valley's staff recommendation of an administrative fee of \$15 per vehicle. The administrative fee can be evaluated on an annual basis with increases tied to the Consumer Price Index (CPI). He noted that the administrative fees will not decrease. Staff is recommending an initial contract period of five years with an option to renew for up to five additional years. Chief Wallace detailed the next steps as being to compile the RFP, conduct a 30 day solicitation process from January 9 through February 9 with a pre-proposal conference on January 17.

Cathy Nelson, 6702 Yellow Rose, stepped forward to explain what happens in one of the other cities surveyed.

Don Banis, owner of Banis Towing, stepped forward to explain what happens in Balcones Heights regarding the \$285 impound fees.

- 15. Discuss Town Hall Meeting of January 28, 2012, M&C # 12-11-11.** The City Council discussed and considered details related to the upcoming Town Hall Meeting proposed for Saturday, January 28, 2012.

Mayor Riley introduced this agenda item. She noted the topics selected so far for the draft agenda and asked the City Council to provide any other topics to be placed on an agenda for that meeting date. Mayor Riley noted that another topic to be added to the draft agenda would be the consideration of an additional 1/8 cent sales tax for Economic Development. It was also noted that an agenda item be added to update the citizens on the Commemoration activities for the City of Leon Valley's 60th Birthday and the Sesquicentennial of the Historic Huebner-Onion Homestead.

- 16. Update on Progress of Town Center Project, M&C # 12-12-11.** The City Manager updated the City Council on the status of the work on the Town Center Project.

City Manager Longoria reported the City of Leon Valley and the Leon Valley Economic Development Corporation have partnered to complete the property appraisals of the parcels located within the Town Center boundaries. The firm doing the appraisals is Dugger, Canaday, Grafe, Inc., a San Antonio-based professional counseling and real

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estate appraisal firm. The \$4,000 cost of the appraisals is to be split by the City and the LVEDC. Preliminary numbers are expected by the week's end.

17. City Manager's Report. (Longoria)

- A.** Informational Issues. Mr. Longoria noted that an individual has been hired to help Community Development Director Kristie Flores; Ms. Christy Carter, who is working on obtaining a Masters in Public Administration degree.

The City Council is invited to the Employees Christmas Luncheon on Wednesday, December 14, from 11:30 a.m. to 1:30 p.m. Lunch will consist of a potluck with the entre being tamales.

He thanked Public Works Director Vick and his staff for installing the colored lights on the Water Tower near the flyover in observance of the Holiday Season.

- 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) Community Events Committee Meeting, Approved Minutes of the October 19, 2011 Meeting.
- (2) Earthwise Living Committee Meeting, Approved Minutes of the October 11, 2011 Meeting.
- (3) Leon Valley Public Library Board of Trustees Meeting, Approved Minutes of the October 10, 2011 Meeting.
- (4) Leon Valley Zoning Commission Meeting, Approved Minutes of the October 25, 2011 Meeting.

C. Future Agenda Items.

- (1) Report Activities to Strengthen the City of Leon Valley's Code of Ordinances, December 2011.
- (2) 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.
- (3) Consider Appointments to the LVEDC Board, January 2012.
- (4) Discuss City New Website, January 2012.
- (5) Consider Ordering the May 12, 2012 General Officers Election, January-March 2012.
- (6) Presentation of Service Awards to Employees of the City of Leon Valley, January 2012.
- (7) Consider Ordinance Establishing Library Bucks Program, January, 2012.

- 18. Citizens to be Heard.** There were no speakers during this agenda item.

19. 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

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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:

- 12-11-11** **Holiday Concert, Sunday, 2:30 p.m. – 4 p.m., Leon Valley Community Center, 6427 Evers Road, Leon Valley.**
- 12-14-11** **Special City Council Agenda Posting for City Employees Holiday Gathering / Luncheon at City Council Chambers, 11:30 a.m.**
- 01-07-12** **Quarterly Walk with the Mayor, Meet at City Hall at 8:30 a.m., for a walk through Seneca III.**
- 01-28-12** **Town Hall Meeting, the exact meeting time is still to be determined.**
- 02-25-12** **23rd Anniversary Earthwise Living Day, 10 a.m. – 2 p.m., Leon Valley Community Center**

Council Member Hill asked the assembly to support the School of Science and Discovery Technology with Chick-Fil-A Night on December 8. She invited those in attendance to attend the next meeting of the Leon Valley Historical Society on December 13 at the Northside Learning Center at 7 p.m. to start the work of the Commemoration Committee. Council Member Hill will represent the City Council and Council Member Baldrige will represent the Leon Valley Historical Society as Co-Chairs on the City Council's ad-hoc Commemoration Committee.

Councilman Reyna announced a \$3,000 gift from the Texas Municipal League he won in a drawing of business cards from the TML Conference in Houston for employee training.

Council Member Baldrige noted the wonderful job that the Community Events Committee and the City's Department of Public Works did in decorating the Community Center for the Annual Tree Lighting Event. She indicated it was really outstanding.

Councilman Bieber indicated that he enjoyed meeting some of the City's employees at the Employees Thanksgiving Luncheon. He noted it was a positive experience.

The City Council sang the Birthday Song to City Attorney McKamie and presented him with a birthday cake and card. Mayor Riley expressed her thanks to the City Council for having presented her with a birthday cake and card during the Special City Council Meeting earlier in the day.

Executive Session

- 20.** 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).

There was no Executive Session held under this agenda item.

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- 21. Adjourn.** Motion by Councilman Reyna to adjourn the meeting. There being no other business to come before the City Council, Mayor Riley adjourned the meeting at 8:43 p.m.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

MAYOR AND COUNCIL COMMUNICATION

**DATE: December 20, 2011
M&C: # 12-14-11**

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER ACTION ON ATTACHED ORDINANCE – A REQUEST TO AMEND THE LEON VALLEY CODE OF ORDINANCES CHAPTER 2 “GENERAL PROVISIONS,” SECTION 2.401 “OFFICIAL NEWSPAPER” BY DESIGNATING THE DAILY COMMERCIAL RECORDER AND THE SAN ANTONIO EXPRESS NEWS AS THE OFFICIAL NEWSPAPERS TO PUBLISH REQUIRED NOTICES FOR THE CITY OF LEON VALLEY FOR THE NEW FISCAL YEAR 2012 PURSUANT TO LOCAL GOVERNMENT CODE §52.004.

PURPOSE

To designate an “Official Newspaper” as required to meet Local Government Code (LGC) Chapter 52, Section 52.004, requirements; at the beginning of each fiscal year, a Type A municipality must designate its official newspaper by resolution or ordinance and contract with that paper to publish required notices. All material required to be published must be published in the official newspaper regardless of where else it is published. [LGC §52.004(b)]. The official newspaper of the City would be used for publishing ordinances, official notices, or other matters as required by law or ordinance to be published.

Currently, the City Code names “The San Antonio Express News”, “The Daily Commercial Recorder”, and “The Northwest Weekly.” Staff has been advised that since “The San Antonio Express News” serves as the delivery vehicle for the Northwest Weekly, that the legal requirements as stipulated in LGC, Chapter 42, Section 52.004 are met. The costs for advertising in the publications are detailed in the attached request for proposal and remain the same as for Fiscal Year 2011. Staff has provided you with a copy of the bid from Fiscal Year 2011 so you may see the individual cost components.

S.E.E. IMPACTS

Social Equity – The use of recognized publications in the greater San Antonio Area will allow residents, business partners, and other interested parties to become informed of the City’s legal publications.

Economic Development – The City of Leon Valley will ensure it meets its legal publication requirements including many of which involve Economic Development information required to be published and posted in a timely and legal manner.

Environmental Stewardship – Not applicable.

FISCAL IMPACT

The publication cost for FY 2012 is estimated to be \$7,150 which was funded with the adoption of the current fiscal year budget. Staff will endeavor to keep its advertising and publication costs within allowed budgetary constraints.

Agenda Item 5

RECOMMENDATION

That the City Council adopt the attached Ordinance designating “The San Antonio Express News, and “The Daily Commercial Recorder” as official newspapers of the City of Leon Valley retroactive to October 1, 2011.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Janie Willman, City Secretary

AN ORDINANCE

AMEND SECTION 2.401 "OFFICIAL NEWSPAPER" OF THE LEON VALLEY CODE OF ORDINANCES CHAPTER 2, "GENERAL PROVISIONS", TO DESIGNATE *THE SAN ANTONIO EXPRESS NEWS* AND *THE DAILY COMMERCIAL RECORDER* AS "OFFICIAL NEWSPAPERS"

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

1. Section 2.401, "Official Newspaper" of Chapter 2, "General Provisions" of the City Code is hereby amended to hereafter read as follows:

"§ 2.400 MISCELLANEOUS

2.401 OFFICIAL NEWSPAPER

The San Antonio Express News and the Daily Commercial Recorder are hereby designated as official newspapers of the City for the publication of all notices, ordinances, captions and summaries of ordinances required to be published by law, and of any other matter required to be published or desired to be published by the City Council. It shall be sufficient if any such publication is made in any one of the designated official newspapers."

2. This ordinance shall become effective immediately upon passage and approval for all official and legal publications in Fiscal Year 2012.

PASSED and APPROVED this the 20th day of December 2011.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney



Agenda Item 5, Presentation

City of Leon Valley City Council

CONSIDER OFFICIAL NEWSPAPER DESIGNATION

December 20, 2011



Purpose

- To allow the City Council to renew its designation of the San Antonio Express News and the Daily Commercial Recorder for the City of Leon Valley's required legal publication notices for the Fiscal Year 2012, pursuant to Local Government Code §52.004
 - *Note that the San Antonio Express News acts as the source of delivery for the Northwest Weekly, the Northwest Weekly meets the legal requirements even though it is a supplement and not a standalone newspaper*



Fiscal Impact

- The rates remain the same for Fiscal Year 2012 as those charged for legal publications in Fiscal Year 2011



Recommendation

- That the City Council adopted the attached ordinance amending Section 2.401 “Official Newspaper” of the Leon Valley Code of Ordinances Chapter 2, “General Provisions”, to Designate the *San Antonio Express News* and the *Daily Commercial Recorder* as “Official Newspapers.”



City of Leon Valley City Council

OFFICIAL NEWSPAPER DESIGNATION

December 20, 2011

Agenda Item 5, Supporting Documentation

September 28, 2010

City of Leon Valley
Attn: Janie Willman, City Secretary

Re: Request for Proposals for the Publication of Legal Notices in the San Antonio Express-News, Daily Commercial Recorder (DCR), and in the Northwest Weekly.

Dear Mrs. Willman,

The San Antonio Express-News has reviewed your request and would like to propose the following rates for legal notices in the San Antonio Express-News, Daily Commercial Recorder (DCR), and in the Northwest Weekly. Per your request, here are the responses to your queries:

San Antonio Express-News (Legal Rates):

Distribution:

Home and rack delivery to Bexar and surrounding counties.

Rates:

Mon.-Thurs. - \$17.17 per line

Fri. & Sat. - \$17.51 per line

Sun. - \$17.92

Online - \$37 for 14 days

Affidavits - \$40

Deadlines:

Liners:

5:00 p.m. day prior to publication

11:00 a.m. on Friday for Saturday publication

Display:

Classified - 5:00 p.m. two days prior to publication

ROP – 5:00 p.m. three days prior to publication (Main News, Metro, etc.)

Daily Commercial Recorder (DCR):

Distribution:

Published Monday - Friday and is distributed mainly through subscription but can also be picked up at 301 Ave. E, 2203 S. Hackberry, and at the Bexar County Courthouse.

Rates:

Agenda Item 5, Supporting Documentation

\$2.18 per line

\$21.80 per column inch (for display ads)

Deadlines:

Liners - 2:00 p.m. day prior to publication

Display - 2:00 p.m. two days prior to publication

Northwest Weekly:

Distribution:

See attached PDF.

Rates:

\$12.50 per column inch (liners & display)

Deadlines:

Liners - 1:30 p.m. Tuesday prior to publication

Display – 2:00 p.m. Friday prior to publication

Legal Requirements for Publications:

The San Antonio Express-News and the Daily Commercial Recorder meet all of the legal requirements for a Newspaper of record, and with the San Antonio Express-News acting as the source of delivery for the Northwest Weekly it also meets all of the following requirements.

- 1) Devote not less than 25% of its totals lineage to general interest items.
- 2) Be published at least once each week.
- 3) Be entered as a second - class postal matter in the county where published.
- 4) Have been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice.

(a) A weekly newspaper has been published regularly and continuously under Subsection (b) if the newspaper omits not more than two issues in the 12 month period. (c) This section does not apply to the publication of notice to which Section 2051.0441 applies.

Respectfully,

Erik Garza
Legal Coordinator

MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2011
M&C # 12-15-11

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:

City Park Commission

Ruben A. Robledo

Please note that the applicant also applied for service on other boards which are at full membership capacity. The applicant has been advised that his application is being considered for the City Park Commission.

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 in 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 Group meets 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.

Mr. Ruben A. Robledo

- 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 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 the graffiti abatement reporting, 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!
- Commemoration Committee:** If you would like to assist with the planning and staging of the commemoration activities celebrating the City of Leon Valley's 60th Anniversary and the Huebner-Onion Historic Homestead's (150th) Sesquicentennial Anniversary, please check this box. This is an ad-hoc Committee of the City Council.

- 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 Ruben A. Robledo	Address 7823 Stebbins
	78240
Phone Number (210) 647-3039	E-mail Address
Alternate Phone Number (210) 859-4907	

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.

Mr. Ruben A. Robledo

MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2011
M&C: 12-16-11

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER AMENDING THE FISCAL YEAR 2012 BUDGET TO AUTHORIZE A MATCH OF FUNDS BY THE CITY OF LEON VALLEY IN THE AMOUNT OF \$750 TOWARDS THE HISTORICAL PRESERVATION AND CLEAN-UP OF A FARM SHED (RACING PIGEON COOP) ABUTTING THE HISTORIC HUEBNER-ONION HOMESTEAD IN THE NATURAL AREA AS PART OF A MATCHING CONTRIBUTION BY THE LEON VALLEY HISTORICAL SOCIETY

PURPOSE

The City of Leon Valley owns the property known as the Natural Area which abuts the Historic Huebner-Onion Homestead. The City leases the property to the Leon Valley Historical Society which is acting as a property conservator.

Situated on the land encompassed by the Natural Area is a farm shed which was formerly used by the Onion Family for housing racing pigeons. Due to the extreme fluctuation in weather conditions exacerbated by the ongoing drought, the farm shed continues to deteriorate under the stress of weather conditions and aging. In order to accomplish the dual public purpose of ensuring the preservation of the farm shed and the clean-up of Bandera Road, the City Council is being asked to consider authorizing a budget amendment in the amount of \$750.

The \$750 funding for the clean-up/removal of the farm shed would come from funds that the City received from SAWS in 2007 for trees that were destroyed by SAWS in the Natural Area by mistake. Currently the amount set aside in the General Fund is \$13,881. Therefore, no taxpayer dollars would be used to fund the clean-up of the farm shed in the Natural Area.

The City of Leon Valley has as part of its ongoing commitment to sustainability on an economic and environmental basis, the clean-up and beautification of Bandera Road. This is demonstrated as part of the City Council's commitment to the sustainability overlay and updated standards for businesses abutting Bandera Road. Part of that effort includes the preservation of and clean-up of a City cultural icon located at the Historic Huebner-Onion Homestead, the farm shed used to house racing pigeons.

The removal of the farm shed requires close methodical work involving the sequential photography and numbering of building material elements of the farm shed preparing for future use or reassembly of the materials for restoration or re-use in the Historic Huebner-Onion Homestead. The City does not have the specialized skills for the removal of the farm shed as it requires a specialized contractor to do the work.

The Leon Valley Historical Society has pledged a matching amount of \$750 towards the effort. Three bids were obtained from the LVHS with the lowest bid being \$1,500.

Agenda Item 7

FISCAL IMPACT

The \$750 funding for the clean-up/removal of the farm shed would come from funds that the City received from SAWS in 2007 for trees that were destroyed by SAWS in the Natural Area by mistake. Currently the amount set aside in the General Fund is \$13,881. Therefore, no taxpayer dollars would be used to fund the clean-up of the farm shed in the Natural Area.

RECOMMENDATION

That the City Council approve the attached Ordinance amending the Fiscal Year 2012 Budget by \$750 to fund the clean-up and removal of the farm shed situated on the Natural Area.

S.E.E IMPACT STATEMENT

Social Equity – That the City of Leon Valley ensures as part of its rich historical culture, all elements of historic value and note, through careful conservation.

Environmental Stewardship – That the City of Leon Valley demonstrates its ongoing commitment to environmental stewardship through the conservation of the land known as The Natural Area abutting the Historic Huebner-Onion Homestead.

Economic Development – Cities with clean and enhanced visual appeal encourage and experience successful economic development.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

AN ORDINANCE

**APPROVING AMENDMENTS TO THE ORIGINAL BUDGET OF THE CITY OF LEON VALLEY,
TEXAS, FOR THE FISCAL YEAR OF 2012**

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

1. The attached Mayor and Council Communication # **12-16-11** contains an amendment to the original Budgets for the City of Leon Valley, Texas, for the Fiscal Year 2012 a true copy of which is file in the office of the City Secretary and made a part hereof by reference, are hereby amended and approved and ordered filed in the office of the City Secretary.

General Fund

2. This ordinance shall become effective on and after it's passage, approval and publication, as provided by law.

PASSED and **APPROVED** this 20th day of December 2011.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney



Agenda Item 7 Presentation

City of Leon Valley City Council

**CONSIDER AMENDING THE FISCAL YEAR
2012 BUDGET TO AUTHORIZE THE
CLEAN-UP AND REMOVAL OF A FARM
SHED LOCATED IN THE CITY OF LEON
VALLEY'S HISTORIC HUEBNER-ONION
NATURAL AREA**

December 20, 2011



Purpose

- To allow the City Council to consider approving an ordinance amending the Fiscal Year 2012 Budget in the amount of \$750 for the clean-up and removal of the farm shed used to house racing pigeons located on land owned by the City of Leon Valley on Bandera Road abutting the Historic Huebner-Onion Homestead



Purpose

- To continue the clean-up and beautification of the Natural Area along Bandera Road
- To preserve elements of historic value and note and to ensure the preservation of the City's rich historical culture
- To use \$750 of non-taxpayer dollars set aside for enhancement of the Natural Area



Fiscal Impact

- The \$750 for the clean-up / removal of the farm shed would come from funds that the City received from SAWS in 2007 for trees that were destroyed by SAWS in the Natural Area by mistake. Currently the amount set aside in the General Fund is \$13,881. Therefore, no taxpayer dollars would be used to fund the clean-up of the farm shed in the Natural Area.



Recommendation

- That the City Council approve the attached ordinance amending the Fiscal Year 2012 Budget by \$750 to fund the clean-up and removal of the farm shed situated on the Natural Area.



City of Leon Valley City Council

**CONSIDER AMENDING THE FISCAL YEAR
2012 BUDGET TO AUTHORIZE THE
CLEAN-UP AND REMOVAL OF A FARM
SHED LOCATED IN THE CITY OF LEON
VALLEY'S HISTORIC HUEBNER-ONION
NATURAL AREA**

December 20, 2011

MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2011
M&C: 12-17-11

TO: MAYOR AND CITY COUNCIL

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

PURPOSE

The City of Leon Valley has provided support services to the Leon Valley Economic Development Corporation since 2009. The attached service agreement continues the same terms and conditions as previously approved on December 21, 2010.

FISCAL IMPACT

The contract amount is \$38,019 annually or \$3,168.25 monthly from the Leon Valley Economic Development Corporation to the City.

RECOMMENDATION

On November 30, 2011, the Leon Valley Economic Development Corporation reviewed the Service Agreement and recommended continuation of the agreement by a vote of 5-0.

S.E.E IMPACT STATEMENT

Social Equity – it is an equitable partnership for the City and the LVEDC to collaborate and work together toward successful economic development.

Environmental Stewardship – not applicable.

Economic Development – support of the Service Agreement fosters progress in economic development for the City allowing the LVEDC access to facilities and services which allow them to initiate programs to revitalize relocate and encourage business expansion and retention.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

AN ORDINANCE

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

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

1. The following proposed Service Agreement for support services to the Leon Valley Economic Development Corporation (LVEDC) by the City of Leon Valley, Texas, for the period of twelve months beginning retroactive on December 1, 2011 through November 30, 2012. The Service Agreement, a true copy of which is on file in the office of the City Secretary and made a part hereof by reference, is hereby adopted and approved.

Leon Valley Economic Development Corporation Service Agreement

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

PASSED and APPROVED this 20th day of December, 2011.

ATTEST:

Mayor Chris Riley

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney

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

STATE OF TEXAS

COUNTY OF BEXAR

This agreement is entered into by and between the CITY OF LEON VALLEY, a Texas Municipal Corporation (hereinafter referred to as "City"), acting by and through its City Manager, pursuant to Ordinance No. _____, passed and approved on December 20, 2011, and Leon Valley Economic Development Corporation, a non-profit corporation (herein referred to as "LVEDC") acting by and through its President.

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

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

WHEREAS, the LVEDC will contribute \$38,019.00 annually to the City for such services:

NOW THEREFORE:

SECTION 1.

The LVEDC agrees to pay the City the amount of thirty-eight thousand and nineteen dollars and no cents (\$38,019.00) for their assistance and reimbursement for the following:

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

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

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

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

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

SECTION 6.

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

EXECUTED ON THIS 20th day of December 2011.

CITY OF LEON VALLEY

**LEON VALLEY ECONOMIC
DEVELOPMENT CORPORATION**

Manuel Longoria, Jr.
City Manager

Mike Davis, President

Approved to as form:

Frank Onion
City Attorney



Agenda Item 8, Presentation

City of Leon Valley

Consider Authorizing the City Manager to Enter into a Continued Service Agreement with the Leon Valley Economic Development Corporation (LVEDC) for Facilities and Support Services

December 20, 2011



Purpose

- Continue Contract Services to LVEDC
-Initiated 2009



Fiscal Impact

- Service Agreement Contract Amount
 - \$38,019 annually
 - \$3,168.25 monthly



Recommendation

- On November 30, 2011 the LVEDC Approved Continuation of the Service Agreement between the LVEDC and the City, by a vote of 5-0.



City of Leon Valley

Consider Authorizing the City Manager to Enter into a Continued Service Agreement with the Leon Valley Economic Development Corporation (LVEDC) for Facilities and Support Services

December 20, 2011

MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2011
M&C: # 12-18-11

TO: MAYOR AND CITY COUNCIL

SUBJECT: DISCUSSION OF AN ORDINANCE FOR FUTURE CONSIDERATION ADOPTING CHAPTER 6, "HEALTH AND SANITATION," NEW ARTICLE 6.06, "PROPERTY MAINTENANCE CODE," AND PROVIDING A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000)

PURPOSE

The purpose of this discussion is to report to the City Council regarding consideration and development of a property maintenance code and receive direction from City Council.

This research and proposed ordinance development resulted from both the Leon Valley community reaching out to the City voicing their concerns regarding homes in their neighborhood as well as, the City Council's desire to address aging housing stock and unkempt homes.

Only three (3) of the subdivisions in the City have a Home Owner's Association to address issues such as basketball goals, trash cans and insufficient ground covering; they are Pavona Place, Shadow Mist and The Ridge at Leon Valley.

FISCAL IMPACT

Budget Adjustment will be required to be sure that funds are available to abate nuisances if owners do not do so within the prescribed time. Presently, there is \$5,000 in the FY 2011-2012 budget for lot abatements and clean-up.

Code Violation Penalty \$25-\$2,000

RECOMMENDATION

Currently, property maintenance is limited to lots, yards and fences specifically high grass and weeds. A property maintenance code would further regulate and control public nuisances and other conditions or circumstances that adversely affect the health, safety or the welfare of the general public. Staff recommends moving forward with such an ordinance.

S.E.E IMPACT STATEMENT

Social Equity – Property maintenance relates to the upkeep of a property and buildings which will increase quality of life by ensuring superb infrastructure throughout the city. Property maintenance code will promote a fair environment for neighbors and ensure conservation of historical and cultural amenities.

Environmental Stewardship – Property unmanaged can lead to an array of problems: infestation, safety hazards and conflict between neighbors.

Economic Development – Property maintenance is imperative in a sustainable community. Well maintained properties enhance neighborhood appearance, reduce crime and improve property values which will spur economic development.

Agenda Item 9

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

AN ORDINANCE

ADOPTING ARTICLE 6.06, “PROPERTY MAINTENANCE CODE,” AND PROVIDING A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000)

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

1. Chapter 6, Article 6.06, “Property Maintenance Code,” is hereby adopted to read as follows:

“Article 6.06 Property Maintenance Code

Sec. 6.06.001 Purpose and intent of article.

- (a) The purpose of this article is to provide minimum standards and regulations to help safeguard and preserve life or limb, property and public welfare by regulating the use, occupancy and maintenance of all structures, buildings and properties within the city.
- (b) It is hereby declared to be the purpose and intent of this article to regulate and control public nuisances and other conditions and circumstances, as set forth in this article that adversely affects the health, safety or welfare of the general public. It is not intended that this article be interpreted or enforced to require the city to intervene in matters which are primarily personal or private in nature and which may appropriately be resolved between or among private interests without material danger to the public health, safety or welfare.

Sec. 6.06.002 Scope of article.

This article shall apply to all zoning districts, land, properties, structures and buildings within the city, including all occupied, residential, nonresidential, improved or unimproved land, properties, structures and buildings.

Sec. 6.06.003 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

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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. 6.06.004 Enforcement and Inspection

- (a) The enforcement authority for this article shall be the city manager, Code Enforcement Officer or the person or department to whom the city manager delegates the enforcement responsibility.

- (b) Whenever it is necessary to make an inspection to enforce this article, or whenever the enforcement authority has reasonable cause to believe that there exists in any structure or upon any property a condition or violation which is unsafe, dangerous or hazardous or detrimental to the public interest, the enforcement authority may enter such structure or property at all reasonable times to inspect such structure or property; provided, however, that if such structure or property is occupied, he shall first present proper credentials and request entry, and if such entry is refused, the enforcement authority shall have recourse to every remedy provided by law to secure entry.

Sec. 6.06.005 Stricter Standards or Regulations

If any other ordinances of the city conflict with this article and the standards and regulations established in this article, the higher or stricter standard, regulation or ordinance shall prevail.

Sec. 6.06.006 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Enforcement authority. The city manager, Code Enforcement Officer or the person or department to whom the city manager delegates the enforcement responsibility.

Graffiti. Words, phrases, designs, symbols, letters or drawings written, painted or scratched on sidewalks, fences, walls, windows, walls of buildings, trees or other structures or items.

Lateral clearance. The dimension measured horizontally and perpendicular to a sidewalk, street, paved alley or easement within which no encroachment is allowed; or the dimension measured horizontally and perpendicular to an alley or easement line beyond which no encroachment is allowed.

Nuisance. Is as follows:

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- (1) Any public nuisance known and established at common law or in equity jurisprudence;
- (2) Any attractive nuisance known at common law or in equity jurisprudence, including, without limitation, any abandoned wells, shafts, basements or excavations, abandoned refrigerators, or any structurally unsound fences or structures, or any lumber, trash, fence, debris or vegetation which are or may be hazardous.
- (3) Whatever is dangerous to human life or is detrimental to health, and is contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city;
- (4) Overcrowding a room with occupants, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city;
- (5) Insufficient ventilation or illumination, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city;
- (6) Inadequate or unsanitary sewage or plumbing facilities, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city;
- (7) Uncleanliness, contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city;
- (8) Whatever renders air, food, or drink unwholesome or detrimental to the health of human beings, and is contrary to the public health, safety or welfare or in violation of the codes and ordinances of the city;
- (9) Graffiti of any type;
- (10) A live tree, shrub or other similar plant of any description which creates a hazard or risk of damage or destruction to persons or property, contrary to the public health, safety or welfare or in violation of the code and ordinances of the city; and
- (11) Any other nuisance or public nuisance as defined by the codes and ordinances of the city.

Owner. Any person claiming, or in whom is vested, the ownership, dominion or title of real or personal property, including, but not limited to:

- (1) Holder of fee simple title;
- (2) Holder of life estate;
- (3) Holder of a leasehold estate for an initial term of five years or more;
- (4) A buyer in possession, or having right of possession under a contract for deed;
- (5) A mortgagee, receiver, executor or trustee in possession or control, or having right of possession or control, of real property; and

Agenda Item 9, Ordinance

- (6) Any agent who is responsible for managing, leasing or operation of property.

Premises. Any parcel, lot or tract of land, including any structure, building, landscaping or trees thereon or other structure or improvement located thereon.

Structure. Any residential building, nonresidential building, dwelling, condominium, townhouse, apartment unit, detached garage, shed, awning, fence, screening wall, sign, swimming pool, excavation or any other edifice, erection or material placed or located on any property within the city, and any other improvement of any kind or nature.

Tenant. Any person or their agent who occupies a structure or property.

Sec. 6.06.007 Exterior Grounds

- a) *Sanitation.* All exterior property areas shall be maintained in a clean, safe and sanitary condition, free from accumulations of rubbish, garbage, junk or waste which constitute a public nuisance, contrary to the public health, safety or welfare.
- (b) *Grading and drainage.* Grading and drainage maintenance standards are as follows:
- (1) All property shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, or within or under any structure located thereon.
 - (2) No filling, excavation or other improvement shall be performed or constructed on any property which will have an adverse effect on an existing drainage pattern on an adjacent property.
- (c) *Sidewalks.* All sidewalks, walkways, steps and areas located on all private property, other than single-family properties, and intended for public use, such as a sidewalk from a street to the front door of a dwelling or business, a sidewalk from a parking area to the primary public entry door of a business, a sidewalk in front of retail businesses such as a shopping center and other similar conditions shall be maintained by the owner and tenant of such property in a proper state of repair, free of mud, debris or other obstructions that would impair or prevent their use. The owner and tenant of private property adjacent to all sidewalks, walkways, steps and public areas located on public property shall keep such sidewalks, walkways, steps and public areas free of mud, debris or other obstructions that would impair or prevent their use.

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- (d) *Rodent and insect control.* Every owner and every tenant of a structure or property shall keep such property or structure free of insects, rats, fire ants, vermin or other pests which create a hazard or a nuisance to adjacent property or are otherwise detrimental to the public health, safety or welfare.
- (e) *Glare.* Exterior lights placed or erected on private property shall be shielded, placed or erected so as not to create a traffic hazard or a public nuisance.
- (f) *Trees, shrubs and plants.* Standards for trees, shrubs and plants are as follows:
 - (1) Trees, shrubs and plants shall not obstruct the access to or from any door or window of any structure which is used, or is required by city codes and ordinances to be used, for ingress and egress.
 - (2) Trees, shrubs or plants shall not create a hazard or an obstruction and shall be maintained within the following minimum clearances:
 - a. Overhead clearance of public sidewalks and other public pathways, seven feet vertical clearance.
 - b. Lateral clearance of public sidewalks and other public pathways, six inches from each edge of sidewalk or pathway.
 - c. Overhead clearance of streets, tree limbs and other projections over the street shall be maintained at a minimum of 14 feet vertical clearance above the street pavement.
 - (3) Trees, shrubs or plants that are dead or which are hazardous to persons or property shall be removed. Any tree, shrub or plant that appears to have lost more than 75 percent of its living foliage shall be considered dead.
- (g) *Nuisances.* All properties shall be maintained free of nuisances.
- (h) *Weeds, grass and other groundcover.* Standards for weeds and grass are as follows:
 - (1) Weeds, grass and brush shall be maintained at a height not exceeding twelve inches. Property owners and/or tenants are responsible to maintain the property from curb line or edge of roadway to half of alley way or easement.
 - (2) All cut weeds, grass, shrubs or brush shall not be kept or allowed to accumulate on any public street, sidewalk or other public way.

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- (3) Weeds, grass, shrubs or brush shall not be deposited in any inlet, manhole or storm sewer or sanitary sewer system.
 - (4) The unpaved areas of the front yard shall be maintained with a grass, ground cover, or other type of landscaping to such an extent that the soil when wet will not be picked up and spread to sidewalks or adjacent private or public property and is not subject to erosion during rains. The landscaping occupying the unpaved areas of the front yard shall be provided with adequate water to sustain the landscape material, unless landscape watering is prohibited by mandatory water restrictions.
- (i) Accumulation of firewood, lumber, bricks, stones or any other character of materials which may be used as a harborage by rats, rodents or other vermin, or in which evidence of rats, rodents or other vermin is found shall be placed or stored on open racks and elevated with a clear intervening space of not less eighteen inches clear space.
 - (j) *Accessory structures.* Carports, awnings, patio covers, garages, sheds, storage buildings and other accessory structures shall be maintained structurally sound, and free of deterioration. All accessory structures shall be protected from the elements by periodic painting, staining or other weatherproofing or surface protection.
 - (k) *Swimming pools and spas.* Swimming pools, spas and similar structures shall be maintained safe, clean, sanitary, secure and structurally and mechanically sound in accordance with applicable codes and ordinances of the city. Furthermore, at no time the water of such pools or spas or similar structures, are not permitted to be emptied onto a public street, sidewalk or adjoining properties.
 - (l) *Permitted items in the front yard.* In the R-1, R-2, R-3, R-3A, R-4, R-5, R-6, R-7 and residential planned development zoning districts, no building, structure, fence, accessory object or other appurtenances, improved parking area or driveway shall be constructed, erected, placed or located in the front yard unless specifically listed in this section. Accessory objects and appurtenances not listed herein shall not be permitted in the front yards by exclusion. For purposes of this section, the term "height" shall mean that vertical dimension at any point measured from the average natural grade of the area within two feet of such point. Permitted items are as follows:
 - (1) Any edging for flower or hedge beds that does not exceed 12 inches in height and is constructed of brick, stone, treated lumber or other material approved by the enforcement authority.
 - (2) Freestanding statuary, columns, bird baths and pedestals not exceeding 72 inches in height.
 - (3) Lawn furniture, including benches, tables, and stools which do not exceed 42 inches in height and are designed and constructed for outdoor use.

Agenda Item 9, Ordinance

- (4) Landscape lighting which does not create an offensive glare to occupants of surrounding properties.
- (5) Single pole basket ball goals, provided they are not placed along roadway, edge of curb, on street or sidewalk.
- (j) The maximum number of objects or items of either lawn furniture or freestanding statuary permitted in residential front yards at any one time shall not exceed five (5).
- (k) *Outside storage.* It shall be unlawful for any person to allow, permit, conduct or maintain any outside storage on any portion of a lot or tract, outside of an enclosed structure, or under a carport or covered patio or other projecting overhang, for a continuous period in excess of ten days.
- (1) Prohibited outside storage for this section shall include, but not be limited to, the following items stored in a manner other than in an enclosed building:
 - a. Building material;
 - b. Supplies, materials or other matter associated with a home occupation;
 - c. Supplies, materials or other matter associated with a nonresidential activity;
 - d. Chemicals;
 - e. Furniture;
 - f. Appliances not designed for outdoor use;
 - g. Appliances designed for outdoor use but not currently installed;
 - h. Tools, mobile and/or mechanical equipment not connected with a residential use;
 - i. Lawn maintenance equipment;
 - j. Motor vehicle parts and/or accessories including but not limited to engines, transmissions, electrical parts, suspension parts, vehicle body parts, batteries, tires, wheels, hubcaps and other motor vehicle parts;
 - k. Other items or personal property which are not customarily used or stored outside and which are not made of a material that is resistant to damage or deterioration from exposure to the outside environment; or
 - l. Trash, garbage or other refuse.
- (2) It shall be an affirmative defense to prosecution:
 - a. In the case of all outside storage which is not deemed a nuisance, that such storage:
 - 1. Is screened from view from private or public property by a solid fence, wall, landscaping or a combination of fence and landscaping.

Agenda Item 9, Ordinance

- b. In the case of building material, that such material is stored in a workmanlike manner as part of, and in conjunction with, an active building permit and is in compliance with the building code.
- c. In the case where the item is:
 - 1. Awaiting pickup by the city or other sanitation service;
 - 2. In a container or bag as approved by the city; and
 - 3. In an approved location for the city or other sanitation service pickup.
- d. In the case of furniture, that such furniture is designed and constructed for outside use, and further, that such furniture is in good condition and is not deteriorated.
- e. In the case of outside storage of a type not specifically mentioned in this section, that such outside storage is:
 - 1. Of a type that is minor in nature;
 - 2. Of a type and quantity which is traditionally or commonly associated with the residential use of the property;
 - 3. Screened from view from private or public property by a solid fence, wall, landscaping or a combination of fence and landscaping.

Sec. 6.06.008 EXTERIOR OF STRUCTURE

- (a) *Generally.* The exterior of a structure shall be maintained structurally sound.
- (b) *Structural members.* All supporting structural members of all structures shall be kept structurally sound, free of deterioration and maintained capable of safely bearing the dead and live loads upon them.
- (c) *Exterior surfaces.* The foundation, exterior wall, floor, roof and all exterior surfaces of every structure shall be maintained in a state of repair sufficient to exclude rats, rodents, birds, vermin and other animals. Peeling paint, cracked or loose plaster, broken glass, decayed wood and other defective surface conditions shall be repaired, replaced or restored.
- (d) *Foundation walls.* All foundation walls shall be maintained so as to safely carry applicable dead and live loads that are imposed upon the foundation walls.
- (e) *Exterior walls.* The exterior wall of every occupied structure shall be free of holes, breaks, loose or rotting boards or timbers, and any other

Agenda Item 9, Ordinance

conditions which might admit rain or dampness to the interior portions of the walls or to interior of the structure. The exterior wall surface materials of every structure shall be maintained weatherproof or the surface protected as required to prevent deterioration.

- (f) *Roofs.* The roof of every occupied structure shall be structurally sound, tight and free of leaks, and roof drainage shall be adequate to prevent rainwater from causing dampness in the walls or interior portion of the structure. Repairs made to roofs shall be completed in a workmanship like manner and repair materials shall match the existing roof material.
- (g) *Decorative features.* The cornices, entablatures, belt courses, corbels, terra cotta trim, wall facings and similar decorative features of every structure shall be maintained in good repair with proper anchorage and in a safe condition.
- (h) *Exterior attachments.* All exterior canopies, marquees, signs, awnings, stairways, fire escapes, standpipes, rain gutters, exhaust ducts and similar overhang extensions attached to a structure shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition, and their exterior surface materials shall be maintained weatherproof and shall be surface coated or protected as required to prevent deterioration.
- (i) *Chimneys.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe, sound, properly mortared and in good repair, and their exterior surface materials shall be maintained weatherproof and shall be surface coated or protected as required to prevent deterioration.
- (j) *Stairs and porches.* Every stair, porch, balcony and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected and shall be kept in sound condition and good repair, and their exterior surface materials shall be maintained weatherproof and shall be surface coated or protected as required to prevent deterioration.
- (k) *Window and door frames.* The windows, doors, and frames of every occupied structure shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain as completely as possible from entering the dwelling or structure.

Agenda Item 9, Ordinance

- (l) *Weathertight.* The windows and exterior doors of every occupied structure shall be fitted in their frames so as to be reasonably weathertight and shall be kept in sound condition and good repair.
- (m) *Glazing.* Every window and/or window sash shall be fully supplied with approved glazing materials which are without open cracks and holes. A window and/or window sash may be temporarily secured and/or closed with alternate materials approved by the enforcement authority for periods during actual construction, remodeling or repairs, provided the period of time does not exceed 30 days. The enforcement authority may grant extensions of time due to extenuating circumstances.
- (n) *Insect screens.* Every window of every occupied structure which may be opened and used for ventilation shall be supplied with approved screening, except that such screens shall not be required for areas on a floor above the second floor and shall not be required for windows in occupied structures which have an approved and operable mechanical ventilating system as allowed by other city codes and ordinances.
- (o) *Door hardware.* The exterior doors, door hinges and door latches of every occupied structure shall be maintained in good condition. Door locks in exterior doors of dwelling units shall be maintained in good repair and capable of tightly securing the door.
- (p) *Burglar bars.* Burglar bars shall comply with requirements of the building code and other codes or ordinances of the city. Burglar bars on windows of bedrooms of residential structures shall be constructed and mounted in such a way so as to be operable and openable from the interior of the residence.
- (q) *Garage doors.* Garage doors shall be kept free from any defects and are capable of being opened and closed reasonably plumb, properly attached and the exterior surface maintained weatherproof as required to prevent deterioration.
- (r) *Sanitation.* All exterior surfaces of structures shall be maintained in a clean, safe and sanitary condition, free from accumulations of dirt, grime, filth, mold, mildew, fungus or other matter which constitute a nuisance or are contrary to the public health, safety, welfare.

Sec. 6.06.009 Notice of nuisance or violation; service; failure to comply; abatement; costs; lien; administrative fees.

Agenda Item 9, Ordinance

- (a) If a nuisance is found to exist upon any property within the city, or if any person owning, claiming, occupying or having supervision or control of any property within the city limits, fails to comply with this article's provisions, it shall be the duty of the enforcement authority or his duly appointed representative to give a minimum of ten days' official notice in writing to such person which is creating and/or allowing the continuance of such nuisance, or is violating the terms of this article. Where maintenance requires extensive work it is at the discretion of the City Manager, or their designee or department to allow 30 days for compliance. Extenuating circumstances will be considered on a case by case basis. If such person fails or refuses to comply with the provisions of this article within the specified period following notification, they shall be considered to be in violation and subject to fine, penalties and/or abatement by the City or person(s) contracted by the City for the abatement/cleanup of properties as provided by this article.
 - (b) The notice shall be in writing and may be served on the property owner, or agent of the owner, or tenant by handing it to him/her in person, by United States mail, addressed to such owner, or agent of the owner, or tenant at his post office address, or if the address is unknown, then by posting such notices on the front door of the dwelling or establishment or where no building exists, by posting them on a sign in the front yard.
 - (c) The city shall be further entitled to go upon such nuisance properties and do or cause to be done the work necessary to abate any public nuisance existing in violation of this article if such person fails or refuses to comply with the provisions of this article within the specified period following official notification.
 - (d) All costs for abatement of any such public nuisance, or any part of a nuisance, including costs for mailing of a notice and filing of a statement with the county clerk and interest shall be levied, assessed and collected against such property or upon which such public nuisance, or any part of a nuisance, is located. If any owner of such property shall fail to pay the costs so assessed within 30 days after being notified of such costs, the city shall file with the county clerk a statement of such costs. The city shall have a privileged lien on the premises and the personal obligation of the owner of such property, second only to tax liens and liens for street improvements, to receive the costs so made and ten percent interest on the amount from the date the payment is due. For any such costs and interest, suit may be instituted in the name of the city, and the statement of costs, as provided previously in this article, shall be prima facie proof of the costs expended in such work.
2. Each violation of this article shall be punishable by a fine of up to two thousand dollars (\$2000), unless some other fine is specifically prescribed for a particular violation.

Agenda Item 9, Ordinance

3. This Ordinance shall become effective on and after its passage, approval and publication as prescribed by law.

PASSED AND APPROVED this 20th Day of December 20, 2011.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney



Agenda Item 9, Presentation

City of Leon Valley

Discussion of an Ordinance for Future Consideration Amending Chapter 6, "Health and Sanitation," to Adopt New Article 6.06, "Property Maintenance Code"

December 20, 2011



Purpose

- Address Community & Council Concerns
 - Aging Housing Stock
- 3 Subdivisions in the City have a Home Owner's Association
 - Pavona Place, Shadow Mist and The Ridge at Leon Valley.



Fiscal Impact

- \$5,000 budgeted in FY 2011-2012 for existing Code Enforcement
-budget will need to increase
- Penalties for violations \$25-\$2,000



Recommendation

- Current property maintenance
 - limited to lots, yards and fences specifically high grass and weeds.
- A property maintenance code would further regulate and control public nuisances and other conditions or circumstances that adversely affect the health, safety or the welfare of the general public. Staff recommends moving forward with such an ordinance.



City of Leon Valley

Discussion of an Ordinance for Future Consideration Amending Chapter 6, "Health and Sanitation," to Adopt New Article 6.06, "Property Maintenance Code"

December 20, 2011

MAYOR AND COUNCIL COMMUNICATION

**DATE: December 20, 2011
M&C: # 12-19-11**

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:

Agenda Item 10

Janie Willman, City Secretary

Monthly Report

Finance

November 2011

Sales Tax Revenue

- ❖ Sales tax revenue of \$169,069 was received from the State Comptroller's office in November. After consideration of the November sales tax payment, year-to-date sales tax revenues are 1.73% higher than this time last year. The November payment represents the last sales tax payment for FY 2011.

Street Maintenance Sales Tax Revenue

- ❖ \$42,267 was received from the State Comptroller's office in November. The November payment represents the last sales tax payment for FY 2011.

Ad Valorem Taxes

- ❖ Ad valorem tax collections of \$407,762 were received from the Tax Assessor/Collector's office in November. Collections for November 2010 were \$419,626

City Public Service

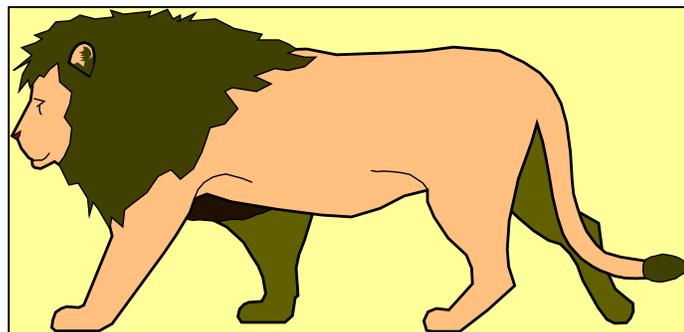
- ❖ CPS franchise fees of \$128,607 were received during the month and represented our first quarterly payment for fiscal year 2012. This payment was 1.30% higher than last year's first quarterly payment of \$126,956.

Fiscal Year 2011 Audit

- ❖ The audit fieldwork wrap up for the City's annual financial audit was on November 4. The City will receive an unqualified "clean" audit opinion from the external accounting firm of Holtman and Wagner, for the fiscal year ended September 30, 2011. The compiling and reviewing of the report should be completed by mid December with formal presentation of the report to Council in January. The Finance Director is currently drafting the fiscal year 2011 transmittal letter and statistical section updates for inclusion in the comprehensive annual financial report (CAFR).

LEON VALLEY PUBLIC LIBRARY STATISTICS NOVEMBER 2011

	NOVEMBER 2011	<i>Compared to</i>	OCTOBER 2011
Items Loaned	3740		3251
EBSCOHost Accesses	18		6
Days Open/Average Per Day	19/197		21/155
Door Count	8183		7110
Volunteer Hours	184		220
Items Added New/Redo	145/109		334/251
Value of Gift Items	\$814		\$1738
Reference Questions	470		508
Items Withdrawn	4		251
Library Cards Issued	39		39
Internal Internet Sessions	415		484
External Wi-Fi Accesses	570		354
Faxes Sent	46		75
Lit. Students/Items Used	3stu/6bks		3stu/6bks
ILL Received TexPress	14pkg/15bks		21pkg/23bks
ILL Returned TexPress	16pkg/17bks		18pkg/20bks
ILL Mailed	7 in / 6 out		7 in / 8 out
Library Fines	\$36.00		\$69.00
Library Copy	\$79.00		\$104.00
Tax Equivalent	\$133.75		\$127.50
Gifts and Memorials	\$25.00		\$0.00





Leon Valley Police Department Monthly Report October 2011

Calls for Service

	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Calls for Service	729	7,690	767	8,692
Index Crimes	74	766	89	808
Non-Index Crimes	655	7,098	678	7,884

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

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

Non-Index Crimes

	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Suspicious Vehicle	54	581	53	589
Assist the Public/Other Agency	74	692	76	1,076
Disturbance	48	630	61	606
Violation of City Ordinance	15	121	6	93
Traffic Offenses	36	324	22	385
Burglar Alarm	84	970	95	1,125
Accidents	65	497	53	602
Criminal Mischief	39	227	17	209
Other	122	1,705	172	1,722
N-Code 10*	8	112	9	82
N-Code 14**	43	316	31	159
N-Codes	67	836	83	1,269

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

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

***Became separate categories in Oct 2010



Leon Valley Police Department Monthly Report

Index Crimes

	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Burglary	8	123	20	126
Burglary – Motor Vehicle	12	187	20	223
Assault	3	75	8	95
Homicide	0	0	0	0
Rape	0	3	0	2
Theft	47	328	29	305
Theft of Service	0	16	8	21
Vehicle Theft	2	25	3	21
Robbery	2	9	1	15

Citations

	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Citations Issued	796	7,929	1,101	10,765

Citations by Selected Categories	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Expired License Plates	93	1,014	152	1,570
Expired Inspection Certificate	121	1,501	202	2,233
No/Expired/Invalid DL	67	626	62	741
No Insurance	137	1,438	197	1,881
Ran Red Light	16	146	21	145
Ran Stop Sign	61	358	76	513
Speeding	69	714	96	947

Hazardous vs. Non-Hazardous	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Hazardous	146	1,218	193	1,605
Non-Hazardous	650	6,691	908	9,160

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



Leon Valley Police Department Monthly Report

Arrest

Arrests	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Felony Offense	8	70	6	65
Misdemeanor Offense	58	643	67	645
Warrants	8	97	45	314
LV Municipal Court Warrant	0	0	9	114

Investigations

	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Assigned	135	1,303	130	1,281
Arrest/Charges Filed at Large	28	261	39	250
Suspended	14	892	77	943
Closed by Exception	83	168	15	206

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

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

Communications

Total 911 Calls/ by Source	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Total	857	9,768	1,091	10,909
Business	38	712	98	1,067
Residential	34	401	81	1,024
Coin	4	86	10	65
Cellular	761	7,619	887	8,631
Voice over Internet Protocol	20	375	14	97
Unknown	0	36	1	25



Leon Valley Police Department Monthly Report

Community Resource Officer

	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Violations of City Ordinance	38	508	55	426

Reserve Officers

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

	Oct 2011	YTD 2011	Oct 2010	YTD 2010
Hours	488	3,620	428	4,932
Calls for Service Handled	63	756	45	869
Citations	70	441	47	581

PUBLIC WORKS MONTHLY REPORT NOVEMBER 2011



Director's Report

- Attended all normal Staff meetings, Park Commission and CAG
- Met with SAWS, SARA and the Mayor on Sewer line; Huebner Creek: Eckhert to Bandera project
- City Emergency Response Drill
- Met with SIA on the Timberhill & Huebner drainage project
- Met with Ricardo Rivera with TXDot
- Met with City Manager, SIA, Fred & Marisa on the overall Stormwater Assessment plan



Assistant Director's Report

- Storm Water committee support.
- Met with SAWS to review plans to replace 24" sewer running through Leon Valley
- Met with Bexar County LC17 flood control project
- Assisted in interviewing candidates for Community Development Assistant

Agenda Item 11C

- EOC exercise
- Basura Bash planning
- Attended annual meeting for Regional Water Resources Development Group.



Construction Crew Activities

- 11-01 6602 Barney Wood: Laid and compacted hot mix asphalt in street cut.
Seneca Dr. @ Sun Dial: Laid and compacted hot mix asphalt in street cut.
- 11-02 PSC: Laid and compacted 8 tons of hot mix asphalt on emergency exit road.
- 11-03 Aids Dr.: Cut grass and brush from along bar ditch route.
- 11-04 PSC: Serviced and prepared equipment for Bar Ditch Project.
- 11-07-10 Aids Dr.: Began excavation of bar ditch.
- 11-14,15 PSC: Repaired PVC hand rails for Evers Road bridge.
- 11-16,17,18 Aids Dr.: Continued excavating bar ditch.
- 11-21,22,23 Aids Dr.: Continued and completed excavating bar ditch.
- 11-28 Evers Rd.: Reinstalled PVC hand rails for Evers Road bridge.
- 11-29 PSC: Loaded Salas Trucking with 12 loads of spoils to be hauled away.
- 11-30 PSC: Hauled in materials to be stockpiled in yard.



Water Crew Activities

Water Samples for S.A. Health District	11 water samples for analysis
Disconnect Notices	148
Disconnect Water Service	38
Flush dead-end water mains	26 Flushed
Meter Reading	3 Days
Meter Re-reads	20 Re-reads
Meter Changed Out Program	36 Meters changed out
Temporary Meters Installed	4 Installed
Move Outs	3 Closed
Move INS	12 Activated
Locates	6 Completed

Agenda Item 11C

Wells\Tower Sites
City Wide

Cut grass and trim
Fire hydrant list

<u>Location</u>	<u>Work done.</u>
7320 Link Meadow	replaced meter box
6503 Sun Creek	covered hole after main break over weekend
7329 Link Meadow	replaced leaking curb stop
Walking Gait area	installed T.R. meters and replaced meter boxes
Grass Valley @ Clover Bend	repaired 6" water main break
6622 Clover Bend	repaired 6" water main break
Timber leaf @ Evers	repaired 6" water main break
6618 Peachtree	repaired 6" water main break
7216 Bandera	new water service, made 2" water tap
7019 Wagon Spoke	ran sewer jet and camera in 4" customer line
5603 El Verde	replaced leaking 6" water valve
6414, 6422 Handsome Lake	spread top soil and leveled soil
7606 Centerfield	replaced leaking curb stop
6701 Huebner	replaced leaking curb stop



Maintenance Crew

Park:	Cut grass and trim
Park:	Delivered BBQ pit key and instructions on use for large pavilion
Park:	Cleaned Park and opened restrooms Monday thru Sunday @7:00am
Park:	Repaired toilets leaking faucets
Park:	Removed fallen trees and branches
Park:	Picked up trash
Park:	Cut and trimmed at playground, added fluff fall zone material
Park:	Maintain restrooms
Park:	Remove graffiti
Park:	Maintain picnic tables and pavilions
Public Works:	Cleaned Trucks, checked equipment
Public Works:	Cleaned and removed brush from Walking Trail behind PW
Public Works:	Cleaned shop, water cage, welding area, repairs as needed
Conference Center:	Set ups and clean ups for events held there
Conference Center:	Mowed complex, repairs as needed
Community Center:	Grounds cut and trimmed, repairs as needed
Community Center:	Wednesday set up for bingo & Thursday cleaned up for seniors
Community Center:	Set up for events

Agenda Item 11C

Library:	Grounds cut and trimmed, pick up recyclables
Library:	Repairs as needed
Library Annex:	Clean, mow and trim, repairs as needed
City Hall:	Grounds cut and trimmed, Mondays only, repairs as needed
City Hall:	Pick up recyclables
City Hall:	Completed remodel of restroom
LVPD:	Repairs as needed
LVFD:	Repairs as needed
Citywide:	Removed graffiti throughout the city
Citywide:	Reinstall fallen stop/street signs
Citywide:	Check surveillance camera and maintain
Citywide:	Removed fallen trees
Marquee	Marquee update as they come in
Service requests:	Various requests completed as they come in



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

October 26, 2011

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:39 p.m. on Wednesday, October 26, 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 Member Claude Guerra III. Absent and properly excused was Board Member Georgia Zannaras. Absent and unexcused was Board Member Stephen Ynostrosa. Also present were Attorneys Stephen Pena and Frank Garza, and Kristie Flores, Director of Community Development and Interim Supervisor of Economic Development, acting as staff support and recording secretary.

II. APPROVAL OF MINUTES – September 28, 2011

Staff noted administrative changes to the minutes. Secretary Nancy Marin made a motion to approve the minutes with the noted corrections. Board Member Claude Guerra, III, seconded the motion and the motion passed unanimously by voice vote 5-0.

Staff explained that there was considerable discussion at the October 11, 2011, meeting and more time was needed to complete the minutes. Staff agreed to return the minutes for review at the next regular meeting of the Economic Development Corporation.

III. RECEIVE FINANCIAL REPORT FROM LVEDC TREASURER

Treasurer Michael McCarley addressed the Board and noted that the money market account balance as of October was \$304,531.13. He explained that the added sales tax for the month was \$18,149.09 and \$20,000 was transferred into the checking to cover expenses.

The noted accounts payable were \$250 for the mediation with Mr. Little, Documation, Monarch Trophy, and the City Service Agreement payment.

IV. PUBLIC INPUT

Frank Garza, Attorney with Davidson and Troilo introduced himself to the Board and noted that he was part of the legal team that represented the Economic Development Corporation. He noted that Steve Pena would be the one to attend most meetings and he was going to provide legal counsel to the LVEDC at the mediation with Larry Little on Thursday, October 27, 2011. Mr. Garza further explained that he had been practicing municipal law for twenty-five (25) years. He first practiced in Dallas and San Antonio, Texas and has presently been with Davidson & Troilo for nine (9) years.

Secretary Nancy Marin asked Mr. Garza how many cities he had represented that had 4B Sales Tax. Mr. Garza noted that he had worked with three (3) cities; Cotulla, Helotes and San Antonio when it once had 4B.

The LVEDC welcomed Mr. Garza.

V. DISCUSSION OF THE STATUS OF THE TOWN CENTER PROJECT

Mr. Davis noted that Mr. Little had not contacted him. Attorney Frank Garza noted that he may be waiting for the mediation.

Board Member Abraham Diaz asked the purpose of the mediation. Mr. Garza noted that Mr. Little had submitted a demand for \$800,000. He also noted that he thought the City was interested in purchasing the property but did not want Mr. Little involved with the property or a particular project.

Mr. Pena also noted that there were some questions regarding option payments. He further explained that the mediation was half day from 1:30p.m. to 5:30p.m.

Board Member Guerra asked Mr. Garza to explain the mediation process. Mr. Garza noted that all of the parties involved are brought into the same room and each party is given the opportunity to state their case. He explained that they are then separated into different rooms and anything between the mediator and the group is kept private, unless specific permission is given by the group.

Mr. Pena noted that Thomas Smith was assigned as the mediator and he was very effective and professional. Mr. Garza noted that eleven (11) of his fifteen (15) mediations have settled.

Board Member Diaz asked how the results of the mediation would be shared. Mr. Pena noted that it could be discussed in an Executive Session with the Board at the next meeting or a scheduled meeting depending on the urgency.

VI. CONSIDERATION OF THE SERVICE CONTRACT ENDING NOVEMBER 30, 2011 BETWEEN THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) AND THE CITY OF LEON VALLEY

Mr. Pena, attorney for the LVEDC, noted that most cities have similar service agreements for their EDC. Other cities do not have ED employees so it is generally a city employee. He noted that the employee assisting is governed by the bylaws.

Mr. Davis, Board President, noted that things cannot be arbitrarily taken off the agenda. He also noted that previously services were being paid for but were not being provided.

He noted that minutes were lacking as were other areas. Board Member Guerra noted that part of the issue was supervisory being the responsibility of Ms. Rose Ryan, former Economic Development Director, to make sure the work was completed.

It was the general consensus of the Board that if an Economic Development staff person was hired there would be a job description, timesheets, and documentation of work on behalf of the EDC.

Board Member Guerra noted that for the amount paid and the services received by the City for bookkeeping, facilities and other tasks the service agreement appeared fair and reasonable. He further expressed that the service agreement could continue with an opt out clause in the event that the Board was not satisfied with staff work.

Board Member Nancy Marin noted that she preferred hiring an Economic Development Director that was a "hot shot" and could work the Leon Valley area.

The Board collectively agreed that an expert ED Director could not be hired for the amount of the service agreement with all of the other agreement terms bookkeeping, facilities, etc. Ms. Marin noted that there were individuals who would be interested for that amount based on conversations she had with contacts.

Board Member Abraham Diaz recommended entering into the service agreement for one (1) year with a 30 day opt out clause. He noted that during that time the alternative to hire a Director or Specialist could be explored.

Board Attorney Steve Pena was asked to amend the agreement for accountability. Mr. Pena agreed to review the agreement.

VII. REPORT ON SALES TAX MEETING FROM TRAINING SESSION

Board Member and Secretary Nancy Marin, along with Treasurer Michael McCarley, attended a Sales Tax Training Meeting and noted that for 4B Corporations, regardless of the dollar amount; all proposed projects must go before the City Council for consideration and approval. Mr. Pena noted that he believed that Helotes adopted a budget for general projects that satisfy the required public hearings. Mr. Pena noted that the City Council has approved the EDC's Budget and Bylaws and the funds granted under \$10,000 are acceptable.

Discussion among the Board ensued regarding setting up a fund for continued education for Board members, and other matters regarding sales tax statutes.

VIII. EXECUTIVE SESSIONS IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE

The Leon Valley Economic Development Corporation did not convene into Executive Session and no Action was necessary under Executive Session.

IX. SUGGESTIONS FOR ITEMS OF THE NEXT EDC MEETING

Future items included:

- Investigate Porky J's and how to recover grant funds
- Reappoints to the EDC and applications
- Strategic Planning for an EDC Plan
- Standard Operating Procedures
- Documation Contract
- November 30, 2011 next regular meeting

President Mike Davis noted that he asked not to be reappointed to the EDC Board.

X. ADJOURN

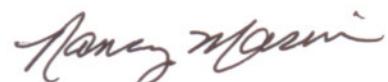
Vice-President Abraham Diaz made a motion to adjourn, seconded by Board Member Claude Guerra III. The motion carried by voice vote and the meeting was adjourned at 9:03 p.m.



CHAIRMAN



STAFF



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

November 9, 2011

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:32 p.m. on Wednesday, November 9, 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, Board Member Claude Guerra III and Board Member Georgia Zannaras. Absent and unexcused was Board Member Stephen Ynostrosa. Also present was Attorney Stephen Pena, and Kristie Flores, Director of Community Development and Interim Supervisor of Economic Development, acting as staff support and recording secretary.

II. EXECUTIVE SESSION

The Leon Valley Economic Development Corporation convened into Executive Session at 6:33 and reconvened at 7:38 p.m. and no Action was necessary under Executive Session.

At this time, direction to staff was given in the form of a motion from the floor.

A motion was made by Board Member Claude Guerra, III, to share the cost 50/50 with the City of Leon Valley, the costs associated for appraisals of lots 67, 68, 70, 71, 72, and 73; with costs of appraising lot 75 funded completely by the EDC if the City did not want to participate. The motion was seconded by Mr. Abraham Diaz. The motion was approved by unanimous vote.

III. ADJOURN

Vice-President Abraham Diaz made a motion to adjourn, seconded by Board Member Claude Guerra III. The motion carried by voice vote and the meeting was adjourned at 7:41 p.m.



CHAIRMAN



STAFF





6400 El Verde Road, Leon Valley, TX 78238

**MINUTES OF THE MEETING OF THE
LEON VALLEY TREE ADVISORY BOARD**

Meeting of the Leon Valley Tree Advisory Board (TAB) at 6:30 PM, on Wednesday, October 19, 2011, in the Leon Valley City Hall, at 6400 El Verde Road, Leon Valley, Texas.

I. Poll for Attendance, Determination of a Quorum, and Call Meeting to Order.

Staff Liaison Present: Kristie Flores

Members Present: Thomas Benavides, Denise Berger, Melinda Dawson, Michael Clemenson, Mary Key, Diana Sarfin, and Rich Sarfin

Absent: Byron Woodworth

II. Consider Approval of Meeting Minutes of September 21, 2011.

- The minutes were approved.

III. Discussion and Preparations for the 3rd Annual Arbor Day (November 12, 2011).

A. Planning & Logistics

- Kristie has already invited the various city departments and committees to participate.
- Kristie has developed the Flyer for Arbor Day and will begin to advertise.
- Time of Arbor Day is from 9:00 AM to 12:00 PM.
- Mayor will kick off the event with the Leon Valley Arbor Day Proclamation and introduce Paul Johnson.
- Paul will give a workshop on the trees available for adoption (2 trees per household).
 - Citizens will be provided with the vouchers during the workshop to help speed up the give-away process.
 - Paul will have a sample of the trees to include pictures of the trees.
- Four tables will be setup to for the voucher redemption.
 - Will be cordon off to provide order.
 - Tables will be labeled A-F, G-L, M-R, & S-Z.
- Will invite Carl's Jr., Artisan Crepes, Rainbow Nursery, Maldonado's Nursery, and Lone Star Espresso.
- El Sol, a new bakery in Leon Valley, will provide free pastries.
- Police Department will have Give-Aways (left over from National Night Out).
- Sparky from the Fire Department will be there.
- Library will have books on trees.
- Will look into having a craft table, soft music, and a balloon castle.

B. Poster Contest & Prizes

- Kristie has developed the Poster Contest Flyer.
- Rita Kay Driggers and Leon Valley Elementary students 3rd through 5th grade will be invited to participate.
- Diana will help to make contact with the schools.
- Leon Valley Walgreens will be contacted for prizes (e.g., Tree Game, Water Bottles, etc.).

C. T-shirts & Other Arbor Day Mementos

- Kristie will order T-Shirts and Buttons.

D. Tree Order & Pricing

- CPS Energy may be providing 150 trees.
- If trees are provided by CPS Energy, CPS Energy customers will be able to adopt the trees as well.
- Types of trees may include Bur Oak, Mexican White Oak, Anacacho Orchid Tree, etc.
- Funding is in place to purchase trees if required.

E. All Miscellaneous Arbor Day Related Items

- Estimate budget to be somewhere between \$500 and \$700 for the T-Shirts, Buttons, Drinks, Prizes, Entertainment, etc.
- We need paper weights to hold down our paperwork.

IV. Other Business.

A. City of San Antonio (COSA) Arbor Day – November 12, 2011.

- City of San Antonio recently changed their Arbor Day from November 5 to November 12.

B. COSA Fruit Tree Adoption – late January/early February 2012.

- Will be held at the Pearl Brewery.

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

- Not required.

VI. Adjourn

- The meeting was adjourned at 7:30PM.
- The next meeting of the TAB is set for Wednesday, November 9, 2011, at 6:00 PM, in the Leon Valley City Hall. Date and time changed to in order to evaluate posters (poster contest) and make final preparations for Arbor Day on November 12.

A handwritten signature in cursive script that reads "Thomas Benavides". The signature is written in black ink and has a long, horizontal flourish extending to the right.

Chairperson