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CITY SECRETARY

NOTICE OF PUBLIC MEETING

LEON VALLEY CITY COUNCIL

MONDAY, April 14, 2014

CEREMONIAL ITEMS –6:00 P.M.

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

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

AGENDA

Presentations and Ceremonial Items – 6:00 p.m.

1. Proclamation declaring May 6th, Big Give SA Day.
2. Proclamation to the SST-Discovery Science Olympiad team for earning Twenty (20) gold, six (6) silver and four (4) bronze medals in the Stephenville Regional Science Olympiad.
3. Leon Valley Historical Society 2013 annual report. (Leon Valley Historical Society President, Mark Eisenhower)
4. Presentation by staff of the Edwards Aquifer Authority regarding water conservation initiatives for Bexar County and the Region. (Mayor Riley)

Regular City Council Meeting Agenda – 7:00 p.m.

5. **7:00 P.M.** Call to order, Determine a Quorum is Present, Pledge of Allegiance.
6. Affirming by **Ordinance No. 14-01** the City Manager selection of Sandra Passailaigue as the City of Leon Valley City Secretary. **M&C 04-01-14** (Longoria)
7. **Citizens to Be Heard and Time for Objections to the Consent Agenda.** “Citizens to be heard” is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council, for which the subject was not posted on the agenda of that meeting, the Council may receive the information but cannot act upon it during the meeting. Council may direct staff to contact the requestor or ask that the issue be placed on a future agenda for discussion by the Council. **Citizens must sign the appropriate sign-in sheet by 7:15 p.m.**

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

CONSENT AGENDA

8. Approval of the March 10, 2014, City Council Minutes. (Caldera)
9. Approval of the March 8, 2014, Coffee with the Mayor & City Council Minutes. (Caldera)
10. Approve the rescheduling of the May 10, 2014 Coffee with the Mayor & City Council, due to the City of Leon Valley's General Elections being held on this day. The meeting will be rescheduled to Saturday, May 17, 2014 **M&C 04-02-14**. (Requested by Councilman Art Reyna and Councilman Jack Dean)
11. Approval of **M&C 04-03-14** to waive all fees associated with the rental of the Leon Valley Conference Center located at 6427 Evers Road to the League of Women Voters to host a meet the candidate forum on Thursday, April 24, 2014 at 7:00 PM. (League President, Phyllis Ingram)

REGULAR AGENDA

12. Consider Amendments to the City's Zoning Regulations with a Public Hearing and Attached **Ordinance No. 14-02**, Related to the Regulation of Non-Chartered Financial Institutions **M&C 04-04-14** (Flores)
13. A Public Hearing, first reading, and consider of a **Resolution No. 14-01R** approving the contribution (expenditure) of \$15,000 from the Leon Valley Economic Development Corporation (LVEDC) for the LVEDC co-sponsorship of the City of Leon Valley 4th of July Celebration and Fall Jazz Festival. **M&C 04-05-14** (Mora)
14. Presentation by City Staff of the policy concerning the one Regular Business City Council Meeting six- month trial period. **M&C 04-06-14** (Caldera)
15. Discussion and possible action on the operation of the Leon Valley Community Pool. **M&C 04-07-14** (Dimaline)

DISCUSSION AGENDA

16. Presentation and report by Waters Consulting on City of Leon Valley Personnel Compensation Study **M&C 04-08-14** (Consultant Linda Wishard).
17. City Manager's Report
 - a. Capital Facilities Monthly Report
 - b. Update on the MPO Evers Road Grant
 - c. \$100,000 accounting on the park improvements

- d. Monthly Departmental Reports
- e. Approved Minutes from Boards, Commission and Committees.
- f. City Employee news and updates
- g. Future Agenda Items:
 - Consideration and approval of the 2014 updated Strategic Plan.
 - An Ordinance amending the City Code regarding regulations of boarders, commercial businesses and vehicles in R-1 zoning districts.

18. Citizens to be Heard.

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

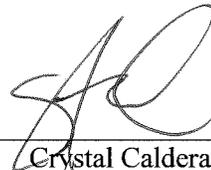
20. Executive Session. The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation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

21. Adjourn.

Attendance by Other Elected or Appointed Officials:

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

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



Crystal Caldera, Interim City Secretary





***PROCLAMATION DECLARING MAY 6th
BIG GIVE SA DAY***

WHEREAS, declaring May 6th, Big Give SA Day; and

WHEREAS, Big Give SA is a community-wide giving challenge to increase public awareness of the impact of local nonprofits; and

WHEREAS, bring nonprofits and donors together for a collaborative effort to scale change, expand the idea of online giving, connect people to the causes that move them the most and, of course, make giving FUN.

NOW THEREFORE, I, Chris Riley, Mayor of the City of Leon Valley, Texas, together with the entire Leon Valley City Council, do hereby recognize May 6th as Big Give SA Day.

Signed by my hand on this the 14th day of April 2014.

Mayor Chris Riley



PROCLAMATION OF ACHIEVEMENTS

WHEREAS, School of Science and Technology Discovery, Science Olympiad team earned Twenty (20) gold, six (6) silver and four (4) bronze medals in the Stephenville Regional Science Olympiad, and

WHEREAS, in overall ranking, placed 1st and advanced to State Championship, and

WHEREAS, the City of Leon Valley recognizes that a good education leads to the creation of productive students, and responsible citizen.

NOW THEREFORE, I, Chris Riley, Mayor of the City of Leon Valley, Texas, together with the entire Leon Valley City Council, do hereby recognize School of Science and Technology Discovery students for their achievements at this year's Stephenville Regional Science Olympiad.

Signed by my hand on this the 14th day of April 2014.

Mayor Chris Riley

Item 6

MAYOR AND COUNCIL COMMUNICATION

M&C # 04-01-14

DATE: April 14, 2014
TO: Mayor and Council
FROM: Manuel Longoria, Jr., City Manager
SUBJECT: AFFIRMING THE APPOINTMENT OF SAUNDRA PASSAILAIGUE AS CITY SECRETARY EFFECTIVE APRIL 7, 2014

PURPOSE

In accordance with the Texas Local Government Code, Section 22.073 and the Leon Valley Code of Ordinances, Article 1.05 “City Officers”, the City Council must affirm the appointment of the City Secretary by Ordinance.

FISCAL IMPACT

Salary plus benefits are budgeted for FY2014.

RECOMMENDATION

Approve the appointment of Saundra Passailaigue as City Secretary.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS

ATTEST:

Crystal Caldera, Interim City Secretary

AN ORDINANCE

**APPOINTMENT OF SAUNDRA PASSAILAIGUE AS CITY SECRETARY
EFFECTIVE APRIL 7, 2014 NOW, THEREFORE, BE IT ORDAINED BY THE CITY
COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:**

1. Saundra Passailaigue is hereby appointed to be the City Secretary as defined and in accordance with the Texas Local Government Code, Section 22.073 and the Leon Valley Code of Ordinances, Article 1.05 "City Officers"; and
2. The appointment is to be effective on April 7, 2014.

PASSED and APPROVED this 14th day of April, 2014.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

LEON VALLEY CITY COUNCIL

MONDAY, MARCH 10, 2014

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

MINUTES

Ceremonial Items – 6:45 p.m.

MAYOR & COUNCIL PRESENT: Chris Riley, Art Reyna, Abraham Diaz, Jack Dean, Paul Bieber, and Ricardo Ruiz

STAFF PRESENT: Manuel Longoria, City Manager; Crystal Caldera, HR Director/Interim City Secretary; Kristie Flores, Community Development Director; Claudia Mora, Economic Development Director; Melinda Moritz, Public Works Director; David Dimaline, Assistant Public Works Director, Luis Valdez, Fire Chief; Randall Wallace, Police Chief; Charlie Zech, City Attorney.

Item 1 The Mayor requested Mark Kroeze from the Texas A&M Forest Service, Kristie Flores, Community Development Director, and Irene Baldrige, Tree Advisory Board member to join her as she recognized them with a Proclamation for being recertified as a Tree City USA community.

Item 2 The Mayor presented Walter Geraghty with a Good Neighbor Award for being selected for the 2014 Allied Mission to Israel. Mr. Geraghty expressed his appreciation for the award and shared his experiences with the trip and encouraged everyone to visit if provided the opportunity.

Regular City Council Meeting Agenda – 7:00 p.m.

MAYOR & COUNCIL PRESENT: Chris Riley, Art Reyna, Abraham Diaz, Jack Dean, Paul Bieber, and Ricardo Ruiz

STAFF PRESENT: Manuel Longoria, City Manager; Crystal Caldera, HR Director/Interim City Secretary; Kristie Flores, Community Development Director; Claudia Mora, Economic Development Director; Melinda Moritz, Public Works Director; David Dimaline, Assistant Public Works Director, Luis Valdez, Fire Chief; Randall Wallace, Police Chief; Charlie Zech, City Attorney.

Item 3 Call to order 7:00 P.M., Determine a Quorum is Present, Pledge of Allegiance.

At 7:06 the Mayor called the meeting to order, asking Councilman Ricardo Ruiz to lead the Pledge of Allegiance

Item 4 Citizens to Be Heard and Time for Objections to the Consent Agenda.

There were no citizens wishing to address the City Council at this time

Councilman Jack Dean made a motion to approve the Consent Agenda. Councilman Abraham Diaz seconded the motion. The Motion passed by consensus vote.

CONSENT AGENDA

5. Approval of the February 10, 2014, City Council Minutes. (Caldera)

*6. Approval of **Ordinance No. 2014-03-10-01** and **M & C# 2014-03-10-01** Amending the City Fiscal Year 2013-2014 Budget as to the Community Center Fund in the Amount of \$15,000 for improvements to the floor and sound system in the Community Center building and the Police Forfeiture Fund in the Amount of \$41,055 for Tasers. (R. Wallace & Flores)*

*7. Approval of Amending Plat#2014-001 **M & C # 2014-03-10-02** – Amending lot line and acreage between Lots 3 and 4, Block 1, CB 4429F, Ancira Subdivision Units 3 and 4, and to add a water easement. (Flores)*

*8. Approval of Amending Plat# 2014- **M & C # 2014-03-10-03** - Removing the lot lines between lots 54, 55, 56 and 57 and assigning a new legal description being lot 105, CB 5955, Leon Valley Ranches Subdivision. (Flores)*

*9. Accepting the Resignation of City Prosecutor, Michelle S. Lanfear **M & C # 2014-03-10-04.***

REGULAR AGENDA

Item 10 Approval of Ordinance No. 2014-03-10-02 and M & C # 2014-03-10-05 Appointing the law firm of Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C. as the City of Leon Valley Prosecutor’s Office and their attorneys as prosecutors for Leon Valley Municipal Court.

City Manager Manuel Longoria Jr. presented that on February 27, 2014 Michelle S. Lanfear resigned as the Prosecutor for the City of Leon Valley Municipal Court. He stated that due to her resignation staff is requesting that the City Council appoint, as prosecutor for the Municipal Court, the law firm of Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C., who is also the law firm retained by the City to serve as the City Attorney.

The Mayor inquired about a request for proposals for the Prosecutor services and if the fees for services had increased with Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C..

City Manager Manuel Longoria Jr. responded state law specifies that the City Attorney should serve as the Prosecutor for the Municipal Court. Further, he stated that there is a provision allowing for an exception and that's how Ms. Lanfear was appointed seventeen (17) years ago. City Manager Longoria continued by stating that there was no increase in fees with hiring our City Attorney as the Municipal Court Prosecutor.

Councilman Art Reyna made a motion to approve the appointment of law firm of Denton, Navarro, Rocha, Bernal, Hyde & Zech, P.C. as the City's Municipal Court Prosecutor. Councilman Jack Dean seconded the motion. The Motion passed by consensus vote.

Item 11 Approval of Resolution No. 2014-03-10-01R and M & C # 2014-03-10-06, Authorizing the City Manager to enter into a local project advance funding agreement with the Texas Department of Transportation for the purpose of obtaining transportation related funds for construction of a hike and bike trail. (Moritz).

Public Works Director, Melinda Moritz presented information on the local project advance funding agreement (LPAFA) with TxDOT. She stated that the LPAFA will address the proposed Hike and Bike Trail, from State Highway 16 (Bandera Road) to Raymond Rimkus Park on Evers Road in the City of Leon Valley. Ms. Moritz explained, the LPAFA defines the scope of work and addresses the funding, Right-of-Way acquisition, preliminary engineering, construction costs and the amounts and percentages that are eligible for reimbursement by the Federal Highway Association (FHWA) through TxDOT; further, the LPAFA must be adopted by resolution. She described the fiscal impact would be determined by the LPAFA; however, the City's share of the project is typically 20% of the total cost. The total preliminary cost estimate is \$1,128,800, which indicates a City portion of approximately \$225,760. Costs could be higher or lower, depending on the final construction costs of the trail. The City's portion would be taken from the CIED fund.

Mayor Chris Riley asked if the agreement required MPO approval and if MPO had to approve it first. Ms. Moritz confirmed that the MPO did have to approve it and it was not an issue if the City approved it first. Mayor Chris Riley expressed her concerns with the future funding in order to complete the project.

Councilman Art Reyna made a motion to approve the Resolution No. 2014-03-10-01R and M & C # 2014-03-10-06, authorizing the City Manager to enter into a local project advance funding agreement with the Texas Department of Transportation for the purpose of obtaining transportation related funds for construction of a hike and bike trail. Councilman Paul Biever seconded the motion. The Motion passed by consensus vote.

DISCUSSION AGENDA

Item 12 Staff presentation, discussion and directions to proceed with regard to the Leon Valley Community Pool M & C # 2014-03-10-07. (Dimaline)

Assistant Public Works Director David Dimaline reported on findings and conditions at the Leon Valley Community Swimming Pool located at 6600 Strawflower. Mr. Dimaline addressed some deficiencies found during an inspection of the pool noting the following:

- The current circulation and filtration equipment for the main swimming pool is simply too small to meet the current State of Texas code requirements (TAC, Title 25, Part 1, Ch. 265, Subchapter L, Sec. 265.188 and 265.189).
 - The current pool volume is 165,000 gallons, and it is currently equipped with three (3) 1.5 h.p. pumps and three (3) 30” top mount sand filters. In order to achieve the required six hour turnover rate for 160,000 gallons of water, they recommend four (4) 36” top mount sand filters and three (3) 3 h.p. pumps.
- The baby pool pump room is also outdated, and it was recommend that a new pump and filter be installed

Assistant Public Works Director David Dimaline emphasized, in order to get the pool up to code, it would cost the City \$23,918.00. Further, he anticipates the bids for a pool management company could be as high as \$50,000 with expected revenue of \$15,000, leaving the General Fund negative about \$59,000.

Councilman Paul Biever requested further information as to how many people the pool served and how much revenue was generated last summer.

Councilman Jack Dean requested a three year cost analysis of the City's pool expenditures.

Some discussion ensued on possible alternatives for the use of the space.

City Manager Longoria assured the City Council that the item will go before the Parks Commission and staff would bring back their findings at the next City Council meeting.

Item 13 City Manager's Report

a. Monthly Departmental Reports

Provided in City Council packet

b. Approved Minutes from Boards, Commission and Committees

Provided in City Council packet

c. Municipal Facility Project Recognition

The City Manager expressed his appreciation to all that were involved in getting the Municipal Facility Project started and as a token of appreciation gave participants a crystal paper weight.

d. City Employee news and update

The City Manager stated that Sandra Passailaigue has been selected, subject to City Council confirmation, as the City of Leon Valley's new City Secretary.

e. Update on \$100,000 Park Improvement Fund

City Manager Manuel Longoria Jr. expressed that the assessment of the park has been completed and a plan has been set forth to include: new B-B-Q pits, renovation of tennis and basketball courts, revitalization of the running trail, some new playground equipment and water fountains. Mayor Chris Riley inquired about City Council approval, City Manager Longoria assured her that all large expenses would be brought forth to City Council for approval.

f. Follow-up on the Coffee with Mayor & City Council Agenda items

City Manager Longoria gave an update on the code issue behind Hobby Lobby. He communicated to City Council that our Code Enforcement Officer talked to the property owner and hoped to have the area cleaned up over the next few weeks.

City Manager Longoria addressed the Timberhill speeding issue by stating that we are investigating fire trunk friendly speed humps.

Mayor Chris Riley conveyed her concerns with the material being used on the new Municipal Facility. Stating that she met with the architects that completed the library where limestone was utilized and that they did not relay any major concerns with the use of that material.

City Manager Longoria clarified that the architects are tasked with trying to match the materials that are on the existing buildings. It so happens that the existing library structure was already limestone. The architect that is doing the municipal building is tasked with matching stucco. This may contribute to the architect's difference in opinion, as to which material to utilize on the buildings.

g. LC 17 Project Meeting with Bexar County Staff

City Manager Manuel Longoria gave synopsis of the County meeting that took place on February 6, 2014. He stated that should bid out the project by January 2015 and select a contractor by May 2015. They estimate an 18 month construction time and should convey the property to the City in January 2017.

City Manager Longoria discussed the grading issue, explaining that the majority of grading is on the creek bed. The County agreed to work with the City on it.

Finally the City Manager Longoria explained the topic of tree preservation, stating that Bexar County will be conducting another tree survey and then getting back with the City on a plan. He followed by expressing how beautiful the area will be because they have decided to use natural vegetation.

h. Future Agenda Items:

- LVEDC Board Appointments
- Moratorium on predatory lending businesses
- Six month review of one Regular City Council meeting a month trial period
- Capital Facilities Monthly report of Municipal Facilities Bond Budget
- Report on Compensation Study
- Regulations pertaining to home boarding and limiting the number of commercial vehicles parking in residential areas

Item 14 Citizens to be Heard.

At this time no citizens had signed up to speak. A Motion was made by Councilman Dean and seconded by Councilman Art Reyna, to suspend the citizen participation guidelines. The Motion passed by consensus vote.

Resident Pete Esquivel of 7207 Forest Meadow expressed his appreciation to our Fire Department, by sharing a story about an incident involving firefighters that occurred on his trip from Denver.

Resident Walter Geraghty 7350 Ellerby Point expressed his support of the Moratorium on predatory lending businesses. Informed the City that the lights are out on the Water Tower located on Bandera and Seneca. He then thanked the Council for the action they have taken to minimize panhandles and raised the issue of a possible traffic concern at Bandera and Grissom Rd.

Item 15 Announcements by the Mayor and Council Members. At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks,

congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.

Councilman Paul Biever reminded the community that the Festival Committee will be meeting on March 20, 2014. Councilman Biever also requested that staff and City Council get together with the neighborhoods that may be impacted by the festivals, to address any concerns they may have.

Mayor Chris Riley thanked the Council for their support and participation at the Earthwise Living event.

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

No executive session at this time

Item 17 Adjourn.

The Mayor Adjourned the meeting at 8:16 p.m.

Attendance by Other Elected or Appointed Officials:

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

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

Crystal Caldera, Interim City Secretary

MINUTES

COFFEE WITH MAYOR AND CITY COUNCIL

The Conference Center
6427 Evers Road
Leon Valley, TX 78238
Saturday, March 8, 2014
9:00 A.M. – 11:00 A.M.

The Leon Valley City Council hosted a citizen meeting at the Conference Center on Saturday, March 8, 2014.

Mayor Riley called the meeting to order at approximately 9:00 a.m.

All members of Council were present, as was City Manager Longoria, and Human Resources Director Caldera.

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

Façade for Municipal Buildings, MPO Hike & Bike Trail, Timberhill Drive speeding issues and City code violations.

No action was taken at the meeting.

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

Crystal Caldera, Interim City Secretary

Agenda Item 10

MAYOR AND COUNCIL COMMUNICATION

M&C # 04-02-14

DATE: April 14, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: APPROVE THE RESCHEDULING OF THE MAY 10, 2014 COFFEE WITH THE MAYOR & CITY COUNCIL, DUE TO THE CITY OF LEON VALLEY'S GENERAL ELECTIONS BEING HELD ON THIS DAY. THE MEETING WILL BE RESCHEDULED TO SATURDAY, MAY 17, 2014

PURPOSE

The regular scheduled Coffee with the Mayor and City Council falls on May 10, 2014; this is also Election Day. Therefore, the Coffee with the Mayor and City Council will need to be rescheduled to the following Saturday, May 17, 2014 at the Leon Valley Conference Center from 9 AM – 12PM.

FISCAL IMPACT

N/A

RECOMMENDATION

Staff recommends approval.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Crystal Caldera, Interim City Secretary

Agenda Item 11

MAYOR AND COUNCIL COMMUNICATION

M&C: # 04-03-14

DATE: April 14, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER APPROVAL FOR WAIVER OF RELATED FEES FOR THE USE OF THE LEON VALLEY CONFERENCE CENTER FOR THE LEAGUE OF WOMEN VOTERS OF THE SAN ANTONIO AREA

PURPOSE

The City of Leon Valley received a request from Phyliss Ingram, the President of The League of Women Voters of The San Antonio Area, to waive all fees associated with the rental of the Leon Valley Conference Center located at 6427 Evers Road. This would allow the League to host a Leon Valley candidate forum on April 24, 2014.

The League is a nonpartisan political organization that encourages the informed and active participation in government.

See Attached E-mail for request.

FISCAL IMPACT

The total amount of the fee waiver is \$575.

Rental for Five Hours \$320

Cleaning Fee: \$145

Security - \$22/hour: Five Hours \$110

RECOMMENDATION

N/A

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Crystal Caldera, Interim City Secretary

Crystal Caldera

From: Phyllis Ingram <pingram1@satx.rr.com>
Sent: Thursday, April 03, 2014 6:42 PM
To: Crystal Caldera
Cc: Manny Longoria
Subject: Request for placement o the City Council Agenda

The League of Women Voters of the San Antonio Area would like to request placement on the Leon Valley City Council Agenda for the meeting of April 14 to request waiver of the fees for the rental of the Leon Valley Conference Center at 6427 Evers Road to hold a candidate forum. The League is a nonpartisan political organization that encourages the informed and active participation in government. We have moderated candidate forums in Leon Valley for many years and would like to continue to do so this year.

Phyllis

Phyllis M. Ingram
President, LWVSAA
106 Auditorium Circle, Ste. 120
San Antonio, TX 78205
210-657-2206

Making Democracy Work!

Agenda Item 12

MAYOR AND COUNCIL COMMUNICATION

M&C:# 04-04-14

DATE: April 14, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER AMENDMENTS TO THE CITY'S ZONING REGULATIONS WITH A PUBLIC HEARING AND ATTACHED ORDINANCE, RELATED TO THE REGULATION OF NON-CHARTERED FINANCIAL INSTITUTIONS

PURPOSE

Last year the Zoning Commission and City Council enacted a 90-day moratorium for Non-Chartered Financial Institutions. The moratorium came after discussions and public hearings where Staff presented research from the Texas Consumer Credit Commission which noted there were thirteen (13) payday lending institutions in Leon Valley that were officially registered with them. Staff noted that this did not account for those businesses that may not have registered. Staff also explained that with a population of 10,151 the density of these institutions equated to one payday lending business for every 781 residents in Leon Valley. The research pointed to proliferation of Non-Chartered Financial Institutions in Leon Valley and thus the Zoning Commission and City Council were justified in reviewing existing ordinances where it appeared that the current ordinances, regulations or other applicable laws needed to be strengthened.

In the 90-day timeframe of the moratorium Staff and the City Attorney Charles Zech, created an ordinance to further address Non-Chartered Financial Institutions. The Ordinance proposes the following key regulations based on ordinances adopted by San Antonio, Richardson, Mesquite and Irving, Texas (see attached summary of ordinances):

- Definitions Added: Car Title Loan Business, Check Cashing Business, Money Transfer Business and Non-Chartered Financial Institutions.
- Distance regulations – **not** located within 1,000 feet from the nearest existing Non-Chartered Financial Institution AND 500 feet from residential property, State or Federally chartered bank, savings and loan, credit union, industrial loan company, religious institution, daycare, bar or liquor store and pawn shops.
- Signage regulations – glass or transparent glazing in windows and doors, and no more than 10% of the windows or doors covered by signs, banners or opaque coverings of any kind AND no animated, moving, flashing, blinking, reflecting, revolving or similar type signs.
- May only operate within a freestanding building and may not operate in the same structure as any other use of the same type.
- Permitted Use Table Amended to include new regulations for distance, signage, and free-standing locations – yet use is permitted by right in B-2 (Retail), B-3 (Commercial), I-1 (Industrial) zoning districts and the zoning overlays.

FISCAL IMPACT

Agenda Item 12

Approximately \$96 for public hearing notice publications and publication of the ordinance after adoption.

RECOMMENDATION

On March 25, 2014, by a vote of 6-0, the Zoning Commission recommended approval of the zoning amendments to add definitions regarding *Non-Chartered Financial Institutions* to the Zoning ordinance and amend the Permitted Use Table with defined zoning districts for the use, and additional regulations pertaining to distance, stand alone structures only, and signage. The Zoning Commission also recommended an additional amendment to include loans by Non-Chartered Financial Institutions which may be issued toward home mortgage or home equity and result in high interest paybacks or possible foreclosure.

S.E.E IMPACT STATEMENT

Social Equity – It is the City’s social duty to protect citizens, visitors, and businesses from predatory lending practices. The City strives to create an environment which promotes a superior quality of life.

Environmental Stewardship – not applicable.

Economic Development – studies indicate that unregulated proliferation of Non-Chartered Financial Institutions results in a perception that the area is in economic decline; a negative effect on property value growth; displacement of full service banking institutions; and unaesthetic business appearances, including aggressive advertisement and bold and contrasting colors which are inconsistent with the surrounding commercial development resulting in reduced property values.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Crystal Caldera, HR Director

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ORDINANCE NO. 14-02

AN ORDINANCE AMENDING CHAPTER 14, “ZONING,” SECTION 14.02.304, “DESCRIPTION AND PURPOSE OF DISTRICTS,” AND APPENDIX 1, “LAND USE CHART,” SECTION 14.02.381, “PERMITTED USE TABLE,” TO ADD THE DEFINITION AND USE “NON-CHARTERED FINANCIAL INSTITUTION”

WHEREAS, Chapter 211 of the Vernon’s Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City of Leon Valley has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals and general welfare of the residents of the City, and

WHEREAS, the City of Leon Valley, Texas finds and declares as a matter of public policy that there be orderly and safe development, redevelopment and/or occupancy of land within its city limits to protect the health, safety and welfare of its residents, businesses and the general public; and

WHEREAS, the City has an established Zoning Commission, which has been charged with undertaking the investigation and study of matters relating to the protection, enhancement, perpetuation or use of properties and structures, and to submit reports and recommendations thereon to the City Council; and

WHEREAS, the City encourages diversification of land uses and acknowledges that over saturation of certain like or similar land uses can be detrimental to communities and businesses by limiting goods and/or services and economic development as well as creating or spurring socioeconomic hardships; and

WHEREAS, the City is proactive and aware of the additional regulation by the Texas Legislature to regulate abusive practices by certain uses and businesses and the authority that they have given for municipalities to regulate such uses and practices; and

WHEREAS, foremost to the City is the protection and preservation of the health and welfare of its citizens and the general public from what comprehensive studies from the Federal Consumer Financial Protection Bureau indicate that non-chartered financial institutions “put consumers at risk” financially and what is meant to be a short-term solution becomes a long-term expense and burden; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 211 of the Vernon’s Local Government Code and has considered the need to amend Chapter 14 Zoning of the Leon Valley Code of Ordinances as specified herein; and

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WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended approval of the amendments to the Zoning Regulations and the proposed amendments are uniform and conform to the plan and design of the City of Leon Valley’s Zoning Ordinance; and

WHEREAS, the City Council of the City of Leon Valley has also held a public hearing regarding the need to amend Chapter 14 Zoning of the Leon Valley Code of Ordinances as specified herein; and

WHEREAS, Non-Chartered Financial Institutions are defined as a use, other than a State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. The term “Non-Chartered Financial Institution” includes, but is not limited to, deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle; and

WHEREAS, the City Council of the City of Leon Valley hereby finds and determines that the unregulated proliferation of Non-Chartered Financial Institutions results in a perception that the area is in economic decline; a negative effect on property value growth; displacement of full service banking institutions; and unaesthetic business appearances, including aggressive advertisement and bold and contrasting colors which are inconsistent with the surrounding commercial development resulting in reduced property values; and

WHEREAS, the City Council of the City of Leon Valley finds and determines that the adopted regulations will comply with the standards and purpose of zoning regulations and are in the best interest of public safety and the general welfare of the residents of the City of Leon Valley.

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

I Findings Incorporated

That the legislative findings above are hereby incorporated into this ordinance as if fully set forth herein.

II Amendments

That the City’s Code of Ordinances Chapter 14 is hereby amended as follows:

A. Section 14.02.052 Definitions is amended by adding the following definitions:

Agenda Item 12

Car Title Loan Business. An establishment that makes small short-term consumer loans secured by a title to a motor vehicle.

Check Cashing Business. A business that provides check cashing, payday cash advance, payroll advance, short-term cash loan, short term cash advance, Instant payday cash advance, short-term money loan services, or similar services to individuals for a specified fee.

Money Transfer Business. An establishment that transmits funds for a fee.

Non-Chartered Financial Institution. A Non-Chartered Financial Institution is defined as a use, other than State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee or an establishment that provides financial services that are accessory to another main use. The term “non-chartered financial institution” shall include, but is not limited to deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Non-profit financial institutions are not encompassed by the term non-chartered financial institution.

B. Section 14.02.325 is hereby added as follows:

Sec. 14.02.325 Non-Chartered Financial Institution Regulations

(a) Non-Chartered Financial Institutions shall be subject to the following regulations:

- (1) May not be located within a radius of 1,000 feet from the nearest existing Non-Chartered Financial Institution.
- (2) May not be located within 500 feet from the following land uses: residentially zoned parcels, any State or Federally chartered bank, savings association, credit union, or industrial loan company, religious institutions, school or day care facility, bar or liquor store, and pawn shops.
- (3) Storefronts shall have glass or transparent glazing in the window and doors and as prescribed by the Article 3.04 shall have no more than 10 percent of any window or door area covered by signs, banners or opaque coverings of any kind.
- (4) Animated, moving, flashing, blinking, reflecting, revolving or similar type on premises signs are prohibited.
- (5) May only operate within a freestanding building and may not operate in the same structure as any other use of the same type.

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- (5)
C. Sec. 14.02.381 Permitted Use Table is amended as shown in the attached Exhibit A.

III Severability Clause

Should any section, or part of any section, or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections, or part of a section or paragraph of this ordinance.

IV Savings Clause

The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Leon Valley under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

V Cumulative

The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

VI Relation to Other Ordinances

This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance. This ordinance is specifically subordinate to any ordinance or regulations of the City of Leon Valley pertaining to safety and welfare of citizens and property.

VII Penalty Clause

Any person or entity violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed \$2,000.00 per day and each and every day that the provisions of this ordinance are violated shall constitute a separate and distinct offense. In addition to the penalty provided for, the right is hereby conferred and extended upon any property owner owning property in any district where such property

Agenda Item 12

owner may be affected or invaded by a violation of the terms of this ordinance to bring suit in such court having jurisdiction thereof and obtain such remedies as may be available at law and equity in the protection of the rights of such property owners.

**VIII
Proper Notice and Meeting**

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

**IX
Effective Date**

The caption of this ordinance shall be published one (1) time in a newspaper having general circulation in the City of Leon Valley, Texas.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, ON THIS 9th DAY OF MAY 2013.

Mayor
City of Leon Valley

ATTEST:

City Secretary
City of Leon Valley

APPROVED AS TO FORM:

City Attorney's Office

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Exhibit A ORDINANCE NO. 14-02

Sec. 14.02.381 Permitted Use Table

Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
<p>P - Allowed by right X - Not allowed U - Per Underlying Zoning SUP - Specific use permit SO - Sustainability Overlay CIO - Commercial and Industrial Overlay GO - Gateway Overlay</p>									
Non-Chartered Financial Institution	X	X	P	P	P	U	U	U	<p>***Not be located within a radius of 1,000 feet from the nearest existing Non-Chartered Financial Institution.</p> <p>***Not located within 500 feet from the following land uses: residentially zoned parcels, any State or Federally chartered bank, savings association, credit union, or industrial loan company, religious institutions, school or day care facility, bar or liquor store, and pawn shops. ***Storefronts shall have glass or transparent glazing in the window and doors and as prescribed by the Article 3.04 shall have no more than 10 percent of any window or door area covered by signs, banners or opaque coverings of any kind. Animated, moving, flashing, blinking, reflecting, revolving or similar type on premises signs are prohibited.***May only operate within a freestanding building and may not operate in the same structure as any other use of the same type.</p>



City of Leon Valley City Council

Public Hearing & Consideration of
Amendments to the Zoning Ordinance
Related to the Regulation of Non-
Chartered Financial Institutions

April 14, 2014



Purpose

- Consider Zoning Amendments which regulate Non-Chartered Financial Institutions
- Last year
 - Discussions began
 - 90-day moratorium initiated
- Result – ordinance created based on various municipalities



Purpose

- Definitions Added: Car Title Loan Business, Check Cashing Business, Money Transfer Business and Non-Chartered Financial Institutions.



Purpose

- Distance regulations – **NOT LOCATED**
 - within 1,000 feet of existing business type
 - 500 feet from residential property, State or Federally chartered bank, savings and loan, credit union, industrial loan company, religious institution, daycare, bar/liquor store & pawn shops



Purpose

- Signage regulations
 - glass or transparent glazing in windows and doors, and no more than 10% of the windows or doors covered by signs, banners or opaque coverings of any kind
 - **NO** animated, moving, flashing, blinking, reflecting, revolving or similar type signs



Purpose

- May only operate within a freestanding building and may not operate in the same structure as any other use of the same type
- Permitted Use Table Amended to include new regulations



Recommendation

- On March 25, 2014, by a vote of 6-0, the Zoning Commission recommended **approval** of the zoning amendments to add definitions regarding *Non-Chartered Financial Institutions* to the Zoning ordinance



Recommendation

- And amend the Permitted Use Table with defined zoning districts for the use, and additional regulations pertaining to distance, stand alone structures only, and signage.



Recommendation

- The Zoning Commission also recommended an additional amendment to include loans by Non-Chartered Financial Institutions which may be issued toward home mortgage or home equity and result in high interest paybacks or possible foreclosure.



City of Leon Valley City Council

Public Hearing & Consideration of
Amendments to the Zoning Ordinance
Related to the Regulation of Non-
Chartered Financial Institutions

April 14, 2014

SUMMARY OF TEXAS LOCAL ORDINANCES
Local Action to Control High-Cost Financial Services

Passing local zoning ordinances has proven a successful strategy to control the growth of high-cost financial services in communities across the US. Texas is joining the national trend, with five cities to date having passed ordinances that limit the location of these businesses and create registration requirements. This document provides a summary of local ordinances passed in Texas and includes the actual text of the ordinances in the Appendix. It is designed as a resource for local communities interested in halting the local expansion of predatory financial services. For more information, please consult *Controlling the Growth of Payday Lending Through Local Ordinances and Resolutions*.¹

Summary of Texas Ordinances

The Texas ordinances fall in one of three areas. They create disclosure or registration systems, they use the police power that municipalities have of zoning and land use ordinances, or they use a combination of the two strategies.

1. SAN ANTONIO TEXAS Tax Refund Anticipation Loans (RALS) (Approved on March 23, 2006)

This is a direct regulation ordinance that requires RALS to post and give fair disclosure, both verbally and in writing of information related to RALS; prohibiting some practices of the RALS; and it imposes penalties for violation of the ordinance.

This ordinance “covers all the bases”, and is very specific as to what this industry can and cannot do.

In response to this ordinance, the Texas Legislature passed a statute dealing with RALS, (Tex. Fin. Code Ann. § 351.008 Vernon 2007) and this was passed after the ordinance became law where the Legislature added a provision to the statute that stated that the Statute “preempts a local ordinance rule regulating RALS”. This statute was passed to preempt the San Antonio Ordinance because when the Texas Legislature manifest their intent to fully regulate a subject matter with unmistakable clarity, the municipalities are prohibited by interfering with the legislative intent.

2. SAN ANTONIO TEXAS PAYDAY AND CHECK CASHING FACILITIES (Approved on April 3, 2008)

This is a zoning ordinance that regulates Payday Loan Agencies and Check Cashing Facilities to hours of operation and establish specific location criteria for them and prohibits outdoor queuing.

¹ The guide is available at:
http://www.paydayloaninfo.org/pdfs/PDL%20Local%20Ordinance%20%20master%2011_08.pdf

3. RICHARDSON TEXAS

City leaders in Richardson were concerned about clustering of payday lenders, auto title lenders, and pawn shops both on major thoroughfares and in low-income neighborhoods. The Richardson sought to be the first Texas city to implement restrictions on these high cost lenders as a way of protecting the working poor and controlling their expanding presence in the city. Richardson also hoped to serve as an example for other neighboring cities, to take similar action.

Summary of Ordinance No. 3692:

The ordinance amends the City Comprehensive Zoning Ordinance to:

- 1) Include separate definitions of Check cashing business, Payday advance/loan business, and Car title Loan business.
- 2) Such businesses can only locate in a zoned commercial district and must be authorized by a special permit.
- 3) Check cashing, payday, and car title loan businesses cannot be located within 1,000 feet of another such business, within 500 feet of the right-of-way of US 75 or State Hwy 190, or the Richardson city limit line. (specifications provided for how to measure the distance)
- 4) Provision that if any component of the ordinance were judged illegal or unconstitutional, only that provision will be invalid, and not the ordinance in its entirety.
- 5) The ordinance is not retroactive.
- 6) Any current provisions of ordinances of the city that are in conflict with this ordinance will be repealed.
- 7) \$2,000 charge per violation per day.

4. MESQUITE TEXAS

Mesquite's main concerns about the concentration, location and certain characteristics associated with alternative financial establishments can be summarized with the following list:

- 1) Perception that area is in economic decline.
- 2) Negative effect on property value growth.
- 3) Displacement of full-service banking institutions.
- 4) Prey on the financially irresponsible and credit-challenged.
- 5) Unaesthetic business appearances with aggressive advertisements, and bold and contrasting colors.

According to Mesquite ordinances, Alternative Financial Establishments (defined below) can operate once a Conditional Use Permit is acquired and all requirements outlined under the 3-500 Supplementary Use Regulation are met.

Summary of Alternative Financial Establishment (AFE) Regulations:

- 1) A lot containing a AFE must be at least 1000 ft from a any lot containing another AFE
- 2) A lot containing a AFE must be at least 200 ft from a lot zoned or used for residential purposes
- 3) No lots with AFE can be within 500 ft of a US Highway 80, I-30, I-20 or I-635

- 4) No lots with AFE can be permitted within the Town East Retail and Restaurant District, The Mesquite Arena/Rodeo Entertainment District, Military Parkway-Scyen Corridor District, Sherwood Forest District
- 5) AFE must be located in a freestanding building and cannot be co-located in the same structure as other uses

5. IRVING, TEXAS

The City of Irving found that certain alternative financial service providers, including payday and auto title lenders hurt property values and economic development in the city, have a detrimental impact on the citizens of the city, and that the city has a disproportionate number of these providers as compared to other areas of the state. Therefore, the city determined that it is, “in the best interest of the public and in support of the health, safety, morals, and general welfare of the citizens that the zoning ordinance be amended.”

The city passed two ordinances, one addressing zoning issues and the other amending the code of civil and criminal ordinances to create a registration process for payday and auto title lenders and a penalty for noncompliance.

Summary Ordinance No. 2542: Comprehensive Zoning Ordinance

The ordinance applies to “new establishments seeking to obtain a certificate of occupancy as a nondepository financial institution (NFI), including new building or in any existing building or portion of a building.”

- 1) No new NFI may locate within 1000 feet of another.
- 2) No new NFI may locate within 500 feet of designated highways.
- 3) No new NFI may locate in lot with property line less than 200ft from a residence.
- 4) Required minimum parking spaces based on the building and size of the NFI location.
- 5) Existing NFIs must conform to these requirements, with exceptions provided.
- 6) Existing NFIs must conform to the requirements if the value or size of the location is increased by 25% or more through expansion or renovations.
- 7) Fines of \$1.00 to \$2,000 are established for each day of violation.

Summary Ordinance No.2560: Code of Civil and Criminal Ordinances

This ordinance creates an annual registration process for all NFIs and penalties for noncompliance. It defines the information that must be included in registration documents and applies to all NFIs. An exemption is provided for stores where NFI activities comprise 25 % or less of their business. A penalty for noncompliance is set between \$1 and \$2,000 for each day in violation.

APPENDIX: Text of Texas City Ordinances.

SAN ANTONIO, TEXAS

(RAL Ordinance—note after passage in 2006, was preempted by similar state legislation passed in the 2007 Texas legislative session.)

AN ORDINANCE REQUIRING TAX RETURN PREPARERS WHO FACILITATE INCOME TAX REFUND ANTICIPATION LOANS (RALs) TO POST AND GIVE FAIR DISCLOSURE, VERBALLY AND IN WRITING, OF CERTAIN INFORMATION RELATED TO RALS; PROHIBITING CERTAIN PRACTICES RELATED TO RALS; IMPOSING PENALTIES FOR VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE, AS REQUESTED BY COUNCILMAN FLORES, DISTRICT 1.

● * * * *

WHEREAS, income tax refund anticipation loans (RALs) are high cost, short-term loans secured by, and repaid directly from, the taxpayer's Internal Revenue Service

WHEREAS, RALs drain millions of dollars from the taxpayers' refunds and low income working families' pockets; and

WHEREAS, according to IRS data, 78% of RAL users in 2004 had adjusted gross incomes of \$35,000 or less; and

WHEREAS, in 2004, RALs cost San Antonio taxpayers an estimated \$13 million in interest and processing costs; and

WHEREAS, RALs are often advertised erroneously as "fast cash" or "instant money" rather than as loans, with an average annualized interest rate of 178%;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. Chapter 16 of the San Antonio City Code, entitled "Licenses and Business Regulations" is hereby amended by the addition of Article XVII entitled "Refund Anticipation Loan Regulation" in form and content as set out and incorporated herein for all purposes as Attachment I.

Section 2. The City Clerk is directed to promptly publish public notice of this ordinance in accordance with Section 17 of the Charter of the City of San Antonio.

Section 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, S A P Project Definitions, S A P WBS Elements, SAP Internal Orders, S A P Fund Centers, SAP Cost Centers, SAP Functional Areas, S A P Funds Reservation Document Numbers, SAP GL Account Numbers as necessary to carry out the purpose of this Ordinance.

Section 4. This ordinance shall take effect on March 23, 2006, if approved by eight (8) or more affirmative votes; otherwise, this ordinance shall be effective on and after the tenth (10th) day from the date of passage hereof.

PASSED AND APPROVED this 23 day of March, 2006.

SAN ANTONIO, TEXAS
(Payday Lending/Alternative Financial Services Ordinance)

SG 04-03-08
Item # 29

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE OF THE CITY CODE OF SAN ANTONIO, TEXAS ADOPTING PROCEDURES TO DEFINE AND SPECIFY LOCATIONAL CRITERIA FOR PAYDAY LOAN AGENCIES AND CHECK CASHING FACILITIES AS REQUESTED BY COUNCIL

MEMBER MCNEIL, DISTRICT 2

WHEREAS, Council Member McNeil, District 2 submitted a Council Consideration Request to adopt procedures to define and specify locational criteria for payday loan agencies and check cashing facilities; and

WHEREAS, the Planning Commission has recommended approval of adopting procedures to define and specify locational criteria for payday loan agencies and check cashing facilities; and

WHEREAS, the Zoning Commission has requested that additional information be provided from the Office of the City Council Member who initiated the request of the amendment; and

WHEREAS, City Council now desires to amend the Unified Development Code to adopt procedures to define and specify locational criteria for payday loan agencies and check cashing facilities;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35 of the City Code of San Antonio, Texas is hereby amended by adding language that is underlined (added) and deleting the language that is stricken (deleted) to the existing text as set forth in this Ordinance.

SECTION 2. Chapter 35 of the City Code of San Antonio, Texas is hereby amended as follows:

Chapter 35, Appendix A: Definitions and Rules of Interpretation, is amended by adding:

APPENDIX A: DEFINITIONS AND RULES OF INTERPRETATION

Sec. 35-A1 01. Generally.

Check Cashing Facility - a person or business that for compensation engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. The term "check cashing facility" does not include a state or federally chartered bank, savings and loan association, credit union, or industrial loan company.

Pay-Day Loan Agency -an establishment providing loans to individuals in exchange for personal checks as collateral.

Chapter 35, Article 111, Division 2, Use Regulations Table, is amended as follows:

ABLE 31 1-2 NON-RESIDENTIAL USE MATRIX

Chapter 35, Article III, Division 7, is amended as by adding Section 35-394 as follows:

DIVISION 7 - SUPPLEMENTAL USE REGULATIONS

Sec. 35-394. Check Cashing Facilities and Pay-Day Loan Agencies

Check cashing facilities and pay-day loan agencies shall comply with the following requirements:

(a) Hours of operation shall be established by City Council as part of a Specific Use Authorization.

(b) There shall be no outdoor queuing; an indoor waiting area large enough to accommodate all customers shall be provided.

SECTION 3. All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

SECTION 4. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 5. Notice of these changes to the Unified Development Code shall not require the publication in an official newspaper of general circulation in accordance with Chapter 35, Article IV, Division 1, Table 403-1.

SECTION 6. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 7. This ordinance shall become effective the 13th day of April, 2008

PASSED AND APPROVED this the 3rd day of April, 2008.

RICHARDSON, TEXAS
ORDINANCE NO. 3692

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON BY AMENDING ARTICLE I, SECTION 2 DEFINITIONS BY ADDING A DEFINITION FOR CHECK CASHING BUSINESSES, PAYDAY ADVANCE/LOAN BUSINESSES, CAR TITLE LOAN BUSINESSES AND BY AMENDING THE DEFINITION OF BANK OR FINANCIAL INSTITUTION; BY AMENDING ARTICLE XXII-A SPECIAL PERMITS TO REQUIRE A SPECIAL PERMIT FOR CHECK CASHING BUSINESSES, PAYDAY ADVANCE/LOAN BUSINESSES AND CAR TITLE LOAN BUSINESSES; BY AMENDING ARTICLE XXII-E TO PROVIDE SUPPLEMENTAL REGULATIONS FOR CHECK CASHING BUSINESSES, PAYDAY ADVANCE/LOAN BUSINESSES AND CAR TITLE LOAN BUSINESSES; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZF 0734)

WHEREAS, the City Planning Commission of the City of Richardson and the governing body of the City of Richardson, in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance should be amended; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article I, Section 2 in part, by adding a definition for check cashing businesses, payday/advance loan businesses and car title loan businesses, and by amending the definition of bank or financial institution to read as follows:

“Article I.

Title, Definitions, General Provisions, Auto Wrecking Yards and Swimming Pools

...

Sec. 2. Definitions

...

“*Bank or financial institution* means an establishment, open to the public, for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds excluding pawnshops, check cashing businesses, payday advance/loan businesses and car title loan businesses.”

....

ADD

“*Check cashing business* means an establishment that provides to the customer an amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specified period of time, the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose for compensation by any person or entity other than a retail seller engaged primarily in the business of selling consumer goods, including consumables to retail buyers, that cashes checks or money orders or issues money orders or money transfers for a minimum flat fee as a service that is

incidental to its main purpose or business, provided such retailer does not cash more than 100 checks in any calendar month. This definition excludes a state or federally chartered bank, savings and loan association or credit union, pawnshop or grocery store.”

....

ADD

“*Payday advance/loan business* means an establishment that makes small consumer loans, usually backed by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term, or until an applicant’s next payday, and then cashed unless the customer repays the loan to reclaim such person’s check.”

....

ADD

“*Car title loan business* means an establishment that makes small consumer loans that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. The loan terms are often for 30 days and failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car or vehicle.”

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article XXII, Section 2 in part, to allow check cashing businesses, payday advance/loan businesses and car title loan businesses only by special permit to read as follows:

“ARTICLE XXII-A. SPECIAL PERMITS

....

Sec. 2. Use regulations.

(a)

(b) The following uses may be authorized by special permit in the specified districts upon compliance with all of the requirements of this article and other applicable city codes and ordinances:

(1) Ambulance service, in any industrial district.

....

(38) Check cashing business, payday advance/loan business and car title loan business in the C-M Commercial zoning district.”

SECTION 3. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article XXII-E in part to add Section 9 to provide supplemental regulations for check cashing businesses to read as follows:

“ARTICLE XXII-E. SUPPLEMENTAL REGULATIONS FOR CERTAIN USES

....

Sec. 8. Check cashing businesses, payday advance/loan businesses, car title loan businesses

(a) No check cashing business, payday advance/loan business or car title loan business may be located within 1,000 feet of another check cashing business, payday advance/loan business or car title loan business, within 500 feet of the right-of-way of Central Expressway/US 75 or President George Bush Turnpike/State Highway 190 or within 500 feet of the Richardson city limit line.

(b) For purposes of this section, measurement shall be made in a straight line, without regard to intervening structures or objects,

(1) from the nearest portion of the property line of the premises where the existing business is located to the nearest portion of the property line of the premises where the new business is proposed, if confirming separation between businesses;

(2) from the nearest portion of the right-of-way line of Central Expressway/US 75 or President George Bush Turnpike/State Highway 190 to the property line of the premises where the new business is proposed if confirming buffering from these roadways; or

(3) from the nearest portion of the city limit line to the property line of the premises where the new business is proposed if confirming buffering from the city limit.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 14^{rh} day of January 2008.

APPROVED:

MAYOR

CORRECTLY ENROLLED:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

MESQUITE, TEXAS

ORDINANCE NO. 3932
Zoning Text Amendment No. 2008-1

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, BY PROVIDING CERTAIN ADDITIONS AND DELETIONS UNDER SECTIONS 3-200, 3-500 AND 6-100 THEREBY CREATING REGULATIONS ON THE LOCATION, SPACING, APPEARANCE AND SITE DESIGN OF CHECK CASHING, PAYDAY LOAN AND SIMILAR ESTABLISHMENTS; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, in order that the intended purposes of the Mesquite Zoning Ordinance are best served, it has been determined necessary to amend certain language of said ordinance; and

WHEREAS, the Planning and Zoning Commission did give public notice and did hold a public hearing regarding proposed revisions and has recommended amendment of the ordinance; and

WHEREAS, the City Council did give public notice and did hold a public hearing regarding the proposed amendment.

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

SECTION 1. That the Mesquite Zoning ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by providing certain additions and deletions under Sections 3-200, 3-500 and 6-100 to read as follows, said Ordinance in all other respects to remain in full force and effect:

- (1) *Subsection 3-203(SIC Codes 60 and 61).* Amend by deleting the permitted uses under SIC Codes 60 and 61 in Subsection 3-203 in their entirety and adding new permitted uses under SIC Codes 60 and 61 in Subsection 3-203 to read as follows:

<i>SIC CODE</i>	<i>USE DESCRIPTION</i>	<i>O</i>	<i>GR</i>	<i>LC</i>	<i>THN</i>	<i>MU</i>	<i>CB</i>	<i>SS</i>	<i>C</i>	<i>I</i>	<i>PK ST D</i>	<i>SPECIAL CONDITIONS</i>
60	DEPOSITORY INSTITUTIONS (Banks, Savings, Credit Unions, except)	P	P	P		P	P		P	P	3	
	a. Alternative financial establishments		C	C					C	C		Requires compliance with 3-505
61	NONDEPOSITORY INSTITUTIONS	P	P	P		P	P		P	P	3	
	a. Alternative financial establishments		C	C					C	C	1	Requires compliance with 3-505

- (2) *Subsection 3-505.* Amend by adding a new Subsection 3-505 to read as follows:

MESQUITE, TEXAS
(Resolution governing redevelopment of a particular property)

ORDINANCE NO. 4042
File No. 74-20

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM SERVICE STATION TO PLANNED DEVELOPMENT - GENERAL RETAIL SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Mesquite and the governing body of the City of Mesquite, in compliance with the Charter of the City of Mesquite and State laws with reference to granting of zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein.

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

SECTION 1. That the Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite so as to approve a change of zoning on property zoned Service Station to Planned Development - General Retail subject to the following stipulations:

1. Uses of the site shall be limited to those permitted by right in the Office zoning district as provided in the City of Mesquite Zoning Ordinance as well as the following Standard Industrial Classifications (SIC) use categories:
 - a. SIC 54 Food Stores
 - b. SIC 58 Eating, Drinking Places
 - c. SIC 5992 Florists
 - d. SIC 723 Beauty Shops
 - e. SIC 724 Barber Shops
2. Check cashing, payday lending, car title lending and money transfers shall be prohibited accessory uses on the subject property.

IRVING, TEXAS
(Two Separate Ordinances)

ORDINANCE NO. (ID # 2545)

AN ORDINANCE AMENDING COMPREHENSIVE ZONING ORDINANCE NO. 1144 OF THE CITY OF IRVING, TEXAS, ADDING SECTION 52-35e NONDEPOSITORY FINANCIAL INSTITUTIONS; AND PROVIDING FOR PENALTY AND SEVERABILITY.

WHEREAS, “nondepository financial institutions” are determined to include check cashing businesses, payday advance and payday loan businesses, and car title loan businesses; and

WHEREAS, the proliferation and clustering of nondepository financial institutions in a community can have a detrimental effect on local property values and economic redevelopment {Sources: (1) “Alternative Financial Services: Chattanooga, TN”, Chattanooga-Hamilton County Regional Planning Agency, 2006; (2) Center for Responsible Lending, November 10 2008, online at: www.responsiblelending.org/issues/payday/briefs; (3) J.D. Wilson and Associates; “Retail Study of Underperforming and Vacant Retail Areas”, 2002}; and

WHEREAS, the fees and lending practices used by nondepository financial institutions can have an unreasonable adverse affect on the citizens of the City of Irving {Source: Baylor, Don; “The Hidden Costs of Payday Lending,” *Texas Business Review*, April 2008}; and

WHEREAS, the City of Irving has over three times as many nondepository financial institutions per capita than the statewide average, and nearly five times the national average {Source: City of Irving research of the 2002 U.S. Economic Census (NAICS codes 522291 and 5221) and Irving certificates of occupancy issued in 2008}; and

WHEREAS, the City of Irving has fewer traditional banking and savings institutions per capita than the statewide and national averages {Source: City of Irving research of the 2002 U.S. Economic Census (NAICS codes 522291 and 5221) and Irving certificates of occupancy issued in 2008}; and

WHEREAS, after notice and public hearing was conducted by the Planning and Zoning Commission on April 6, 2009, the Planning and Zoning Commission recommended approval of the zoning amendment; and

WHEREAS, after notice and public hearing, and upon consideration of the recommendation of the Commission and of all testimony and information submitted during the public hearing, the City Council has determined that it is in the best interest of the public and in support of the health, safety, morals, and general welfare of the citizens that the zoning ordinance be amended;

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

SECTION 1. That Zoning Ordinance No. 1144 of the City of Irving, Texas, is hereby amended by adding a new Section 52-35e “Nondepository financial institutions,” to read as follows:

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Sec. 52-35e. Nondepository financial institutions.

(a) *Definitions.*

(1) *Nondepository financial institution.* Any check cashing business, payday advance/loan business, or car title loan business, as defined in this section. This definition excludes:

- a. A state or federally chartered bank, savings and loan association or credit union, or a pawnshop, and
- b. A convenience store, supermarket, or other retail establishment where consumer retail sales constitute at least 75% of the total gross revenue generated on site.

(2) *Check cashing business.* An establishment that provides one or more of the following:

- a. An amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction;
- b. An agreement not to cash a check or execute an electronic transfer of money for a specified period of time; or
- c. The cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any person or entity for a fee.

(3) *Payday advance/loan business.*

- a. An establishment that makes small consumer loans, usually backed by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term, or until a customer’s next payday, and then cashed unless the customer repays the loan to reclaim such person’s check.
- b. Such establishments may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount.

(4) *Car title loan business.* An establishment that makes small consumer loans that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. Failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car or vehicle.

(b) *Applicability.* The following regulations shall apply to all new establishments seeking to obtain a certificate of occupancy as a nondepository financial institution, including new buildings or in any existing building or portion of a building.

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(1) No new nondepository financial institution may be located within one thousand (1,000) feet of another nondepository financial institution, measured in a direct line from property line to property line.

(2) No new nondepository financial institution may be located in a building that is closer than five hundred (500) feet from the rights-of way of State Highway 183, State Highway 114, State Highway 161/President George Bush Turnpike, Interstate Highway 635, Loop 12, Spur 348, Spur 482, or State Highway 356 (Irving Boulevard).

(3) No new nondepository financial institution may be located on a property whose lot line is less than two hundred (200) feet from any single family residential property line that is zoned for single-family, duplex, or townhouse uses.

(4) Parking requirements for nondepository financial institutions.

a. All nondepository financial institutions located within a freestanding building with no other commercial tenant shall provide a minimum of twenty-five (25) parking spaces or one (1) parking space for every one hundred (100) square feet, whichever is greater. All parking shall be located on site. Notwithstanding other provisions set forth in the City of Irving Zoning Ordinance, all required spaces must be on site, and shall not be provided through a shared parking agreement, shared parking easement, or on any other off-site location through any method or agreement.

b. All other nondepository financial institutions that are not subject to the preceding provision shall provide one (1) parking space for every one hundred (100) square feet of gross floor space.

(5) If there is any conflict between this section 52-35e and an adopted S-P-1, S-P-2, or Development Plan in a PUD district, the more specific standard shall apply.

(6) Modifications of the requirements outlined in this section may be accomplished through either an S-P-1 (Detailed Site Plan) or a Development Plan in a PUD district.

(c) *Existing nondepository financial institutions.*

(1) It is the declared purpose of this section that in time all nondepository financial institutions shall come to conform to the provisions of this section or be removed.

(2) A nondepository financial institution that does not conform to these standards and that existed lawfully on the date the use commenced shall be deemed a nonconforming use. A nonconforming use may be continued, so long as it does not increase its level of nonconformity.

(3) If a nondepository financial institution ceases operations at a particular location, a new certificate of occupancy shall not be issued for a new nondepository financial institution at that location without first complying with all the requirements of this section 52-35e.

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(4) No existing nondepository financial institution may be expanded by 25 percent or more of its building area on or after April 23, 2009, or be repaired, remodeled, rehabilitated, or otherwise improved to the point that the value of the repairs, remodeling, rehabilitation, or improvements constitute 25 percent of the current value of the structure as established by the most current value established by the appraisal district, without first complying with the requirements of section 52-35e (b).

(5) The privilege to continue a nonconforming nondepository financial institution shall cease and such use shall terminate whenever any of the following occur:

a. A certificate of occupancy for a change of owner, occupant, tenant, or business is issued.

b. The certificate of occupancy for the use is relinquished, canceled, or terminated in accordance with other applicable ordinances.

c. The use or the structure housing the use is altered, remodeled, expanded, or otherwise improved that increases its level of nonconformity.

d. The structure housing the use is damaged and the cost to repair exceeds 51 percent of the replacement cost on the date of damage.

e. Under a plan determined by the board of adjustment whereby the full value of the use can be amortized. It shall be a rebuttable presumption that the value of the owner's investment in the use has been fully recovered within the time of the owner's lease term, if any.

SECTION 2. Any person violating or failing to comply with any provision of this ordinance shall be fined upon conviction not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00). Each day any violation of any provision of this ordinance continues constitutes a separate offense.

SECTION 3. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause, or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

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PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,
on April 23, 2009.

HERBERT A. GEARS

MAYOR

ATTEST:

Janice Carroll, TRMC

City Secretary

APPROVED AS TO FORM:

Charles R. Anderson

City Attorney

ORDINANCE NO. (ID # 2560)

AN ORDINANCE AMENDING THE CODE OF CIVIL AND CRIMINAL ORDINANCES OF THE CITY OF IRVING, TEXAS, BY ADDING CHAPTER 38 BUSINESS REGISTRATION, ARTICLE I. NONDEPOSITORY FINANCIAL INSTITUTIONS; CONTAINING FINDINGS, DEFINITIONS, PROVIDING REQUIREMENTS AND PROCEDURES FOR REGISTRATION OF NONDEPOSITORY FINANCIAL INSTITUTIONS; AND PROVIDING FOR PENALTY AND SEVERABILITY.

WHEREAS, nondepository financial institutions include check cashing businesses, payday advance and payday loan businesses, and car title loan businesses; and

WHEREAS, the proliferation and clustering of nondepository financial institutions in the City of Irving can have a detrimental effect on local property values and economic redevelopment; and

WHEREAS, the City Council after notice and public hearing has adopted zoning regulations to address the affects of the proliferation of these establishments; and

WHEREAS, the registration of nondepository financial institutions would facilitate the application and enforcement of this ordinance and other laws;

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

SECTION 1. That the findings contained in the preamble of this ordinance are determined to be true and correct and are hereby adopted as a part of this ordinance.

SECTION 2. That The Code of Civil and Criminal Ordinances of the City of Irving, Texas, is

hereby amended by adding a new Chapter 38, Business Registration, Article I, Nondepository Financial Institutions that reads as follows:

Chapter 38

BUSINESS REGISTRATION
ARTICLE I. NONDEPOSITORY FINANCIAL INSTITUTIONS

Sec. 38-1. 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:

Nondepository financial institution. Any check cashing business, payday advance/loan business, or car title loan business, as defined in this section. This definition excludes a state or federally chartered bank, savings and loan association or credit union, or a pawnshop. [Cross reference to 38-2(g): nondepository financial institution that is also a convenience store, supermarket, or other retail establishment where consumer retail sales constitute on an annual basis at least 75 percent of the total gross revenue generated on site]

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Check cashing business. An establishment that provides one or more of the following:

- (1) An amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction;
- (2) An agreement not to cash a check or execute an electronic transfer of money for a specified period of time;
- (3) The cashing of checks, warrants, drafts, money orders, or other commercial paper for compensation by any person or entity for a fee.

Payday advance/loan business means:

(1) An establishment that makes small consumer loans, usually backed by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term, or until a customer's next payday, and then cashed unless the customer repays the loan to reclaim such person's check.

(2) Such establishments may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount.

Car title loan business means an establishment that makes small consumer loans that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application.

Failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car or vehicle.

Manager means the person designated by the owner to be responsible for the daily operation of a nondepository financial institution.

Director means the director of planning and inspections or person he may designate to act as the official primarily responsible for the administration of this article or the official's designees.

Registered agent means the person identified by the owner of a nondepository financial institution in the registration filed pursuant to this article that is authorized to receive on behalf of the owner any legal process and/or notice required or provided for in this article.

Sec. 38-2. Registration of nondepository financial institutions.

(a) It shall be unlawful for any person to own or operate a nondepository financial institution in the city that has not been registered as required by this section. A fee established by resolution of the city council shall be charged for the registration required by this section.

(b) The owner of a nondepository financial institution shall register annually by providing to the director the following information regarding the nondepository financial institutions:

(1) The name, telephone number, facsimile number, and business or residence address of each owner; and, if the owner is a corporation, whether foreign or domestic, the name of the registered agent of the owner and the telephone number and facsimile number and business or residence address of the registered agent, which address information shall include the street name and number, office or suite number if a business address, and the city, state, and zip code;

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(2) The nature and extent of each owner's interest in the business; and

(3) The nature and extent of the owner's interest in the property where the business is located; and
if a tenant of the property, provide a true copy of the current lease identifying the landowner and showing the owner's right to occupy the location; and

(4) The name, telephone number, facsimile number, and business or residence address, including street name and number, city, state and zip code, of the current manager and, if the manager is other than an individual, the name, title, telephone number, facsimile number, and business or residence address, including street name and number, city, state, and zip code, of the individual to be contacted for any purpose under this article relating to the nondepository financial institution.

The use of a public or private post office box or other similar address shall not be sufficient

for the purposes of complying with this subsection.

(c) Any change of ownership of a nondepository financial institution, including, but not limited to, the sale of the nondepository financial institution or any ownership interest therein, shall require the purchaser or transferee to update the information provided under subsection (b) of this section and to file the updated information with the director within 30 days of the effective date of the ownership change. The same requirement shall apply to any change relating to the owner's registered agent and manager. A prior owner shall advise the director that he no longer holds any ownership interest in the property.

(d) No certificate of occupancy shall be issued for a newly constructed or established nondepository financial institution until the owner shall comply with the provisions of this article.

(e) After the owner of a nondepository financial institution complies with the provisions of this section, the director will provide to the nondepository financial institution:

(1) A registration compliance decal which shall be displayed above a public entrance door to the nondepository financial institution; and

(2) A registration statement, a true and correct copy of which shall be posted in the nondepository financial institution at all times in a conspicuous place accessible at all times to the public.

(f) Compliance with the requirements of this section shall be deemed to meet the requirements of §§ 250.003 and 250.004 of the Texas Local Government Code.

(g) It shall be an affirmative defense to the registration required by this section if the nondepository financial institution is also a convenience store, supermarket, or other retail establishment where consumer retail sales constitute on an annual basis at least 75 percent of the total gross revenue generated on site, as shown in the books, records, receipts or tax records of the business. Upon the request of the director, the owner or manager of a nondepository financial institution claiming this defense to registration, shall allow the director access to the books, records, receipts or tax records of the business showing the total gross revenue generated on site.

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Sec. 38-3. Applicability.

This ordinance shall become effective June 1, 2009. The owner or operator of a nondepository financial institution in operation, or with a completed building permit application, on that date shall

comply with all provisions of this article no later than September 30, 2009.

SECTION 3. Any person violating or failing to comply with any provision of this ordinance shall be fined upon conviction not less than one dollar (\$1.00) nor more than two thousand dollars

(\$2,000.00). Each day any violation of any provision of this ordinance continues constitutes a separate offense.

SECTION 4. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause, or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,
on April 23, 2009.

HERBERT A. GEARS
MAYOR
ATTEST:

Janice Carroll, TRMC
City Secretary
APPROVED AS TO FORM:

Charles R. Anderson
City Attorney

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Item # 13

MAYOR AND COUNCIL COMMUNICATION

M&C #04-05-14

DATE: APRIL 14, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONDUCT THE FIRST OF TWO PUBLIC HEARINGS AND READINGS, AND CONSIDER ACTION ON A RESOLUTION APPROVING THE CONTRIBUTION (EXPENDITURE) OF \$15,000 IN LVEDC FUNDS AND THE LVEDC CO-SPONSORSHIP OF THE CITY OF LEON VALLEY 4TH OF JULY CELEBRATION AND FALL JAZZ FESTIVAL

PURPOSE

This agenda item is intended to conduct the first of two public hearings and readings of the resolution approving expenditure of LVEDC funding, and to receive comment from Leon Valley citizens regarding the LVEDC's co-sponsorship of the 4th of July Celebration and Fall Jazz Festival.

Article IV Functional Corporate Duties and Requirements, Section 4.5 Expenditure of Corporate Money, Subsection (c) of the Bylaws of the City of Leon Valley Economic Development Corporation (LVEDC) requires that expenditures approved by the LVEDC Board of Directors for project funding in excess of \$10,000 have at least two separate readings of the approving City Council resolution and two public hearings.

At the March 26, 2014 meeting, the LVEDC Board of Directors approved the funding of \$15,000 in LVEDC funds to co-sponsor the City of Leon Valley 4th of July Celebration and Fall Jazz Festival.

If approved by the City Council, the co-sponsorship will allow the LVEDC to promote Leon Valley and attract patrons to area businesses to help increase sales tax revenue for the City. In addition, the co-sponsorship of \$15,000 enhances the city's identity, and enables the City of Leon Valley to establish a special event and a festival that increase the city's visibility to the San Antonio area and South Texas region.

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

FISCAL IMPACT

The LVEDC will pay the City of Leon Valley \$15,000 for the co-sponsorship of the 4th of July Celebration and the Fall Jazz Festival.

RECOMMENDATION

Staff recommends approval.

Item # 13

S.E.E. IMPACT

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

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

Environmental – N/A

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Crystal Caldera, Interim City Secretary

RESOLUTION**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY APPROVING THE CONTRIBUTION (EXPENDITURE) OF \$15,000 IN LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) FUNDS AND THE LVEDC CO-SPONSORSHIP OF THE CITY OF LEON VALLEY 4TH OF JULY CELEBRATION AND FALL JAZZ FESTIVAL**

WHEREAS, the City Council is required by Texas State law to approve LVEDC projects in excess of \$10,000; and

WHEREAS, the City Council has established a Type B (formerly 4B) Economic Development Corporation Board, to review project applications and administer the Type B sales tax receipts specifically earmarked for eligible economic development projects as described in the Official ballot language; and

WHEREAS, the LVEDC Board approved the funding March 26, 2014 to co-sponsor the City of Leon Valley 4th of July Celebration and the Fall Jazz Festival to help attract patrons to the city, increase business activity, and generate new sales tax revenue;

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

1. The City Council approves the expenditure of LVEDC funds of \$15,000 for the LVEDC's co-sponsorship of the City of Leon Valley 4th of July Celebration and Fall Jazz Festival.
2. The expenditure of funds may be made in one or more disbursements and in the form of a direct grant.
3. The LVEDC's co-sponsorship shows support to establish events in Leon Valley that will attract Leon Valley residents, businesses, and people from the region, and increase the exposure of Leon Valley and its businesses.
4. The LVEDC's co-sponsorship of the 4th of July Celebration and Fall Jazz Festival shows the LVEDC's cooperation with the City of Leon Valley to improve the image of the city.
5. This Resolution shall be effective upon approval and signature of the Mayor.

RESOLUTION

PASSED AND APPROVED by the Leon Valley City Council on the First Reading on this 14th day of April 2014.

SIGNED:

Mayor Chris Riley

ATTEST:

Crystal Caldera, Interim City Secretary

City of Leon Valley

1st Public Hearing

**Contribution (Expenditure) of \$15,000
in LVEDC Funds and LVEDC Co-
Sponsorship of
4th of July Celebration and
Fall Jazz Festival**

Tuesday, April 14, 2014

1st Public Hearing

- 1st Public Hearing – April 14, 2014
 - Also, first reading of the resolution approving contribution (expenditure) of \$15,000 in LVEDC funds
- 2nd Public Hearing – May 12, 2014
 - Second reading of resolution
 - Final approval of resolution

LVEDC Expenditure of \$15,000 and Co-sponsorship of Events

- Type B (4B) sales tax receipts may be used for business retention, expansion and attraction along with beautification and improvement of the quality of life for Leon Valley citizens.
- Enhancement of the City of Leon Valley 4th of July Celebration and establishment of the City of Leon Valley Fall Jazz Festival improves the image of the city.

LVEDC Expenditure of \$15,000 and Co-sponsorship of Events

- LVEDC's expenditure of funds and co-sponsorship of the events shows the LVEDC's support to:
 - Establish events in Leon Valley that will attract Leon Valley residents, businesses, and people from the region; and
 - Increase the exposure of Leon Valley and its businesses.

LVEDC Expenditure of \$15,000 and Co-sponsorship of Events

- LVEDC Board of Directors approved funding and co-sponsorship on March 26, 2014.
- Two (2) public hearings were held by the LVEDC (as part of the funding process for other projects)
 - March 26, 2014
 - April 8, 2014

Item 13

LVEDC Expenditure of \$15,000 and Co-sponsorship of Events

- Funding is available in the LVEDC FY2014 Budget, EDC Project Funding and Advertising line items.
- LVEDC Board of Directors seeks approval of expenditure of \$15,000 to co-sponsor the City of Leon Valley 4th of July Celebration and the Fall Jazz Festival.

Item 13

City of Leon Valley

1st Public Hearing

**Expenditure of \$15,000 in LVEDC Funds
and LVEDC Co-Sponsorship of
4th of July Celebration and
Fall Jazz Festival**

Tuesday, April 14, 2014

AGENDA ITEM 14

MAYOR AND COUNCIL COMMUNICATION

M&C# 04-06-14

DATE: April 14, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: City Staff Report & Trail Review, Regarding Modification of the Regular City Council Meeting Schedule by Holding One Meeting Per Month.

PURPOSE

On September 17, 2014 City Council approved Ordinance No. 2013-09-17-10, amending Chapter 1, Article 1.04, Section 1.04.001 entitled “meetings,” modifying the schedule of regular City Council meetings to one per month; and making those changes consistent with the Open Meetings Act. Per City Council direction, City staff is providing a review over the last six months of one Regular City Council Meeting per month.

This item was originally brought forth as a result of the May 31, 2013 City Council/City Manager retreat, where a discussion ensued about an effort to provide efficient use of City resources. One of the City Council’s goals was to establish a more efficient City Council Meeting schedule to correspond with available resources, thus, modify the schedule by reducing the number of regular meetings to one per month. This has enabled City staff to focus on day to day operations in order to improve service delivery to the citizens of Leon Valley.

Staff completed a comparison of (2) meetings a month verses (1) one meeting a month, the following are the results of the comparison:

- Staff reviewed the length of the meetings prior to the schedule change and the six month after the schedule change. The data showed that the average length of a meeting prior to the change was (3) three hours and (19) nineteen minutes; whereas, after the schedule change the length of the meeting was (3) three hours and (21) twenty-one minutes. See attached Exhibit A for detail.
- Staff considered the total number of agenda items before and after the schedule change. It was determined the average number of agenda items preceding the change was (20) twenty items and the average after the schedule change was (19) nineteens items. See Exhibit B for detail.
- Staff took a look at the number of citizens that provided comment at the Regular City Council meeting preceding the schedule change and after the schedule change. It was determined that an average of (6) six individuals provided input prior to the change and an average of (8) eight individuals provided input after the schedule change. See attached Exhibit C for detail.
- Staff reviewed the number of business items that appeared on the agenda for City Council approval before and after the schedule change. It was determined that an average of (9) nine business items appeared on the agenda prior to the schedule change and an average of (10) business items appeared on the agenda after the schedule change. See attached Exhibit D for detail.
- Staff also evaluated the number of opportunities for an individual to provide input at a public meeting. Staff viewed the (6) six months preceding the change and the (6) six after the change. Individuals were provided (16) sixteen opportunities to provide input prior to the schedule change and (15) fifteen opportunities after the schedule change to provide input at a public meeting. See attached Exhibit E for detail.

AGENDA ITEM 14

RECOMMENDATION

Staff recommends the continuation of the ordinance.

FISCAL IMPACT

N/A

Main Motion

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Crystal Caldera, Interim City Secretary

AGENDA ITEM 14

Exhibit A Length of Meeting Comparison

DATE OF THE MEETING	MEETING START AND END TIMES	LENGTH OF MEETING
Prior to Schedule Change		
06/18/2013	7:00-9:45 PM	2 Hours 45 Minutes
07/09/2013	6:00-9:13 PM	3 Hours 13 Minutes
08/09/2013	6:30-8:49 PM	2 Hours 19 Minutes
08/20/2013	5:45-9:25 PM	3 Hours 40 Minutes
09/03/2013	5:30-9:47 PM	4 Hours 17 Minutes
09/17/2013	7:00-10:41PM	3 Hours 41 Minutes
Average		3 Hours and 19 Minutes
After Schedule Change		
10/14/2013	5:30-8:20 PM	2 Hours 50 Minutes
11/18/2013	6:00-9:40 PM	3 Hours 40 Minutes
12/09/2013	7:30-12:45AM	5 Hours 15 Minutes
01/13/2014	7:00-10:35PM	3 Hours 35 Minutes
02/10/2014	6:45-9:59 PM	3 Hours 14 Minutes
03/10/2014	8:16-6:45 PM	1 Hour 31 Minutes
Average		3 Hours and 21 Minutes

Exhibit B Number of Agenda Items

DATE OF THE MEETING	NUMBER OF ITEMS THAT APPEARED ON THE AGENDA
Prior to Schedule Change	
06/18/2013	20
07/09/2013	21
08/09/2013	17
08/20/2013	20
09/03/2013	22
09/17/2013	19
Average	20
After Schedule Change	
10/14/2013	19
11/18/2013	20
12/09/2013	16
01/13/2014	15
02/10/2014	24
03/10/2014	17
Average	19

AGENDA ITEM 14

Exhibit C Number of Agenda Items

DATE OF THE MEETING	NUMBER OF CITIZENS THAT PROVIDED COMMENT AT THE MEETING
Prior to Schedule Change	
06/18/2013	05
07/09/2013	08
08/09/2013	03
08/20/2013	02
09/03/2013	05
09/17/2013	15
Average	06
After Schedule Change	
10/14/2013	04
11/18/2013	08
12/09/2013	18
01/13/2014	10
02/10/2014	04
03/10/2014	02
Average	08

Exhibit D Number of Business Items

DATE OF THE MEETING	NUMBER OF BUSINESS ITEMS
Prior to Schedule Change	
06/18/2013	12
07/09/2013	11
08/09/2013	04
08/20/2013	08
09/03/2013	10
09/17/2013	11
Average	9
After Schedule Change	
10/14/2013	08
11/18/2013	14
12/09/2013	08
01/13/2014	08
02/10/2014	15
03/10/2014	08
Average	10

AGENDA ITEM 14

Exhibit E Number of Public Meetings

DATE OF THE MEETING
Prior to Schedule Change
04/02/2013
04/16/2013
04/30/2013
05/07/2013
05/10/2013
05/21/2013
05/31/2013
06/04/2013
06/18/2013
07/09/2013
08/06/2013
08/20/2013
09/03/2013
09/10/2013
09/17/2013
09/21/2013
TOTAL : 16
After Schedule Change
10/14/2013
11/02/2013
11/18/2013
12/09/2013
12/14/2013
12/18/2013
01/09/2014
01/11/2014
01/13/2014
02/01/2014
02/08/2014
02/10/2014
03/07/2014
03/08/2014
03/10/2014
TOTAL : 15



City of Leon Valley City Council Public Hearing

**City Staff Report & Trail Review, Regarding
Modification of the Regular City Council
Meeting Schedule By Holding One Meeting
Per Month.**

Monday, April 14, 2014



Purpose

- On September 17, 2013 City Council approved Ordinance No. 2013-09-17-10
- Establishment of the Coffee with the Mayor and City Council
- Per City Council direction, City staff is providing a review over the last six months of one Regular City Council Meeting per month.



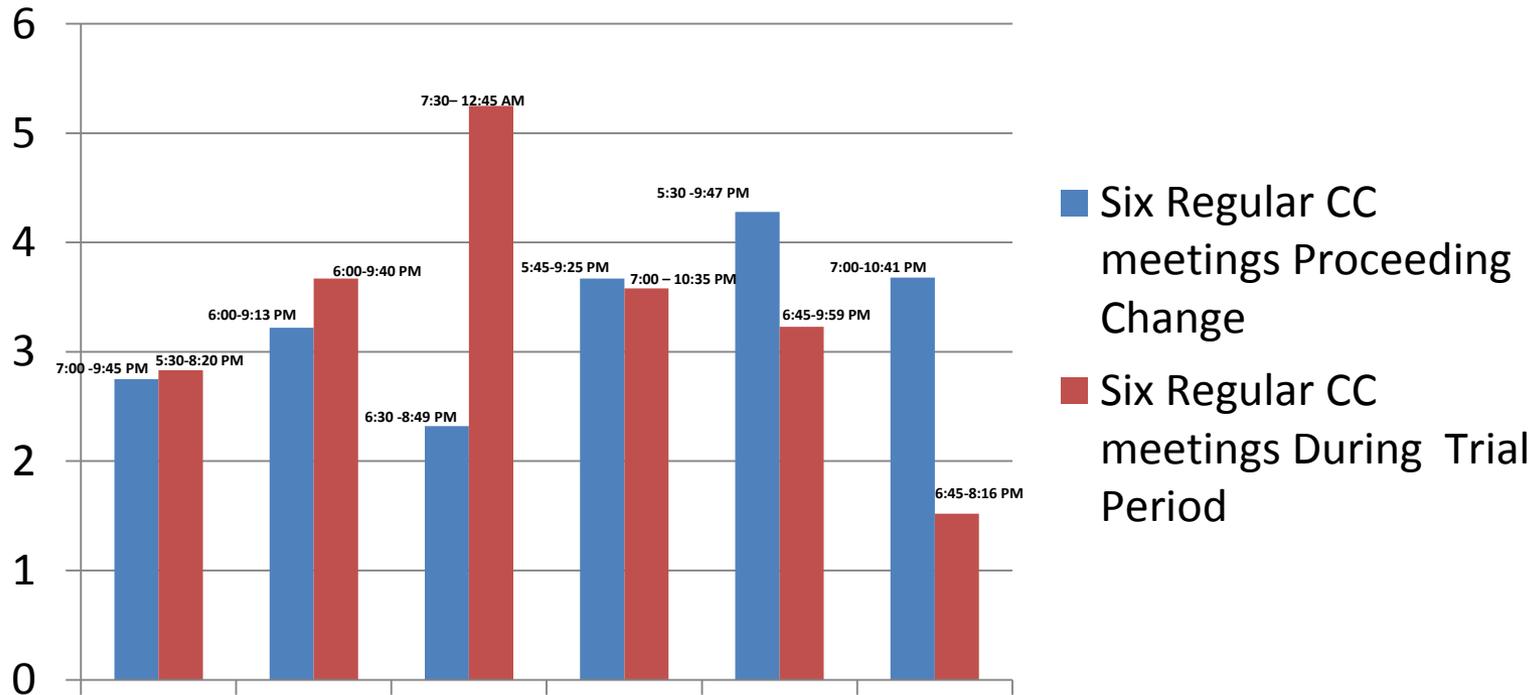
Background

- May 31, 2013 – City Council developed strategic goals
 - Establish a more efficient City Council meeting schedule to correspond with available resources
 - Goal 6
 - Provide Efficient Use of City Resources



Comparison 2 MTGS. Vs. 1 MTG.

Length of the Meetings



of Hours the Meeting Lasted

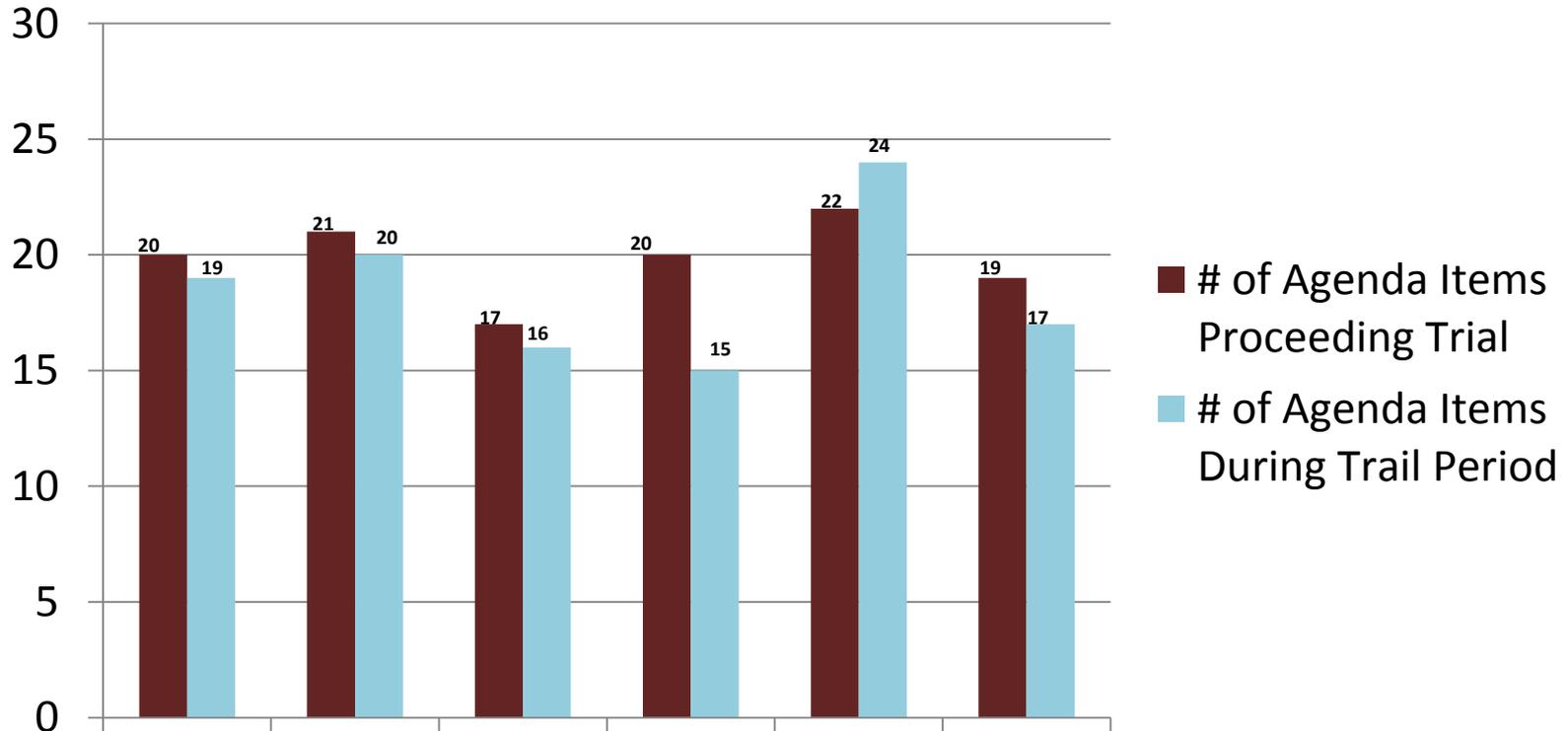
Average of Six Regular City Council Meetings Preceding the Change: Lasted 3 Hours 19 Minutes

Average of the Six Regular City Council Meeting During the Trial Period: Lasted 3 Hours 21 Minutes



Comparison 2 MTGS. Vs. 1 MTG.

Number of Agenda Items



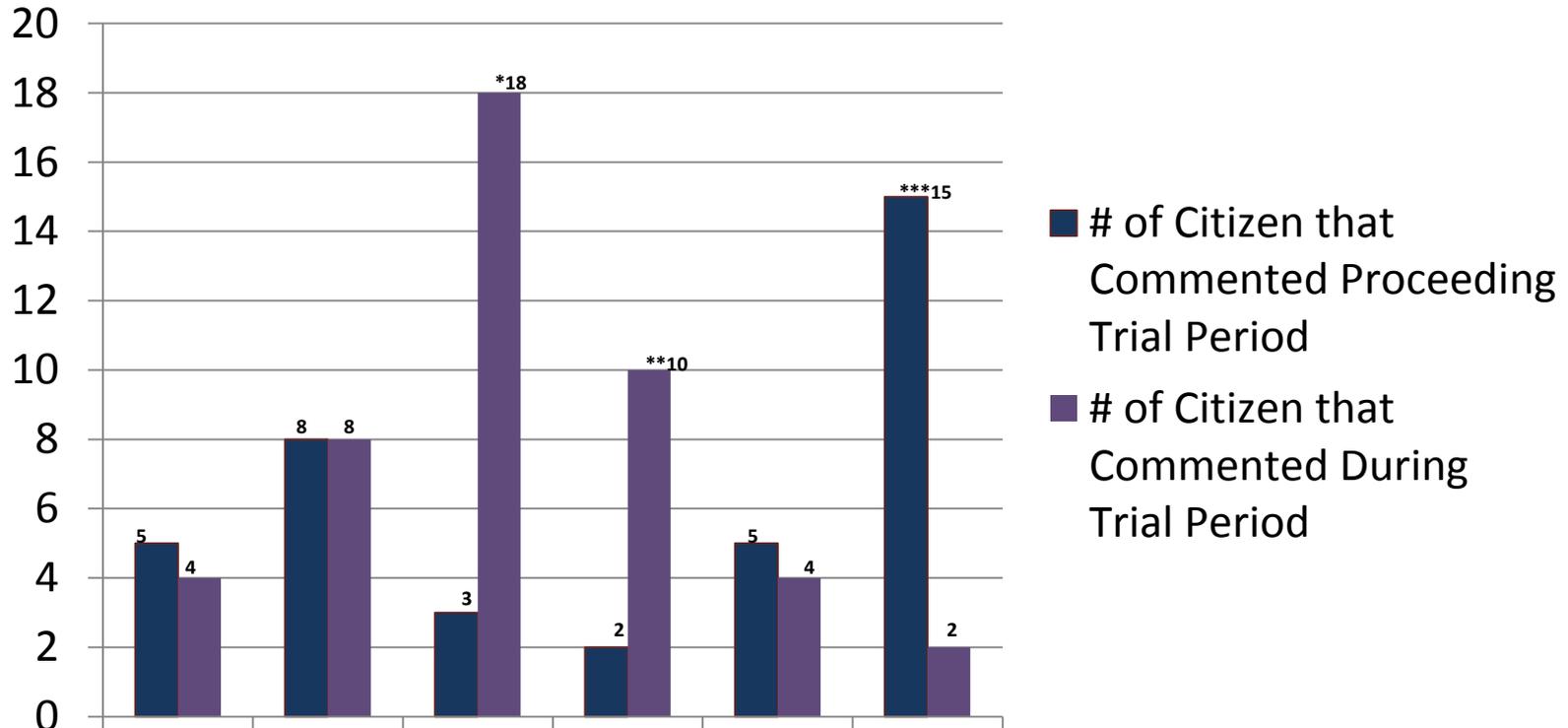
Preceding the Change: Average 20 Agenda Items

Trial Period: Average 19 Agenda Items



Comparison 2 MTGS. Vs. 1 MTG.

Number of Citizens that Provided Comments



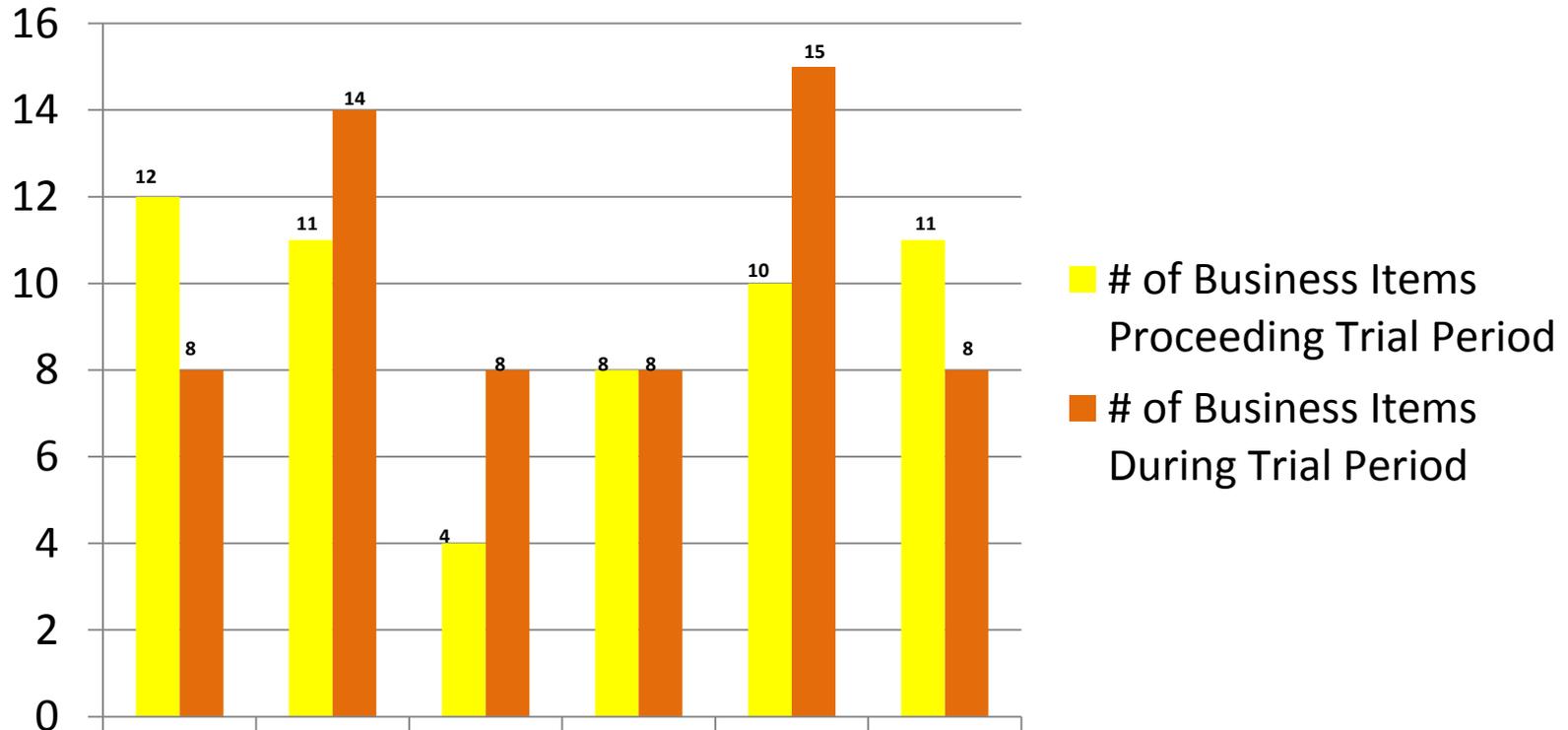
*Presentation and discussion of Huebner Creek Hike & Bike
 ** New Boards and Commission policy
 *** The one meeting a month schedule change

Preceding the Change: Average of 6
 Trial Period: Average of 8



Comparison 2 MTGS. Vs. 1 MTG.

Number of Business Items

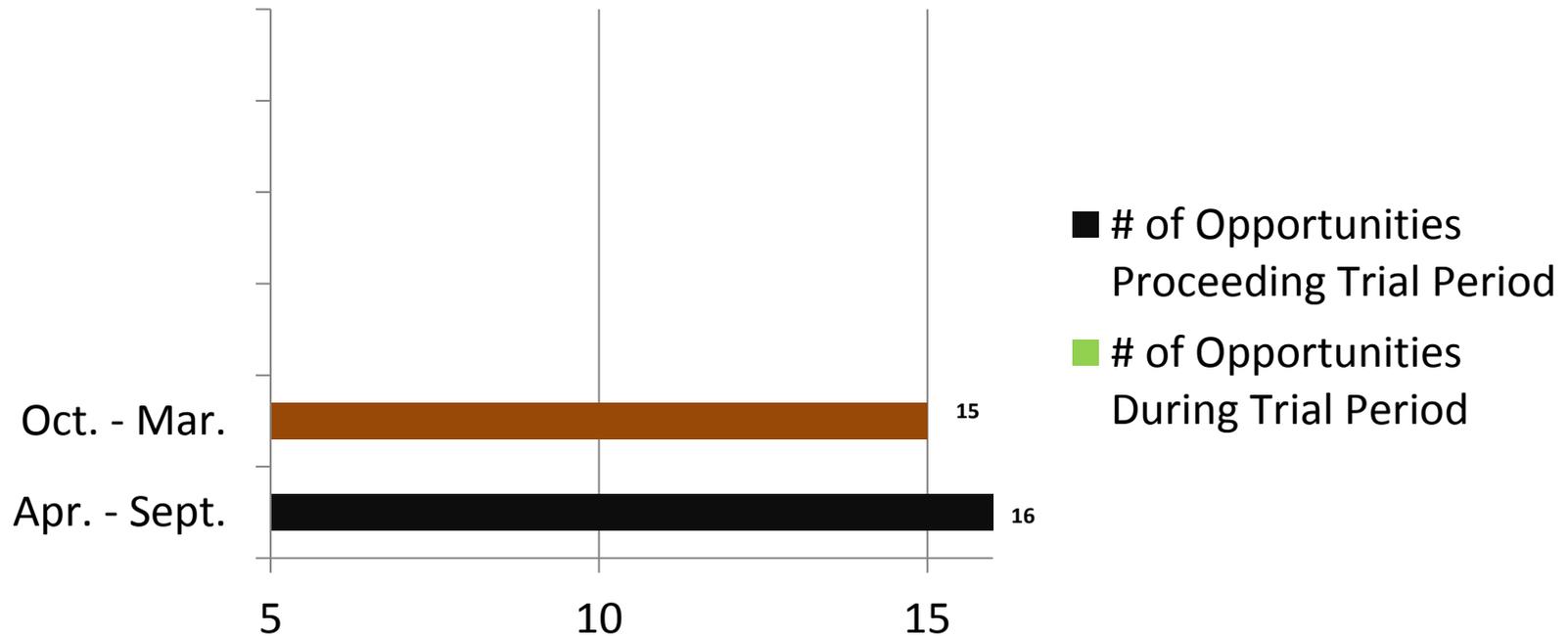


Preceding the Change: Average of 9
Trial Period: Average of 10



Comparison 2 MTGS. Vs. 1 MTG.

Number of Opportunities for Citizen Input at a Public Meeting





Recommendation

- **Staff recommends continuance of Ordinance No. 2013-09-17-1**



City of Leon Valley City Council Public Hearing

**City Staff Report & Trail Review, Regarding
Modification of the Regular City Council
Meeting Schedule By Holding One Meeting
Per Month.**

Monday, April 14, 2014

AGENDA ITEM 15

MAYOR AND COUNCIL COMMUNICATION

M&C #04-07-14

DATE: APRIL 14, 2013

TO: MAYOR AND CITY COUNCIL

SUBJECT: PRESENTATION AND DISCUSSION OF THE LEON VALLEY COMMUNITY POOL TO INCLUDE BIDS RECEIVED AND POLICY OPTIONS

Purpose

At the March City Council meeting, staff reported on the status of the pool to include repairs needed, and the City's bid package to seek a qualified management company to manage the pool for the 2014 season. Since the last meeting, staff has prepared follow up information, conducted the bid opening, and posted an on-line survey to ask questions regarding pool usage.

Background

The City Council was briefed on March 10, 2014 regarding necessary repairs that need to be made to the Leon Valley Community Pool prior to the pool opening for the 2014 season. The current circulation and filtration equipment for the main swimming pool is undersized to meet the current State of Texas code requirements (TAC, Title 25, Part 1, Ch. 265, Subchapter L, Sec. 265.188 and 265.189).

At the last briefing, City Council asked for past operational data. In fiscal year 2013, operational expenses totaled \$16,239, and revenue generated from memberships totaled \$13,603, thereby creating a shortfall of \$2,636. In fiscal year 2013, the pool operated for seventy-two days. Individual walk-ins totaled 664, or an average of nine people per day. Memberships, both family and individual totaled 48, and there were 6 pool parties.

The City advertised for bids to manage the pool for the 2014 season. The bid advertisement ran from February 18 – March 11, and was placed in the Daily Commercial Recorder. The bid document was also made available on the City's web site. A total of twenty five companies were contacted. Six companies submitted a bid response—three local and three from out of state. The low bid response in the amount of \$36,027 was submitted by Aquatica Pool Management, Inc., located in San Antonio.

AGENDA ITEM 15

Company	Bid Amount
San Antonio Pool Management	\$37,984
Aquatica Pool Management, Inc.	\$36,027
Reliablue	\$93,632
Pool Management, Inc.	\$42,300
Aquatic	\$45,600
USA Pools	\$45,480

The pool bid package includes management of the Leon Valley Community Pool between Memorial Day through Labor Day to include three lifeguards on duty at all times, maintaining water chemistry by checking and recording three times daily, cleaning entire pool area, and collecting guest fees and monitoring membership. The pool is scheduled to operate the following hours: Monday – Closed; Tuesday, Wednesday, Thursday – 10:00 a.m. – 7:00 p.m.; Friday and Saturday – 10:00 a.m. – 8:00 p.m.; Sunday – Closed.

In an effort to receive additional community input regarding the pool, the City developed an on-line survey that was posted on the City’s website. The survey consisted of nine questions and the survey period ran from March 15th – April 4th. The survey received a total of 164 responses, of which 63% of the respondents used the pool. Two of the nine questions asked—what kind of improvements would you like to see if the pool remained opened or closed? Responses if the pool remained opened included, more affordable rates, better management, better upkeep, improvements to facilities, no changes needed, and longer hours. Responses if the pool closed included utilizing the existing site for a splash pad, pavilion, basketball court, picnic area, and skate park.

Fiscal Impact

The cost for additional equipment to bring the pool into compliance is approximately \$24,000. The low bid response from Aquatica Pool Management, Inc. to provide management services for the pool is \$36,027. The net costs to operate the pool for the 2014 season are \$56,527, and are unfunded.

2014 Expenses

Operating Expenses - Contract	\$36,027
Repair Cost (Improvements needed to bring pool to Code)	\$24,000
Operating Expenses – Water, Electricity, Supplies	\$11,500
Operating Revenue	-\$15,000
Net Costs to Operate	\$56,527

AGENDA ITEM 15

Policy Options

The Park Commission provides oversight of the Leon Valley Community Pool. The pool is referenced in the 2014 Park Master Plan. The Park Commission was briefed on March 11, 2014, on the status of the pool, and they recommended an alternate use of the pool resulting in closure of the pool. The consensus was “the land would be better put to use as a splash pad with other playground type equipment”.

There are two policy options:

Policy Option 1: Open the pool and contract with Aquatica, Inc. to manage the pool for the 2014 season. A budget adjustment in the amount of \$56,527 will be required. City Council action can be taken at the May 12th City Council meeting and the pool can be opened in time for the 2014 season.

Policy Option 2: Implement the Park Commission’s recommendation. Staff will complete the analysis that is required to implement the recommendation and report back to the City Council. City Council action can be taken at the May 12th City Council meeting.

In order to implement the Park Commission’s recommendation that has been made to the City Council, staff will complete an analysis related to the alternate use of the pool. This information will be prepared and presented at the May 12th City Council meeting.

STRATEGIC GOALS STATEMENT

Item 2(g) Make Improvements/Investments to Rimkus Park

The pool is considered to be a part of the park system. Periodic maintenance and updates will be necessary, as the pool was built during the 1970’s.

AGENDA ITEM 15

S.E.E Statement

Social Equity – Adds to general quality of life for all citizens.

Environmental Stewardship – Reduces the amount of automobile pollutants, as residents within that area would not have to drive to find this type of activity.

Economic Development – The pool enhances the amenities offered by the City to its residents, which may encourage relocation.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Saundra Passailaigue, City Secretary

Item 15

City of Leon Valley Swimming Pool

City Council Meeting
April 14, 2014

Background

Today's presentation includes:

1. What We Know

- Operational Information
- Bid Results
- Park Commission Recommendation
- On line Survey
- Three Years of Expenditures
 - 2013 - \$16,239.64
 - 2012 - \$9,759.71
 - 2011 - \$8,138.49

2. What We Don't Know

- Thorough Inspection and Assessment of Condition of Pool
- Costs Associated with the Park Commission's Recommendation

3. Options / Recommendation

Item 15

Operational Information (2013 Actual)

- Pool Revenue - \$13,603
- City Expenses - \$16,239
- Shortfall - \$2,636

– Expense Detail

Item	Amount
Electric	\$4,579
Water	\$1,867
Phone	\$480
Supplies	\$4,181
Repairs	\$5,132
TOTAL	\$16,239

Operational Information

- FY 13 Pool was opened and operated for 72 days
 - 43 memberships (family and individual)
 - 664 Walk - ins (Avg. 9 per day)
 - 6 Party Rentals

Item 15

2014 Operational Expenses

2014 Pool Revenues & Expenditures	Cost
Repair Cost (Improvements needed to bring pool to Code)	\$24,000
Contract Cost (Low Bid - Aquatica)	\$36,027
Operational Costs (Water, Electric, Supplies)	\$11,500
Estimated Revenues	-\$15,000
Net Costs to Operate	\$56,527*

*** Unfunded**

Bid Results

- Request for Bids advertised from 2/18 - 3/11
- 25 firms contacted and site visits provided
- 6 bid responses received (3 local; 3 out of State)
- Low bid of \$36,027 from Aquatica Pool Management, Inc. based out of San Antonio
 - Open Memorial Day to Labor Day
 - 3 Lifeguards
 - Responsible for maintaining water quality and logging 3x daily; collecting fees and monitoring membership

Proposed Schedule

Day	Hours
Monday	Closed
Tuesday	10:00 a.m. – 7:00 p.m.
Wednesday	10:00 a.m. – 7:00 p.m.
Thursday	10:00 a.m. – 7:00 p.m.
Friday	10:00 a.m. – 8:00 p.m.
Saturday	10:00 a.m. – 8:00 p.m.
Sunday	Closed

Park Commission Recommendation

- The Park Commission provides oversight of the LV Community Pool.
- The pool is referenced in the 2014 Park Master Plan.
- The Park Commission was briefed on status of pool and is recommending alternate use of the pool resulting in closure of pool.
 - The land would be better put to use as a splash pad with other playground type equipment.

On-Line Survey

- A survey was developed and made available on the City's website
- The survey consisted of nine questions
- Survey period ran from 3/15 – 4/4
- Received a total of 164 Responses
- 63% of respondents use the pool

On-Line Survey

- Scale of 1 to 10 w/10 being very important, how important to you is the pool? Rating of 7
- If the pool was removed, what feature(s) would you like to see?
 - Splash Pad (44%); Pavilion (26%); Basketball Court; (22%); Picnic Area (26%); Skate Park (19%)
- If the pool remained open, what improvements would you like to see?
 - (7) More Affordable
 - (16) Better Management
 - (13) Better Upkeep
 - (26) Improvements to Facilities
 - (9) No Changes Needed
 - (6) Longer Hours
 - (14) Other (More space, close the pool, more children activities)

What We Don't Know

- Overall Condition of Pool – We know this year, \$24,000 in upgrades to the pumps and filters is required to bring the pool up to Code.
 - What are future costs? The pool is over 40 years old. A thorough inspection regarding the overall condition of the pool should be done.
- Costs Associated with the Park Commission's Recommendation

Policy Options

Policy Option 1 - Open the pool and contract with Aquatica, Inc. A budget adjustment in the amount of \$56,527 will be required.

- Action Can be taken at the May 12th City Council Meeting and Pool to be opened for 2014 Season

Policy Option 2 - Implement the Park Commission's Recommendation. Staff to complete the analysis required to implement the Park Commission's Recommendation

- Action Can be taken at the May 12th City Council Meeting

Strategic Goals Statement

- Item 2(g) Make Improvements/Investments to Rimkus Park
 - The pool is considered to be a part of the park system
 - Periodic maintenance and updates will be necessary, as the pool was built during the 1970's

S.E.E. Statement

- Social Equity – Adds to general quality of life for all citizens
- Environmental Stewardship – Reduces the amount of automobile pollutants, as residents within that area would not have to drive to find this type of activity
- Economic Development – The pool enhances the amenities offered by the City to its residents, which may encourage relocation

Item 15

City of Leon Valley Swimming Pool

City Council Meeting
April 14, 2014

Agenda Item 16

MAYOR AND COUNCIL COMMUNICATION

M&C:04-08-14

DATE: April 14, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: PRESENTATION AND REPORT BY WATERS CONSULTING ON CITY OF LEON VALLEY PERSONNEL COMPENSATION STUDY

PURPOSE

The City of Leon Valley contracted in October 2013 with the Waters Consulting Group to conduct a job analysis and compensation study. They were tasked with the following:

- Job Analysis and classification Review (FLSA REPORT)
- Job Evaluation
- Custom Compensation Survey
- Benefits and Pay Practices Survey
- Market Comparisons
- Development of New Classification/Compensation Plans
- Staffing Study
- Job Descriptions

Waters Consulting Group will be providing City Council with an in depth analysis of the City of Leon Valley workforce and pay structure. They will be giving you some salary structure options and a recommended schedule for implementation.

FISCAL IMPACT

To be determined

RECOMMENDATION

N/A

Strategic Goals for 2013 – 2014

This item is align with Strategic Goal number 4 – Conduct City Employee Market Compensation Analysis and Adjust pay plan as necessary.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Crystal Caldera, Interim City Secretary

**LEON VALLEY FIRE DEPARTMENT
MONTHLY REPORT
February 2014**

Overall Responses:

The Fire Department responded to 176 incidents this month (2013 – 143 incidents). There was minimal fire loss reported for the month, and no injuries due to fire were reported.

Fires:

Firefighters responded to a house fire on Longhouse Court. When Firefighters arrived, they found the family standing in the front yard and smoke coming out of the doorway. Firefighters quickly extinguished the fire without incident and limited the damage to the immediate area of the kitchen. The cause of the fire was determined to be; placing hot coals in a trash can before they were properly extinguished.

Firefighters responded to an apartment fire at the Forest Oaks apartments on Evers Rd. The fire was discovered in a balcony section; quickly extinguished, determined to be caused by improper discarding of cigarettes.

The Fire Department responded to 2 dumpster fires at Dickie's Barbecue 2 weeks apart.

Firefighters extinguished a grass fire at John Marshal High School caused by construction workers cutting rebar with a grinder.

Rescue/EMS:

EMS responded to a total of 124 calls (92 in 2012), 96 patients were transported to local hospitals by Leon Valley EMS during the month.

Firefighters also responded to rescue a deer that was trapped in a fence on Stebbins.

Mutual Aid:

Leon Valley Fire Department responded to assist Bexar County ESD 2 with a body recovery of a man that died while working on the roof of a large building. Leon Valley responded twice to assist Balcones Heights Fire Department with fires.

Other Responses:

Fire crews also responded to 18 false alarms, and 3 Service Calls.

Fire Prevention/Education:

75 Fire inspections were completed (2012 – 45 inspections), which includes 6 C of O inspections. Two construction plans were reviewed this month. No permits were issued this month.

Personnel & Training News:

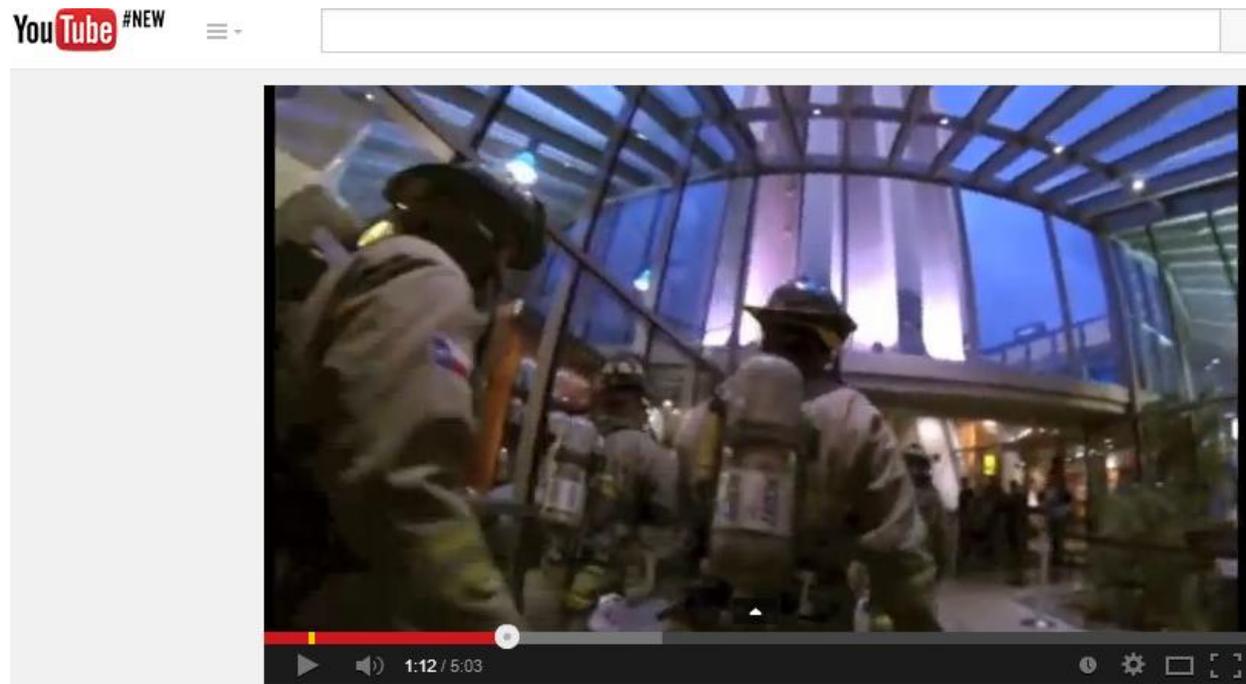
Team Leon Valley raised \$2,500 for the Lone Star Cystic Fibrosis Foundation:

The challenge is to climb 65 flights of stairs wearing full gear. This is a chip-timed event, and Firefighters race to the top....the fastest Firefighter receives a trophy to take back to their fire station for a year....bragging rights, and station pride...

Leon Valley Firefighters climbed strong....

- 1st place – SAFD 9 min 45 seconds
- 2nd place – SAFD 10 min 06 seconds
- 3rd place – LVFD 10 min 11 seconds (*Ramiro Cano*)
- 4th place – Missoula Montana FD 10 min 28 seconds
- 5th place – LVFD 11 min 6 seconds (*Gabriel Nerio*)

(Click the picture below for the embedded youtube video and follow along, or click the link below).

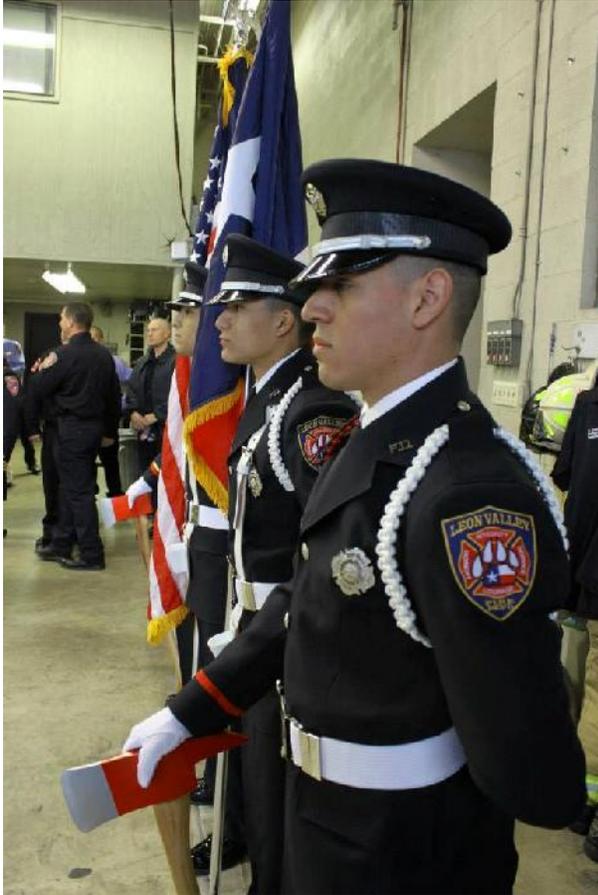


<https://www.youtube.com/watch?v=e0wQKOnOjM&feature=youtu.be>

Training at Intertek Research: Firefighters toured the facility and trained with the emergency response team from Intertek Automotive Research. This training is part of our on-going essential program that places priority on target hazards.



Ground-breaking of the new fire station: Firefighters debut the Leon Valley Honor Guard at the ground-breaking for the new fire station. The team of Firefighters is dedicated to providing the City of Leon Valley Texas Fire Department and its Firefighters, with a dedicated group of individuals who support the history, traditions and values associated with the Fire Service, and who reflect a positive and professional image of Leon Valley Texas Firefighters.



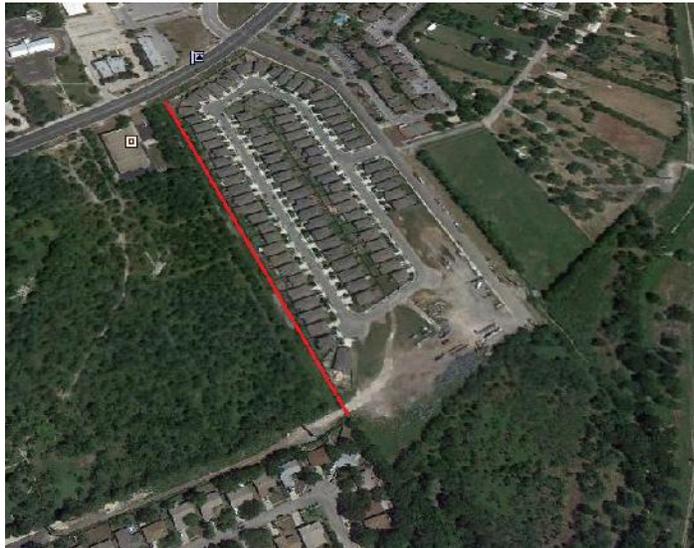
Church service with Bethel Covenant Church:

On Sunday, along with the Mayor Riley and Chief Wallace, the Fire Department attended the one year celebration church service at Bethel Covenant Church at 6812 Bandera Rd. The service included music, dance, food, more music, a sermon, and even more music! Bethel Covenant Church gave a \$1,000 check to the Fire Department made out to the Cystic Fibrosis Foundation for the upcoming tower climb event.



New Fire Break cut behind homes on Shadow Mist:

In working through the City's *community wildland protection plan*, the department was able to work with the property owner to complete a fire break behind the Shadow Mist subdivision. Mr. Bob Pierce, Owner of the Timberhill Villas (San Antonio), was very cooperative in cutting the fire break at his expense. This involved no removal of trees, only thick brush and tall grasses.



Local Cub Scout pack visits the Fire Station: Earning their badge for emergency preparedness, the “pack” learned about CPR, basic first aid, and other important emergency and safety tips.



Certificate of Occupancy - Approved

Address	Name	Type
5504 Bandera 407	Ezekiel Montes	Construction Contractor
6780 Bandera 8	Brake Tech and Lube	Auto Service
7500 Eckhert 280	Aqua Viva Nutrition	Health and Wellness supply
5419 Bandera 708	Total Confidence Martial Arts	Fitness studio
6508 Bandera	Laura Gonzalez – Avon	Beauty supply
5504 Bandera 705	Woodscapes by John	Carpentry / Millworks

Fire Prevention Activities

INSPECTIONS	FEB 2014	FEB 2013	TOTAL 2014	TOTAL 2013
COMMERCIAL BUSINESS	32	40	62	439
INDUSTRIAL	0	0	2	2
PUBLIC BUILDINGS	2	3	6	40
APARTMENTS/HOTEL	2	3	5	32
INSTITUTIONAL	1	1	3	26
SCHOOLS	0	0	2	22
RESIDENTIAL CONTACT	1	1	8	129
COMPANY IN-SERVICE	25	20	47	210
NEW CONSTRUCTION	6	2	14	26
CERTIFICATES OF OCCUPANCY	6	12	15	129
TOTAL INSPECTIONS	75	85	164	1065

Fire Inspection Activities

Other Activities	FEB 2014	FEB 2013	TOTAL 2014	TOTAL 2013
SUPERVISED FIRE DRILLS	3	0	4	5
LECTURES/DEMOS	4	1	7	42
NUMBER ATTENDED	60	100	110	2300
PLAN REVIEWS	3	2	5	30
CITATIONS ISSUED	0	0	0	0
WARNINGS ISSUED	0	0	0	3
COMPLAINTS INVESTIGATED	1	1	2	9
PERMITS ISSUED	0	3	0	16
PERMIT FEES RECEIVED	0.00	200.00	\$0.00	\$2,812.50

EMERGENCY INCIDENT RESPONSE DATA

INCIDENT TYPE	FEB 2014	FEB 2013	TOTAL 2014	TOTAL 2013
STRUCTURE RESIDENTIAL	1	0	2	7
STRUCTURE COMMERCIAL RESIDENTIAL	1	0	2	5
STRUCTURE COMMERCIAL	0	0	0	2
STRUCTURE FIRE OTHER THAN BUILDING	0	0	0	1
VEHICLE FIRE	0	0	4	8
OUTSIDE RUBBISH FIRE	2	0	1	11
SPECIAL OUTSIDE FIRE	0	0	0	3
NATURAL VEGETATION FIRE	1	0	1	2
FIRE, OTHER	0	0	1	10
FALSE ALARM	18	12	18	143
INVESTIGATION OR SPECIAL INCIDENT	0	0	0	2
SERVICE CALL	3	9	15	58
EMS	124	92	200	1159
EMS ASSIST	41	24	68	242
HAZARDOUS CONDITION	0	1	3	23
RESCUE	2	1	2	14
MUTUAL AID	2	4	4	19
OVERPRESSURE RUPTURE OR EXPLOSION	0	0	0	0
GOOD INTENT CALL	0	9	2	53
SEVERE WEATHER OR NATURAL DISASTER	0	0	0	1
TOTAL	176	143	321	1867



Luis Valdez, Fire Chief



Leon Valley Police Department Monthly Report February 2014

Calls for Service

	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Calls for Service	779	1,658	745	1,479
Index Crimes	53	124	72	162
Non-Index Crimes	726	1,534	687	1,331

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

	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Suspicious Vehicle	56	121	75	137
Assist the Public/Other Agency	59	126	39	94
Disturbance	73	113	67	132
Violation of City Ordinance	12	30	16	25
Traffic Offenses	32	68	21	50
Burglar Alarm	60	226	101	187
Accidents	61	125	66	111
Criminal Mischief	15	40	17	50
Other	215	383	174	309
N-Code 10*	3	5	13	21
N-Code 14**	31	62	28	60
N-Codes	109	235	70	155

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

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



Leon Valley Police Department Monthly Report

Index Crimes

	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Burglary	12	15	6	10
Burglary – Motor Vehicle	11	26	16	25
Assault	5	10	5	8
Homicide	0	0	0	0
Rape	0	0	0	0
Theft	23	65	43	113
Theft of Service	0	1	1	3
Vehicle Theft	2	5	1	2
Robbery	0	2	0	1

Citations

	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Citations Issued	376	875	300	674

Citations by Selected Categories	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Expired License Plates	36	88	26	59
Expired Inspection Certificate	67	167	51	105
No/Expired/Invalid DL	33	83	21	46
No Insurance	60	147	54	124
Ran Red Light	15	24	6	11
Ran Stop Sign	5	11	15	26
Speeding	22	62	14	42

Hazardous vs. Non-Hazardous	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Hazardous	42	97	35	79
Non-Hazardous	334	778	265	595

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	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Felony Offense	8	9	4	7
Misdemeanor Offense	44	82	33	80
Warrants	7	11	8	24

Investigations

	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Assigned	168	356	107	246
Arrest/Charges Filed at Large	18	45	35	81
Suspended	30	59	29	48
Closed by Exception	73	147	71	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	Feb 2014	YTD 2014	Feb 2013	YTD 2013
Total	887	1,796	917	1,891
Business	71	127	66	114
Residential	35	88	46	102
Coin	2	6	4	8
Cellular	765	1,546	682	1,443
Voice over Internet Protocol	10	24	10	19
Unknown	4	5	109	205

Community Resource Officer

	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Violations of City Ordinance	3	13	19	34



Leon Valley Police Department Monthly Report

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.

	FEB 2014	YTD 2014	FEB 2013	YTD 2013
Hours	144	234	222	409
Calls for Service Handled	37	82	44	103
Citations	3	8	5	27

Code Enforcement

The Code Enforcement and Animal Control Officers completed a total of 100 inspections.



LEON VALLEY FIRE DEPARTMENT MONTHLY REPORT January 2014

Overall Responses:

The Fire Department responded to 145 incidents this month (2013 – 161 incidents). There was an estimated loss of \$20,000 in structural fire loss and \$15,000 in loss from other sources, including 4 vehicles. No injuries were reported related to fire incidents.

Fires:

A heater at Arby's overloaded and caught fire. Also, a heating unit at the Sierra Royale apartments; both fires were quickly extinguished and controlled by the fire department before spreading, and without incident.

Four vehicle fires occurred; including a small boat that was parked at the "Silo property" on Grissom Rd. The 3 car fires were determined to be mechanical or electrical failure. The cause of the boat fire remains under investigation.



Mutual Aid:

Leon Valley Fire Department responded twice to Balcones Heights for assistance, and received assistance from both Balcones Heights and Castle Hills Fire Departments.

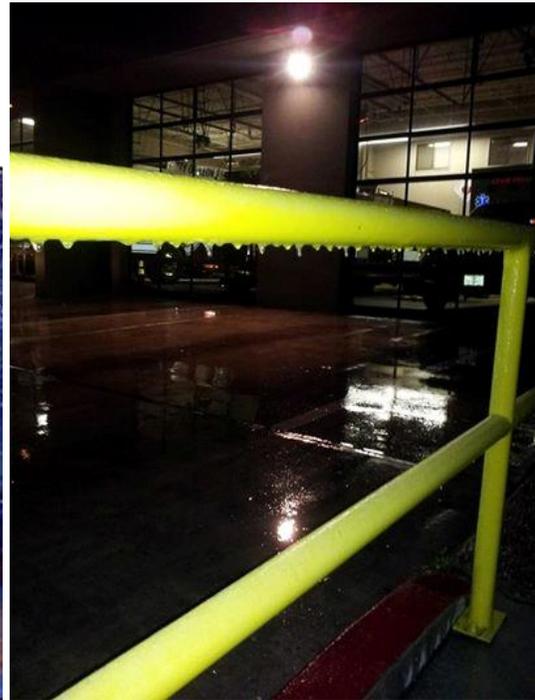
EMS Responses:

EMS responded to a total of 76 incidents. 57 patients were transported to local hospitals by Leon Valley EMS, and 26 EMS support responses were made.

Other Responses:

Fire crews also responded to 12 false alarms, 3 Hazardous Condition calls, and 2 good intent calls this month.

Winter storm response: The month of January tested the Emergency Management Team, made up of the Fire, Police, and Public Works departments during two separate freeze events. The team enacted a response plan and worked effectively.



Fire Prevention/Education:

89 Fire inspections were completed (2013 – 119 inspections), which includes 9 certificate of occupancy inspections. Two construction plans were reviewed this month. No fire system construction permits were issued.

Personnel & Training News:

Starting the year right, Leon Valley joins the “Ready, Set, Go” program:

Sponsored by the International Association of Fire Chiefs, this program provides fire prevention educational resources, pairs up nicely with our *Firewise* designation, and works towards continued improvement in our goal of excellence and leadership in urban-wildland interface prevention in Central Texas.

Besides the City of San Antonio, Leon Valley is the only City in Bexar County that has joined this program.

The timing is perfect as the department plans its community activities at the *Earthwise Living Day* on March 1st.

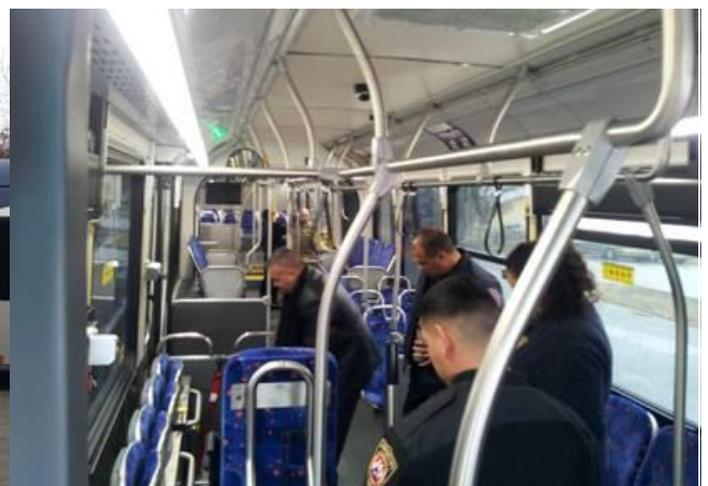


Welcomes aboard newest Firefighter: Assigned to A-shift with Captain Blake Wade, is 29 year-old Firefighter/Paramedic Mike Dizzine. Mike is an experienced Firefighter/Paramedic, with an excellent background, references.... interviewed extremely well, and powered through the physical agility test.



Via Primo visits the fire station: Mr. Andrew Flores, Training Specialist with VIA stopped in for free training opportunity for emergency personnel.

The purpose of training with VIA is to learn more about the unique challenges associated with fire and rescue.



Assistant Chief Lawson attends 2-day emergency management training course: Taking advantage of a free training opportunity hosted by the Texas Department of Emergency Management, the course offered resource management training, and excellent networking with other Emergency Managers in the area.

The department continues to make improvements in emergency management services.

Annual Firefighter Health and Wellness physicals complete: In continuing to promote health and wellness of our department, the entire fire department completed its annual physical fitness and wellness exams.



Special Project – building new Dining room table: Firefighters were donated a section of retired bowling lane from Bandera Bowl. The teams plan is to re-purpose the wood to make into a new dining room table for the new fire station. Stay tuned for progress....



Pump Testing completed: The department completed its annual fire pump testing, ensuring that the “heart” of the fire truck is in prime condition for use.



Career Day at Leon Valley Elementary: Captain Oscar Valdez and “B” shift participated in Career Day at Leon Valley Elementary School. The event was well received and the department continues to work to enhance public education and fire prevention.

Training with mutual aid partners: The Fire Department continues to build up resources and focusing heavily on training. Picture below, Captain Oscar Valdez instructs a group of Olmos Park Firefighters at their station.



Certificate of Occupancy Final

Address	Name	Type
5308 Wurzbach	Southwestern Telephone	AT&T Uverse tech work center
5504 Bandera 614	Temptex Heating and AC	Contractor
6806 Huebner	Everyday bargains	Retail store
5504 Bandera 613	Aaron's Garage Door Service	Contractor
5504 Bandera 514	John McKenzie	Private Storage in Comm prop.
6812 Bandera 215	Jolly Photography	Photo Studio
7328 Reindeer Trail	Bexar Audio Tint and Alarm	Auto accessories
7015 Bandera 14	365 Pool & Spa	Pool supplies
5724 Wurzbach 24	VN Service	Tax service

FIRE PREVENTION ACTIVITIES

INSPECTIONS	JAN 2014	JAN 2013	TOTAL 2014	TOTAL 2013
COMMERCIAL BUSINESS	30	55	30	439
INDUSTRIAL	2	2	2	2
PUBLIC BUILDINGS	4	5	4	40
APARTMENTS/HOTEL	3	2	3	32
INSTITUTIONAL	2	5	2	26
SCHOOLS	2	5	2	22
RESIDENTIAL CONTACT	7	6	7	129
COMPANY IN-SERVICE	22	17	22	210
NEW CONSTRUCTION	8	6	8	26
CERTIFICATES OF OCCUPANCY	9	16	9	129
TOTAL INSPECTIONS	89	119	89	1065

OTHER ACTIVITY	JAN 2014	JAN 2013	TOTAL 2014	TOTAL 2013
SUPERVISED FIRE DRILLS	1	1	1	5
LECTURES/DEMOS	3	2	3	42
NUMBER ATTENDED	50	20	50	2300
PLAN REVIEWS	2	3	2	30
CITATIONS ISSUED	0	0	0	0
WARNINGS ISSUED	0	0	0	3
COMPLAINTS INVESTIGATED	1	2	1	9
PERMITS ISSUED	0	1	0	16
PERMIT FEES RECEIVED	0	125	0	\$2,812.50

EMERGENCY INCIDENT RESPONSE DATA

INCIDENT TYPE	JAN 2014	JAN 2013	TOTAL 2014	TOTAL 2013
STRUCTURE RESIDENTIAL	1	2	1	7
STRUCTURE COMMERCIAL RESIDENTIAL	1	1	1	5
STRUCTURE COMMERCIAL	0	0	0	2
STRUCTURE FIRE OTHER THAN BUILDING	0	0	0	1
VEHICLE FIRE	4	0	4	8
OUTSIDE RUBBISH FIRE	0	1	0	11
SPECIAL OUTSIDE FIRE	0	0	0	3
NATURAL VEGETATION FIRE	0	0	0	2
FIRE, OTHER	1	0	1	10
FALSE ALARM	18	11	18	143
INVESTIGATION OR SPECIAL INCIDENT	0	1	0	2
SERVICE CALL	12	4	12	58
EMS	76	97	76	1159
EMS ASSIST	27	36	27	242
HAZARDOUS CONDITION	3	4	3	23
RESCUE	0	0	0	14
MUTUAL AID	2	0	2	19
OVERPRESSURE RUPTURE OR EXPLOSION	0	0	0	0
GOOD INTENT CALL	2	4	2	53
SEVERE WEATHER OR NATURAL DISASTER	0	0	0	1
TOTAL	145	161	145	1867



Luis Valdez, Fire Chief

Monthly Report

Finance

March 2014

Sales Tax Revenue

- ❖ Sales tax revenue of \$158,051 was received from the State Comptroller's office in March. After consideration of the March sales tax payment, year-to-date sales tax revenues are 14.13% higher than this time last year.

Street Maintenance Sales Tax Revenue

- ❖ Street Maintenance Sales tax revenue of \$19,754 was received from the State Comptroller's office in March.

Ad Valorem Taxes

- ❖ Ad valorem tax collections of \$49,591 were received from the Tax Assessor/Collector's office in March. Collections for March 2013 were \$27,883.

Winter Sewer Averaging

- ❖ March utility bills reflect the new winter sewer averages for residential customers. Winter averages are calculated using water consumption figures for the period of November 15 through February 15. The system wide sewer average for residential customers was calculated to be \$18.79 monthly, which is \$1.39 lower than the average calculated last year. The system average is used to calculate monthly billings for non-metered residential customers (customers with sewer service only) and new metered residential customers. Sewer adjustment requests for water leaks occurring during the winter averaging period will be accepted in the Finance department until May 1.



**CITY OF LEON VALLEY
FINANCIAL STATEMENT
MARCH 2014**



General Fund

	FY 2013-2014 BUDGET		FY 2013-2014 Y-T-D ACTUAL		FY 2012-2013 Y-T-D	
<u>REVENUE</u>						
Ad Valorem	\$ 3,237,200	50.0%	\$ 2,890,718	89.3%	\$ 2,749,029	89.1%
Sales Taxes	1,855,346	50.0%	690,533	37.2%	604,660	33.7%
Franchise Taxes	707,181	50.0%	364,639	51.6%	351,466	48.4%
Licenses,Permits,Fees,Fines	1,011,551	50.0%	525,605	52.0%	551,871	53.7%
Miscellaneous	138,390	50.0%	85,972	62.1%	309,974	257.8%
TOTAL REVENUE	\$ 6,949,668	50.0%	\$ 4,557,468	65.6%	\$ 4,566,999	67.6%
<u>EXPENDITURES</u>						
Business Office	\$ 154,139	50.0%	\$ 70,695	45.9%	\$ 81,448	49.0%
Finance	221,690	50.0%	104,301	47.1%	101,504	47.3%
Council & Manager	422,832	50.0%	189,580	44.8%	134,290	43.8%
Police	2,296,157	50.0%	1,094,411	48.0%	1,013,156	48.0%
Fire	2,301,695	50.0%	1,202,516	53.0%	1,145,713	52.0%
Public Works	1,177,784	50.0%	607,126	51.6%	484,856	43.6%
Community Development	205,275	50.0%	92,932	45.3%	143,541	46.2%
Economic Development	161,088	50.0%	95,347	59.2%	57,209	45.9%
Special Events	13,000	50.0%	6,711	51.6%	7,858	44.7%
Parks & Recreation	213,266	50.0%	66,756	31.3%	33,563	30.0%
Library	287,199	50.0%	127,929	44.5%	129,370	15.5%
Other Sources/Uses	13,000	50.0%	-	-	-	-
TOTAL EXPENDITURES	\$ 7,467,125	50.0%	\$ 3,658,303	49.1%	\$ 3,332,508	44.1%



Water and Sewer Fund

	FY 2013-2014 BUDGET		FY 2013-2014 Y-T-D ACTUAL		FY 2012-2013 Y-T-D	
<u>REVENUE</u>						
Water Sales	\$ 1,500,000	50.0%	\$ 608,400	40.6%	\$ 604,949	38.0%
Sewer Sales	1,647,000	50.0%	769,979	46.8%	763,183	47.3%
Connection & Platting	2,500	50.0%	300	12.0%	300	12.0%
Customer Fees	43,300	50.0%	24,017	55.5%	25,741	59.5%
Tapping Fees	16,000	50.0%	4,141	25.9%	5,857	36.6%
Miscellaneous	48,800	50.0%	86,002	176.2%	7,648	15.7%
TOTAL REVENUE	\$ 3,257,600	50.0%	\$ 1,492,839	45.8%	\$ 1,407,679	42.5%
<u>EXPENDITURES</u>						
Business Office	662,323	50.0%	286,441	43.3%	265,420	42.1%
Water System	1,270,283	50.0%	847,608	66.7%	562,089	48.6%
Sewer System	1,265,754	50.0%	507,251	40.1%	522,542	37.5%
Storm Water	381,581	50.0%	142,943	37.5%	97,117	26.4%
TOTAL EXPENDITURES	\$ 3,579,941	50.0%	\$ 1,784,244	49.8%	\$ 1,447,169	40.8%



Community Center Fund

	FY 2013-2014 BUDGET		FY 2013-2014 Y-T-D ACTUAL		FY 2012-2013 Y-T-D	
REVENUE						
Hotel/Motel Taxes	83,082	50.0%	22,065	26.6%	25,573	33.8%
RENTAL FEES:						
Community Center	48,751	50.0%	20,248	41.5%	23,602	49.6%
Conference Center	34,800	50.0%	12,135	34.9%	15,917	60.2%
Miscellaneous:						
CDBG Grant	-		-		-	
CPS Energy Rebate	-		-		-	
TOTAL REVENUE	\$ 166,633	50.0%	\$ 54,448	32.7%	\$ 65,092	43.5%
TOTAL EXPENDITURES	\$ 173,600	50.0%	\$ 89,921	50.1%	\$ 60,156	41.6%



Street Maintenance Sales Tax

	Actual FY 2012	Actual FY 2013	Budget FY 2014	Actual FY 2014
Revenues	443,738	475,884	457,050	170,849
Transfers In	-			
TOTAL REVENUES	443,738	475,884	457,050	170,849
Expenditures	546,311	10,720	955,799	334,218
TOTAL EXPENDITURES	546,311	10,720	955,799	334,218
FUND BALANCE	401,699	866,863	368,114	703,494

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2014

100-General Fund

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							

AD VALOREM TAXES	3,237,200.00	39,411.07	0.00	2,890,807.67	0.00	346,392.33	89.30
SALES TAXES	1,855,346.00	158,050.84	0.00	690,532.85	0.00	1,164,813.15	37.22
FRANCHISE FEES	707,181.00	4,131.10	0.00	364,638.81	0.00	342,542.19	51.56
LICENSE, PERMITS, FEES, FINE	1,011,551.00	129,831.25	0.00	525,605.43	0.00	485,945.57	51.96
MISCELLANEOUS	138,390.00	10,703.64	0.00	85,976.74	0.00	52,413.26	62.13
TOTAL REVENUE	6,949,668.00	342,127.90	0.00	4,557,561.50	0.00	2,392,106.50	65.58
	=====	=====	=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

Business Office

PERSONNEL SERVICES	79,009.00	5,315.06	0.00	30,667.99	0.00	48,341.01	38.82
SUPPLIES	8,230.00	3,178.52	0.00	6,995.75	0.00	1,234.25	85.00
CONTRACTUAL SERVICES	66,900.00	5,033.05	0.00	33,031.67	0.00	33,868.33	49.37
TOTAL Business Office	154,139.00	13,526.63	0.00	70,695.41	0.00	83,443.59	45.86

Finance

PERSONNEL SERVICES	133,468.00	9,882.07	0.00	67,938.46	0.00	65,529.54	50.90
SUPPLIES	6,800.00	830.47	0.00	3,469.95	0.00	3,330.05	51.03
CONTRACTUAL SERVICES	71,422.00	6,566.96	0.00	32,892.33	0.00	38,529.67	46.05
CAPITAL OUTLAY	10,000.00	0.00	0.00	0.00	0.00	10,000.00	0.00
TOTAL Finance	221,690.00	17,279.50	0.00	104,300.74	0.00	117,389.26	47.05

City Manager & Council

PERSONNEL SERVICES	207,644.00	14,259.70	0.00	89,699.53	0.00	117,944.47	43.20
SUPPLIES	18,640.00	1,565.84	0.00	4,115.41	0.00	14,524.59	22.08
CONTRACTUAL SERVICES	196,548.00	8,317.50	0.00	95,765.34	0.00	100,782.66	48.72
TOTAL City Manager & Council	422,832.00	24,143.04	0.00	189,580.28	0.00	233,251.72	44.84

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2014

100-General Fund

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Police Administration							

PERSONNEL SERVICES	319,979.00	20,457.20	0.00	150,851.10	340.00	168,787.90	47.25
SUPPLIES	6,500.00	72.47	0.00	2,373.08	129.64	3,997.28	38.50
CONTRACTUAL SERVICES	56,971.00	2,647.76	0.00	27,486.35	0.00	29,484.65	48.25
TOTAL Police Administration	383,450.00	23,177.43	0.00	180,710.53	469.64	202,269.83	47.25
Police Crime Prevention							

TOTAL Police Crime Prevention	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Police Patrol							

PERSONNEL SERVICES	1,145,721.00	82,183.67	0.00	571,817.13	206.00	573,697.87	49.93
SUPPLIES	83,400.00	1,244.00	0.00	29,265.36	3,422.49	50,712.15	39.19
CONTRACTUAL SERVICES	9,700.00	174.94	0.00	1,110.79	0.00	8,589.21	11.45
TOTAL Police Patrol	1,238,821.00	83,602.61	0.00	602,193.28	3,628.49	632,999.23	48.90
Police Communications							

PERSONNEL SERVICES	276,193.00	17,173.76	0.00	113,925.02	0.00	162,267.98	41.25
SUPPLIES	2,200.00	105.31	0.00	770.57	0.00	1,429.43	35.03
CONTRACTUAL SERVICES	2,900.00	452.74	0.00	901.69	0.00	1,998.31	31.09
TOTAL Police Communications	281,293.00	17,731.81	0.00	115,597.28	0.00	165,695.72	41.09
Police Investigations							

PERSONNEL SERVICES	308,883.00	16,840.70	0.00	147,974.48	205.04	160,703.48	47.97
SUPPLIES	2,600.00	281.43	0.00	532.74	0.00	2,067.26	20.49
CONTRACTUAL SERVICES	5,500.00	548.35	0.00	855.25	0.00	4,644.75	15.55
TOTAL Police Investigations	316,983.00	16,573.78	0.00	149,362.47	205.04	167,415.49	47.18
Police Narcotics TF							

PERSONNEL SERVICES	75,474.00	6,656.79	0.00	42,239.36	0.00	33,234.64	55.97
CONTRACTUAL SERVICES	136.00	9.25	0.00	50.00	0.00	86.00	36.76
TOTAL Police Narcotics TF	75,610.00	6,666.04	0.00	42,289.36	0.00	33,320.64	55.93

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2014

100-General Fund

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Police Reserves							

TOTAL Police Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fire Administration							

PERSONNEL SERVICES	216,827.00	22,283.53	0.00	107,110.11	0.00	109,716.89	49.40
SUPPLIES	4,914.00	1,217.42	0.00	3,777.55	0.00	1,136.45	76.87
CONTRACTUAL SERVICES	35,346.00	2,467.81	0.00	16,309.61	0.00	19,036.39	46.14
TOTAL Fire Administration	257,087.00	25,968.76	0.00	127,197.27	0.00	129,889.73	49.48
Fire Reserves							

TOTAL Fire Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fire Operations							

PERSONNEL SERVICES	1,643,875.00	110,107.35	0.00	783,476.37	0.00	860,398.63	47.66
SUPPLIES	31,237.00	671.20	0.00	9,770.86	740.73	20,725.41	33.65
CONTRACTUAL SERVICES	70,830.00	8,976.58	0.00	48,761.85	0.00	22,068.15	68.84
CAPITAL OUTLAY	190,480.00	0.00	0.00	0.00	178,999.12	11,480.88	93.97
TOTAL Fire Operations	1,936,422.00	119,755.13	0.00	842,009.08	179,739.85	914,673.07	52.76
Fire Prevention							

TOTAL Fire Prevention	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fire EMS							

SUPPLIES	39,610.00	4,535.57	0.00	9,231.58	3,115.39	27,263.03	31.17
CONTRACTUAL SERVICES	68,576.00	5,295.77	0.00	41,222.80	0.00	27,353.20	60.11
TOTAL Fire EMS	108,186.00	9,831.34	0.00	50,454.38	3,115.39	54,616.23	49.52
Public Works M&O							

PERSONNEL SERVICES	671,134.00	47,449.52	0.00	340,856.13	0.00	330,277.87	50.79
SUPPLIES	147,000.00	11,207.28	0.00	70,043.04	841.40	76,115.56	48.22
CONTRACTUAL SERVICES	229,650.00	15,886.08	0.00	95,679.25	0.00	133,970.75	41.66
CAPITAL OUTLAY	130,000.00	0.00	0.00	99,911.39	0.00	30,088.61	76.85
TOTAL Public Works M&O	1,177,784.00	74,542.88	0.00	606,489.81	841.40	570,452.79	51.57

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2014

100-General Fund

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
OTHER FINANCING SOURCES (USES)							
=====							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
=====							
NET GAIN OR (LOSS)	(504,457.00	(155,847.39	0.00	1,098,951.10	(199,943.81	(1,403,464.29	
	=====	=====	=====	=====	=====	=====	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2014

200-Water & Sewer

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							

MISCELLANEOUS	48,800.00	0.00	0.00	86,001.71	0.00	(37,201.71)	176.23
WATER SALES	1,500,000.00	107,692.12	0.00	608,399.96	0.00	891,600.04	40.56
SEWER SALES	1,647,000.00	140,599.02	0.00	769,979.06	0.00	877,020.94	46.75
CONNECTION & PLATTING	2,500.00	0.00	0.00	300.00	0.00	2,200.00	12.00
CUSTOMER FEES	43,300.00	3,227.62	0.00	24,017.13	0.00	19,282.87	55.47
TAPPING FEES	16,000.00	0.00	0.00	4,141.12	0.00	11,858.88	25.88
TOTAL REVENUE	3,257,600.00	251,518.76	0.00	1,492,838.98	0.00	1,764,761.02	45.83
	=====	=====	=====	=====	=====	=====	=====

EXPENDITURE SUMMARY

Business Office

PERSONNEL SERVICES	540,221.00	39,244.11	0.00	250,646.95	0.00	289,574.05	46.40
SUPPLIES	33,750.00	1,648.75	0.00	6,942.05	0.00	26,807.95	20.57
CONTRACTUAL SERVICES	88,352.00	1,763.11	0.00	28,852.21	0.00	59,499.79	32.66
TOTAL Business Office	662,323.00	42,655.97	0.00	286,441.21	0.00	375,881.79	43.25

Water System

PERSONNEL SERVICES	331,189.00	23,452.11	0.00	171,020.58	0.00	160,168.42	51.64
SUPPLIES	82,500.00	2,577.62	0.00	34,253.15	10,110.52	38,136.33	53.77
CONTRACTUAL SERVICES	476,594.00	7,573.16	0.00	258,344.08	2,718.92	215,531.00	54.78
CAPITAL OUTLAY	380,000.00	2,412.20	0.00	371,162.18	0.00	8,837.82	97.67
TOTAL Water System	1,270,283.00	36,015.09	0.00	834,779.99	12,829.44	422,673.57	66.73

Sewer System

PERSONNEL SERVICES	127,604.00	7,795.32	0.00	66,610.85	0.00	60,993.15	52.20
SUPPLIES	4,751.00	0.00	0.00	116.33	0.00	4,634.67	2.45
CONTRACTUAL SERVICES	1,133,399.00	764.54	0.00	440,524.26	0.00	692,874.74	38.87
TOTAL Sewer System	1,265,754.00	8,559.86	0.00	507,251.44	0.00	758,502.56	40.08

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2014

200-Water & Sewer

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Construction							

TOTAL Construction	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Storm Water							

PERSONNEL SERVICES	198,081.00	9,968.13	0.00	69,359.74	0.00	128,721.26	35.02
SUPPLIES	18,500.00	556.11	0.00	2,698.67	781.42	15,019.91	18.81
CONTRACTUAL SERVICES	165,000.00	11,601.07	0.00	53,759.55	0.00	111,240.45	32.58
CAPITAL OUTLAY	0.00	384.78	0.00	16,343.81	0.00	16,343.81	0.00
TOTAL Storm Water	381,581.00	22,510.09	0.00	142,161.77	781.42	238,637.81	37.46
*** TOTAL EXPENDITURES ***	3,579,941.00	109,741.01	0.00	1,770,634.41	13,610.86	1,795,695.73	49.84
*** REVENUE OVER (UNDER) EXPENDITURES ***	(322,341.00)	141,777.75	0.00	(277,795.43)	13,610.86	30,934.71	9.60
OTHER FINANCING SOURCES (USES)							
=====							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET GAIN OR (LOSS)	(322,341.00)	141,777.75	0.00	(277,795.43)	13,610.86	30,934.71	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2014

710-Community Center

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							

TAXES	83,082.00	0.00	0.00	22,064.62	0.00	61,017.38	26.56
FEES	83,551.00	5,596.00	0.00	32,383.00	0.00	51,168.00	38.76
TOTAL REVENUE	166,633.00	5,596.00	0.00	54,447.62	0.00	112,185.38	32.68
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Community Center Operations							

PERSONNEL SERVICES	86,670.00	6,049.19	0.00	42,287.97	0.00	44,382.03	48.79
SUPPLIES	10,400.00	1,875.00	0.00	6,507.95	0.00	3,892.05	62.58
CONTRACTUAL SERVICES	66,530.00	4,330.49	0.00	38,125.54	0.00	28,404.46	57.31
CAPITAL OUTLAY	10,000.00	0.00	0.00	0.00	0.00	10,000.00	0.00
TOTAL Community Center Operations	173,600.00	12,254.68	0.00	86,921.46	0.00	86,678.54	50.07
Visitor Services							

TOTAL Visitor Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00

*** TOTAL EXPENDITURES ***	173,600.00	12,254.68	0.00	86,921.46	0.00	86,678.54	50.07
	=====	=====	=====	=====	=====	=====	=====
** REVENUE OVER (UNDER) EXPENDITURES *	(6,967.00)	(6,658.68)	0.00	(32,473.84)	0.00	25,506.84	366.11-
	=====	=====	=====	=====	=====	=====	=====
OTHER FINANCING SOURCES (USES)							
=====							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00

NET GAIN OR (LOSS)	(6,967.00)	(6,658.68)	0.00	(32,473.84)	0.00	25,506.84	
	=====	=====	=====	=====	=====	=====	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: MARCH 31ST, 2014

720-Street Maintenance Tax

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							
Revenues	457,050.00	39,507.28	0.00	170,849.42	0.00	286,200.58	37.38
TOTAL REVENUE	457,050.00	39,507.28	0.00	170,849.42	0.00	286,200.58	37.38
EXPENDITURE SUMMARY							
Street Maintenance Tax							
CONTRACTUAL SERVICES	955,799.00	2,474.76	0.00	334,217.71	0.00	621,581.29	34.97
TOTAL Street Maintenance Tax	955,799.00	2,474.76	0.00	334,217.71	0.00	621,581.29	34.97
*** TOTAL EXPENDITURES ***	955,799.00	2,474.76	0.00	334,217.71	0.00	621,581.29	34.97
** REVENUE OVER (UNDER) EXPENDITURES *	(498,749.00)	37,032.52	0.00	(163,368.29)	0.00	(335,380.71)	67.24
OTHER FINANCING SOURCES (USES)							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET GAIN OR (LOSS)	(498,749.00)	37,032.52	0.00	(163,368.29)	0.00	(335,380.71)	

*** END OF REPORT ***

**LEON VALLEY PARK COMMISSION MEETING MINUTES
JANUARY 14, 2014**

The Leon Valley Park Commission met on the 14th day of January, 2014 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 MEETING OF THE LEON VALLEY PARK COMMISSION

1. Call the Leon Valley Park Commission Meeting to Order and Determine a Quorum is Present.

Chairman Bert Thomas called the regular Park Commission meeting to order at 7:00 p.m. Present were Chairman Thomas, and Commissioners Linda Tarin, Bill Cooper, Scott Baird, and John Stanley. Absent and excused was Commissioner Benay Cacciatore. Chairman Thomas announced that Commissioner Tom Fraser had resigned from the Commission and that he had informed the Mayor of the vacancy, asking for three replacements, one from each of Park Zones 1, 2 & 4. Also present was City Staff Member Melinda Moritz. Let the record show that a quorum was present.

2. Consider Approval of the November 12, 2013 regular meeting minutes.

Commissioner Baird motioned to approve the November 12, 2013 meeting minutes as written, seconded by Commissioner Cooper. The motion carried unanimously.

3. Citizens to be Heard

There were no citizens to be heard.

4. Reports: Activities that Impact the Park or Access to the Park.

a. Results of the work session in Raymond Rimkus Park.

Chairman Thomas reported that he and Commissioners Cacciatore, Cooper and resident Monica Alcocer and her granddaughter spent about two hours preparing soil at the wildflower garden and then spreading a pound of special blend wildflower seeds, donated by Dr. and Mrs. Wassel Beal. He thanked those that attended.

5. Discuss:

a. Mr. Jess Swaim's Proposal for the Hike & Bike Trail.

Chairman Thomas stated that he had attended a presentation given by Mr. Swaim at the January 9, 2014 Public Meeting for the proposed Hike & Bike Trail. He stated that the results of that Public Meeting had been reported by Staff member Moritz at the January 13th City Council meeting and that she would now show those results to the Commission. Moritz presented the results and then ended by stating that the City Council would make a final decision on a trail alignment at their February 10, 2014 meeting.

b. Prioritize 2014 Park Master Plan Recommendations.

Page 1 of 2 - Approved by the Park Commission on the 11th day of February, 2014.

**LEON VALLEY PARK COMMISSION MEETING MINUTES
JANUARY 14, 2014**

Chairman Thomas noted that, in his opinion, the recommendations in the revised Master Plan had been prepared in priority order and that he saw no need to revisit the subject. The Commission concurred.

Commissioner Baird stated that he had found some grant opportunities for parks and playgrounds, and that he would be investigating them.

6. Commissioners' and Staff's Comments:

Commissioner Cooper asked what happened to the pedestrian crossing delineators on Evers Road. Staff member Moritz stated that they had been removed due to damage, but that they would soon be replaced.

Commissioner Baird informed the Commission that he had accepted a position with the Leon Valley Historical Society because of his membership with the Park Commission and was looking forward to working with them.

Staff member Moritz informed the Commission that the City Manager had requested an electrical panel be placed in Raymond Rimkus Park near the bleachers, to accommodate City functions. She explained that he would like Commission approval. Commissioner Baird motioned to approve the placement of an electrical panel in the park near the bleachers and the motion was seconded by Commissioner Cooper. The motion carried unanimously.

7. Announcements:

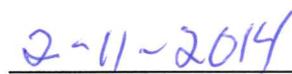
Chairman Thomas stated that the next Park Commission Meeting would be held in the City Council Chambers at Leon Valley City Hall on Tuesday, February 11, 2014.

8. Adjournment

Commissioner Stanley motioned to adjourn, and the motion was seconded by Commissioner Cooper. The motion carried unanimously. The meeting adjourned at 7:45 pm.



Chairman Bert Thomas



Date

**LEON VALLEY PARK COMMISSION MEETING MINUTES
FEBRUARY 11, 2014**

The Leon Valley Park Commission met on the 11th day of February, 2014 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 MEETING OF THE LEON VALLEY PARK COMMISSION

1. Call the Leon Valley Park Commission Meeting to Order and Determine a Quorum is Present.

Chairman Bert Thomas called the regular Park Commission meeting to order at 7:00 p.m. Present were Chairman Bert Thomas, and Commissioners Linda Tarin, Bill Cooper, Scott Baird, Benay Cacciatore, and Jackie Walton. Chairman Thomas introduced new member Jackie Walton to the Commission. Absent and excused was Commissioner John Stanley. Also present was City Council liaison Jack Dean and City Staff Member Melinda Moritz. Let the record show that a quorum was present.

2. Consider Approval of the January 14, 2014 regular meeting minutes.

Commissioner Baird requested a correction to the minutes to reflect that he was appointed to the Historical Society because of his membership on the Park Commission, and then made a motion to approve the January 14, 2013 meeting minutes as corrected, which was seconded by Commissioner Cooper. The motion carried unanimously.

3. Citizens to be Heard

There were no citizens to be heard.

4. Reports: Activities that Impact the Park or Access to the Park.

- a. Purchase of Playground equipment to replace Slides located behind the Community Garden.

Ms. Moritz informed the Commission that she had met with a Lea Park & Play playground contractor at the park and that he recommended the metal slides be removed immediately, as they were considered a head entrapment hazard, and that they had immediately been removed. She further informed the Commission that she had applied for a grant for some new playground equipment to replace the old slides and would report on the status of the grant at the next meeting.

She also explained that any new playground equipment in that area would be better placed near the restrooms and ball field, as parents could more quickly lead their toddlers to the restroom facilities and could also watch the ball games and their smaller children playing on the new equipment at the same time. She asked the Commission to visit the site and let her know if this would be acceptable at their next meeting.

**LEON VALLEY PARK COMMISSION MEETING MINUTES
FEBRUARY 11, 2014**

b. New Silo Park and detention pond near Huebner Road.

Chairman Thomas asked the Commission what they wanted to name the proposed pocket park off Huebner and suggested the name "Silo Park". Ms. Moritz showed the Commission an aerial photo of the land in question. Chairman Thomas listed a number of amenities that could be placed in that area, such as a small playground area.

c. New Park Brochure

Chairman Thomas stated that a new park brochure had been developed and explained that all the park rules had been included in the brochure, along with the prices for rental of the various areas in the park. Ms. Moritz explained that at present, the park rules were not available to the public and were only handed out to the renters, but in the future, the brochure would be available to the public at City Hall, the Library, in the park, and on the City's Website.

Chairman Thomas called for a vote to accept the proposed brochure. Commissioner Baird motioned to approve the park brochure, seconded by Commissioner Walton. The motion passed unanimously.

d. Scope of Park Rehabilitation, if study is completed.

Chairman Thomas informed the Commission that the City Council had made a decision regarding the new Hike & Bike Trail alignment and asked Ms. Moritz to show the Commission the presentation that was shown at the City Council meeting. Ms. Moritz presented the information and a general discussion was held.

5. Commissioners' and Staff's Comments:

Commissioner Cacciatore asked about donating and planting a tree in the park, in honor of Rita Burnside's mother's passing. Ms. Moritz answered that there was a procedure in place for such donations and that she would get her the information.

6. Announcements:

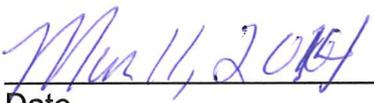
Chairman Thomas stated that the next Park Commission Meeting would be held in the City Council Chambers at Leon Valley City Hall on Tuesday, March 11, 2014.

7. Adjournment

Commissioner Baird motioned to adjourn, and the motion was seconded by Commissioner Tarin. The motion carried unanimously. The meeting adjourned at 7:54 pm.



Chairman Bert Thomas



Date

Earthwise 2014 Budget

On March 1, 2014, Earthwise Living Day; the total revenue generated by the Earthwise Committee for reimbursement to the city, through Sponsorships, Vendors and sales; is \$3,164.00.

The City provided \$3,000.00 to the Committee to fund the event. The remaining available balance of \$980.00 will be used for a Volunteer Thank You dinner and supplies for the next event. These funds have not yet been spent and the committee will have until the end of this fiscal year to do so.

The \$5,000.00 that Council granted the Committee towards payment for the Vocal Trash band and stage rental has an available balance of \$540.00, which will be returned to the City, unused by the committee.

Valerie Siat
Earthwise Living Staff Liaison

2014 EXPENSES	
Beginning Balance	\$3,000.00
Allied banners hung	-\$648.00
SA Express News	-\$720.00
Mary Cantu spare parts Art Teacher	-\$500.00
Breakfast Tacos attendees, vendors	-\$114.29
tickets red/blue	-\$17.58
Bottled water band	-\$15.96
Thank you dinner (tba)	
Misc purchases	-\$3.98
Available TOTAL Funds	\$980.19
<u>INCOME TO CITY</u>	
<i>Sponsors, Exhibits, sales, GNW Electronic recycle</i>	\$3,164.00
Total City Income:	\$3,164.00

2014 \$5,000	
Beginning Balance	\$5,000.00
Vocal Trash deposit	-\$1,875.00
Vocal Trash Balance	-\$1,875.00
SA Parks n Rec Stage	-\$650.00
Jason's Deli Lunches	-\$60.00
<u>Available TOTAL Funds</u>	\$540.00