CITY OF LEON VALLEY

CITY OF LEON VALLEY
CITY COUNCIL SPECIAL & REGULAR MEETING
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Monday, September 08, 2014

AGENDA

SPECIAL CITY COUNCIL MEETING

1. **5:30 P.M.** Call to order, Determine a Quorum is Present.

2. The City Council shall meet in Executive Session under the following Texas Government Code for the following:
   a. §551.072 *Deliberation Regarding the Purchase of Real Property located at 6312 El Verde Road.*

   b. §551.071 *Consultation with Attorney* regarding legal issues concerning boarders, commercial businesses and vehicles in the R-1 Zoning Districts.

3. Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary.

4. Adjournment.

5. **7:00 P.M.** Call to order, Determine a Quorum is Present, Pledge of Allegiance.

6. **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]

7. Proclamation declaring September 11, 2014, Patriots Day in the City of Leon Valley, Texas.

8. Presentation in appreciation for 25 years of service to Rose Hurlock, Assistant Finance Director.
CONSENT AGENDA

9. Approval of City Council Minutes. (S. Passailaigue)
   a) August 11, 2014 Special City Council Meeting
   b) August 11, 2014 Regular City Council Meeting
   c) August 18, 2014 Special City Council Meeting
   d) August 23, 2014 Coffee with the Mayor & Council

10. Consideration of Resolution No. 14-022R appointing Shirley Joras to the Beautification Committee. M&C 2014-08-09-01 (Mayor Riley)

11. Consideration of the continuation of the agreement with the United States Department of Justice, Drug enforcement to have an officer assigned to the State and Local Task Force. M&C # 2014-09-08-02 (R. Wallace)

12. Consideration of the continuation of the agreement with the San Antonio Police Department to have an officer assigned to the State High Intensity Drug Trafficking Area (HIDTA) Task Force. M&C # 2014-09-08-03 (R. Wallace)

REGULAR AGENDA


14. Presentation regarding creation of an Educational Facilities Corporation as authorized by the Texas Education Code with the legal authority to issue tax-exempt bonds for public and private non-profit accredited institutions of higher education, charter schools, and primary and secondary schools. (Presented by Mr. Bill Avila of Bracewell and Giuliani.) M&C # 2014-09-08-05 (M. Longoria, Jr.).

15. Conduct a Public Hearing on the Proposed 2014 Tax Rate of $0.575507/$100 valuation which is $0.007408 lower than last year’s Tax Rate of $0.582915 and exceeds the Effective Tax Rate of $0.562998 by 2.221855%. M&C # 2014-09-08-06 (V. Wallace)


17. Discussion on modifying the Volunteer Application and Volunteer Appointment Process. M&C # 2014-09-08-08 (Mayor Riley)

18. Presentation on allowable yard signs as outlined in the Leon Valley Code of Ordinances including discussion of First Amendment Rights. M&C # 2014-09-08-09 (Mayor Riley)
19. City Manager's Report
   a. September 18, 2014 at 9:00 a.m. – Monument Ribbon Cutting Event
   b. September 27, 2014 Coffee with the Mayor Change in Location to Council Chambers
   c. October 7, 2014 National Night Out
   d. Monthly Departmental Reports
   e. Approved Minutes from Boards, Commissions and Committees

20. Citizens to be Heard

21. Announcements by the Mayor and City Council Members. At this time, reports about items of community interests on 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.

22. Adjournment

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

Attendance by Other Elected or Appointed Officials: It is anticipated that members other City boards, commissions and/or committees may attend the 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, on September 04, 2014 at 2:48 p.m. 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.

[Signature]
SAUNDRA PASSAILAIGUE, TRMC
City Secretary
PROCLAMATION

WHEREAS, Patriot Day is observed on September 11 of each year, designated in memory of the 2,993 persons killed in the September 11, 2001 attacks; and,

WHEREAS, on September 11, 2001, courageous first responders risked and gave their lives to protect others. Incredible men and women did everything from thwarting hijackers to gathering aid for victims and their families. And countless individuals enlisted in the armed forces to keep our homeland safe. Ultimately, the plot of the terrorists failed; Americans chose to rebuild and not to live in fear; and,

WHEREAS, on Patriots Day, we remember all those who were taken from us in an instant and seek their lasting memorial in a safer and more hopeful world; and,

WHEREAS, with the passing of time, we can now look at September 11 as the demonstration of our nation's strength, heroism and unity.

NOW, THEREFORE, I, CHRIS RILEY, Mayor on behalf of the Leon Valley City Council, do hereby proclaim September 11, 2014 as Patriots Day in the City of Leon Valley and, call upon the people of Leon Valley to participate in community service in honor of those our Nation lost, to observe this day with other ceremonies and activities, including remembrance services.

Signed by my hand on this the 8th day of September, 2014.

Mayor Chris Riley
PROCLAMATION OF APPRECIATION

WHEREAS, Rose Hurlock has completed Twenty-Five Years of service with the Leon Valley Finance Department serving the City of Leon Valley and its citizens since March 1989; and,

WHEREAS, Rose Hurlock has distinguished herself with advancements throughout these twenty-five years, promoting from Administrative Assistant, Accounting Clerk and in 2008 was named the Assistant Finance Director; and,

WHEREAS, the City of Leon Valley appreciates the value of an employee who has provided years of dedicated service to the City and feels that such an anniversary is deserving of public recognition; and,

NOW, THEREFORE, I, CHRIS RILEY, Mayor of the City of Leon Valley, Texas, together with the entire Leon Valley City Council, do hereby express our heartfelt thanks and sincere appreciation to Rose Hurlock of the Leon Valley Finance Department for her Twenty-Five Years of dedicated and loyal service to our community.

Signed by my hand on this the 8th day of September, 2014.

__________________________
Mayor Chris Riley
MINUTES
The City Council of the City of Leon Valley, Texas met on the 11th day of August, 2014 at 5:30 p.m. at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business.

Call to order.

Mayor Riley called the Special City Council Meeting to order at 5:31 p.m.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Councilman Ricardo Ruiz, Carmen Sanchez, Abraham Diaz, Benny Martinez and Paul Biever.

Also in attendance were:
Leon Valley Economic Development Corporation Board Chairman Stephen Ynostrosa and Board Members – Dr. Georgia Zannaras, Mike McCarley, Claude Guerra, III, Rudy Garcia, and Joe Sanchez.

City Manager Manuel Longoria, Jr., City Secretary Saundra Passailaigue, Human Resources Director Crystal Caldera, Economic Development Director Claudia Mora were also present.

The City Council shall meet in Executive Session under Texas Government Code §551.071 Consultation with Attorney to discuss the following:
   a) Consultation with Attorney regarding the Town Center Project, and Pending Litigation, Larry Little v. City of Leon Valley Economic Development Corporation Civil Cause No. 2011-C1-17823.

The City Council convened into Executive Session at 5:33 p.m.

Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary.

The City Council re-convened into Regular Session at 6:33 p.m.

The City Council took no action on this item.
The City Council shall meet in Executive Session under Texas Government Code §551.071 Consultation with Attorney to discuss the following:
   b) Consultation with Attorney Concerning the Jazz Festival Event Management Contract.

The City Council convened into Executive Session at 6:34 p.m.

Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary.

The City Council re-convened into Regular Session at 7:11 p.m.

A motion was made by Councilman Paul Biever, seconded by Councilman Ricardo Ruiz, to have this item turned over to the city attorney to meet with Mr. Tobias to discuss options for the Jazz Festival. Upon a unanimous vote, Mayor Riley announced the motion carried.

Adjournment

Mayor Riley announced the meeting adjourned at 7:12 p.m.

These minutes approved by the Leon Valley City Council on the 8th of September, 2014.

APPROVED

CHRIS RILEY
MAYOR

ATTEST:
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY
Call to order.

Mayor Riley called the Special City Council Meeting to order at 7:13 p.m.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Councilmen Ricardo Ruiz, Carmen Sanchez, Abraham Diaz, Benny Martinez and Paul Biever.

Also in attendance were:

City Manager Manuel Longoria, Jr., City Secretary Saundra Passailaigue, Human Resources Director Crystal Caldera, Economic Development Director Claudia Mora, Public Works Director Melinda Moritz, Police Chief Randall Wallace, Fire Chief Luis Valdez, Community Development Director Kristie Flores and Finance Director Vickie Wallace.

There was a consensus amongst the City Council to move the Crime Control District Board of Directors meeting to the end of this meeting.

Presentation of a Proclamation declaring National Payroll Week in Leon Valley, TX. M&C # 2014-08-11-02 (Mayor Riley)

Mayor Chris Riley presented a proclamation with the assistance of Margaret Neel of KCI Payroll Associates, declaring the first full week in September 2014, National Payroll Week in Leon Valley, TX. The proclamation was presented to Vickie Wallace, Finance Director.

Citizens to Be Heard

- Estella Gosset – 7207 Poss Road – asked the City Council to follow through with the “follow up” with citizen complaints that they said would happen. Ms. Gossett continued with her complaints about code violations at 7203 Poss Road. Ms. Gosset said that she feels her concerns are falling on deaf ears.
- Olen Yarnell – 7230 Sulky Ln. – passed on commenting at this time.
Marcus Semmelmann – thanked the members of Council for serving the City and reminded them that “they are here to serve the citizenry and not to be self-serving.” Mr. Semmelmann expressed his opposition in having the “trails go through the park.”

Lyn Joseph – 6423 Trotter Lane – spoke about “Legacy” and said she would like the citizens of Leon Valley to be aware that Councilman Ruiz, Diaz and Biever and City Manager Longoria have never really weighed in on the issue of the hike and bike trail only that it is going to be done. Ms. Joseph also spoke of City Code against changing the park use.

David Jordan – 5309 Cilantro Pl. – passed on commenting at this time.

Cynthia Koger – 6727 Sunlight Dr. – thanked the Mayor and City Council members for being here tonight. Spoke about how many citizens (“95% of the citizens”) are opposed to the hike and bike trail and how many of them do not even know about the project. Ms. Koger asked that the Council listen to the people.

Sharon Hendricks – 6015 Aids Drive – spoke of the welfare of the City and its natural areas. Ms. Hendricks spoke about signs being removed and wants to know “which two Council members directed the City Manager to remove these and only these signs?”

Larry Proffitt – 6307 Rue Sophie - thanked Mr. Semmelmann for every contribution he has made to the City and seconded everything Mr. Semmelmann said this evening.

Rita Burnside – 6938 Forest Way – spoke about her sign being removed by the police and therefore returned the recycling sign given to her by the City to display in her yard.

Walter Geraghty – 7315 Ellerby Point – thanked the City Council and City staff for a “fantastic” July 4th Celebration that the City put on. Mr. Geraghty said that the fireworks display was extraordinary.

Mike K. Davis, Jr. – 6002 Forest Shadow St. – thanked members of the City Council for the work they do. Mr. Davis said he agrees with Councilman Biever and Councilman Diaz. Mr. Davis pointed out that this project was done through public hearings and that a vote was held by Council and is not up for vote from the citizens. He also commended the City Manager for his service to the City of Leon Valley and urged everyone to accept the vote and move on with other issues that the City of Leon Valley faces today and in the future.

Liz Maloy – 7411 Chenal Pt. – spoke of the ordinance (Ordinance No. 08-058) and thanked Mr. Semmelmann for writing the ordinance and suggested that if anyone has questions about it that they speak with him. Ms. Maloy reminded everyone of three things: 1) Leon Valley is a General Law city which means that a petition cannot force a vote but that Council can write an ordinance to put it to a vote; 2) the May 2014 election had 1085 votes cast and asked that the members of Council keep that number in mind as they go through the meeting; and 3) that as a senior citizen, she is resentful when there are social groups or people who are more vulnerable being used to justify the decision on where you want to go and if that group is so important, why aren’t the restrooms in City Hall, ADA accessible.

Irene Baldrige – 6368 Parsley Hill – passed on commenting at this time.

Taylor Maddux – 6608 Adair Drive - spoke in concern of the removal of some signs while others are left behind and would like to know why.

Kathy Hill – 6326 Mary Jamison – thanked the Council for allowing citizens to speak and would like the Council to consider placing the hike and bike item on the November ballot as stated in Ordinance No. 08-058. Ms. Hill would also like to know why only half of the City will get to benefit from the MPO grant.

Darby Riley – 6939 Forest Way – expressed his concern that the City removed political signs and said that this was a 1st Amendment violation and asked that Council think about what they are doing when they remove political signs.
• Loretta Van Coppenolle – 14115 Oakland Mills – former resident of Leon Valley who came this evening as a representative of the Sierra Club, Alamo Group of the Lone Star Chapter, who submitted a letter to the City Council in opposition of Ordinance No. 08-058. Ms. Van Coppenolle echoed the sentiment of the Sierra Club.

CONSENT AGENDA

Approval of City Council Minutes. (S. Passailaigue)

  a) July 12, 2014 Coffee with the Mayor & Council
  b) July 14, 2014 Special Joint and Regular City Council Meeting
  c) July 22, 2014 Special City Council Meeting

Approval of Quarterly Investment Report for the Quarter Ending June 30, 2014. M&C # 2014-08-11-03 (V. Wallace)

Consideration of Resolution No. 14-019R appointing members to the Park Commission, Beautification Committee, Communication Committee and Earthwise Living Committee. M&C 2014-08-11-04 (S. Passailaigue)

Consideration in the approval of a waiver for related fees for the use of the Leon Valley Community Center by the Leon Valley Area Chamber of Commerce, and the West San Antonio Chamber of Commerce for a Tri-Chamber Networking Event. M&C # 2014-08-11-05 (C. Mora)

Consideration in the approval of a waiver for related fees for the use of the Leon Valley Community Center by the American Legion Post No. 336 as requested by Mr. Walter Geraghty. M&C # 2014-08-11-06

A motion was made by Councilman Paul Biever, seconded by Councilman Abraham Diaz, to approve Consent Agenda Items #4 (City Council Minutes – 7/12/14, 7/14/14, and 7/22/14), #5 (Quarterly Investment Report), #6 (Resolution No. 14-019R), #7 (Waiver of fees – Tri-Chamber Networking Event), and #8 (Waiver of fees – American Legion Post No. 336), as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

REGULAR AGENDA

Public Hearing and Consideration of an ordinance adopting the 2014 Strategic Plan Update. M&C # 2014-08-11-07 (Mike De La Garza)

Mayor Riley introduced Mr. Mike De La Garza who presented the 2014 Strategic Plan Update and made a recommendation to City Council to conduct annual reviews of this plan.

The 2010 Strategic Plan was presented to and approved by the City Council on June 1, 2010 (Resolution 10-016). Seven goals were established with corresponding objectives and initiatives. The goals include the following:

  - Economic Development
  - Safety and Security
  - Transportation
  - Infrastructure/Capital Plan
The Strategic Plan has served as a guide for City administration. At the February 1, 2014 Town Hall Meeting, City staff presented a Strategic Plan Update to the public. The updates were provided goal-by-goal, with each objective detailed. The initiatives under each objective were described as either accomplished or underway, and ongoing. Attendees of the Town Hall Meeting were asked to offer input.

An online survey was launched on March 1, 2014. Update on the review process was provided at the Coffee with the Mayor and the City Council on April 12, 2014.

The 2010 Goals remain relevant today. From the Town Hall Meeting, only two (2) issues arose to the level of consideration for inclusion in the Strategic Plan Update: Code Enforcement and Street Vehicle Traffic. The online survey confirmed the desire to add these as objectives under their respective goals.

The input provided at the Town Hall Meeting included the recommendation that City Council appoint a cross-functional team to address issues by drawing up a plan of action. This would include the creation of public committees or use of existing ones. Like all the initiatives, the scope of the work is interdepartmental in nature. In fact, management has applied a variety of resources to address each of the objectives of the respective goals, including funding and personnel.

With the approval of the 2014 Strategic Plan Update, as presented, it is recommended that a structure for the new objectives be developed. Also recommended is an annual review of the plan to assure that progress is measured and noted. During the review, new goals can be identified and added, as needed. A final recommendation is to promote the Strategic Plan on the City’s website, so as to create a better awareness of the City’s efforts.

Mayor Riley opened the Public Hearing at 8:14 p.m.

There being no comments from the public, Mayor Riley closed the Public Hearing at 8:14 p.m.

A motion was made by Councilman Abraham Diaz, seconded by Councilman Carmen Sanchez, to adopt Ordinance No. 14-017 2014 Strategic Plan Update as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consideration of Ordinance No.14-014 approving a budget adjustment related to the July 4th Celebration in the amount of $47,510 for the General Fund Special Event Budget. M&C # 2014-08-11-08 (K. Flores)

Kristie Flores, Community Development Director, presented the item, first, by thanking the City Council for all of their support for this very successful event.

Ms. Flores reported that from April 2014 through July 2014, the City began receiving Special Events Revenue for the 4th of July Celebration in the form of event booth rentals and sponsorships from Randolph Brooks Federal Credit Union, Miracle Body and Paint, Tellez Tamales, Leon Valley Storage, Ancira, GLI Distributors, and Hansen Concessions. The Supplemental Special Event revenue received was $35,169.
The amount does not include the $12,500 from the LVEDC contribution approved for a budget adjustment in June 2014. The grand total in revenue with the LVEDC funds totaled $47,669. Additionally by including the amount already in the 4th of July Budget for this fiscal year of $2,500, the available funds total $50,169.

The adjustment is retroactive to the event because this is the first year for expanding the event and it was too difficult to estimate what to expect in terms of event sponsorships and expenses. With the learning curve from this event, staff can better estimate the budget for next year’s 4th of July event. The budget adjustment is requested for the General Fund Special Events $47,510.

A motion was made by Councilman Benny Martinez, seconded by Councilman Abraham Diaz, to adopt Ordinance No. 14-014 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

A Public Hearing and first reading on the expenditure of $200,000 from the Leon Valley Economic Development Corporation for the development of the San Antonio Aquarium project on the property located at 6320 Bandera Road. M&C # 2014-08-11-09 (C. Mora).

Economic Development Director Claudia Mora presented this item which is intended as 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 grant of $200,000 to LOQ Bandera Road Holdings, LLC.

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 July 23, 2014 meeting, the LVEDC Board of Directors approved the funding of $200,000 in LVEDC funds to LOQ Bandera Road Holdings, LLC for the construction and renovation of 6320 Bandera Road, part of the former Fiesta Dodge property.

If approved by the City Council, the funding will allow LOQ Bandera Road Holdings, LLC to make renovations to the existing facilities on the property. The construction and renovation are part of the plans to develop the property as an entertainment and retail center focused on educating and attracting people of all ages.

A second public hearing and reading is scheduled for Monday, August 18, 2014.

Staff is working with the LVEDC attorney and representatives of LOQ Bandera Road Holdings, LLC to finalize a performance agreement as required by state statute.

Mayor Riley opened the Public Hearing at 8:26 p.m.

- Mike K. Davis, Jr. – 6002 Forest Shadow St. – was concerned with a guarantee that the City would get something out of the $200,000 whether or not the business succeeded.
- Marianna Sanchez – 7306 Ellerby Pt. – spoke in support of the aquarium.
Kim Crawford – 7007 Forest Mont – spoke in support and was curious of what type of sea life the aquarium would have.

Mary Ruth Fernandez – 6327 S. Mary Jamison - was concerned whether or not the aquarium was a non-profit or for profit organization; will it have restaurants or gift shops; and could it be partnered up with the university. Ms. Fernandez would also like to see the site plan for the project.

Kathy Hill – 6326 S. Mary Jamison - questioned whether this would be a good time to use this as an opportunity to address the flooding in that area.

Liz Maloy – 7411 Chenal Pt. – voiced her concerns with only having two public hearings and not having a site plan for the public to view.

Larry Proffitt – 6307 Rue Sophie - wanted to know what the total LVEDC budgeted amount for this project.

Mary Ruth Fernandez – 6327 S. Mary Jamison – would also like to see the site-plans and the language on-line.

Cynthia Koger – 6727 Sunlight Dr. – asked what the largest sea life available at the aquarium would be and expressed her support in the project.

Maria Gamboa – 6815 Forest Meadow – expressed concerns the increase in traffic.

Mr. Todd Wallace who represents the developer along with Ms. Mora answered questions from the public. Also present was Ben Edelstein who represents the tenant in the lease dealings. He answered questions specific to the tenants operations.

There being no further public comments, Mayor Riley closed the Public Hearing at 8:57 p.m.

Consideration of Ordinance No. 14-015 providing authorization to the City Manager to enter into a 380 Development Agreement with LOQ Bandera Holdings, LLC for the development of the San Antonio Aquarium project on property located at 6320 Bandera Road. M&C # 2014-08-11-10 (C. Mora).

Economic Development Director Claudia Mora presented this item by saying that the 380 Agreement is authorized by Chapter 380 of the Texas Local Government Code. In the Agreement, the incentives and services provided to LOQ Bandera Road Holdings, LLC by the City are outlined. The term of the 380 Agreement is for a period of ten (10) years beginning upon the effective date or execution of the Agreement (when all parties have signed the Agreement) and terminating on December 31, 2025. The development standards identified are those which adhere to the Leon Valley Code of Ordinances in effect on the effective date of the Agreement. The City of Leon Valley will pay LOQ Bandera Road Holdings, LLC $500,000.00. This figure includes property tax refund, sales tax refund and waiver of building permit fees. For the purposes of property and sales tax refunds, the reimbursement term will be January 1, 2015 through December 31, 2025. In addition, the City will pay LOQ Bandera Road Holdings, LLC the new property tax increment which is the annual amount of property taxes collected above the base Property increment (total annual amount of property taxes collected in the last calendar year prior to the City's issuance of a certificate of occupancy or C of O) until the termination of the 380 Agreement. The City will refund 100% of the property tax revenues annually. In addition, 100% of the actual sales tax paid to the City. The City agrees to waive 100% of all building permit fees related to the project. A Cost Benefit Analysis (CBA) is attached to this memorandum as part of the Fiscal Impact. The 380 Agreement includes a claw back or repayment provision if certain milestones are not met or the Project fails to succeed after a certain period. For example, if a C of O is not obtained by January 1, 2015, all waived permit fees must be paid back and the Agreement is terminated. If the operations of the project cease within certain time periods, the City must be paid back the property tax and sales tax.
refunds in increments of 100% or all amounts refunded, three-quarters (3/4), one-half (1/2), and one-quarter (1/4). The 380 Agreement has been reviewed and contributed to by JLL.

City Attorney Charles Zech commented stating that a few things had changed since staff put this information together. City Attorney Zech suggested that the Council meet in Executive Session so he could brief them on changes.

At 9:20 p.m., the City Council went into Executive Session under Texas Local Government Code §551.087 Deliberation Regarding Economic Development Negotiation to discuss the following: to discuss the counter offer submitted by LOQ Bandera Road Holdings, LLC through City Attorney Zech.

The City Council reconvened into Regular Session at 9:38 p.m. to take action on issues discussed in Executive Session.

A motion was made by Councilman Abraham Diaz, seconded by Councilman Paul Biever, to adopt Ordinance No. 14-015 as amended and presented by City Attorney Zech. Upon a unanimous vote, Mayor Riley announced the motion carried.

Discussion and action requesting that the Hike & Bike Trail Project be placed on the November ballot and not to proceed with construction of the project until the proposed route is approved by the voters. M&C # 2014-08-11-11 (Councilmember Sanchez, Councilmember Martinez)

Councilman Carmen Sanchez presented this item.

At the request of City Attorney Zech, the City Council went into Executive Session under Texas Local Government Code §551.071 Consultation with Attorney to receive legal advice in regards to the Hike & Bike Trail Project.

The City Council reconvened into Regular Session at 10:07 p.m. to take action on issues discussed in Executive Session. City Attorney Zech gave an overview of the authority of a General Law City.

Mayor Riley asked for other ways of addressing the concerns of the public and get alternate ways of letting the citizens decide. Councilman Sanchez asked if a survey could be obtained to gather information from the citizens.

Councilman Paul Biever called the question and asked that the Council move on to the next item on the agenda.

Mayor Riley reminded Councilman Biever that “calling the question” would cease discussion to which Councilman Biever replied that he would withdraw the question.

Mayor Riley then called upon the citizens that signed up to speak on this item.

- Sharon Hendricks – 6015 Aids Drive – passed on commenting at this time.
- Olen Yarnell – 7230 Sulky Ln. – distributed a letter to the members of Council and proceeded to present a petition of 770 signatures to the Mayor asking that the Hike & Bike Trail Project be placed on the November ballot and asked that the Mayor place it on the City’s website.
• Lyn Joseph – 6423 Trotter Lane – passed on commenting at this time.
• Cynthia Koger – 6727 Sunlight Dr. – suggested that since this item could not be placed on the ballot perhaps a survey could be considered.
• Rita Burnside – 6938 Forest Way – asked “who is representing the City?” Ms. Burnside proceeded to read aloud a letter from a citizen who moved to Leon Valley from Fort Worth.
• Larry Proffitt – 6307 Rue Sophie – wanted to know is there anything that can be done.
• Liz Maloy – 7411 Chenal Pt. – passed on commenting at this time.
• Irene Baldridge – 6368 Parsley Hill – voiced her concerns with violations of the City’s Ordinance No. 08-058.
• Taylor Maddux – 6608 Adair Drive - passed on commenting at this time.
• Kathy Hill – 6326 S. Mary Jamison – said she feels that trail route is an “accident waiting to happen” and that the MPO obligation is not being met by the City. Ms. Hill added that the intent of the ordinance was to keep the park a pristine and natural area.
• Darby Riley – 6939 Forest Way – said he wondered what would happen if the City decided not to follow the city attorney’s advice and then reference what the City’s previous city attorney’s advice. Mr. Darby suggested that the Council follow the advice of the citizens.
• Lyn Joseph – 6423 Trotter Lane – wants to know when the citizens can get an answer from the Council members.

Mayor Riley asked that the Council consider placing a discussion on options at the August 18th Council meeting and asked what the pleasure of the Council is. Councilman Benny Martinez and Councilman Carmen Sanchez requested that this be added as well.

Attorney Zech added to clarify Mr. Darby’s comment that it is a requirement to hold an election to change the use. Mr. Zech said the law states that a city must place it on the ballot if a city is going to sell a park land but not if the city is going to change the use.

Mayor Riley then proposed that the Council move Items 14, 16, 17 and 18 up and that the rest of the agenda items carry over to the August 18th agenda.

Discussion and action to discuss the flooding on El Verde Road and scheduling of quarterly updates which would be available to the residents. M&C # 2014-08-11-12 (Councilmember Sanchez, Councilmember Martinez)

Public Works Director Melinda Moritz presented the item at the request of Councilman Carmen Sanchez and Councilman Benny Martinez.

Ms. Moritz reported the following: The Bexar County Flood Control L-17 Project, Segment III, which will mitigate flooding along El Verde Road in Huebner Creek from Bandera Road down to Shadow Mist, is still in the design stage, with 90% plans being submitted for review. Ms. Moritz noted that the first part of the project, Segment I, from Culebra to Timberhill is complete. She then stated that Segment II, from Timberhill to Shadow Mist, is in progress with an expected completion date of May 2015. She explained that Segment III, located within the Leon Valley city limits, from Shadow Mist to Bandera Road is not expected to commence until May of 2015. She noted that advertisement is expected to occur in January of 2015, construction should start May of 2015 and then expected completion would be in 2016. She further noted that the plans are available for viewing at the Public Works Department. She went on to say that staff was working with SAWS to coordinate utility location in the bottom of the creek.
Ms. Moritz explained that as the vacant lots along Grissom Road are developed, watershed mitigation would be required. She further explained that El Verde Road would need total reconstruction, but this would not occur until after the Bexar County Flood Control project is complete.

Direction was given to staff to present a quarterly update to the City Council and citizens.

Consider the award of the Fiscal Year 2014-15 Group Health Insurance bid for employee medical, dental and life insurances and to authorize the City Manager to execute the insurance contract(s). M&C # 2014-08-11-14 (C. Caldera)

Human Resources Director Crystal Caldera presented this item by saying that the City currently pays 100% of the employee-only premium under AETNA POS Base health, AETNA Base PDN dental and MetLife insurances. Gallagher Benefits Services, the City’s Insurance Broker, solicited bids from all the major insurance carriers. The City Council would need to authorize the City Manager to execute the contract for the FY 2015 Group Health, Dental & Life Insurances and to continue to provide reputable and comprehensive insurance coverage to the City employees. This contract will be for the period October 1, 2014 to September 30, 2015. The City's insurance broker, Gallagher Benefit Services, Inc. will serve as the City’s liaison with the insurer selected by Council. Ms. Caldera concluded her presentation by saying that the City’s insurance broker, Gallagher Benefit Services, Inc. is currently still in negations with the insurance carriers; but the anticipated premium is identified in the FY 2015 budget. The final insurance renewal recommendations will be presented at the August 11, 2014 Regular City Council Meeting.

A motion was made by Councilman Paul Biever, seconded by Councilman Benny Martinez, to authorize the City Manager to approve the bid for Fiscal Year 2014-2015 Group Health Insurance as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Vote for the placement of a proposal to adopt the City’s 2014-15 tax rate of $ 0.575507/$100 valuation, which is $0.007408 lower than last year’s tax rate of $0.582915 and 2.221855% higher than the effective tax rate of $0.5892915. M&C # 2014-08-11-15 (V. Wallace)

Finance Director Vickie Wallace announced the staff recommendation to the City Council, proposing the adoption of a tax rate of $0.575507 per $100 of property valuation for tax year 2014, which is $0.007408 lower than last year’s tax rate of $0.582915. When a proposed tax rate exceeds the rollback rate or the effective rate, whichever is lower, Chapter 26 of the Texas Property Tax Code requires the City to vote to place a proposal to adopt the rate on the agenda of a future meeting as an action item. For the 2014 tax year, the proposed tax rate of $0.575507 exceeds the effective tax rate of $0.562998 by 2.221855%.

A motion was made by Councilman Paul Biever, seconded by Councilman Benny Martinez, to place a proposal to adopt the 2014 tax rate of $0.575507 on the September 22, 2014 City Council Agenda. Upon a unanimous vote, Mayor Riley announced the motion carried.

Mayor Riley then requested a call vote to which the City Council replied: Councilman Ruiz – Aye; Councilman Sanchez – Aye; Councilman Diaz – Aye; Councilman Martinez – Aye; and Councilman Biever – Aye.
Consideration of date, time and place for the two public hearings and the adoption of the tax rate. M&C # 2014-08-11-16 (V. Wallace)

Finance Director Vickie Wallace presented the staff recommendation is that the City Council call for two public hearings on the proposed 2014 tax rate of $.0575507 as follows:

- First Public Hearing - Tuesday, September 2, 2014, at 7:00 p.m. in the City Council Chambers
- Second Public Hearing - Monday, September 8, 2014, 7:00 p.m. in the City Council Chambers

A motion was made by Councilman Paul Biever, seconded by Councilman Carmen Sanchez, to call for two public hearings with the first public hearing being held on Tuesday, September 2, 2014 and the second public hearing being held on Monday, September 8, 2014. Upon a unanimous vote, Mayor Riley announced the motion carried.

Announcements by the Mayor and City Council Members.

Mayor Riley thanked everyone for being here this evening and reminded all present that there will be another meeting on Monday, August 18, 2014 to consider the items postponed from this agenda tonight.

Councilman Abraham Diaz introduced his daughter Hosanna who was present for tonight’s meeting.

Adjournment

Mayor Riley announced the meeting adjourned at 11:15 p.m.

These minutes approved by the Leon Valley City Council on the 8th of September, 2014.

APPROVED

CHRIS RILEY
MAYOR

ATTEST:
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY
The City Council of the City of Leon Valley, Texas met on the 18th day of August, 2014 at 6:15 p.m. at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business:

6:15 P.M. Call to order, Determine a Quorum is Present.

Mayor Riley called the Special City Council Meeting to order at 6:15 p.m. Mayor Riley and asked Marianna Sanchez of 7306 Ellerby Pt. to lead the Pledge of Allegiance, which she did.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Councilmen Ricardo Ruiz, Carmen Sanchez, Abraham Diaz, Benny Martinez and Paul Biever.

Also in attendance were:

City Manager Manuel Longoria, Jr., City Secretary Saundra Passailaigue, Human Resources Director Crystal Caldera, Economic Development Director Claudia Mora.

The City Council shall meet in Executive Session under Texas Government Code §551.071 Consultation with Attorney to discuss the following:

a) Consultation with Attorney Concerning the Jazz Festival Event Options.

The City Council went into Executive Session at 6:42 p.m.

Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary.

A motion was made by Councilman Benny Martinez, seconded by Councilman Ricardo Ruiz, that immediately, the City pay Mr. Anthony Tobias $500.00 for the advertising portion of the Jazz Festival and put $10,000 in escrow with the first payment of $5,000 payable shortly after October 1st and the remaining balance after the completion of the Jazz Festival and upon resolution by City Council. Upon a unanimous vote, Mayor Riley announced the motion carried.

Mayor Riley announced a recess of the Special Meeting at 6:45 p.m.
SPECIAL CITY COUNCIL MEETING

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

Mayor Riley called the Special City Council Meeting to order at 7:00 p.m.

Mayor Riley asked that the minutes reflect that the following members of City Council were present: Councilmen Ricardo Ruiz, Carmen Sanchez, Abraham Diaz, Benny Martinez and Paul Biever.

City Manager Manuel Longoria, Jr., City Secretary Saundra Passailaigue, Human Resources Director Crystal Caldera, Economic Development Director Claudia Mora, Public Works Director Melinda Moritz, Police Chief Randall Wallace, Fire Chief Luis Valdez, Community Development Director Kristie Flores and Finance Director Vickie Wallace were also present.

Mayor Riley asked if any of the Councilmembers wished to pull Items from the Consent Agenda for discussion, Councilman Benny Martinez announced that he would like to pull Item 6. Mayor Riley then announced that Item 6 would follow Item 5 – Citizens to be heard as stated on the agenda.

Citizens to Be Heard

- Al Uvietta – 6923 Sunlight Dr. – spoke in opposition of what he heard at the last Council meeting from citizens petitioning against the Hike & Bike Trail Project.
- Jess Barrera – 5809 El Verde Rd. - suggested that the City bring in San Antonio River Authority and Bexar County to give a status report on the Huebner Creek Project. Mr. Barrera added that he would like to see this at a Coffee and not a Council meeting.
- Belinda Ealy – 7314 Canterfield Rd. – spoke in regards to the ADA accessibility of the current trail saying she had no problem maneuvering her wheelchair through it.
- Marianna Sanchez – 7306 Ellerby Pt. – spoke on three points: 1) keeping the natural area natural; 2) appreciation for putting out a fire at her grandmother’s home; and 3) the “hard work” each of the Council members put into serving the City.
- Grace Riley – 6939 Forest Way – showed a video she recorded of Ms. Ealy using her wheelchair to go through the natural area.

CONSENT AGENDA

Consideration of Ordinance No. 14-018, an ordinance accepting the bid and awarding the FY 2014 street sealcoat project contract to D&A Technology & Development, LLC, and authorizing the City Manager to sign the contract, with an option for an additional year, and change orders up to 25 percent of the bid amount. M&C 2014-08-18-02 (M. Moritz)

Public Works Director Melinda Moritz presented the item pointing out that only one bid was received by the deadline date of 2 p.m., August 12, 2014, and it was from D & A Technology & Development, LLC, and that it met all of the qualifications. Ms. Moritz concluded her presentation saying that staff is recommending that the City Council accept the qualified bidder and award the contract for the FY 2014 Street Sealcoat Project to D & A Technology & Development, LLC, and authorize the City Manager to sign the contract, with an option for an additional year, and change orders up to an additional 25 percent of the bid amount.
Councilman Benny Martinez said that many streets in Leon Valley have had multiple seal coat layers which has left many with very little curb space. Councilman Martinez made a suggestion that the City either go through and remove the old seal and get it down to the original seal, low on the curb line; re-bid the project to get more bids; re-think the 25% change order suggestion. Lastly, Councilman Martinez said he had no objection to the City Manager negotiating the contract but feels the contract should come back to the City Council and that the Mayor should sign it.

A motion was made by Councilman Abraham Diaz, seconded by Councilman Paul Biever, to approve the contract for the FY 2014 Street Sealcoat Project to D & A Technology & Development as presented. The City Council voted four (4) for and one (1) opposed with Councilman Benny Martinez casting the negative vote. Mayor Riley announced that the motion carried.

REGULAR AGENDA

Full discussion of the Hike & Bike trail route, including but not limited to conditions of grant, original proposal by City of Leon Valley, the 2005 and 2008 ordinance establishing the lease and Natural Area trail route and conditions and establishing the Huebner-Onion Natural Area Park; possible alternative routes for the trail, including obtaining expert advice on a Poss Road/Salazar Road option; possible delay of the scheduled construction date, possible town hall meeting to discuss this issue, possible voter consideration of trail route on November 2014 ballot, other alternatives to garner city input and appropriate action on any of the above options. (Mayor Riley)

City Attorney Charles Zech informed the Mayor, Council and City Manager that the Council would need to go into Executive Session in order for him to give them legal advice.

The City Council convened into Executive Session under Texas Local Government Code §551.071 Consultation with Attorney at 7:26 p.m.

The City Council reconvened at 8:12 p.m.

Mayor Riley called up citizens that had signed up to speak on this item.

- Al Uvietta – 6923 Sunlight Dr. – Mr. Uvietta gave a timeline on the Hike & Bike Trail Project from conception to current date.
- Marcus Semmelmann – 5919 Rimkus Dr. – asked that Executive Sessions be held either before the public meeting or after but not during.
- Marianna Sanchez – 7306 Ellerby Pt. – who brought along with her Grace Riley, Esther Cooley and Matthew Cooley who expressed their concerns about “laying concrete in the natural area”.
- Mary Key – 7418 Canterfield Rd. – spoke on behalf of the Earthwise Living Committee and read aloud a letter submitted to the City by Committee President Sandra Keller.
- Kathy Hill – 6326 Mary Jamison – spoke in favor of re-routing the trail and in favor of working this out and coming up with a solution that is in the best interest of the community.
• Cynthia Koger – 6727 Sunlight Dr. – spoke about New York’s Central Park.
• Darby Riley – 6939 Forest Way – spoke about the legal opinion that was given during the August 11, 2014 Council meeting and read aloud a letter from another person giving their opinion.
• Belinda Ealy – 7314 Canterfield Rd. – spoke about preserving the natural habitat.
• Rita Burnside – 6938 Forest Way – spoke about her involvement in Earthwise Living Committee and showed a newspaper article about “Must See Communities” and asked why Leon Valley isn’t named.
• Liz Maloy – 7411 Chenal Pt. – passed on speaking at this time.
• Olen Yarnell – 7230 Sulky Ln. – handed out an additional page to the previously submitted petition and a proposed re-route of the trail and asked that the Council consider it in their deliberations.
• Lyn Joseph – 6423 Trotter Ln. – spoke in opposition about the citizens not voting on this trail.
• Sharon Hendricks – 6015 Aids – spoke about the route of the path and suggested that the path go down in the bed of the creek.

This was followed by a lengthy discussion.

A motion was made by Councilman Benny Martinez, seconded by Councilman Carmen Sanchez, to repeal Resolution No. 14-007R and table further discussion on this Hike & Bike Trail until Bexar County completes the LC17 Project sometime in 2017/2018.

Mayor Riley requested a call vote to which the City Council replied: Councilman Ruiz – Nay; Councilman Sanchez – Aye; Councilman Diaz – Nay; Councilman Martinez – Aye; and Councilman Biever – Nay.

The City Council voted two (2) for and three (3) opposed. Mayor Riley announced that the motion failed.

**Conduct the second of two public hearings and readings, and consider action on a resolution approving the expenditure of LVEDC funds in a grant of $200,000 to LOQ Bandera Road Holdings, LLC. M&C # 2014-08-18-03 (C. Mora)**

Economic Development Director Claudia Mora presented saying that if approved by the City Council, the funding will allow LOQ Bandera Road Holdings, LLC to make renovations to the existing facilities on the property. The construction and renovation are part of the plans to develop the property as an entertainment and retail center focused on educating and attracting people of all ages. The first Public Hearing was held on August 11, 2014.

Property Brokers, Ben Edelstein and Todd Wallace, were both present for questions.

Mayor Riley opened the Public Hearing at 9:30 p.m.
• Liz Maloy – 7411 Chenal Pt. – spoke about her concerns with increased traffic that could be expected with the aquarium; and 2014 General Election candidates receiving campaign funds from the LOQ Bandera Road Holdings, LLC.
• Olen Yarnell – 7230 Sulky Ln. – spoke about the Permitted Use Table and wanted to know if there is a plan to bring the item before the Zoning Commission; the potential
need for a traffic study; and how is the City going to handle this if the aquarium goes bankrupt.
- Marcus Semmelmann – 5919 Rimkus Dr. – spoke about a traffic study; parking needs of the aquarium; sales tax; and volume of water needed.
- Irene Baldridge – 6368 Parsley Hill – spoke about the need for a traffic study.
- Nicole Monsibais – 5421 Caraway Bend - spoke in favor of the aquarium; and beautification of the area.
- David Jordan – 5309 Cilantro Pl. – spoke about increased police presence; light and noise discipline; and that he welcomes economic development.
- Rita Burnside – 6938 Forest Way – spoke about Sea World’s stock decline; questioned the mix use designation of this property.
- Lyn Joseph – 6423 Trotter Ln. – spoke of her concerns with the training requirements of the aquarium staff; and maintaining “good quality” staff.
- Guadalupe Diaz – spoke of her excitement in welcoming the aquarium not only for Leon Valley but for the schools.
- Walter Geraghty – 7315 Ellerby Point – spoke about the need for a traffic study; and questioned the ticket price for the aquarium.

Mayor Riley closed the Public Hearing at 10:16 p.m.

Consideration of Resolution No. 14-019R of the City Council of the City of Leon Valley approving the Leon Valley Economic Development Corporation (LVEDC) project funding of $200,000 in a grant to LOQ Bandera Road Holdings, LLC for the construction and renovation of 6320 Bandera Road, Leon Valley, TX. M&C # 2014-08-18-04 (C. Mora)

A motion was made by Councilman Paul Biever, seconded by Councilman Ricardo Ruiz, to approve Resolution No. 14-019R as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Mayor Riley called for a five minute recess at 10:22 p.m.

The City Council reconvened at 10:29 p.m.

Presentation of the Proposed Fiscal Year 2014-15 Budget. M&C # 2014-08-18-05 (M. Longoria)

City Manager Manuel Longoria, Jr. presented the proposed Fiscal Year 2014-15 Budget saying that this is a balanced budget that provides revenue sufficient to meet budgeted expenditures for operations, capital improvements, equipment replacement, and debt service for the next fiscal year. Mr. Longoria added that the City is in sound financial condition with an overall unappropriated Fund Balance of $2,792,442. Overall General Fund Revenues are $7,835,059. The budget expenditures are $7,811,101. Staff is recommending a tax rate of $0.575507 cent per $100 of valuation for Fiscal Year 2015. The tax components are $0.476752 for Maintenance and Operations; and $0.098755 for Interest and Sinking Fund Debt Service. The General Fund proposed Fiscal Year 2015 revenues are budgeted at $7,835,059; Sales Tax revenue is budgeted at $2,095,190; Franchise Fees are budgeted at $840,098; Crime Control revenue is budgeted at $261,866; The Water and Sewer Fund revenues for FY 2015 are budgeted at $3,582,169. Expenditures include funds for a new police officer, which is funded by the Crime Control and Prevention District; $94,000 is budgeted for police and fire furnishings for the new facility; funding in the amount of $16,000
is budgeted to implement our public safety departments migration to 800MHz dispatch; funds of $20,000 are budgeted for a new basketball court at the Silo Park located on Huebner Road; $20,000 is included for installation of sidewalks in the City; $40,000 for the pool management contract; $300,000 is included in the Street Maintenance Tax Fund for design fees associated with the Evers Road reconstruction project; $35,000 is budgeted to support Leon Valley Festival activities; Funds of $30,000 are intended for relocation of administration staff during the final phase of construction; $20,000 is funded to purchase new books for the Library. The Grant, Building Security, Child Safety, Municipal Court Technology, Debt Service and Police Forfeiture Funds proposed budgets total $927,758. The CPS CIED Fund budget is $2,069,016. The Community Center Fund proposed budget totals $171,063. The Street Maintenance Tax Fund proposed budget totals $1,393,806. The newly created Crime Control and Prevention District proposed budget totals $180,653. The employee compensation includes: funding for the Salary Market Compensation Study with approximately 33 employees receiving a pay adjustment to raise their salaries to market levels, and approximately 73 employees who have salaries at market will receive, on average a 3% pay adjustment; all employees will receive a 1% Cost of Living Adjustment (COLA); the continuation of the longevity pay system where employees receive $4 per month for each year of service to the City; an annual increase of $200 for police and fire uniform allowance; Texas Municipal Retirement System (TMRS) contribution rate that will decrease as of January 1, 2015 from 16.56% to 15.88%; Includes funding for the City’s Medical Insurance Program which includes medical, dental, vision and life insurance coverage.

The presentation was followed by a brief discussion.


Economic Development Director Claudia Mora presented the LVEDC Fiscal Year 2014-2015 Budget which was developed by using an average of the previous four years’ sales tax revenue generated by the 1/8 of one-cent. Ms. Mora added that the Board added an additional $20,000 citing previous years’ and current year’s trend of increasing sales tax revenues. An additional $200,000 was added to the proposed budget for a grant to LOQ Bandera Road Holdings, LLC, approved by the Board at their meeting of July 23, 2014. The total proposed LVEDC Fiscal Year 2014-2015 Budget is $440,000.

Consideration of Ordinance No.14-016 amending Appendix A Fee Schedule, Article A11.000 Water and Sewer Fees, Section A11.001 (c) and (d) Residential Sewer Service Rates and Non-Residential Sewer Service Rates; and Section A11.001 (g) Edwards Aquifer Authority fee to cover expenses mandated as pass through fees by the San Antonio Water Systems and the Edwards Aquifer Authority. M&C # 2014-08-18-07 (M. Moritz)

Assistant Public Works Director David Dimaline presented this item to propose an increase in rates charged for water and sanitary sewer usage. Presently there are about 3,000 sewer connections and 2,500 water connections. The proposed increases are due to the increase in the San Antonio Water System (SAWS) sewer rate and an increase in the Edwards Aquifer Authority fee.
Mr. Dimaline concluded his presentation with the recommendation from staff that the City Council approve the Ordinance. Staff has budgeted for a water and sewer rate study to be completed during the next fiscal year. The study will take into account existing rates, as well as capital projects necessary to address aging infrastructure. At the completion of this report, staff will bring forward their recommendations to the City Council.

A motion was made by Councilman Benny Martinez, seconded by Councilman Paul Biever, to adopt Ordinance No. 14-016 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Consideration adopting a policy concerning the installation of traffic control speed-humps in residential areas. M&C # 2014-08-18-08 (L. Valdez)**

Fire Chief Luis Valdez presented this item and recommended policy that provides rules for the installation of speed humps. This policy also provides general procedures to request speed humps, guidelines for eligibility, installation and design requirements.

A motion was made by Councilman Carmen Sanchez, seconded by Councilman Ricardo Ruiz, to approve the speed hump policy that provides guidelines, rules, design, and procedures for the installation of speed humps on residential streets, and to look for a cost effective speed hump. Upon a unanimous vote, Mayor Riley announced the motion carried.

**Consideration of Resolution No. 14-020R amending the Council Code of Conduct to allow for approved or rejected items by the City Council through resolution, ordinance or general direction to City staff at a City Council meeting may not be reconsidered or placed upon a Council agenda for further discussion for a period of one (1) year unless a City Council super-majority consisting of four (4) members agree to place the item on the agenda. M&C # 2014-08-18-09 (Councilman P. Biever)**

Councilman Paul Biever presented the item, which was followed by a brief discussion.

Mayor Riley then called up citizens that signed up to speak on this item.

- Lyn Joseph – 6423 Trotter Ln. – spoke in opposition of Resolution No. 14-020R
- Olen Yarnell – 7230 Sulky Ln. – spoke in opposition of Resolution No. 14-020R
- Kathy Hill – 6326 Mary Jamison – spoke in opposition of Resolution No. 14-020R

Councilman Biever withdrew the item.

**Consideration of Resolution No. 14-21R appointing members to the Infrastructure Sub-Committee, Customer Service/Communication Sub-Committee, Policy Sub-Committee and the Economic Development Sub-Committee. M&C 2014-08-18-10 (S. Passailaigae)**

The following appointments were made by Mayor Riley:

**Infrastructure Sub-Committee** - Councilwoman Carmen Sanchez and Councilman Paul Biever.

**Customer Service/Communication Sub-Committee** - Councilman Ricardo Ruiz and Councilman Benny Martinez.
Policy Sub-Committee - Mayor Chris Riley, Councilman Abraham Diaz, Councilwoman Carmen Sanchez and Councilman Paul Biever.

Economic Development Sub-Committee - Mayor Chris Riley, Councilman Ricardo Ruiz, Councilwoman Carmen Sanchez and Councilman Benny Martinez.

A motion was made by Councilman Paul Biever, seconded by Councilman Carmen Sanchez, to accept Resolution No. 14-021R and the appointments as stated. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consideration of policies amending the regulations of boarders, commercial businesses and vehicles in the R-1 Zoning Districts. M&C # 2014-08-18-11 (K. Flores) City Council may go into Executive Session as allowed by LGC § 551.071 Consultation with Attorney to discuss this item if necessary.

Mayor Riley

City Manager’s Report
a. July 5, 2014 Forest Oaks Apartment Fire
b. Update on traffic improvements on Huebner and Evers Road (DPS)
c. August 23, 2014 Coffee with the Mayor
d. September 01, 2014 – Observation of Labor Day City Office Closure
e. Monthly Departmental Reports
f. Approved Minutes from Boards, Commissions and Committees

The following updates and reports were given by City Manager Longoria and staff: a) Fire Chief Luis Valdez gave a report on the July 5, 2014 fire at the Forest Oaks Apartments on Evers Road which included a request to City Council to upgrade the communication radios. This request is also in the proposed FY 15 budget. b) Assistant Public Works Director David Dimaline reported out that TxDOT has offered to donate surplus for the light to be upgraded at Huebner and Evers Road. The issue with the reconstruction and the acceleration lane is still on-going and is estimated to be complete in late 2015 early 2016. Work should begin in approximately ninety (90) days. c) The Coffee with the Mayor & Council will be held on August 23, 2014; and lastly d) City Hall and the Municipal Court will be closed on September 1st in observance of Labor Day.

Citizens to be Heard

- Olen Yarnell – 7230 Sulky Ln. – spoke in support of the communication upgrade for the fire and police departments.
- Kim Crawford – 7007 Forest Mont – thanked the fire department for all they do for the City of Leon Valley.

Announcements by the Mayor and City Council Members. At this time, reports about items of community interests, 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 Ricardo Ruiz thanked everyone for the cards and letters he received due to the loss of his father who established the longest running restaurant here in Leon Valley. Councilman Ruiz asked that this meeting be dedicated in his honor.

Councilman Abraham Diaz mentioned that he contacted Representative Justin Rodriguez office in response to comments from citizens at a recent Coffee regarding the difficulty crossing Bandera Road. Representative Rodriguez set up a meeting between Councilman Diaz and Ruiz along with TxDOT to remedy the situation. As of today, a sign has been erected stating “DO NOT BLOCK INTERSECTION”.

Councilman Benny Martinez informed the Council of a three day CERT training class being held in Leon Valley for disaster training. Those interested may contact Councilman Martinez for more information.

Mayor Riley announced that VIA Transit was awarded two million dollars through the MPO and they decided to give it to the suburban cities for bus shelters. The amount Leon Valley will receive is 13% which is $268,000. Mayor Riley and the City Manager are discussing how and where that will be best utilized. Mayor Riley also informed everyone that misinformation is going around that people have to pay for the CPS smart meters and she wants everyone to know that that is not true.

Adjournment

A motion was made by Councilman Benny Martinez, seconded by Councilman Paul Biever to adjourn the Special City Council meeting at 12:45 a.m. on Monday, August 18, 2014. Upon a unanimous vote, Mayor Riley announced the motion carried.

These minutes approved by the Leon Valley City Council on the 8th of September, 2014.

APPROVED

CHRIS RILEY
MAYOR

ATTEST:
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY
CITY OF LEON VALLEY

COFFEE WITH THE MAYOR AND CITY COUNCIL
Leon Valley Conference Center
6427 Evers Road, Leon Valley, Texas 78238
Saturday, August 23, 2014

MINUTES

The Leon Valley City Council hosted a citizen meeting at the Conference Center on Saturday, August 23, 2014.

Call to order and determine a Quorum is Present

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

All members of Council were present, as was City Manager Longoria.

Presentation of the Proposed Fiscal Year 2014-15 Budget.

City Manager Manuel Longoria, Jr. presented the proposed Fiscal Year 2014-15 budget. He explained that the Proposed FY 2015 budget is balanced and provides revenue sufficient to meet budgeted expenditures for operations, capital improvements, equipment replacement, and debt service for the next fiscal year.

Questions arose from the citizens in regards to the budget:

Resident Hubert Lange, 6018 Forest Bend, wanted to know who was going to work with TxDOT to construct and design the Evers Rd. project. City Manager Longoria Jr. stated that Public Works Director Melinda Moritz and her staff will be the lead on the project and would be going out for Request for Qualifications (RFQ) for engineering services for the project.

Resident Al Uvietta, 6923 Sunlight Drive, asked if the City intended to keep the current analog radio system. The City Manager stated the City fully intends to keep the analog system, even after the implementation of the 800 MHz radio system.

Councilman Biever asked the City Manager; if we had contacted anyone form San Antonio about their portion of Evers Rd. The City Manager responded that Mayor Riley had begun opening those lines of communication with the new San Antonio Councilmember, Mari Aguirre-Rodriguez.

Resident Al Uvietta 6923 Sunlight Drive asked if the City evaluated a 2% cost of living for City Employees instead of the 1%. City Manager Longoria Jr. explained that with the recommended changes to the compensation pay plan and the recommended 1% cost of living adjustment the average employee would receive a 3% pay adjustment.
Councilman Benny Martinez asked if the City was getting a new City Engineer. City Manager Longoria Jr. stated that currently the City had no intention of getting a new City Engineer. However, the City is seeking RFQ’s for engineer services, specifically for water related activities.

Resident Darby Riley, 6939 Forest Way stated that the City should consider evaluating the water rates due to upcoming expenses. City Manager Longoria Jr. responded that the City is recommending allocating $30,000 in the budget for a rate study.

Kim Crawford 7007 Forest Mont. asked if the City water rate increases would it affect the SAWS users. City Manager Longoria Jr. replied, no.

Councilman Ricardo Ruiz asked if Movies in the Park was placed in the budget. The City Manager Longoria Jr. stated that money was allocated for events and will expend those funds as City Council sees fit.

Some discussion ensued. No action was taken at the meeting.

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

These minutes approved by the Leon Valley City Council on the 8th of September, 2014.

APPROVED

CHRIS RILEY
Mayor

ATTEST:
SAUNDRA PASSAILAIGUE, TRMC
City Secretary
DATE: September 08, 2014

TO: Mayor and City Council

FROM: Saundra Passailaigue, City Secretary

THROUGH: Manuel Longoria, Jr., City Manager

SUBJECT: Consideration of Resolution No. 14-022R appointing Shirley Jonas to the Beautification Committee.

PURPOSE

This item was placed on the City Council agenda at the request of Mayor Riley in an effort to appoint a new member to the newly created Beautification Committee which is a Tier III Committee.

FISCAL IMPACT

None.

RECOMMENDATION

None.

S.E.E IMPACT STATEMENT

Social Equity – Encourages residents, business owner/operators, and other stakeholders’ volunteer opportunities to actively participate in advisory processes affecting City services.

Environmental Stewardship – Committee appointments in these areas support the goal to attract, expand and retain viable businesses to promote development and redevelopment.

Economic Development – The Beautification Committee was created to actively support the continued efforts for the City to become carbon-neutral by conserving and preserving natural resources to enhance our environment.

APPROVED: ____________________  DISAPPROVED: ____________________

COMMENTS OR DIRECTION GIVEN OR ACTION TAKEN:

ATTEST:

_________________________________
Saundra Passailaigue, TRMC
City Secretary
A RESOLUTION OF THE CITY OF LEON VALLEY CITY COUNCIL APPOINTING SHIRLEY JONAS TO THE LEON VALLEY BEAUTIFICATION COMMITTEE.

WHEREAS, The City of Leon Valley deemed it necessary to create boards, commissions and committees composed of volunteers from the community to perform specific functions for the City.

WHEREAS, these boards, commissions and committees are invaluable to the City Council for their expertise, insight, and dedication to the City of Leon Valley.

WHEREAS, the City Council of Leon Valley empowers these boards, commissions and committees to make decisions affecting the citizens and the future of the City.

WHEREAS, the individuals currently filling the boards, commissions and committees have performed admirably and honestly for the benefit of the City of Leon Valley and its citizens.

WHEREAS, the City Council formally appoints and sets the term for the following individuals to their respected board or commission:

BEAUTIFICATION COMMITTEE

Shirley Jonas

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

That the appointments of the aforementioned individuals to their respected board, commission or committee and term for each individual become effective immediately.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 8th day of September, 2014.

APPROVED

CHRIS RILEY
MAYOR

Attest: ____________________________
SAUNDRA PASSAILAIGUE, TRMC
City Secretary
MAYOR AND COUNCIL COMMUNICATION

DATE: September 8, 2014
TO: Mayor and Council
FROM: Randall Wallace, Chief of Police
THROUGH: Manuel Longoria Jr., City Manager
SUBJECT: Continuation of the agreement with the United States Department of Justice, Drug Enforcement to have an Officer assigned to the State and Local Task Force

PURPOSE

In May of 2002, the City of Leon Valley entered into a cooperative agreement between the San Antonio District Office of the Drug Enforcement Administration (DEA) and the city. This agreement places a Leon Valley Police Officer into the State and Local Task Force of the local DEA office. In the event the City decides to withdraw its participation in the Task Force during the one-year period the agreement is in effect, the agreement contains a “30 day opt out” provision.

The Police Officer assigned to the State and Local Task Force is involved in the investigation of both national and international distributors of illegal narcotics. By having this person in the Task Force, Leon Valley is attacking the higher echelons of narcotics distribution organizations, instead of the street level dealers in Leon Valley. By doing this, we are attacking the source of the problem, not a small portion of it.

SEE LEON VALLEY

Social – To assist in helping our community fight illegal narcotics. With the addition of Task Force Officers, this increases the response our agency can provide to complaints.

Economic – To provide asset forfeiture funds to the Police Department. With the utilization of asset forfeiture funds the Police Department is able to provide for the purchase of necessary equipment without impacting the general fund.

Environmental – N/A

FISCAL IMPACT

The agreement stipulates that DEA will provide the necessary funds and equipment to support the activities of our Officer. The City is responsible for the Officer’s salary, but is reimbursed for any overtime earned.

STRATEGIC GOALS

The approval of this agreement will directly impact Strategic Goal Number 7, “Pursue Revenue Enhancements to Enhance City Operations”. By utilizing forfeiture funds to purchase equipment for the Police Department the financial burden is not placed within the General Fund.
RECOMMENDATION

Continue the agreement with the Drug Enforcement Administration keeping our Officer in the State and Local Task Force.

APPROVED: _____________________  DISAPPROVED: _____________________

APPROVED WITH THE FOLLOWING AMENDMENTS:

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary
City of Leon Valley and Drug Enforcement Administration Agreement

Monday, September 8, 2014
Background

• Agreement to continue Leon Valley’s participation in the State and Local Task Force – San Antonio District Office of Drug Enforcement Administration (DEA)
  – We currently have one Officer assigned
Purpose of Task Force

- Disrupt illicit drug traffic in South Texas
- Gather and report intelligence data
- Conduct undercover operations
- Engage in investigations which will result in effective prosecutions
DEA Provides

• All operating supplies necessary to complete mission
• Reimbursement of overtime
Leon Valley Provides

• Salary and benefits
Benefit to Leon Valley

- Aggressive pursuit of national and international distributors of illegal narcotics
- Ability to have a Federal Agency “adopt” Leon Valley cases for prosecution and other mitigating factors
  - Clean-up costs for areas determined to be hazardous material sites (labs)
Benefit to Leon Valley (continued)

• Access to additional resources to assist Leon Valley
  – Ability to have Task Force respond to any Leon Valley issues

• Transfer of federally forfeited property to Leon Valley
MAYOR AND COUNCIL COMMUNICATION

DATE: September 8, 2014

M&C #2014-09-08-03

TO: Mayor and Council

FROM: Randall Wallace, Chief of Police

THROUGH: Manuel Longoria Jr., City Manager

SUBJECT: Continuation of the agreement with the San Antonio Police Department to have an Officer assigned to the State High Intensity Drug Trafficking Area (HIDTA) Task Force

PURPOSE

In January of 2005, the City of Leon Valley entered into a cooperative agreement with the San Antonio Police Department. This agreement places a Leon Valley Police Officer into the San Antonio Police Department High Intensity Drug Trafficking Area (HIDTA). The agreement is a one-year agreement. In the event the City decides to withdraw its participation in the initiative, the agreement contains a “30 day opt out” provision.

Member agencies of the San Antonio HIDTA Initiative have unique opportunities to impact the quality of life and well being of the citizens of Leon Valley, San Antonio, the State of Texas, and the United States. By combining their efforts, these agencies have committed to the task force concept in order to achieve the goals of the HIDTA Initiative.

S.E.E. IMPACT

Social Equity – To assist in helping our community fight illegal narcotics. With the addition of Task Force Officers, this increases the response our agency can provide to complaints.

Economic Development – N/A

Environmental Stewardship – N/A

FISCAL IMPACT

The agreement stipulates that the San Antonio Police Department will provide the necessary funds and equipment to support the activities of our Officer. The City is responsible for the Officer’s salary, but is reimbursed for any overtime earned.

STRATEGIC GOALS

The approval of this agreement will directly impact Strategic Goal Number 7, “Pursue Revenue Enhancements to Enhance City Operations”. By utilizing forfeiture funds to purchase equipment for the Police Department the financial burden is not placed within the General Fund.
RECOMMENDATION

Continue the agreement with the San Antonio Police Department keeping our Officer in the HIDTA Task Force

APPROVED: _____________________    DISAPPROVED: _______________________

APPROVED WITH THE FOLLOWING AMENDMENTS:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

ATTEST:

___________________________________________

Saundra Passailaigue, TRMC
City Secretary
City of Leon Valley  
and  
San Antonio Police Department  
Memorandum of Understanding  
September 8, 2014
Background

• Agreement to continue Leon Valley’s participation in the San Antonio Police Department High Intensity Drug Trafficking Area (HIDTA) Task Force
  – We currently have one Officer assigned
Purpose of Initiative

• Reduce Drug trafficking and money laundering activities
• Reduce public corruption
• Reduce crime rates and illegal drug availability
• Increase safety for investigative and support personnel
San Antonio Police Provides

- All operating expenses necessary to complete mission
- Reimbursement of overtime
Leon Valley Police Provides

- Salary and benefits
Benefit to Leon Valley

• Targeting illicit drug and money laundering organizations operating or impacting the HIDTA area
• Developing or adopting investigations which meet the criteria for acceptance as Organized Crime Drug Enforcement Task Force (OCDETF)
• Access to additional resources to assist Leon Valley
• Transfer of forfeited property to Leon Valley
DATE: September 8, 2014  M&C: #2014-09-08-04

TO: Mayor and City Council

FROM: Kristie Flores, Community Development Director

THROUGH: Manuel Longoria, Jr., City Manager

SUBJECT: Consideration of policies amending the regulations of boarders, commercial businesses and vehicles in the R-1 Zoning Districts

PURPOSE
The purpose of this item is for City Council to discuss possible policies to address concerns regarding too many occupants living in the R-1 (Single-Family Dwelling) zoning district and parking of commercial vehicles in residential areas.

The City Attorney’s office has prepared a memorandum outlining the legal issues to be considered when drafting policies associated with these issues; however it is important to understand what the City and State already have in place before considering any new policy or revisions to existing policy.

First, a Boarding Home is allowed in the R-1 (Single-Family Dwelling) zoning district. Per the Zoning Code a “Board Home” is defined as a dwelling containing a single dwelling unit and not more than ten (10) guest rooms or suites of rooms, where lodging is provided with or without meals, for compensation for more than one (1) week. Although a boarding home is allowed they are regulated by the Texas Boarding House Model Standards.

Further you may note that there is some confusion regarding boarding homes and a family unit. The Zoning Code defines a “family” as an individual or two (2) or more persons related by blood, marriage or adoption, or a group not to exceed six (6) unrelated persons living together as a single housekeeping unit. In many of the instances where there have been complaints it is found to be a family unit per the City’s zoning definition. The City Council may consider amending its definition of “family” however, as outlined in the City Attorney memorandum, attempting to amend the definition of “family” is very delicate and any existing use would be grandfathered.

To address commercial businesses and vehicles; commercial businesses are not allowed in the R-1 zoning district (see attached Home Occupation regulations). Some of the prohibited uses include: auto repair or maintenance, beauty culture schools, beauty parlors, barbershops, electricians, plumbers, sheet metal shops, furniture repair, sexually oriented commercial enterprises, catering and other similar uses. As for commercial vehicles it is not unusual for residents to bring their work vehicles home for lunch or after business hours. Many of these vehicles are not parked on site for long periods of time and if they are parked longer than 48-hours they are in violation of the City’s existing parking regulations. Parking may also be addressed outside the city’s zoning regulations through the City’s traffic regulatory authority.
The attached Attorney memorandum outlines the legal background for City Council when considering new policies or revisions to existing policies to address these issues.

**FISCAL IMPACT**
None.

**RECOMMENDATION**
Staff requests the direction of the Council as to how to proceed in regard to these items.

**S.E.E IMPACT STATEMENT**

*Social Equity* – the policy or policies adopted should be fair to all property owners and/or family units in the City.

*Environmental Stewardship* – not applicable.

*Economic Development* – deterioration of properties in the City can create devaluation making it difficult to retain homeowners and maintain ad valorem taxes.

APPROVED: ____________________  DISAPPROVED: ______________

APPROVED WITH THE FOLLOWING COMMENTS: __________________________

____________________________________________________________________

ATTEST:

____________________________________

Saundra Passailaigue, TRMC
City Secretary
Sec. 14.02.315   Home occupations

(a)   **Purpose and description.**

Home occupation regulations.

(1)   **General.** Home occupations shall be permitted in all residential zoning districts, provided the home occupation is clearly and obviously subordinate to the main use or dwelling unit for residential purposes. Home occupations shall be conducted wholly within the primary structure or existing accessory building which is on the premises.

(2)   **Conditions.**

(A)   **Area.** Not to exceed twenty-five (25) percent of the floor area of the primary structure or fifty (50) percent of all accessory buildings on the premises.

(B)   **Personnel.** Other than those related by blood, marriage or adoption, no more than one (1) person, other than the owner, can be employed in the home occupation;

(C)   **Inventory and supplies.** Shall not occupy more than fifty (50) percent of the area permitted to be used as a home occupation;

(D)   **Outside display/storage.** None allowed;

(E)   **Signage.** The home occupation shall not involve the use of advertising signs on the premises or any other advertising media which calls attention to the fact that the dwelling unit is being used for a home occupation, with the exception of a telephone number listing and one nameplate, not exceeding one (1) square foot in area, provided the nameplate is nonilluminated and attached flat to the dwelling unit or visible through a window;

(F)   **Prohibited home occupations.** Auto repair or maintenance, beauty culture schools, beauty parlors, barbershops, electricians, plumbers, sheetmetal shops, furniture repair, sexually oriented commercial enterprises, catering or other similar uses, shall not be allowed. The use of electrical or mechanical equipment that would change the fire rating of the dwelling or create visible or audible interference in radio or television receivers or cause fluctuations in line voltage outside the dwelling unit is prohibited; and/or the home occupation shall not involve the use of commercial vehicles for delivery of materials to and from the premises, nor shall any commercial vehicles be stored at the residence;
(G) **Child care facilities.** The care for payment of more than six (6) unrelated children shall require a specific use permit;

(H) **Parking.** Sales and services to patrons shall be arranged by appointment and scheduled so that not more than one (1) patron vehicle is on the premises at the same time; two (2) additional parking spaces shall be provided on the premises, except only one (1) need be provided if the home occupation does not have an employee;

(I) **Appearance.** The dwelling unit shall not be altered nor shall the home occupation be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, increased traffic or the emission of odors, sounds or vibrations.
Sec. 3.05.004 Storage areas to be fenced

No land shall be used for or as a storage area for any material or storage units until a vision-proof fence is constructed and is sufficient height to conceal the storage materials and/or storage units. The fence shall also meet the setback requirements of the zoning district and the percentage of storage allowed for that zoning district.

ARTICLE 12.03 PARKING, STOPPING AND STANDING

Division 1. Generally

Sec. 12.03.001 Presumption that vehicle owner is responsible for violation

When any person is charged with having parked or left standing a vehicle on any street in the city at a place on said street where parking of vehicles is prohibited, or with parking such vehicle on said street in a manner which violates the manner of parking of a vehicle as designated, or with parking such vehicle for a length of time in excess of that allowed in the space where said vehicle was parked, proof that said vehicle was, at the date of the offense alleged, owned by the person charged with the offense, shall constitute prima facie evidence that said vehicle was parked or left standing at the place charged by said owner, but the owner shall have the right to introduce evidence to show that said vehicle was not parked by him as charged in the complaint. (1972 Code, sec. 26.905)

State law reference–Presumption that owner of vehicle is responsible for offense, V.T.C.A., Transportation Code, sec. 545.308.

Sec. 12.03.002 Parking damaged or junked vehicle on street or right-of-way

No wrecked, damaged, junked or broken down automobile vehicle of any kind shall ever be parked, placed or left in any street, alley, or public right-of-way within the city at any time. (1972 Code, sec. 26.901(A))


Sec. 12.03.003 Parking for longer than 48 hours; parking for certain purposes prohibited; parking of trailers or campers
It shall be unlawful for any person to park unused vehicles of any kind in any street or public place for more than forty-eight (48) hours, or at any time for the purpose of storage, washing, greasing or repairing such vehicle (except repairs necessitated by emergency), sale, or display of advertising signs or posters fixed to such vehicle, or any trailer, semitrailer, horse trailer, or boat trailer not attached to a tractor or towing vehicle, or any auto-bus, motor home or camper. (1972 Code, sec. 26.901(B))

Sec. 12.03.004  Blocking driveway

No automotive vehicle shall be parked in any manner which will block or impede free vehicular ingress and egress to all public and private driveways opening into any street, alley, or public right-of-way in the city. (1972 Code, sec. 26.901(C))

Sec. 12.03.005  Towing of illegally parked vehicles

The city may have any vehicle illegally parked under this article for a period of more than twenty-four (24) hours towed away and impounded and keep same until the owner, or his agent, pays all towing and storage charges and all fines and court costs adjudged against said owner (or his agent) in connection with such parking offense. (1972 Code, sec. 26.901(D))
Sec. 14.02.306 “R-1” single-family dwelling

(a) **Purpose and description.**

(1) This district provides areas for low density single-family uses which provide a buffer between agricultural and higher density areas of the city. Minimum lot size requirements are provided in order to allow for market and design flexibility while preserving neighborhood character. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, libraries, and neighborhood recreation centers. The district regulations are designed to: (1) protect the residential character of the areas by prohibiting commercial and industrial activities; (2) encourage a suitable neighborhood environment; and (3) preserve the openness of the area by requiring that certain minimum yard and area standard requirements are met.

(2) The R-1 district implements the following policies of the master plan:

(A) Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.

(B) Encourage connectivity throughout the city.

(b) **Lot regulations.**

(1) **Area.** Lots must have a minimum area of 8,400 square feet.

(2) **Frontage.** Minimum frontage of 70 feet along a public right-of-way.

(3) **Depth.** Minimum of 120 feet.

(4) **Floor space.** Minimum floor space of 1200 square feet of heated living space shall be provided in each one-story dwelling, 1400 square feet for each two-story dwelling.

(5) **Height.** Maximum of two and one-half (2-1/2) stories allowed.

(c) **Setback requirements.**

(1) **Front yard.** There shall be a front yard having a minimum of 25 feet from front property line to main structure.

(2) **Rear yard.** There shall be a rear yard of not less than 30 feet from rear property line to rear of main structure.
(1972 Code, sec. 30.606)

(3) **Side yard.** There shall be a side yard of not less than 5 feet from side property line to main structure. On corner lots the external side yard shall be not less than ten (10) feet. See article 10.02 (subdivision ordinance) for garage setbacks. (Ordinance 07-033, sec. 1, adopted 8/8/07)

(4) **Corner lot.** Where lots abut on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(5) **Reverse frontage.** On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(d) **Other.**

(1) **Accessory buildings.** Shall be allowed, but shall be located no closer than 5 feet from any property line, and must be located in the rear yard. In no case shall an accessory building occupy more than 30% of the total open space in the rear yard.

(2) **Landscaping.** The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended.

(3) **Lighting.** All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40% of the distance from the front property line to the main structure.

(4) **Masonry required.** A minimum of 75% of total overall exterior walls shall be constructed of masonry, or other similar noncombustible materials.
(5) **Nonconforming dwellings.** The provisions of floor space and masonry above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(6) **Parking.** Two off-street parking spaces shall be provided for each residential structure.

(7) **Public facilities.** Each lot shall be connected to the city’s public water and sewer system, and shall have appropriate sidewalks and fire protection. See [article 10.02](#) (subdivision ordinance).

(8) **Storage.** Outside storage is not allowed in the R-1 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with [article 3.05](#) and [article 12.03](#) of the Leon Valley City Code. All items to be stored must be completely contained in either the main structure, garage or an accessory building.

**Figure 1 (R-1 Single-Family Dwelling)**
City of Leon Valley
City Council

Consideration of Further Regulations of Boarders, Commercial Businesses and Vehicles in the R-1 Zoning District

September 08, 2014
Purpose

• Address concerns regarding:
  1) too many occupants living in a home
  2) parking of commercial vehicles in R-1

• Clarify the existing regulations

• Consider additional regulation
Purpose

• Boarding Homes are allowed in the R-1 district

  a dwelling containing a single dwelling unit and not more than ten (10) guest rooms or suites of rooms, where lodging is provided with or without meals, for compensation for more than one (1) week.

• Regulated by the Texas Boarding House Model Standards
Purpose

• Boarding Home not to be confused with Zoning definition of “Family”

  an individual or two (2) or more persons related by blood, marriage or adoption, or a group not to exceed six (6) unrelated persons living together as a single housekeeping unit.

• Many complaints received are found to be a family unit per the City’s zoning definition
Purpose

• Commercial Businesses and Vehicles in R-1
  
  1) commercial business NOT allowed
  2) commercial vehicles that temporarily park for lunch breaks or after work are allowed
  3) commercial vehicles parked 48 hours or longer can be regulated by the City’s existing parking regulations
Purpose

• The Attorney memorandum in your packet outlines the legal background for City Council when considering new policies or revisions to existing policies to address these issues.
Fiscal Impact

• None
Recommendation

• Staff requests direction of the City Council as to how to proceed in regard to these items
City of Leon Valley
City Council

Consideration of Further Regulations of Boarders, Commercial Businesses and Vehicles in the R-1 Zoning District

September 08, 2014
MAYOR AND COUNCIL COMMUNICATION

DATE: September 8, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: Presentation on the Establishment of a Leon Valley Educational Facilities Corporation

PURPOSE

The purpose of this item is for City Council to hear a presentation on the potential establishment of a Leon Valley Educational Facilities Corporation. The presentation will be made by Mr. William (Bill) Avila with the law firm of Bracewell & Giuliani.

City Staff is evaluating the possibility of creating a corporation of this type as a potential revenue producing program. These corporations are typically established by municipalities to provide “conduit” tax-exempt financing for non-profit educational institutions such as colleges, universities and charter schools. The city sponsored corporation is used by educational institutions to raise tax-exempt bonds to complete infrastructure projects within their campus. Mr. Avila has provided a legal analysis memorandum (attached) outlining the purpose of the corporation and the impact to municipalities.

The educational institutions are responsible for paying the debt on the bonds with no impact to the City for payment or default. The City charges a fee that can range between $25,000 to $50,000 for use of the educational facilities to provide the “conduit” financing. The funds generated by the corporation are deposited in the General Fund and can be used for any governmental purpose allowed to municipalities.

There is no action associated with this item. The intent is to provide information on the value of establishing an education facilities corporation and to determine if there is interest in creating one for Leon Valley.

FISCAL IMPACT

There is no cost associated with consideration of this item.

S.E.E IMPACT

Social Equity – Not applicable.

Environmental Stewardship – Not applicable.

Economic Development – Not applicable.
APPROVED: ____________  DISAPPROVED: ____________

APPROVED WITH THE FOLLOWING AMENDMENTS:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

ATTEST:

Saundra Passailaigue, TRMC
City Secretary
MEMORANDUM

TO: Mr. Manny Longoria, City Manager

FROM: Mr. William (Bill) Avila, Partner
       Bracewell & Giuliani LLP

DATE: September 4, 2014

RE: Texas City Authority to Create Higher Education Facilities Corporations

Question Presented

Please describe briefly (i) ability of a Texas city to create an Educational Facilities Corporation (the “Corporation”) under the Texas Education Code, (ii) the organizational status and structure of such a Corporation created by a Texas city (the “City”), (iii) the Corporation’s legal authority to issue tax-exempt debt “on behalf of” the City, (iv) the financial impact, if any, to the City and (v) the impact on the City’s ability to issue its own tax-exempt debt for the City’s own purposes.

Brief Answer

The City of Leon Valley, Texas is authorized by the Texas Education Code to create a non-profit corporation called “City of Leon Valley, Texas Educational Facilities Corporation,” whose public purpose is to finance educational facilities for public and/or private schools, by passing and approving an Ordinance of the City Council authorizing and approving the creation of a Corporation, approving the Articles of Incorporation and Bylaws of the Corporation, and appointing the members of the Initial Board of Directors of the Corporation. Upon adoption of such an Ordinance, the City will file Articles of Incorporation with the Texas Secretary of State, who will issue a Certificate of Incorporation. Additionally, the Corporation will be exempt from the State Franchise Tax, so no State taxes will be required to be paid by the City or the Corporation at any time. Upon and after its formation, the Corporation will be legally authorized to issued tax-exempt bonds “on behalf of” the City for the purposes and under the conditions and procedures described in the Texas Education Code and the Internal Revenue Code as discussed below. The first series of bonds for such purposes may be issued at the Organizational Meeting of the Initial Board of Directors of the Corporation or at any meeting thereafter.

Discussion

(i) Legal Ability of a City to Create a Corporation . . . (a) OVERVIEW. Texas cities have a variety of alternatives available, under State law, to create non-profit corporations to encourage economic development, as well as the development of a variety of facilities, including (1)
Memorandum to Manny Longoria

September 4, 2014
Page 2

funding infrastructure; (2) financing a specific project; (3) financing education facilities, (4) financing cultural facilities, (5) financing health facilities, (6) financing industrial and manufacturing facilities, (7) financing commercial facilities, and (8) financings with governmental revenues or taxes to benefit the City of a private business, just to name a few.

(b) EDUCATION FACILITIES CORPORATIONS. Section 53.11 of Chapter 53 of the Texas Education Code provides as follows, with respect to educational facilities of public schools:

Sec. 53.11. CREATION OF AUTHORITY. When the governing body of a city finds that it is to the best interest of the city and its inhabitants to create a higher education facility authority, it shall pass an ordinance creating the authority and designating the name by which it shall be known.

Additionally, Section 53A.11 of Chapter 53A of the Texas Education Code provides as follows, with respect to educational facilities of private schools:

Sec. 53A.11. CREATION OF AUTHORITY. When the governing body of a city finds that it is to the best interest of the city and its inhabitants to create a higher education facility authority, it shall pass an ordinance creating the authority and designating the name by which it shall be known.

In addition to the legal ability granted by Sections 53.11 and 53A.11, Sections 53.35(b) and 53A.35(b) of the Education Code, as amended, each provides a city with the legal ability to create, alternatively, an “educational facility corporation”, with respect to public schools and private schools, respectively, as follows:

“(b) In addition to or in lieu of establishing an authority under the provisions of this chapter, the governing body of a city or cities may request or order created one or more nonprofit corporations to act on its behalf and as its duly constituted authority and instrumentality to exercise the powers granted to an authority under the provisions of Sections 53.33 and 53.34 [53A.33 and 53A.34]. If a nonprofit corporation is created for such purposes or agrees to such request, the directors thereof shall thereafter be appointed and be subject to removal by the governing body of the city or cities. In addition to the powers granted under, and subject to the limitations provided by Sections 53.33 and 53.34 [53A.33 and 53A.34], the corporation shall have all powers granted under the Texas Non-Profit Corporation Act for the purpose of aiding institutions of higher education in providing educational facilities and housing facilities and facilities incidental, subordinate, or related thereto or appropriate in connection therewith. In addition to Sections 53.33 and 53.34 [53A.33 and 53A.34] and the Texas Non-Profit Corporation Act,
Memorandum to Manny Longoria

September 4, 2014
Page 3


(ii) Organizational Structure . . . Section 53.14 [public schools] and Section 53A.14 [private schools] provide for the composition of the Board of Directors of the Corporation, respectively, as follows:

[Public Schools] Sec. 53.14. BOARD OF DIRECTORS. (a) The authority shall be governed by a board of directors consisting of not less than 7 nor more than 11 members to be determined at the time of creating the authority. The directors shall be appointed by the governing body of the city or by the governing bodies of the cities, and they shall serve until their successors are appointed as provided by this section.

[Private Schools] Sec. 53A.14. BOARD OF DIRECTORS. (a) The authority shall be governed by a board of directors consisting of not less than 7 nor more than 11 members to be determined at the time of creating the authority. The directors shall be appointed by the governing body of the city or by the governing bodies of the cities, and they shall serve until their successors are appointed as provided by this section.

(iii) Powers and Duties . . . Chapters 53 and 53A also identify certain powers and limitations of power in the applicable sections as follows:

Sec. 53.31 [Sec. 53A.31]. NO TAXING POWER. An authority has no power to tax.

Sec. 53.32 [Sec. 53A.32]. NO POWER OF EMINENT DOMAIN. The authority does not have the power of eminent domain.

Sec. 53.331 [Sec. 53A.331]. REFINANCING FACILITIES. The authority may refinance any educational or housing facility acquired, constructed, or improved.

(iv) Authority to Issue Debt . . . Section 53.34 and Section 53.34 of the Texas Education Code each authorizes the Corporation, as a corporation created by the City pursuant to Section 53.35(b) or 53A.35(b), to issue revenue bonds to loan or otherwise provide funds to a borrower if, among other things:
• The purpose of the loan is to enable the borrower to acquire, construct, enlarge, extend, repair, renovate, or otherwise improve an educational facility.

• The revenue bonds must be payable from and secured solely by a pledge of the revenues, income, or other assets pledged for the purpose of the borrower, and additionally secured by a mortgage, deed of trust or chattel mortgage on real or personal property or both of the borrower.

• The bonds or other obligations issued by the Corporation must expressly contain in their form the following language:

  "THE HOLDER HEREOF SHALL NEVER HAVE THE RIGHT TO DEMAND PAYMENT THEREOF OUT OF MONEY RAISED OR TO BE RAISED BY TAXATION."

(v) **Ability to Issue Tax-Exempt Debt** . . . (a) OBLIGATIONS ISSUES **BY** A UNIT. Under the provisions of the U.S. Internal Revenue Code, a tax-exempt bond must be an "obligation" – *(i.e., a debt incurred, by or on behalf of) – of a governmental unit (a State or political subdivision of the State), in the exercise of the governmental unit's borrowing powers, as opposed to its police, eminent domain or other governmental powers.

(b) OBLIGATIONS ISSUED "**ON BEHALF OF**" A GOVERNMENTAL UNIT. Even if not issued by a governmental unit, an obligation incurred "**on behalf of**" a "governmental unit" may be issued tax-exempt, if issued or incurred by one of the following two types of qualified tax-exempt "on behalf of" borrowers:

  a. **Constituted Authority**

  A "constituted authority" is an entity that is specifically authorized by state law to issue bonds on behalf of a political subdivision of a state. To be a constituted authority, an entity must have the following characteristics:

  (1) State law must specifically authorize the issuance of bonds by the entity;
  (2) The bond issue must have public purpose *(e.g. promoting, among other things, economic development, trade, industry, educational facilities, housing facilities, or student loans, etc.)*;
  (3) The entity's governing body must be controlled by the political subdivision;
  (4) The entity must have the power to acquire, lease, and sell property and to issue bonds in furtherance of its purposes; and
  (5) Earnings of the entity may not inure to benefit of private persons.
b. 63-20 Corporation

A “63-20 corporation” is a corporation formed under general state nonprofit corporation law, the obligations of which are treated as issued on behalf of a political subdivision. To be a 63-20 corporation, a corporation must have the following characteristics:

1. The corporation must engage in activities that are essentially public in nature;
2. The corporation must be one that is not organized for profit;
3. Corporate income must not inure to any private person;
4. The State or a political subdivision thereof must have a beneficial interest in the corporation while indebtedness is outstanding, and must obtain full legal title to the financed property upon retirement of the debt; and
5. The Corporation must have been approved by the State or political subdivision thereof, which must have also approved the specific debt issued.

(c) CHAPTERS 53 AND 53A CORPORATION’S FEDERAL TAX STATUS. An educational facilities corporation created by a City under the provisions of Chapters 53 and/or 53A are created with the characteristics of a “constituted authority”, as described above, and, therefore, are considered under the Internal Revenue Code and Chapters 53 and/or 53A to be issuing bonds “on behalf of” the City that created it. In addition to possessing the organizational and public policy characteristics of such a “constituted authority”, paragraph (b) of each of Section 53.34 and 53A.34 expressly provide as follows:

(b) In issuing revenue bonds or other obligations under this chapter, the issuer of the bonds or other obligations is considered to be acting on behalf of the city by which it was created.

(vi) Financial Impact to the City Its Ability to Issue Tax-Exempt Debt . . . (a) Financial Impact to the City. As noted in the bullet points above, the bonds issued by the Corporation must, by law, be payable from and secured solely by revenues, income and other assets of the borrower, and not from any assets, taxes, or revenues of the City. Additionally, as also noted above, the law, additionally, requires that the bonds state on their face that the holder thereof shall never have a right to demand payment thereof out of money raised or to be raised from taxes. Finally, the law does permit the City to require the payment to the City of any fees or charges that are reasonably determined by the City to be paid for the administration of the Corporation of the issuance of debt by the Corporation.

(b) Impact to City’s Ability to Issue Tax-Exempt Debt . . . If the bonds sold by the Corporation, with the consent of the City (or if any other bonds sold by the City), are designated by the Corporation (or the City, as the case may be) as “qualified tax-exempt obligations”, within the
meaning of the Internal Revenue Code, the City itself would be limited to issuing no more than a
total of $10,000,000 in tax-exempt obligations, including those of the Corporation, in the same
calendar year that such obligations are delivered and funded either by the Corporation or the
City.

Otherwise, the legal ability of the City to issue tax-exempt obligations in any form and under any
other law is completely unaffected by the issuance of bonds or other tax-exempt obligations of
the Corporation.

(vii) Process for Creating a Corporation by the City:

(a) ORDINANCE CREATING; APPROVING ARTICLES AND BYLAWS; BOARD
COMPOSITION. . . The City Council (the “City Council”) of the City must pass and approve an
Ordinance requesting, ordering, approving, and authorizing the creation of the Corporation to act
for and on behalf of the City pursuant to and in accordance with the provisions of Section
53.35(b) and/or Section 53A.35(b) of the Texas Education Code, as amended (the “Education
Code”), approving the Articles of Incorporation and initial Bylaws, appointing the initial Board
of Directors (the “Board”) of not less than seven (7) nor more than eleven (11).

The City Council is not prohibited by law to serve as the Board of Directors of the Corporation.
Additionally, however, no City employee is prohibited from serving on the Board of Directors of
the Corporation.

(B) FILING ARTICLES OF INCORPORATION. . . Upon approval of such an Ordinance by
the City Council, the Articles of Incorporation of the Corporation must be filed in the Office of
the Secretary of State of Texas.

(C) ORGANIZATIONAL MEETING OR INITIAL BOARD. . . Upon the issuance to the
Corporation of a Certificate of Incorporation by the Texas Secretary of State, the incorporators
must call and send notice of the Organizational Meeting of the Initial Board of Directors and
hold the Organizational Meeting of the Initial Board of Directors.

(viii) Texas Attorney General Opinion regarding “conduit” issuers (i.e.,
“agencies and instrumentalities issuing debt “on behalf of a city”):

Constitutional Law Overview of Debt Limitations

Texas Constitution, Article III, Section 52, prohibits a city or other political subdivision of the State
from lending its credit or giving grants of public money in aid of an individual, corporation or
association. It was adopted as part of the Texas Constitution in 1876 to deprive political
subdivisions of their powers under the 1869 Constitution to issue bonds secured by ad valorem
taxes or otherwise donate money to induce railway companies to locate rail lines within a city in anticipation of economic benefits. Many railroad ventures proved disastrous because railroads failed or never materialized leaving cities and counties obligated on bond debt and their citizens with taxes for which they had received no benefit. Many localities defaulted on these bonds resulting in the adoption of the constitutional restrictions against lending of public credit.

Overview of Attorney General Analysis of Conduit Issuers

However, in 1979 the Texas Legislature passed The Development Corporation Act of 1979, which authorized cities to create non-profit corporations to issue revenue bonds on their behalf payable solely from revenues derived from private sources to finance manufacturing, industrial and commercial projects. In Attorney General opinion number – Op. Tex. Att’y Gen. MW-85 (1979), the Texas Attorney General upheld the constitutionality of the statute, since such bonds did not involve public money or the lending of credit within the meaning of Article III, Section 52, because they are payable solely from revenues derived from private sources. These bonds qualify as “tax-exempt obligations” under the federal tax law (because they are obligations issued “on behalf of a unit of local government”), but are payable solely from the revenues of the “user” of the facility financed, and do not constitute a governmental debt or obligation of the city that creates the corporation or of the corporation. The same legal principles have been applied to all other non-profit corporations authorized by the Legislature to be created by cities, counties, and other political subdivisions for various public purposes.

Since 1979, the Texas Legislature has passed additional legislation authorizing the creation of other non-profit corporations with legal authority to issue tax-exempt debt “on behalf of” a city such as, among others, the Health Facilities Development Corporation Act, the Higher Education Authority Act, the Public Facilities Corporation Act, the Housing Finance Corporation Act, just to name a few.

(ix) Financial Impact to the City and Its Ability to Issue Tax-Exempt Debt:

Qualified Tax-Exempt Obligations . . . Section 265 of the Internal Revenue Code of 1986, as amended (the “Code”) provides, in general, that the interest expense to acquire or carry tax-exempt obligations is not deductible from the gross income of the owner of such obligations. In addition, section 265 of the Code generally disallows 100% of any deduction for interest expense which is incurred by “financial institutions” described in such section and is allocable, as computed in such section, to tax-exempt interest on obligations acquired after August 7, 1986. Section 265(b) of the Code provides that the disallowance does not apply to interest expense allocable to tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds) which are designated by an issuer as “qualified tax-exempt obligations.” An issuer may designate obligations as “qualified tax-exempt obligations” only if the amount of the
Memorandum to Manny Longoria

September 4, 2014
Page 8

issue of which they are a part, when added to the amount of all other tax-exempt obligations
(other than private activity bonds) issued or reasonably anticipated to be issued by the issuer
during the same calendar year, does not exceed $10,000,000.

It is clear from the foregoing discussion of the provisions of the Code regarding the issuance of
"qualified tax-exempt obligations," that if the bonds sold by the Corporation, with the consent of
the City (or if any other bonds sold by the City), are designated by the Corporation (or the City,
as the case may be) as "qualified tax-exempt obligations", within the meaning of the Internal
Revenue Code, the City itself would be limited to issuing no more than a total of $10,000,000 in
tax-exempt obligations, including those of the Corporation, in the same calendar year that such
obligations are delivered and funded either by the Corporation or the City. Otherwise, the legal
ability of the City to issue tax-exempt obligations in any form and under any other law is
completely unaffected by the issuance of bonds or other tax-exempt obligations of the
Corporation.

Conclusion

The City of Leon Valley, Texas is authorized by the Texas Education Code to create a non-profit
corporation called “City of Leon Valley, Texas Educational Facilities Corporation,” whose
public purpose is to finance educational facilities for public and/or private schools, by passing
and approving an Ordinance of the City Council authorizing and approving the creation of a
Corporation, approving the Articles of Incorporation and Bylaws of the Corporation, and
appointing the members of the Initial Board of Directors of the Corporation. Upon adoption of
such an Ordinance, the City will file Articles of Incorporation with the Texas Secretary of State,
who will issue a Certificate of Incorporation. Additionally, the Corporation will be exempt from
the State Franchise Tax, so no State taxes will be required to be paid by the City or the
Corporation at any time. Upon and after its formation, the Corporation will be legally authorized
to issued tax-exempt bonds “on behalf of” the City for the purposes and under the conditions and
procedures described in the Texas Education Code and the Internal Revenue Code as discussed
above. The first series of bonds for such purposes may be issued at the Organizational Meeting
of the Initial Board of Directors of the Corporation or at any meeting thereafter.

WTA/scb
DATE: September 8, 2014

TO: Mayor and Council

FROM: Vickie Wallace, Finance Director

THROUGH: Manuel Longoria, Jr., City Manager

SUBJECT: Conduct a Public Hearing on the Proposed 2014 Tax Rate of $0.575507/$100 valuation which is $0.007408 lower than last year’s Tax Rate of $0.582915 and exceeds the Effective Tax Rate of $0.562998 by 2.221855%

PURPOSE

Last year the City of Leon Valley Property Tax Rate was $0.582915. This year the City of Leon Valley is proposing a Property Tax Rate of $0.575507 which is $0.007408 lower than last year’s tax rate.

The Property Tax Code, Chapter 26 requires a governing body to conduct two public hearings if the proposed tax rate exceeds the lower of the rollback tax rate or the effective tax rate, whichever is lower. The 2014 proposed Tax Rate of $0.575507 exceeds the Effective Tax Rate of $0.562998 by 2.221855%.

The 2014 Tax Rate is for the calendar year 2014 and is based on property values as of January 1, 2014. It funds the General Fund and Debt Service Fund budgets for FY 2015.

This is the second and final public hearing to consider that increase.

The vote on the Proposed Tax Rate will be on September 22, 2014, at 7:00 p.m., in Council Chambers, City Hall, 6400 El Verde Road, Leon Valley, Texas.

SEE LEON VALLEY

Social – A responsible municipal budget strives to allocate taxpayer dollars in an efficient and effective manner that represents all citizens equally. Public Hearings ensure the citizens of Leon Valley transparency in Government.

Economic – Utilizing taxpayer monies to maximize public safety, city administration and city programs/services allows the City to actively pursue Economic Development opportunities.

Environmental – The City’s El Verde by 2020 initiative continues to be supported through careful allocation of budgetary dollars that promotes sustainability. Ad Valorem Taxes are the most stable source of revenue for the General Fund.

FISCAL IMPACT

Funds to publish the Notice of Public Hearing are included in the City’s fiscal year 2014 budget.

STRATEGIC GOALS

N/A
RECOMMENDATION

Conduct the Public Hearing.

APPROVE: ___________________  DISAPPROVE: ___________________

APPROVE WITH THE FOLLOWING AMENDMENTS:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary
City of Leon Valley
2014 Tax Rate
Second Public Hearing
September 8, 2014
Overview

• The Property Tax Code, Chapter 26 requires a governing body to conduct two public hearings if the proposed tax rate exceeds the lower of the rollback or effective tax rate, whichever is lower

• The 2014 Proposed Tax Rate of $0.575507 exceeds the Effective Tax Rate of $0.562998 by 2.221855%
  • This is a decrease of $0.007408 from the 2013 adopted Tax Rate of $0.582915
  • The 2014 Tax Rate funds the General Fund and Debt Service Fund budgets for FY 2015
Tax Rate Allocation

- Tax Rate allocation
  - M&O $0.476752
  - I&S $0.098755
  - TOTAL $0.575507
Important Date

• The vote on the Proposed Tax Rate will be held at 7:00 p.m. on Monday, September 22, 2014 at City Council Chambers, City Hall, 6400 El Verde Road, Leon Valley, Texas
City of Leon Valley
2014 Tax Rate
Second Public Hearing
September 8, 2014
MAYOR AND COUNCIL COMMUNICATION

DATE: September 8, 2014  M&C # 2014-09-08-07

FROM: Manuel Longoria, Jr., City Manager

TO: Mayor and Council

SUBJECT: Conduct a workshop on the Proposed Fiscal Year 2015 Budgets.

PURPOSE

Conduct a workshop on the Proposed Fiscal Year 2015 Budgets. During the workshop the City Manager will present a PowerPoint Presentation on the following Proposed Fiscal Year 2015 Budgets:

- Water and Sewer (Enterprise) Fund
- Grant Fund
- CIED Fund
- Crime Control and Prevention District
- Building Security Fund
- Child Safety Fund
- Municipal Court Technology Fund
- Debt Service Fund
- Community Center Fund
- Street Maintenance Tax Fund
- Capital Project Fund
- Police Forfeiture Fund

SEE LEON VALLEY

Social - The budget serves as the foundation of the City’s financial planning and control. It addresses the goals of the City, establishes priorities, determines the level of funding commitment, and serves as a day-to-day operations guide. The City establishes a budget for thirteen separate funds. Activities of the General Fund, Water and Sewer (Enterprise) Fund, Grant Fund, CIED Fund, Crime Control and Prevention District, Building Security Fund, Child Safety Fund, Municipal Court Technology Fund, Debt Service Fund, Community Center Fund, Street Maintenance Fund, Capital Projects Fund and Police Forfeiture are included in the annual budget.

Economic - Utilizing taxpayer monies to maximize public safety, City administration and City programs/services allows the City to actively pursue Economic Development opportunities.

Environmental - The City’s El Verde by 2020 initiative continues to be supported through careful allocation of budgetary dollars that promotes sustainability.

FISCAL IMPACT

The Proposed Budgets presented provides the funding mechanism for City operations.

STRATEGIC GOALS

N/A
RECOMMENDATION

Conduct a workshop the proposed budgets listed above.

APPROVED: __________________ DISAPPROVED: __________________

APPROVED WITH THE FOLLOWING AMENDMENTS:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary
FY 2015
All Other Funds
Proposed Budget

City Council Meeting
September 8, 2014
Reconciliation

1. Sales Tax reduction to 8%
   • Budgeted a 10% increase over FY 2013 actual
     • $2,095,190
   • 8% increase over FY 2013 actual
     • $2,057,097
   • Reduction of
     • $38,093

2. Moved $35,000 in Special Events Budget from Supplies to contractual
## Water and Sewer Fund Summary

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Revenues</td>
<td>$ 3,291,009</td>
<td>$ 3,208,800</td>
<td>$ 3,536,169</td>
</tr>
<tr>
<td>Non-Operating Revenues</td>
<td>28,910</td>
<td>48,800</td>
<td>46,000</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>3,319,919</td>
<td>3,257,600</td>
<td>3,582,169</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Rights Reserve</td>
<td>-</td>
<td>260,000</td>
<td>160,000</td>
</tr>
<tr>
<td><strong>TOTAL OTHER FINANCING SOURCES</strong></td>
<td>-</td>
<td>260,000</td>
<td>160,000</td>
</tr>
<tr>
<td><strong>TOTAL RESOURCES AVAILABLE</strong></td>
<td>3,319,919</td>
<td>3,517,600</td>
<td>3,742,169</td>
</tr>
<tr>
<td><strong>EXPENSES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations</td>
<td>3,111,890</td>
<td>3,199,941</td>
<td>3,458,909</td>
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<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>380,000</td>
<td>630,799</td>
</tr>
<tr>
<td>Depreciation</td>
<td>170,884</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Non-Operating Transfer Out</td>
<td>20,000</td>
<td>20,000</td>
<td>70,000</td>
</tr>
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<td><strong>TOTAL EXPENSES</strong></td>
<td>3,282,774</td>
<td>3,599,941</td>
<td>4,159,708</td>
</tr>
<tr>
<td><strong>NET INCREASE (DECREASE) IN WORKING CAPITAL</strong></td>
<td>37,145</td>
<td>(82,341)</td>
<td>(417,539)</td>
</tr>
<tr>
<td>Ending Fund Balance</td>
<td>$ 1,479,758</td>
<td>$ 1,397,417</td>
<td>$ 1,032,078</td>
</tr>
</tbody>
</table>
Water and Sewer
Revenue Summary

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
<th>Increase (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Sales</td>
<td>$ 1,080,524</td>
<td>$ 1,116,000</td>
<td>$ 1,210,000</td>
<td>$ 94,000</td>
</tr>
<tr>
<td>Sewer Sales</td>
<td>1,766,682</td>
<td>1,647,000</td>
<td>1,880,369</td>
<td>233,369</td>
</tr>
<tr>
<td>Storm Water</td>
<td>381,623</td>
<td>384,000</td>
<td>384,000</td>
<td>$ -</td>
</tr>
<tr>
<td>Other</td>
<td>91,090</td>
<td>110,600</td>
<td>107,800</td>
<td>(2,800)</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td><strong>$ 3,319,919</strong></td>
<td><strong>$ 3,257,600</strong></td>
<td><strong>$ 3,582,169</strong></td>
<td><strong>$ 324,569</strong></td>
</tr>
</tbody>
</table>
Water and Sewer Overview

Revenue Highlights

• The Water and Sewer Fund revenues for FY 2015 are budgeted at $3,582,169
  • This is an increase of $324,569 from FY 2014
  • The increase is attributable to pass through fees mandated by the San Antonio Water System (SAWS) and a mandated increase in the Edwards Aquifer Authority fee (EAA)
Water and Sewer Fund
Expenditure Highlights

• We are proposing funding in the amount of $30,000 for a rate study and development of a Capital Improvement Plan (CIP) to address the aging infrastructure associated with the Water
## Water and Sewer Departmental Expenditures

### Water and Sewer

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
<th>Increase (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Services</td>
<td>$ 936,236</td>
<td>$ 999,014</td>
<td>$1,077,424</td>
<td>$ 78,410</td>
</tr>
<tr>
<td>Supplies</td>
<td>88,517</td>
<td>121,001</td>
<td>115,950</td>
<td>(5,051)</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>1,868,438</td>
<td>1,698,345</td>
<td>1,923,961</td>
<td>225,616</td>
</tr>
<tr>
<td>Capital</td>
<td>-</td>
<td>380,000</td>
<td>630,799</td>
<td>250,799</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$ 2,893,191</strong></td>
<td><strong>$ 3,198,360</strong></td>
<td><strong>$ 3,748,134</strong></td>
<td><strong>$ 549,774</strong></td>
</tr>
</tbody>
</table>
## Water and Sewer Departmental Expenditures

### Storm Water

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
<th>Increase (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Services</td>
<td>$187,663</td>
<td>$198,081</td>
<td>$144,994</td>
<td>$(53,087)</td>
</tr>
<tr>
<td>Supplies</td>
<td>4,762</td>
<td>18,500</td>
<td>21,000</td>
<td>2,500</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>26,274</td>
<td>165,000</td>
<td>175,580</td>
<td>10,580</td>
</tr>
<tr>
<td>Capital</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$218,699</strong></td>
<td><strong>$381,581</strong></td>
<td><strong>$341,574</strong></td>
<td><strong>$(40,007)</strong></td>
</tr>
</tbody>
</table>
## Water and Sewer Capital

<table>
<thead>
<tr>
<th>Water and Sewer Fund</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Reserve for CIP</td>
<td>465,319</td>
</tr>
<tr>
<td>Hydraulic Breaker attachment</td>
<td>5,480</td>
</tr>
<tr>
<td>Water Rights</td>
<td>160,000</td>
</tr>
<tr>
<td>W&amp;SW contribution for construction of new facility</td>
<td>50,000</td>
</tr>
<tr>
<td>W&amp;SW contribution for technology for new facility</td>
<td>20,000</td>
</tr>
<tr>
<td><strong>TOTAL WATER AND SEWER</strong></td>
<td><strong>$ 700,799</strong></td>
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# CIED Fund
## Budget Summary

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CPS Franchise Revenue</td>
<td>$1,173,083</td>
<td>$ -</td>
<td>$68,000</td>
</tr>
<tr>
<td>TxDot Contribution/Hike and Bike</td>
<td></td>
<td>1,200,000</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>1,173,083</td>
<td>-</td>
<td>1,268,000</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES (USES)</strong></td>
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<td></td>
<td></td>
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<tr>
<td>Fund Balance</td>
<td>379,931</td>
<td>1,279,591</td>
<td>801,016</td>
</tr>
<tr>
<td><strong>TOTAL OTHER FINANCING SOURCES (USES)</strong></td>
<td>379,931</td>
<td>1,279,591</td>
<td>801,016</td>
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<tr>
<td><strong>TOTAL RESOURCES AVAILABLE</strong></td>
<td>1,553,014</td>
<td>1,279,591</td>
<td>2,069,016</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating/Capital</td>
<td>46,207</td>
<td>1,219,684</td>
<td>1,905,692</td>
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<tr>
<td>Non-Operating</td>
<td>227,216</td>
<td>12,575</td>
<td>163,324</td>
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<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>273,423</td>
<td>1,232,259</td>
<td>2,069,016</td>
</tr>
<tr>
<td><strong>Ending Fund Balance</strong></td>
<td>$1,279,591</td>
<td>$47,332</td>
<td>$ -</td>
</tr>
</tbody>
</table>
CIED Fund
Projects

• Gateway Projects
  • Completed FY 2014

• Library Expansion
  • Completed FY 2013

• Bandera Road Triangle Park
  • Completed FY 2014

• Hike and Bike Trail
  • In progress

• Municipal Facilities Expansion Contribution
  • Funding in FY 2015
Crime Control and Prevention District

• On November 5, 2013, the voters approved a 1/8 percent local sales and use tax to support a Crime Control and Prevention District
• The Crime Control and Prevention District is a special purpose district created for the purpose of improving crime prevention
### Crime Control and Prevention District

#### Budget Summary

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BEGINNING FUND BALANCE</strong></td>
<td>$ -</td>
<td>$ -</td>
<td>$ 122,700</td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales Tax</td>
<td>$ -</td>
<td>$ 122,700</td>
<td>$ 261,866</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>$ -</td>
<td>122,700</td>
<td>261,866</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(USES)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer In</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Fund Balance</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL OTHER FINANCING SOURCES (USES)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL RESOURCES AVAILABLE</strong></td>
<td>$ -</td>
<td>122,700</td>
<td>384,566</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations</td>
<td>180,653</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>-</td>
<td>-</td>
<td>180,653</td>
</tr>
<tr>
<td>Ending Fund Balance</td>
<td>$ -</td>
<td>$ 122,700</td>
<td>$ 203,913</td>
</tr>
</tbody>
</table>
Crime Control and Prevention District Highlights

• Funds the following:
  • The addition of a new police officer
  • The Crime Prevention Officer
  • Overtime for police officers
  • Certification pay for police officers
# Community Center

## Budget Summary

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel Taxes</td>
<td>$ 94,396</td>
<td>$ 83,082</td>
<td>$ 85,000</td>
</tr>
<tr>
<td>Rental Fees</td>
<td>83,470</td>
<td>83,551</td>
<td>75,470</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>177,866</td>
<td>166,633</td>
<td>160,470</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fund Balance</td>
<td>-</td>
<td>25,000</td>
<td>20,000</td>
</tr>
<tr>
<td><strong>TOTAL OTHER FINANCING SOURCES</strong></td>
<td></td>
<td>25,000</td>
<td>20,000</td>
</tr>
<tr>
<td><strong>TOTAL RESOURCES AVAILABLE</strong></td>
<td>177,866</td>
<td>191,633</td>
<td>180,470</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations</td>
<td>133,694</td>
<td>163,600</td>
<td>151,063</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>25,000</td>
<td>-</td>
</tr>
<tr>
<td>Non-Operating Transfer</td>
<td>-</td>
<td>20,000</td>
<td>20,000</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>133,694</td>
<td>208,600</td>
<td>171,063</td>
</tr>
<tr>
<td>Ending Fund Balance</td>
<td>$ 124,750</td>
<td>$ 82,783</td>
<td>$ 66,027</td>
</tr>
</tbody>
</table>
Community Center
Capital

<table>
<thead>
<tr>
<th>Community Center Fund</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contribution for technology for new facility</td>
<td>20,000</td>
</tr>
<tr>
<td>TOTAL COMMUNITY CENTER FUND</td>
<td>$20,000</td>
</tr>
</tbody>
</table>
### Street Maintenance Tax

#### Budget Summary

<table>
<thead>
<tr>
<th></th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales Tax</td>
<td>$ 475,884</td>
<td>$ 457,050</td>
<td>$ 523,472</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>475,884</td>
<td>457,050</td>
<td>523,472</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES (USES)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fund Balance</td>
<td>401,699</td>
<td>933,284</td>
<td>870,334</td>
</tr>
<tr>
<td><strong>TOTAL OTHER FINANCING SOURCES (USES)</strong></td>
<td>401,699</td>
<td>933,284</td>
<td>870,334</td>
</tr>
<tr>
<td><strong>TOTAL RESOURCES AVAILABLE</strong></td>
<td>877,583</td>
<td>1,390,334</td>
<td>1,393,806</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street Maintenance</td>
<td>10,721</td>
<td>520,000</td>
<td>1,393,806</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>10,721</td>
<td>520,000</td>
<td>1,393,806</td>
</tr>
<tr>
<td>Ending Fund Balance</td>
<td>$ 866,862</td>
<td>$ 870,334</td>
<td>$ -</td>
</tr>
</tbody>
</table>
Street Maintenance Tax

Highlights

• Funding in the amount of $300,000 is included for design fees associated with the Evers Road reconstruction
## Capital Projects
### Budget Summary

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 13-14 ESTIMATED</th>
<th>FY 14-15 BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Beginning Fund Balance</strong></td>
<td>$7,000,924</td>
<td>$6,872,585</td>
<td>$6,872,585</td>
<td>$5,082,767</td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenues</td>
<td>$11,896</td>
<td>$5,000</td>
<td>$2,412</td>
<td>$2,000</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>11,896</td>
<td>5,000</td>
<td>2,412</td>
<td>2,000</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers In</td>
<td>-</td>
<td>207,770</td>
<td>207,770</td>
<td>530,803</td>
</tr>
<tr>
<td><strong>TOTAL OTHER FINANCING SOURCES</strong></td>
<td>-</td>
<td>207,770</td>
<td>207,770</td>
<td>530,803</td>
</tr>
<tr>
<td><strong>TOTAL RESOURCES AVAILABLE</strong></td>
<td>7,012,820</td>
<td>7,085,355</td>
<td>7,082,767</td>
<td>5,615,570</td>
</tr>
<tr>
<td><strong>Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations</td>
<td>140,235</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>7,019,770</td>
<td>2,000,000</td>
<td>5,615,570</td>
</tr>
<tr>
<td>Non-Operating</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>140,235</td>
<td>7,019,770</td>
<td>2,000,000</td>
<td>5,615,570</td>
</tr>
<tr>
<td><strong>Beginning Fund Balance</strong></td>
<td>$6,872,585</td>
<td>$65,585</td>
<td>$5,082,767</td>
<td>$-</td>
</tr>
</tbody>
</table>
Special Revenue Funds

- Special Revenue Funds are used to account for specific revenue sources which are legally restricted to expenditures for specific activities

  - Grant Fund
  - Building Security Fund
  - Child Safety Fund
  - Municipal Court Technology
  - Debt Service
  - Police Forfeiture Fund
## Special Revenue Budget Summary

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 12-13 ACTUAL</th>
<th>FY 13-14 BUDGET</th>
<th>FY 14-15 BUDGET</th>
<th>Increase (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Revenue Funds</td>
<td>$776,319</td>
<td>$748,822</td>
<td>$725,798</td>
<td>$(23,024)</td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>776,319</td>
<td>748,822</td>
<td>725,798</td>
<td>$(23,024)</td>
</tr>
<tr>
<td><strong>OTHER FINANCING SOURCES (USES)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fund Balance</td>
<td>70,545</td>
<td>262,610</td>
<td>191,968</td>
<td>$(70,642)</td>
</tr>
<tr>
<td>Transfer In</td>
<td>10,000</td>
<td>13,000</td>
<td>10,000</td>
<td>$(3,000)</td>
</tr>
<tr>
<td>Bond Proceeds</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>$(3,000)</td>
</tr>
<tr>
<td>Bond Refunding</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL OTHER FINANCING SOURCES (USES)</strong></td>
<td>80,545</td>
<td>275,610</td>
<td>201,968</td>
<td>$(73,642)</td>
</tr>
<tr>
<td><strong>TOTAL RESOURCES AVAILABLE</strong></td>
<td>856,864</td>
<td>1,024,432</td>
<td>927,766</td>
<td>$(96,666)</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Revenue Funds</td>
<td>856,864</td>
<td>1,024,432</td>
<td>927,766</td>
<td>$(96,666)</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>$856,864</td>
<td>$1,024,432</td>
<td>$927,766</td>
<td>$(96,666)</td>
</tr>
</tbody>
</table>
Next Steps

• September 22, 2014
  • Public Hearing and formal adoption of the proposed FY 2015 Budget
  • Formal adoption of the Tax Rate
FY 2015
All Other Funds
Proposed Budget

City Council Meeting
September 8, 2014
MAYOR AND COUNCIL COMMUNICATION

DATE: September 08, 2014

M&C# 2014-09-08-08

TO: Mayor and City Council

FROM: Saundra Passailaigue, City Secretary

THROUGH: Manuel Longoria, Jr., City Manager

SUBJECT: Discussion on modifying the Volunteer Application and Volunteer Appointment Process.

PURPOSE

This item was placed on the City Council agenda at the request of Mayor Riley pursuant to Resolution No. 14-017R.

FISCAL IMPACT

None.

RECOMMENDATION

None.

S.E.E IMPACT STATEMENT

Social Equity – not applicable.

Environmental Stewardship – not applicable.

Economic Development – not applicable.

APPROVED: ________________________________  DISAPPROVED: ________________________________

COMMENTS OR DIRECTION GIVEN OR ACTION TAKEN:

ATTEST:

________________________________________

Saundra Passailaigue, TRMC
City Secretary
City of Leon Valley - VOLUNTEERS WANTED!

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

- **Bandera Road Site - Community Advisory Group**: This Group meets quarterly to listen to updates from the Environmental Protection Agency (EPA) about the contaminated water plume in the City and inform the Council and the community about the EPA's actions and findings, and make suggestions in the remediation and investigation process. The water plume is centered at approximately the intersection of Grissom and Bandera Roads. The quarterly meeting is held at 5:30 p.m. at the Leon Valley Conference Center.

- **Board of Adjustment**: The Board of Adjustment (BOA) has the power to review and approve variances from zoning ordinance requirements and administrative decisions (Zoning Interpretations) that create unnecessary hardships in the development of property because of exceptional or extraordinary conditions. Unlike other boards or commissions, the BOA makes the final decision on items that come before it; variances are not passed on to City Council for final approval. Meetings are held on call and are typically held on Monday evenings at 6:30 p.m. at City Hall. There are five (5) members and four (4) alternates.

- **Business Managers’ and Owners’ Alliance Committee (BOMA)**: This committee, formerly the Business Alliance Committee, has taken a new name and a new emphasis to act as a business advisory committee to City Council and local businesses on business-related topics. Additional goals are to assist in providing business incentive ideas and programs to encourage a robust economy and to retain and attract businesses; to advise on specific efforts that will market the Leon Valley business community; to facilitate business vitality by new and existing business retention, expansion, and beautification projects; and to assist the City in creating a unified theme of development that will promote future business development and redevelopment of existing properties. Meetings are held the second Wednesday of each month, at 1:00 p.m. at City Hall.

- **Community Events Committee**: The Community Events Committee (CEC) is committed to providing volunteer support and coordination for the various City-sponsored civic events including the 4th of July Celebration, the Beautification Awards Program, the Grandparents’ Day Concert, and the Holiday Lighting Program. Monthly meetings are held on the third Wednesday at 6:30 p.m. at the Conference Center.

- **Earthwise Living Committee**: The Earthwise Living Committee (EWLC) is dedicated to providing community education to assist in learning to live a sustainable way of life in harmony with the natural surroundings. The EWLC sponsors and coordinates the annual Earthwise Living Day held on the last Saturday in February. Monthly meetings are held on the second Tuesday at 6:00 p.m. at the Public Works Service Center off Evers Road.

- **Library Board of Trustees**: This Board of seven appointed members serve for terms of 2 years, and meets the second Monday of each month in the Library at 7:00 p.m. to discuss Library projects, plans, and to review Library policies.

- **Park Commission**: The Park Commission (PC) is an advisory commission of Leon Valley citizens which makes recommendations to the City Council regarding park ordinances and policies, as well as serves as a liaison for the City with the public for park matters. Meetings are held on the second Monday of
each month at 7:00 p.m. at City Hall. There are nine (9) members on this commission.

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

- Zoning Commission: The Zoning Commission (ZC) acts as an advisory board to the City Council on land use and zoning matters. The Commission holds public meetings on all matters relating to:
  - creation of zoning districts
  - amendments to all zoning ordinances
  - any other matter within the scope of the zoning power
Meetings are held on the fourth Tuesday of each month at 6:30 p.m. at City Hall. There are seven (7) members and three (3) alternates.

- 2012 Bond Oversight Committee: The 2012 Bond Oversight Committee is a special committee established by the City Council in 2012 seated for the express work related to the $7 Million Bond authorized by the Leon Valley voters for the construction of municipal facilities related to Fire, Police, & City Administration support services. Applications are accepted upon vacancy and call by the Mayor & City Council for appointment consideration.

---

City Council Sub-Committees Formed from January 2013 Town Hall Meeting

Please check the box to the left of the Committee to indicate your interest. Thank you.

<table>
<thead>
<tr>
<th>Committee</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Branding/Identity</td>
<td>To help determine the City's branding, logos, and identity for recommendation to the City Council</td>
</tr>
<tr>
<td>City Communications</td>
<td>To help determine the best uses of the City's resources for enhanced communications for recommendation to the City Council</td>
</tr>
<tr>
<td>City Festival(s)</td>
<td>To help determine and define options for future City Festivals for recommendation to the City Council</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone Number</td>
<td>E-mail Address</td>
</tr>
<tr>
<td>Alternate Phone Number</td>
<td></td>
</tr>
</tbody>
</table>

- I have felony convictions.  
  This information will not disqualify you from consideration.  

- I do not have felony convictions.
Return your application: Mail, email, or drop off your application in care of the Mayor's Office at Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas 78238-2399, fax your application to (210) 684-4476, or email to Mayorriley@leonvalleytexas.gov.

From time to time, the City of Leon Valley is contacted requesting information for other community groups or volunteer opportunities. The following information is provided to facilitate communication.

☐ Other Leon Valley Community Volunteer Opportunities:

<table>
<thead>
<tr>
<th>Community Group</th>
<th>Contact Name/Phone</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Legion</td>
<td>Walter Geraghty 210-684-4189</td>
<td>No website is currently available</td>
</tr>
<tr>
<td>Friends of the Leon Valley Public Library</td>
<td>Carol Poss 210-684-8586</td>
<td><a href="http://www.FriendsofLyvl.org">www.FriendsofLyvl.org</a></td>
</tr>
<tr>
<td>Leon Valley Chamber of Commerce</td>
<td>Tony Flores 210-681-8540</td>
<td><a href="http://www.Leonvalleyareachamber.org">www.Leonvalleyareachamber.org</a></td>
</tr>
<tr>
<td>Leon Valley Historical Society</td>
<td>Carol Poss 210-684-8586</td>
<td><a href="http://www.e2sq.com/lvhs/home.htm">http://www.e2sq.com/lvhs/home.htm</a></td>
</tr>
<tr>
<td>Northwest Seniors</td>
<td>Clarence Swart 210-520-5572</td>
<td>No website is currently available. See their annual schedule on-line: <a href="http://www.leonvalleytexas.gov">www.leonvalleytexas.gov</a></td>
</tr>
</tbody>
</table>

Your information will be shared with only those groups you select. The City of Leon Valley does not guarantee nor infer membership in any of the above groups. Your information will be forwarded only to those groups in which you have expressed interest by checking the box to the left of the organization name.

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

DATE: September 4, 2014  M&C # 2014-09-08
TO: Mayor and Council
FROM: Kristie M. Flores, Director Community Development
THROUGH: Manuel Longoria Jr., City Manager
SUBJECT: Presentation on allowable yard signs as outlined in the Leon Valley Code of Ordinances.

PURPOSE
Yard signs are not allowed.

Garage sale signs are allowed but only on the property which is conducting the sale and only during the duration of the sale.

Additionally, the Code states that when sign permits can only be issued for signs proposed in O-1 (Office), B-1 (Small Business), B-2 (Retail), B-3 (Commercial), and I-1 (industrial) zoning districts and residentially in R-3 (Multiple-Family), R-3A (Multiple-Family Retirement) and R-5 (Manufactured Homes); not R-1 (Single-Family Dwelling).

SEE LEON VALLEY
Social Equity – Promotes a superior quality of life such as a clean, sign clutter free environment.

Economic – N/A.

Environmental – Encourages beautification and promotes elimination of visual clutter.

FISCAL IMPACT
None.

STRATEGIC GOALS
The Strategic Goals #1 – encourages code enforcement for weeds, signs and junk violations.

RECOMMENDATION
None; any recommendation/direction in this regard is at the discretion of City Council.

APPROVED: ____________________  DISAPPROVED: ____________________
APPROVED WITH THE FOLLOWING AMENDMENTS:

_______________________________________________________________________

_______________________________________________________________________

_______________________________________________________________________

_______________________________________________________________________

ATTEST:

_________________________________________

Saundra Passailaigue, TRMC
City Secretary
Comments Regarding Snipe/Parasite Signs

Snipe/parasite signs (yard signs?) are prohibited by Code. A “snipe/parasite sign” is defined as a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, utility poles, stakes, fences or to other objects, and whose message is not associated with the premises upon which the sign is located; any temporary sign which is attached to another sign.

You may note that businesses and R-3, R-3A and R-5 may obtain an annual permit to place temporary weekend signs not exceeding 24"x32" (approx. 2'x3'). The signs must be a minimum of 100-feet apart and a minimum of 5-feet from other temporary weekend signs of different businesses.

Garage sale signs (yard signs?) are allowed but only on the property which is conducting the sale and only during the duration of the sale.

Code Enforcement under the Police Department is responsible for enforcing the sign code. When regulating against the signs that went up on residential lawns throughout the City the Code Officer referred to the definition of “sign” in the sign ordinance which states that a sign is any device, fixture, display, placard, or structure that uses any color, form graphic, illumination, symbol, or writing to advertise, announce the purpose of, attract attention to, or identify the purpose of a person or entity, or to communicate information and/or a message of any kind to the public.

This most clearly describes what the green and white signs on residential lawns looked like and were created for. For this reason, Code Enforcement interpreted them as signs and more particular snipe/parasite signs because they contain a message not associated with the premises upon which the sign is located. Some claimed that the signs were a “work of art.” Please note that interpretation for work of art is open to some interpretation but most certainly is often an art piece which is original, crafted, painted or sculpted which may have text, but cannot be construed as a sign.

Additionally, the Code states that sign permits can only be issued for signs proposed in O-1 (Office), B-1 (Small Business), B-2 (Retail), B-3 (Commercial), and I-1 (industrial) zoning districts and residentially in R-3 (Multiple-Family), R-3A (Multiple-Family Retirement) and R-5 (Manufactured Homes); not R-1 (Single-Family Dwelling).
ARTICLE 3.04 SIGNS

Sec. 3.04.002 Definitions

*Sign.* Any device, fixture, display, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, attract attention to, or identify the purpose of a person or entity, or to communicate information and/or a message of any kind to the public.

*Snipe/parasite sign.* A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, utility poles, stakes, or fences or two other objects, and whose message is not associated with the premises upon which such sign is located; any temporary sign which is attached to another sign.

*Works of fine art.* This article shall not apply to a sculpture, fountain or similar work of fine art which in no way identifies or advertises a product or business.

Sec. 3.04.005 Permit

(b) The owner or tenant of a business or commercial property upon which a sign is to be placed which is zoned O-1, B-1, B-2, B-3 or I-1 or a residential district zoned R-3, R-3A, or R-5 must apply for a sign permit.

Sec. 3.04.013 Temporary signs

(a) Permits are required for temporary signs.

(5) Temporary weekend signs.

(A) *Time period.* Temporary weekend signs are permitted from Friday at 6:00 p.m. to Sunday at 8:00 p.m. Temporary signs including banners, airborne/balloon signs, grand opening signs and street banners shall not be displayed simultaneously with temporary weekend signs.

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

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

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

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

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

Sec. 3.04.014 Prohibited signs

The following signs shall be prohibited in the city:

(8) Snipe/parasite signs.
CITY OF LEON VALLEY
FINANCIAL STATEMENT
AUGUST 2014
## General Fund

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUE</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Ad Valorem</td>
<td>$3,237,200</td>
<td>$3,273,940</td>
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<td>Sales Taxes</td>
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<td>1,429,894</td>
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<td>953,570</td>
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<td>2,004,883</td>
<td>1,963,050</td>
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<td>260,916</td>
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<td>287,199</td>
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<td><strong>TOTAL EXPENDITURES</strong></td>
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# Water and Sewer Fund

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<td><strong>REVENUE</strong></td>
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<td>Water Sales</td>
<td>$1,500,000</td>
<td>$1,241,965 82.8%</td>
<td>$1,243,468 78.2%</td>
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<td>Sewer Sales</td>
<td>1,647,000</td>
<td>1,496,441 90.9%</td>
<td>1,521,621 94.4%</td>
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<td>Connection &amp; Platting</td>
<td>2,500</td>
<td>750 30.0%</td>
<td>675 27.0%</td>
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<td>Customer Fees</td>
<td>43,300</td>
<td>40,929 94.5%</td>
<td>44,599 103.0%</td>
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<tr>
<td>Tapping Fees</td>
<td>16,000</td>
<td>13,864 86.7%</td>
<td>13,313 83.2%</td>
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<td>Miscellaneous</td>
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<td>145,131 297.4%</td>
<td>8,404 17.2%</td>
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<td><strong>TOTAL REVENUE</strong></td>
<td>$3,257,600</td>
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<td>$2,832,080 85.5%</td>
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<td><strong>EXPENDITURES</strong></td>
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<tr>
<td>Business Office</td>
<td>662,323</td>
<td>549,415 83.0%</td>
<td>518,419 82.2%</td>
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<tr>
<td>Water System</td>
<td>1,322,683</td>
<td>1,185,559 89.6%</td>
<td>870,033 75.2%</td>
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<tr>
<td>Sewer System</td>
<td>1,265,754</td>
<td>1,213,296 95.9%</td>
<td>1,182,886 84.8%</td>
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<td>Storm Water</td>
<td>381,581</td>
<td>235,671 61.8%</td>
<td>195,099 53.1%</td>
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<td>Other Sources/Uses</td>
<td>20,000</td>
<td>20,000 100.0%</td>
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<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>$3,652,341</td>
<td>$3,203,940 79.0%</td>
<td>$2,766,437 77.9%</td>
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# Community Center Fund

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<tr>
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<tr>
<td><strong>REVENUE</strong></td>
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<tr>
<td>Hotel/Motel Taxes</td>
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<td><strong>RENTAL FEES:</strong></td>
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<td>Community Center</td>
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<td>38,797</td>
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<td>Conference Center</td>
<td>34,800</td>
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<td><strong>Miscellaneous:</strong></td>
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<td>CDBG Grant</td>
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<td>CPS Energy Rebate</td>
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<td><strong>TOTAL REVENUE</strong></td>
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<td>95.7%</td>
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<td><strong>EXPENDITURES</strong></td>
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<td>Community Center Operations</td>
<td>$188,600</td>
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<td>$121,099</td>
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<td>Other Sources/Uses</td>
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<td>$20,000</td>
<td>$20,000</td>
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<td><strong>TOTAL EXPENDITURES</strong></td>
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<td>92.0%</td>
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## Street Maintenance Sales Tax

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<tr>
<th></th>
<th>Actual FY 2012</th>
<th>Actual FY 2013</th>
<th>Budget FY 2014</th>
<th>Actual FY 2014</th>
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<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td>443,738</td>
<td>475,884</td>
<td>457,050</td>
<td>422,534</td>
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<tr>
<td><strong>Transfers In</strong></td>
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<td></td>
<td></td>
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<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>443,738</td>
<td>475,884</td>
<td>457,050</td>
<td>422,534</td>
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<tr>
<td><strong>Expenditures</strong></td>
<td>546,311</td>
<td>10,720</td>
<td>955,799</td>
<td>400,192</td>
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<td><strong>TOTAL EXPENDITURES</strong></td>
<td>546,311</td>
<td>10,720</td>
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<td><strong>FUND BALANCE</strong></td>
<td>401,699</td>
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### Revenue Summary

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<tr>
<th>Description</th>
<th>Current</th>
<th>Current</th>
<th>Prior Year</th>
<th>Y-T-D</th>
<th>Y-T-D</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>AD VALOREM TAXES</td>
<td>3,237,200.00</td>
<td>26,474.99</td>
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<td>SALES TAXES</td>
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<td>FRANCHISE FEES</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
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### Expenditure Summary

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<th>Prior Year</th>
<th>Y-T-D</th>
<th>Y-T-D</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Business Office</strong></td>
<td></td>
<td></td>
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<tr>
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### 100-General Fund

#### FINANCIAL SUMMARY

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<th>PRIOR YEAR PO ADJUST.</th>
<th>Y-T-D ACTUAL</th>
<th>Y-T-D ENCUMBRANCE</th>
<th>BUDGET BALANCE</th>
<th>% OF BUDGET</th>
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<td>0.00</td>
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<tr>
<td><strong>Police Patrol</strong></td>
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### 100-General Fund

#### FINANCIAL SUMMARY

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**Police Reserves**

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**Fire Administration**

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**Fire Reserves**

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**Fire Operations**

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**Fire Prevention**

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**Fire EMS**

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**Public Works M&O**

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### 100-General Fund

#### FINANCIAL SUMMARY

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** TOTAL EXPENDITURES **

|                             | 7,557,338.00  | 513,152.35    | 0.00                   | 6,505,572.62 | 16,015.39       | 1,035,749.99   | 86.29      |

** REVENUE OVER(UNDER) EXPENDITURES **

|                             | 607,670.00    | 10,222.61     | 0.00                   | 355,253.14   | 16,015.39       | 946,907.75     | 155.83     |
100-General Fund
FINANCIAL SUMMARY

<table>
<thead>
<tr>
<th>CURRENT</th>
<th>CURRENT</th>
<th>PRIOR YEAR</th>
<th>Y-T-D</th>
<th>Y-T-D</th>
<th>BUDGET</th>
<th>% OF</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUDGET</td>
<td>PERIOD</td>
<td>ADJUST.</td>
<td>ACTUAL</td>
<td>ENCUMBRANCE</td>
<td>BALANCE</td>
<td>BUDGET</td>
</tr>
<tr>
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</table>

**OTHER FINANCING SOURCES (USES)**

<table>
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<tr>
<th>OTHER SOURCES/USES</th>
<th>129,997.00</th>
<th>0.00</th>
<th>0.00</th>
<th>116,997.00</th>
<th>0.00</th>
<th>13,000.00</th>
<th>90.00</th>
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<td>TOTAL OTHER SOURCES/USES</td>
<td>129,997.00</td>
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<td>0.00</td>
<td>116,997.00</td>
<td>0.00</td>
<td>13,000.00</td>
<td>90.00</td>
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**NET GAIN OR (LOSS)**

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<th>10,222.61</th>
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<th>238,256.14</th>
<th>16,015.39</th>
<th>959,907.75</th>
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</thead>
</table>

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*** END OF REPORT ***
200-Water & Sewer
FINANCIAL SUMMARY

<table>
<thead>
<tr>
<th>REVENUE SUMMARY</th>
<th>CURRENT BUDGET</th>
<th>CURRENT PERIOD</th>
<th>CURRENT PO ADJUST.</th>
<th>Y-T-D ACTUAL</th>
<th>Y-T-D ENCUMBRANCE</th>
<th>BUDGET BALANCE</th>
<th>BUDGET % OF</th>
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<tr>
<td>MISCELLANEOUS</td>
<td>48,800.00</td>
<td>0.00</td>
<td>0.00</td>
<td>145,130.71</td>
<td>0.00(196,330.71)</td>
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<tr>
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<td>150.00</td>
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<td>750.00</td>
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<td>40,928.53</td>
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<td>13,864.20</td>
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<table>
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<tr>
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<td>PERSONNEL SERVICES</td>
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<td>SUPPLIES</td>
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<td>73,752.68</td>
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<tr>
<td>PERSONNEL SERVICES</td>
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<td>305,862.23</td>
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<td>493.99</td>
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<td>6,800.00</td>
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<td>315,153.81</td>
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<tr>
<td>PERSONNEL SERVICES</td>
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<tr>
<td>SUPPLIES</td>
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<td>1,213,295.51</td>
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### 200-Water & Sewer
#### FINANCIAL SUMMARY

<table>
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<tr>
<th>Construction</th>
<th>CURRENT BUDGET</th>
<th>CURRENT PERIOD</th>
<th>PRIOR YEAR PO ADJUST.</th>
<th>Y-T-D ACTUAL</th>
<th>Y-T-D ENCUMBRANCE</th>
<th>BUDGET BALANCE</th>
<th>% OF BUDGET</th>
</tr>
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<tbody>
<tr>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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</table>

#### Storm Water

| Personnel Services | 198,081.00    | 10,243.68      | 0.00                   | 124,294.53   | 0.00              | 73,786.47     | 62.75       |
| Supplies           | 18,500.00     | 6,486.24       | 0.00                   | 10,475.01    | 156.23            | 7,868.76      | 57.47       |
| Contractual Services | 166,000.00  | 6,962.67       | 0.00                   | 83,901.35    | 0.00              | 81,098.65     | 50.85       |
| Capital Outlay     | 0.00          | 0.00           | 0.00                   | 16,843.81    | 0.00(              | 16,843.81     | 0.00        |
| **TOTAL Storm Water** | 381,581.00   | 23,692.59      | 0.00                   | 235,514.70   | 156.23            | 145,910.07    | 61.76       |

### **TOTAL EXPENDITURES***

| 3,632,341.00 | 280,317.09 | 0.00 | 3,143,283.43 | 40,656.22 | 448,401.35 | 87.66 |

### **REVENUE OVER (UNDE) EXPENDITURES** *( 374,741.00) | 7,404.90 | 0.00 | 204,204.02 | 40,656.22 | 129,880.76 | 34.66 |

### OTHER FINANCING SOURCES (USES)

| OTHER SOURCES/USES | 20,000.00 | 0.00 | 20,000.00 | 0.00 | 100.00 |

### NET GAIN OR (LOSS)

| 394,741.00 | 7,404.90 | 0.00 | 224,204.02 | 40,656.22 | 129,880.76 |

### *** END OF REPORT ***
710-Community Center
FINANCIAL SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>CURRENT BUDGET</th>
<th>CURRENT PERIOD</th>
<th>PRIOR YEAR</th>
<th>Y-T-D ACTUAL</th>
<th>Y-T-D ENCUMBRANCE</th>
<th>Y-T-D BALANCE</th>
<th>% OF BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUE SUMMARY</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>TAXES</strong></td>
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<td>8,560.36</td>
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<td>74,456.31</td>
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<td>8,625.69</td>
<td>89.62</td>
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<tr>
<td><strong>FEES</strong></td>
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<td>4,246.00</td>
<td>0.00</td>
<td>64,671.00</td>
<td>0.00</td>
<td>18,880.00</td>
<td>77.40</td>
</tr>
<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td>166,633.00</td>
<td>12,806.36</td>
<td>0.00</td>
<td>139,127.31</td>
<td>0.00</td>
<td>27,505.69</td>
<td>83.49</td>
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</table>

| **EXPENDITURE SUMMARY** | | | | | | | |
| **COMMUNITY CENTER OPERATIONS** | | | | | | | |
| **PERSONNEL SERVICES** | 86,670.00 | 6,944.34 | 0.00 | 77,505.52 | 0.00 | 9,164.48 | 89.43 |
| **SUPPLIES** | 10,400.00 | 137.98 | 0.00 | 8,121.66 | 0.00 | 2,278.34 | 78.09 |
| **CONTRACTUAL SERVICES** | 66,530.00 | 4,305.72 | 0.00 | 58,500.84 | 0.00 | 8,029.16 | 87.93 |
| **CAPITAL OUTLAY** | 25,000.00 | 0.00 | 0.00 | 26,883.96 | 0.00 | (1,883.96) | 107.54 |
| **TOTAL Community Center Operations** | 188,600.00 | 11,388.04 | 0.00 | 171,011.98 | 0.00 | 17,588.02 | 90.67 |

| **VISITOR SERVICES** | | | | | | | |
| **TOTAL Visitor Services** | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

** TOTAL EXPENDITURES ***

| | | | | | | |
| **188,600.00** | **11,388.04** | 0.00 | 171,011.98 | 0.00 | 17,588.02 | 90.67 |

** REVENUE OVER (UNDER) EXPENDITURES **

| | | | | | | |
| **21,967.00** | **1,418.32** | 0.00 | 31,884.67 | 0.00 | 9,917.67 | 49.15- |

| **OTHER FINANCING SOURCES (USES)** | | | | | | | |
| **TOTAL OTHER SOURCES/USES** | | | | | | | |
| | | | | | | |
| **NET GAIN OR (LOSS)** | | | | | | | |
| **41,967.00** | **1,418.32** | 0.00 | 51,884.67 | 0.00 | 9,917.67 | |

*** END OF REPORT ***
### 720-Street Maintenance Tax

#### FINANCIAL SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>CURRENT BUDGET</th>
<th>CURRENT PERIOD</th>
<th>PRIOR YEAR PO ADJUST.</th>
<th>Y-T-D ACTUAL</th>
<th>Y-T-D ENCUMBRANCE</th>
<th>BUDGET BALANCE</th>
<th>% OF BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUE SUMMARY</strong></td>
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<tr>
<td>Revenues</td>
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<tr>
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<td>457,050.00</td>
<td>49,872.24</td>
<td>0.00</td>
<td>422,533.52</td>
<td>0.00</td>
<td>34,516.48</td>
<td>92.45</td>
</tr>
</tbody>
</table>

#### EXPENDITURE SUMMARY

|                      |                |                |                        |              |                   |                |            |
| **Street Maintenance Tax** |            |                |                        |              |                   |                |            |
| **CONTRACTUAL SERVICES** | 955,799.00    | 1,879.45       | 0.00                   | 400,192.45   | 0.00              | 555,606.55     | 41.87      |
| **TOTAL Street Maintenance Tax** | 955,799.00    | 1,879.45       | 0.00                   | 400,192.45   | 0.00              | 555,606.55     | 41.87      |

*** TOTAL EXPENDITURES ***

<table>
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<th>400,192.45</th>
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** REVENUE OVER(UNDER) EXPENDITURES **

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<th>47,992.79</th>
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<th>22,341.07</th>
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<th>521,090.07</th>
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</table>

#### OTHER FINANCING SOURCES (USES)

<p>| | | | | | | | |</p>
<table>
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</table>

** TOTAL OTHER SOURCES/USES**

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<th>0.00</th>
<th>0.00</th>
<th>0.00</th>
<th>0.00</th>
<th>0.00</th>
</tr>
</thead>
</table>

**NET GAIN OR (LOSS)**

|                      | 498,749.00     | 47,992.79      | 0.00                   | 22,341.07    | 0.00              | 521,090.07     |
|----------------------|----------------|----------------|------------------------|--------------|-------------------|----------------|------------|

*** END OF REPORT ***
CITY OF LEON VALLEY
FINANCIAL STATEMENT
AUGUST 2014
# General Fund

<table>
<thead>
<tr>
<th></th>
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<th></th>
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</tr>
<tr>
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<td>$3,237,200 92.0%</td>
<td>$3,273,940 101.1%</td>
<td>$3,143,505 101.9%</td>
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<tr>
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<td>1,711,609 92.3%</td>
<td>1,429,894 79.7%</td>
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<td>Franchise Taxes</td>
<td>707,181 92.0%</td>
<td>798,822 113.0%</td>
<td>692,841 95.5%</td>
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<td>Licenses,Permits,Fees,Fines</td>
<td>1,011,551 92.0%</td>
<td>892,502 88.2%</td>
<td>953,570 92.9%</td>
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<tr>
<td>Miscellaneous</td>
<td>138,390 92.0%</td>
<td>183,954 132.9%</td>
<td>345,108 287.0%</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td>$6,949,668 92.0%</td>
<td>$6,860,826 98.7%</td>
<td>$6,564,917 97.2%</td>
</tr>
</tbody>
</table>

|                  |                      |                           |                   |
| **EXPENDITURES** |                      |                           |                   |
| Business Office  | $154,139 92.0%       | $111,193 72.1%            | $135,144 81.3%    |
| Finance          | 221,690 92.0%        | 184,781 83.4%             | 184,193 85.9%     |
| Council & Manager| 422,832 92.0%        | 366,634 86.7%             | 260,263 84.9%     |
| Police           | 2,296,157 92.0%      | 1,953,822 85.0%           | 1,809,014 85.0%   |
| Fire             | 2,307,468 92.0%      | 2,004,883 87.0%           | 1,963,050 89.0%   |
| Public Works     | 1,212,714 92.0%      | 1,061,071 87.5%           | 911,324 82.0%     |
| Community Development | 205,275 92.0% | 180,713 88.0%           | 260,916 84.0%     |
| Economic Development | 161,088 92.0% | 139,922 86.9%           | 112,715 90.4%     |
| Special Events   | 75,510 92.0%         | 70,913 93.9%              | 10,758 61.1%      |
| Parks & Recreation| 213,266 92.0%      | 185,815 87.1%             | 76,484 68.3%      |
| Library          | 287,199 92.0%        | 261,842 91.2%             | 579,961 69.5%     |
| Other Sources/Uses | 129,997 92.0%      | 116,997 90.0%             | -                 |
| **TOTAL EXPENDITURES** | $7,687,335 92.0% | $6,638,585 86.3%          | $6,303,822 83.4%  |
## Water and Sewer Fund

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<tbody>
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<td><strong>REVENUE</strong></td>
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<td>Water Sales</td>
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<td>$1,243,468</td>
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<td>Tapping Fees</td>
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<tr>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
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<td>$2,939,079</td>
<td>$2,832,080</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Business Office</td>
<td>662,323</td>
<td>549,415</td>
<td>518,419</td>
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<tr>
<td>Water System</td>
<td>1,322,683</td>
<td>1,185,559</td>
<td>870,033</td>
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<td>Sewer System</td>
<td>1,265,754</td>
<td>1,213,296</td>
<td>1,182,886</td>
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<tr>
<td>Storm Water</td>
<td>381,581</td>
<td>235,671</td>
<td>195,099</td>
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<td>Other Sources/Uses</td>
<td>20,000</td>
<td>20,000</td>
<td>20,000</td>
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<td><strong>TOTAL EXPENDITURES</strong></td>
<td>$3,652,341</td>
<td>$3,203,940</td>
<td>$2,766,437</td>
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## Community Center Fund

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<tr>
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<tr>
<td><strong>REVENUE</strong></td>
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<tr>
<td>Hotel/Motel Taxes</td>
<td>$83,082</td>
<td>74,456</td>
<td>76,638</td>
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<tr>
<td></td>
<td>92.0%</td>
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<td><strong>RENTAL FEES:</strong></td>
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<td>Community Center</td>
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<td>38,797</td>
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<td><strong>Miscellaneous:</strong></td>
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<tr>
<td>CDBG Grant</td>
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<td>-</td>
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<tr>
<td>CPS Energy Rebate</td>
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<td><strong>TOTAL REVENUE</strong></td>
<td>$166,633</td>
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<td>95.7%</td>
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<td><strong>EXPENDITURES</strong></td>
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<tr>
<td>Community Center Operations</td>
<td>$188,600</td>
<td>$171,012</td>
<td>$121,099</td>
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<td></td>
<td>92.0%</td>
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<td>Other Sources/Uses</td>
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<td><strong>TOTAL EXPENDITURES</strong></td>
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<td>$191,012</td>
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<td></td>
<td>92.0%</td>
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<td>83.7%</td>
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# Street Maintenance Sales Tax

<table>
<thead>
<tr>
<th></th>
<th>Actual FY 2012</th>
<th>Actual FY 2013</th>
<th>Budget FY 2014</th>
<th>Actual FY 2014</th>
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</thead>
<tbody>
<tr>
<td>Revenues</td>
<td>443,738</td>
<td>475,884</td>
<td>457,050</td>
<td>422,534</td>
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<tr>
<td>Transfers In</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL REVENUES</strong></td>
<td>443,738</td>
<td>475,884</td>
<td>457,050</td>
<td>422,534</td>
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<tr>
<td>Expenditures</td>
<td>546,311</td>
<td>10,720</td>
<td>955,799</td>
<td>400,192</td>
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<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>546,311</td>
<td>10,720</td>
<td>955,799</td>
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<td><strong>FUND BALANCE</strong></td>
<td>401,699</td>
<td>866,863</td>
<td>368,114</td>
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MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION
Wednesday, May 28, 2014

I. Call to Order and Determine if Quorum is Present
President Stephen Ynostroza, Vice President Claude Guerra, Board Secretary David Gannon, Treasurer Mike McCarley, Board Member Rudy Garcia and Board Member Georgia Zannaras were present, constituting a quorum. Also in attendance were Board Attorney Steven Peña, Staff Liaison Claudia Mora, acting as recording secretary, and Economic Development Administrative Assistant René Raynes.

II. Citizens to be Heard
There were none.

III. Closed Session in Accordance with the Texas Government Code
The City of Leon Valley Economic Development Corporation Board will Convene in Closed Session:

A. Pursuant to Tex. Gov’t Code Ann. § 551.071 (1), (2) update regarding Larry Little v. Leon Valley EDC;
B. The City of Leon Valley Economic Development Corporation Board will Reconvene into Open Session and may take action on the Closed Session items.

The LVEDC Board convened in closed session at 6:31 p.m.

The LVEDC Board reconvened in open session at 7:56 p.m. No action was taken by the Board in closed session.

IV. Consider LVEDC Minutes – March 26, 2014, April 8 and April 23
Board Member Garcia moved to accept the minutes of the LVEDC Board meetings held March 26, April 8 and April 23, 2014. Board Secretary Gannon seconded the motion. The motion passed by voice vote.

V. Financial Report by LVEDC Treasurer and Consideration
Board Treasurer McCarley reported that as of 1:15 p.m. on May 28, the total amount of funds in the LVEDC bank accounts was $609,129.16. This was reported as $19,210.87 in the checking account and $589,918.29 in the money market account. For May, the sales tax deposit into the account was $26,182.86. Mr. McCarley asked Staff Liaison Mora what had cleared the bank. Ms. Mora indicated that approximately $4,000 in various accounts payables have cleared the bank. Mr. McCarley indicated he would transfer money into the checking account to cover the approximately $22,000 in accounts payables for May.

VI. Discussion and Possible Action Regarding Maintaining the 501(c)(6) Status
Staff Liaison Mora outlined for the Board the 501(c)(6) status and the requirement to file an IRS Form 990 annually. She commented that there were no files or records of the LVEDC filing for designation as a 501(c)(6) status from the IRS. Ms. Mora also reported that the accountants who handled the filing of the 2012 Form 990, Jorge Herrera, CPA CIA PC, indicated that the IRS does not have records of the status request being filed. According to staff, the accountants could file the paperwork to have the
status terminated. If the LVEDC voted to terminate the status, the Board would be required to file the IRS Form 990 for the next two (2) years.

Board Secretary Gannon was asked with his experience with charitable organizations, did he think there was a reason for the LVEDC to have and maintain a 501(c)(6) designation. Mr. Gannon indicated that there was not a reason for the LVEDC to have or maintain that designation.

Board Attorney Peña was asked if there were any legal ramifications for the status to be terminated. Mr. Peña commented that he agreed with Mr. Gannon that the designation was not necessary. He also commented that rescinding the designation would not affect the LVEDC’s status as an EDC.

Board Secretary Gannon moved to accept and adopt LVEDC Board Resolution 2014-0017 to terminate the 501(c)(6) designation and engage Jorge Herrera CPA CIA PC to perform the necessary paperwork to terminate the designation. Board Member Zannaras seconded the motion. The motion carried by voice vote.

VII. Presentation, Discussion and Possible Action Regarding “Buy Local” for Future Façade and Signage Program Applicants
Staff Liaison Mora briefed the Board on the idea to require applicants of the Façade and Signage Program to obtain bids from and/or use local vendors to perform façade improvements or sign work. The idea was brought up by Board President Ynostrosa at the April Board meeting.

Board Member Zannaras commented that while the preference is for the applicant businesses to buy local, there should be an option for the applicant to select the lower bid if the higher bid is from a local business.

Board Secretary Gannon suggested that the word “possible” be replaced by the word “feasible” in Board resolution 2014-0018 so that it allows the applicant latitude in buying local.

Ms. Mora informed the Board that the Façade and Signage Program guidelines would need to be amended at a future meeting, if the Board decided to require applicants to use local vendors to obtain bids from and, wherever feasible, to use to perform services for the applicant business.

Board Secretary Gannon moved to adopt LVEDC Board Resolution 2014-0018 with the change in words from “possible” to “feasible”. Board Vice President Guerra seconded the motion. The motion carried by voice vote.

VIII. Presentation, Discussion and Possible Action on the Proposal from The Retail Coach to Continue Services for One (1) Year
Staff Liaison Mora briefly outlined the proposal from The Retail Coach (TRC) to continue the economic development retail plan services for one (1) year. Ms. Mora commented that TRC’s proposal included updating the reports and demographics as needed. In addition, TRC would prepare quarterly marketing packages on Leon Valley to send out to retailers and developers. TRC would provide contact information on the retailers and developers contacted and receiving the quarterly information.

Board Member Garcia expressed concern regarding staff’s actual use of the reports generated by TRC. Staff replied that the reports enable staff to focus or target specific retailers. Board President
Ynostrosa commented that having the assistance of TRC in targeting retailers was helpful in keeping Leon Valley in front of retailers and developers on a regular basis.

Board Treasurer McCarley moved to amend the proposed LVEDC Board Resolution 2014-0019 with the change of the fees for services from $15,000 to $16,000. Board Member Garcia seconded the motion. The motion carried by voice vote.

Board Member Zannaras moved to approve the LVEDC Board Resolution 2014-0019, as amended, which approves the agreement with The Retail Coach to continue services for one (1) year. Board Secretary Gannon seconded the motion. The motion carried by voice vote.

**IX. Presentation, Discussion and Possible Action on the Proposals from The Retail Coach and Drew Advertising to develop a Website and Trade Show Booth**

Staff Liaison Mora presented the highlights of the proposals from The Retail Coach and Drew Advertising. Included in the presentation were the deliverables as they related to the actual website and staff training from both bidders; booth concepts, production specifications and production information; and quotes on costs.

The Board asked staff to contact the bidders and ask for examples of communities for which they've developed websites, whether they would provide training for staff to update website, whether they could package the booth deliverables to include a tabletop display, and where the booth would be stored and shipped from.

Staff will report the requested information at the next LVEDC Board meeting in June.

**X. Presentation and Discussion on Proposed LVEDC Budget for Fiscal Year 2014-2015**

Staff Liaison Mora presented the draft LVEDC Budget for Fiscal Year 2014-2015. Ms. Mora highlighted the changes for the new fiscal year including the estimated $3,000 increase in contractual services, $300 increase in advertising, $1,300 increase in EDC project funding, and $5,000 decrease in travel.

The total budget amount was determined by averaging the total sales tax revenue collected for economic development for 2010 through 2013, and rounding the figure up to $221,300.

Ms. Mora informed the Board that they would not vote on the budget until June or July, depending on the changes the Board may have to the budget. The goal is to submit the budget to the City at the end of July for presentation to the City Council in August, and approval by the City Council in September.

**XI. Presentation, Discussion and Possible Action on the City of Leon Valley Economic Development Corporation Investment Policy and Strategy**

Staff Liaison Mora presented the draft investment policy and strategy. Highlighted was the purpose of the policy, which is to ensure the safe investment of public funds. The policy was modeled after the City of Leon Valley's policy. It was reviewed by Linda Patterson of Patterson & Associates, Inc. After the LVEDC Board adopts the policy, the policy would be presented to the City Council for their approval.
The Board discussed possible changes to be made to the policy in the way of identifying the investment officers for the LVEDC. The Board wants to be sure that the reporting requirements are clear and carried out.

Staff will make the changes identified by the Board. The policy will be presented to the Board at the June meeting for consideration and possible adoption.

XII. Report on ICSC RECon 2014
Board President Ynostrosa made some general comments about ICSC RECon 2014. He informed the Board that he would present more information and detail at the next LVEDC Board meeting.

XIII. Discussion and Possible Action on the Appointment of a Strategic Plan Committee
Board Secretary Gannon commented that he would like for Board members to volunteer for the committee. Dates (during the summer) would be set for the committee to work on the plan. The committee would then present the plan to the Board for review and adoption. Mr. Gannon asked Ms. Mora to send out an email to the Board members asking who would like to volunteer for the committee. At the next Board meeting, he would share some proposed meeting dates.

XIV. Staff Report on Economic Development Activity in Leon Valley
Economic Development Administrative Assistant Raynes reported that there were five (5) applicants for Certificates of Occupancy in May. Of the five (5), four (4) were new businesses. Ms. Raynes briefly outlined the information on the new businesses.

XV. Future Agenda Items
A.) Work Session(s) on Strategic Plan
B.) FY2014-2015 Budget Adoption
C.) “Downtown Leon Valley”
D.) Special Joint Meeting of LVEDC and City Council
E.) Façade and Signage Program Applications and Grants
F.) Financial Strategy

Items A and B were covered during the meeting and will be discussed in future meetings. Staff reported that they were working on new names, terms, phrases for item C. Ms. Mora reported that a tentative date for item D was July 14. Staff reminded the Board that applications for the Façade and Signage Program would be accepted between June 1 and July 15. Also, Ms. Mora said that for a future meeting, the Board would discuss item F with information gathered from Patterson & Associates.

XVI. Announcements
The Board was reminded of the June 9 City Council meeting and June 14 Coffee with the Mayor and City Council.

XVII. Adjourn
Board Secretary Gannon moved to adjourn the meeting. Board Member Garcia seconded the motion. The motion carried by voice vote. The meeting was adjourned at 9:58 p.m.
MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION
Wednesday, June 25, 2014

I. Call to Order and Determine if Quorum is Present
Board President Stephen Ynostroza, Board Vice President Claude Guerra, Board Secretary David Gannon, Board Member Rudy Garcia and Board Member Georgia Zannaras were present, constituting a quorum. Board Treasurer Mike McCarley was excused. Also in attendance were Board Attorney Steven Peña, Staff Liaison Claudia Mora, acting as recording secretary, and Economic Development Administrative Assistant René Raynes.

II. Introduction of New Board Member
Also in attendance was newly appointed LVEDC Board Member Joe Sanchez. Board President Ynostroza welcomed Mr. Sanchez. The Board introduced themselves and welcomed Mr. Sanchez. With the assistance of Board Attorney Peña, Mr. Ynostroza conducted the swearing in of Mr. Sanchez.

III. Citizens to be Heard
There were none.

IV. Closed Session in Accordance with the Texas Government Code
The City of Leon Valley Economic Development Corporation Board will Convene in Closed Session:

A. Pursuant to Tex. Gov’t Code Ann. § 551.071 (1), (2) update regarding Larry Little v. Leon Valley EDC;
B. The City of Leon Valley Economic Development Corporation Board will Reconvene into Open Session and may take action on the Closed Session items.

There was no closed session.

V. Consider LVEDC Minutes – May 28, 2014
Board Secretary Gannon moved to approve the minutes. Board Member Garcia seconded the motion. The motion passed by voice vote.

VI. Financial Report by LVEDC Treasurer and Consideration
Board Secretary Gannon moved to table this agenda item. Board Vice President Guerra seconded the motion. The motion carried by voice vote.

VII. Presentation, Discussion and Possible Action on Proposed City of Leon Valley Economic Development Corporation Investment Policy and Strategy
Staff Liaison Mora outlined for the Board the proposed LVEDC Investment Policy and Strategy. Ms. Mora noted that the policy was based on the City of Leon Valley’s policy. Also, Ms. Mora informed the Board that Linda Patterson of Patterson & Associates had reviewed the policy and made some changes; the draft presented to the Board was the policy as reviewed and commented on by Ms. Patterson.

Discussion ensued on the policy. The Board asked whether the policy could be changed or improved upon. Staff commented that the policy would be reviewed regularly for that reason. In addition, Ms. Mora noted that the City Council had to approve the policy and any changes made to it by the Board.
With no further questions or discussion, Board President Ynostrosa asked for a motion to approve the policy. Board Vice President Guerra moved to approve the Proposed City of Leon Valley Economic Development Corporation Investment Policy and Strategy. Board Member Zannaras第二 the motion. The motion carried by voice vote.

Board Secretary Gannon was asked with his experience with charitable organizations, did he think there was a reason for the LVEDC to have and maintain a 501(c)(6) designation. Mr. Gannon indicated that there was not a reason for the LVEDC to have or maintain that designation.

Board Attorney Peña was asked if there were any legal ramifications for the status to be terminated. Mr. Peña commented that he agreed with Mr. Gannon that the designation was not necessary. He also commented that rescinding the designation would not affect the LVEDC’s status as an EDC.

Board Secretary Gannon moved to accept and adopt LVEDC Board Resolution 2014-0017 to terminate the 501(c)(6) designation and engage Jorge Herrera CPA CIA PC to perform the necessary paperwork to terminate the designation. Board Member Zannaras seconded the motion. The motion carried by voice vote.

VIII. Presentation, Discussion and Possible Action on the Proposals from The Retail Coach and Drew Advertising to Develop a Website and Trade Show Booth
Staff Liaison Mora briefed the Board on each proposal and provided the supplemental information requested at the last Board meeting. Discussion ensued with the Board asking that each agency attend the next Board meeting to do a presentation to the Board with examples of website and trade booth work they have done. Board Vice President Guerra moved to table the item. Board Member Sanchez seconded the motion. The motion carried by voice vote.

IX. Presentation. Discussion and Possible Action on Reserving a Booth at ICSC Texas Conference and Deal Making, November 12-14, 2014 in Dallas
Staff presented information on reserving booth space and setting up a booth at the ICSC Texas Conference and Deal Making in Dallas, November 12-14, 2014. Included in the information were the prices for the various sizes on booths. In addition, staff provided information regarding the estimated cost to have items to give away at the booth. Discussion ensued with the Board inquiring about the cost of electricity to the booth. Interest was expressed in having some type of video or continuous information being provided at the booth. Staff recommended reserving the smallest booth size available, 10’ x 10’.

With no other questions or discussion, Board Secretary Gannon moved to approve reserving a booth at ICSC Texas Conference and Deal Making, November 12-14, 2014 in Dallas, and for the cost not to exceed $1,000. Board Member Garcia seconded the motion. The motion carried by voice vote.

X. Presentation and Discussion on Proposed LVEDC Budget for Fiscal Year 2014-2015
Staff Liaison Mora presented the draft LVEDC Budget for Fiscal Year 2014-2015. Ms. Mora highlighted the changes for the new fiscal year including the estimated $3,000 increase in contractual services, $300 increase in advertising, $1,300 increase in EDC project funding, and $5,000 decrease in travel.

The total budget amount was determined by averaging the total sales tax revenue collected for economic development for 2010 through 2013, and rounding the figure up to $221,300.

Discussion ensued with Board Member Garcia commenting that the proposed budget amount was conservative. Given the increases each year in sales tax revenue, he suggested increasing the figure to $240,000. Other Board
Members commented, and generally, agreed with the proposed increase. Recommendations were made to increase the Travel and EDC Project Funding line items. Staff was asked to re-work the budget with the new amount and present it at the next Board Meeting.

XI. Report on ICSC RECon 2014
Board President Ynostrosa stated he would present information at the next Board meeting.

XII. Discussion and Possible Action on the Appointment of a Strategic Plan Committee
Board Secretary Gannon commented that two (2) Board Members had indicated an interest in serving on the Strategic Plan Committee – Board President Ynostrosa and Board Member Zannaras. Mr. Ynostrosa commented that he would step down if another Board Member wanted to serve on the Committee. Board Member Sanchez expressed an interest in serving on the Committee. Board Member Garcia moved to form the LVEDC Strategic Plan Committee to develop an economic development strategic plan; and that the members of the Committee be Mr. Gannon, Mr. Sanchez, and Dr. Zannaras. Board Vice President Guerra seconded the motion. The motion carried by voice vote.

The first meeting of the Committee would be Tuesday, July 22, at 6 p.m.

XIII. Staff Report on Economic Activity in Leon Valley
Staff informed the Board that they were unable to obtain any information from the Community Development Department in order to create the report. Board Member Garcia asked about Wind Daddy’s Sauce House and the planned opening. Staff relayed that permits had been issued but that they were not aware of any specific completion of construction or targeted opening date.

XIV. Future Agenda Items
A.) Work Session(s) on Strategic Plan – First meeting is scheduled for Tuesday, July 22, 2014
C.) “Downtown Leon Valley” – Discussion in the next Fiscal Year.
D.) Special Joint Meeting of LVEDC and City Council – Tentatively scheduled for July 14.
E.) Façade and Signage Program Applications and Grants – No applications received.

XV. Announcements
The Board was reminded of the July 14 City Council meeting.

XVI. Adjourn
Board Secretary Gannon moved to adjourn the meeting. Board Member Garcia seconded the motion. The motion carried by voice vote. The meeting was adjourned at 8:38 p.m.

[Signatures]
Stephen Ynostrosa
Board President

David J. Gannon
Board Secretary
MINUTES OF THE MEETING OF THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION
Wednesday, July 27, 2014

I. Call to Order and Determine if Quorum is Present
Board President Stephen Ynostroza, Board Vice President Claude Guerra, Board Treasurer Mike McCarley, Board Secretary David Gannon, Board Member Rudy Garcia and Board Member Georgia Zannaras were present, constituting a quorum. Board Member Joe Sanchez was excused. Also in attendance were Attorney Cody Faulk sitting in for Board Attorney Steven Peña, Staff Liaison Claudia Mora, acting as recording secretary, and Economic Development Administrative Assistant René Raynes.

II. Citizens to be Heard
There were none.

III. 6:30 P.M. Public Hearing, Presentation, Discussion and Consideration of action on a Resolution by the Leon Valley Economic Development Corporation (LVEDC) Regarding the Expenditure of LVEDC Funds in a Grant of $200,000 to Bandera Road Holdings LLC.

Public Hearing, Presentation, Discussion and Consideration of action on a Resolution by the Leon Valley Economic Development Corporation (LVEDC) Regarding the Expenditure of LVEDC Funds Under the Façade and Signage Program in a Grant of $632.50 to Joseph F. Nazaroff and Ideas Unlimited.

Board President Ynostroza opened the public hearing at 6:42 p.m. No one signed up to speak. No one in attendance wished to speak. The public hearing was closed at 6:45 p.m.

Staff gave a presentation on the request for funding by Bandera Road Holdings LLC, property owners of what is known as the Fiesta Dodge Property at 6300 and 6320 Bandera Road. Jones Lang LaSalle, the property leasing agents, represents the property owners in developing the property and attracting business to it. They are working with an aquarium group who own the Austin Aquarium and have opened similar aquariums in Boise, Idaho and Portland, Oregon. The funding request is for $200,000 to help with the cost of renovating the building and parking lot so that the aquarium group can go in and do interior finish out for an aquarium.

Bandera Road Holdings LLC plans to invest approximately $1.6Million to $2Million in construction and renovation of the property. They have a loan pre-approval from Horizon Bank for $1.6Million.

The timeline for the project is for construction to begin in September and the aquarium to open in December 2014.

Todd Wallace, Senior Executive Vice President of Jones Lang LaSalle was present. He mentioned to the LVEDC Board that back in 2012 the property owners contributed $125,000 to the City of Leon Valley to construct a detention pond for runoff water and connect the property and adjoining neighborhood to the proposed hike and bike trail. In addition, he reported that the Austin Aquarium was doing well in their location in a retail center in Austin. The Leon Valley location should fare better because the site
is a stand-alone building with ample parking – being that it was once a car dealership. Mr. Wallace said that his group estimates that revenue for December should be around $400,000.

Mr. Wallace and Ms. Mora responded to questions regarding projected revenue, parking and tenant investment. In addition, Mr. Wallace responded to a question regarding other cities in the area competing for the aquarium. He informed the Board that there would be a San Antonio Aquarium (official name); the question was whether it would be in San Antonio or Leon Valley. Also, Mr. Wallace responded to the question of whether the aquarium would occupy the two large buildings on the property. Mr. Wallace answered that only the center building would be used for the aquarium project. The other building will be used for another business, like a restaurant.

The LVEDC Board of Directors adjourned the regular session and went into closed session at 7:33 p.m.

The LVEDC Board of Directors reconvened into regular session at 8:03 p.m.

Board Secretary Gannon moved to approve the funding of the LVEDC grant request of $200,000 subject to the successful completion of negotiations. Board Member Garcia seconded the motion. The motion carried by voice vote.

The second public hearing did not take place. The applicant was not in attendance. Board Vice President Guerra moved to table the item. Board Secretary Gannon seconded the motion. The motion carried by voice vote.

IV. Presentations by The Retail Coach and Drew Advertising, Discussion and Possible Action on Proposals to Develop a Website and Trade Show Booth

Andrew Anguiano with Drew Advertising made a presentation to the Board on his agency and the work experience he has with development websites and trade show booths. Mr. Anguiano shared some examples of clients and work – Harlandale Independent School District, Port San Antonio, Adams Extract.

Aaron Farmer with The Retail Coach was unable to attend due to an illness. The Board asked staff to make arrangements for Mr. Farmer to do his presentation at the August meeting.

V. Presentation on Completed Façade and Signage Program Project – Sunset Plaza

Staff reported that there was not sufficient information to present this agenda item at this time.

VI. Closed Session in Accordance with the Texas Government Code.
The City of Leon Valley Economic Development Corporation Board will Convene in Closed Session:

A. Pursuant to Tex. Gov't Code Ann. § 551.071 (1), (2) update regarding Larry Little v. Leon Valley EDC;
B. The City of Leon Valley Economic Development Corporation Board will Reconvene into Open Session and may take action on the Closed Session items.

There was no closed session.
VII. Consider LVEDC Minutes – May 28, 2014
Staff reported that the wrong date for the minutes was placed on the agenda and asked that the June 25, 2014 minutes be considered at the next Board meeting.

VIII. Financial Report by LVEDC Treasurer and Consideration
Board Treasurer reported that there was approximately $600,000 in the bank.

IX. Presentation and Discussion on Proposed LVEDC Budget for Fiscal Year 2014-2015
Staff Liaison Mora presented the draft LVEDC Budget for Fiscal Year 2014-2015. Ms. Mora highlighted the changes for the new fiscal year including the estimated $3,000 increase in contractual services, $300 increase in advertising, $1,300 increase in EDC project funding, and $5,000 decrease in travel. In addition, she informed the Board that the total budget amount of $240,000 was used as directed by the Board at the last meeting. In addition, Ms. Mora reported that with the approval of the $200,000 grant to Bandera Road Holdings LLC, the proposed budget amount for Fiscal Year 2014-2015 was $440,000.

Due to the agenda not listing “Possible Action” for this agenda item, the Board Attorney recommended that the Board convene a special meeting to take action on the proposed budget.

Board Member Zannaras moved that the item be tabled until a special LVEDC Board meeting was held on August 5, 2014 at 6:00 p.m., at which time the proposed budget would be voted on and the Board could discuss the bills from the law firm regarding representation. Board Member Garcia seconded the motion. The motion carried by voice vote.

At this time, the LVEDC Board convened in closed session at 9:06 p.m.

The LVEDC Board reconvened into regular session at 9:20 p.m. No action was taken in closed session.

X. Report on ICSC RECon 2014
Board President Ynostroza stated he would present information at the next Board meeting.

XI. Report and Discussion on Strategic Plan Committee’s Progress
Board Secretary Gannon reported that the committee met and set out a process to develop the plan. They estimate that the process will take six months and be done in segments. There would be an agenda item every two months on the strategic plan. Staff would send a list of the elements to the Board members in preparation for the agenda item as well as the committee’s work. The first item to be worked on is the mission statement.

XII. Future Agenda Items
A.) Work Session(s) on Strategic Plan
B.) Amendment of Certificate of Formation and Bylaws
C.) Financial Services Report

Board Member Garcia commented that the LVEDC consider how they wanted to handle economic development with the City Council and the Leon Valley Area Chamber of Commerce. Brief discussion ensued with staff urging the Board to take the lead, as the Board is considered “subject matter experts” in economic development by virtue of their existence and work.
XV. Announcements
Ms. Mora informed the Board that Ms. Raynes was leaving the department to become the City’s receptionist. Ms. Raynes thanked the Board for their support. In addition, Ms. Mora mentioned that she would be out of the office for a week on personal business.

XVI. Adjourn
Board Secretary Gannon moved to adjourn the meeting. Board Member Garcia seconded the motion. The motion carried by voice vote. The meeting was adjourned at 9:44 p.m.

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Stephen Ynostrosa
Board President

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David J. Gannon
Board Secretary
CITY OF LEON VALLEY

Home Rule Charter Commission Meeting
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Wednesday, August 13, 2014

MINUTES

The Home Rule Charter Commission of the City of Leon Valley, Texas met on the 13th day of August, 2014 at 5:30 p.m. at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business.

Call to order and announcement of a quorum.

City Manager Manuel Longoria, Jr. called the Meeting to order at 5:39 p.m. and determined that a quorum was present.

The minutes reflect that the following members of Home Rule Charter Commission were present: Liz Maloy, Rudy Garcia, Arthur “Art” Reyna, Darby Riley, Al Uvietta, Mike McCarley, Manuel Rubio, Kathy Hill, Victor Rodriguez, and Jack Dean. Commission Member David Jordan was not present and was excused.

City Attorney Charles Zech, City Manager Manuel Longoria, Jr., Human Resources Director Crystal Caldera, Economic Development Director Claudia Mora were also present.

Election of Chair/Vice -Chair

City Attorney Zech provided direction to the Commission on how to proceed in electing a Chair and Vice Chair. Commission Member Al Uvietta nominated Arthur “Art” Reyna as Chair and Jack Dean as Vice Chair. Commission Member Kathy Hill nominated Liz Maloy as Chair and Jack Dean as Vice Chair. City Attorney Zech made a last call for nominations. Seeing no additional nominations, he proceeded to the vote. City Attorney Zech took a vote on Jack Dean for Vice Chair, no one was opposed, and the vote passed unanimously. City Attorney Zech took a vote on Arthur “Art” Reyna as Chair. Commission Members in favor were Al Uvietta, Jack Dean, Art Reyna, Manuel Rubio, Mike McCarley, Rudy Garcia, and Victor Rodriguez. The motion passed selecting Arthur “Art” Reyna as the Chair of the Leon Valley Home Rule Charter Commission.

Discussion on meeting schedule and other organizational matters.

Chair Arthur “Art” Reyna opened the discussion and asked all Commission members to provide days that could be problematic for them to attend a Commission meeting. Commission member Maloy also requested a timeline to enable the Commission to stay on course and City Attorney Zech agreed to have one for the Commission at the next meeting. A discussion ensued and a consensus was reached: the first and third Wednesday of the month at 6:00 p.m. was convenient for the majority of Commission members.

Discussion on open meetings/open records laws applicable to Commission.

City Attorney Charlie Zech informed the Commission that they are subject to the Texas Open Meetings Act. He further stated that the Commission was not an advisory committee to the City Council. The Commission will provide City Council with the Charter and the City Council has to adopt it. City Attorney Zech clarified that six members was considered a quorum, we have to post the agenda 72 hours prior to holding a meeting, all documents created are subject to the Open Meetings Act, and for Commission members to not “reply all” to e-mails.
Presentation on Charter process and discussion on Charter.

City Attorney Zech asked the Commission how they would like to move forward with approving provisions in the Charter. He reiterated the City Council has to place the Charter on the ballot as presented by the Commission.

Some discussion followed and all seemed to be agreement to approve Charter provisions by the majority of who is present at the Home Rule Charter Commission meetings. Chair Arthur “Art” Reyna assured the Commission that the first item on the next Home Rule Charter Commission meeting agenda will be adoption of some parliamentary rules. He further stated how important it was to have the entire Commission present at the meetings when deciding action on a provision, and will take into high consideration rescheduling a meeting if some of the members would not be available to attend a meeting.

City Attorney Charlie Zech showed the Commission a website (www.municode.com) that would allow them to browse other city charters. Vice Chair Dean asked City Attorney Zech if he could provide some city charters that would be beneficial to the Commission to review. City Attorney Zech provided Mount Belvieu, Live Oak, Cibolo, Schertz, Fredericksburg, and Pearsall. He did stress that reviewing other city charters could be helpful; however, ultimately adopting provisions in our city Charter should be what is best for the City of Leon Valley. He continued by recommending to the Commission that the first thing they should focus on is “Form of Government”.

Adjournment

Chair Arthur “Art” Reyna announced the meeting adjourned at 6:48 p.m.

APPROVED:

Arthur “Art” Reyna
Chairperson

ATTESTED:

Crystal Caldera
Staff Liaison