

**AMENDED NOTICE OF PUBLIC MEETINGS**

**AMENDED AGENDA**

**LEON VALLEY CITY COUNCIL MEETINGS**

**TUESDAY, MAY 15, 2012, 5:30 P.M.**

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

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**SPECIAL MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 5:30 P.M.**

- 1. Call the City of Leon Valley Special City Council Meeting to Order, and Determine a Quorum is Present. (Mayor Riley)**
  - 2. Executive Session in Accordance with the Texas Government Code**
    - A. The City Council of the City of Leon Valley will Convene in Executive Session Pursuant to Section 551.074, Personnel Matters: To discuss and conduct an annual performance evaluation of City Manager Manuel Longoria, Jr., as required by the City of Leon Valley's Employment Contract, M&C # 05-07-12.**
    - B. The City Council of the City of Leon Valley will Reconvene into Open Session.**
    - C. The City Council will Consider Any Possible Actions Resulting from the Executive Session.**
  - 3. Adjourn.**
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**REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7 P.M.**

- 1. Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance. (Mayor Riley)**
- 2. Citizens to be Heard and Time for Objections to the Consent Agenda.**

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

**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].

- C. Award a \$2,400 Matching Grant to the LVHS for Payment of a Portion of Architectural Costs and Staff Fees Associated with Fulfilling Best Practices Requirements for the Dismantling of the Collapsed Farm Shed on Bandera Road Frontage.

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 agenda item as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property).

### Discussion Agenda

9. **City Manager's Report. (Longoria)**
- A. Informational updates, as may be required
  - B. Monthly Departmental Reports.
  - C. Financial Statement for the Month of April 2012. (V. Wallace)
  - D. City Council/City Manager Retreat/Work Session, May 18, 2012 at 9 a.m., immediately following the Canvass of the Elections Results, at the Kinman House, 6417 Evers Road, Leon Valley, 78238.
  - E. **Approved Minutes of City-Affiliated Boards, Committees, and Commissions.** *This agenda item will allow the City Council to review the work of City-affiliated boards, committees, and commissions through the publication of approved meeting minutes on an ongoing basis.*
    - (1) Earthwise Living Committee Meeting of March 13, 2012.
    - (2) Leon Valley Economic Development Corporation Meetings of January 25, 2012 and March 28, 2012.
    - (3) Leon Valley Zoning Commission Meeting of March 27, 2012.
  - F. **Future Agenda Items.**
    - (1) Canvass the Results of the May 12, 2012 General and Bond Elections, Friday, May 18, 2012, 8:30 a.m. Special City Council Meeting, The Kinman House, 6417 Evers Road, Leon Valley, 78238.
    - (2) Bandera Road Beautification Project, June 3, 2012.
10. **Citizens to be Heard.**
11. **Announcements by the Mayor and Council Members.**  
*At this time, reports about items of community interest regarding which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley Council or a City official.*  
**Community Events:**  
**May 19:** Annual Pet Parade, 10 a.m. – 12 Noon, Leon Valley Conference Center, 6421 Evers Road, Leon Valley, Texas 78238.  
**May 20:** Taste of Leon Valley, 2 p.m. - 6 p.m., Leon Valley Community & Conference Centers, 6421 & 6427 Evers Road, Leon Valley, Texas 78238.
12. **Adjourn.**

### Consent Agenda

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

3. **Consider Approval of the Meeting Minutes of the Special City Council Meeting [City Council Candidates Forum] of April 26, 2012.** *This agenda item will allow the City Council to consider approval of the minutes taken at the City Council Candidate's Forum. (Willman)*
4. **Consider Approval of the Meeting Minutes of the April 28, 2012 Leon Valley Special City Council Meeting.** *This agenda item will allow the City Council to consider approval of the draft minutes of the Leon Valley Special City Council Meeting of April 28, 2012. (Willman)*
5. **Consider Approval of the Meeting Minutes of the May 1, 2012 Leon Valley Special and Regular City Council Meetings.** *This agenda item will allow the City Council to consider approval of the draft minutes of the Leon Valley Special and Regular City Council Meetings of May 1, 2012. (Willman)*

### Regular Agenda

6. **Consider Action on M&C # 05-08-12 with Ordinance Authorizing the City Manager to Negotiate and Execute a Contract with Chandra Wickham DBA Leon Valley Family Pool for the Operation of the City's Swimming Pool for the 2012 Summer Season.** *This agenda item will allow the City Council to consider authorizing the City Manager to negotiate and execute a contract for the operation of the City's swimming pool for the 2012 Summer Season. (Vick)*
7. **Consider Action on M&C # 05-09-12 with Ordinance Awarding the Bid Received for the 2012 Sanitary and Sewer Improvement Projects to M & C Fonseca Construction Co., Inc., and Authorizing the City Manager to Execute the Bid Award Documents in the Amount of \$303,045.10 and Authorizing up to 25 Percent Increase, as Permitted by Law, and Found to Be Necessary.** *This agenda item will allow the City Council to consider awarding a bid for sanitary and sewer improvement projects and authorizing the City Manager to execute the bid award documents with funding provided in the Fiscal Year 2012 Budget. (Stolz)*
8. **Discuss, Consider Action, and Provide Direction to City Staff on the Leon Valley Historical Society's (LVHS) Requests Presented at the April 17, 2012 City Council Meeting,** as detailed in Agenda Items 8.A., 8.B., and 8.C., M&C # 05-10-12. *This agenda item will allow the City Council to consider the request of the Leon Valley Historical Society as presented at the April 17, 2012 Regular City Council Meeting.*
  - A. **Extend the Termination Date of the Lease Dated April 15, 2005 From April 15, 2015 to April 15, 2025;**
  - B. **Deed to the Leon Valley Historical Society Additional Land from the Bandera Road Frontage of the Huebner-Onion Natural Area, Not to Exceed 1/3 Acre, Adjacent to the Existing .567 acres Owned by the LVHS, to Encompass the Outbuildings; and**

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I hereby certify that the above **AMENDED** NOTICE OF PUBLIC MEETINGS AND **AMENDED** AGENDA OF THE LEON VALLEY CITY COUNCIL were posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, on May 11, 2012 by **5:00 p.m.** and remained posted until after the meetings hereby posted concluded. This notice was likewise posted on the City website at [www.leonvalleytexas.gov](http://www.leonvalleytexas.gov). This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours ahead of the meeting. To make arrangements call (210) 684-1391, Ext. 216.

  
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Janie Willman, City Secretary



MAYOR AND COUNCIL COMMUNICATION

DATE: May 15, 2012  
M&C: # 05-07-12

TO: MAYOR AND CITY COUNCIL

SUBJECT: EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE, EXECUTIVE SESSION PURSUANT TO SECTION 551.074, PERSONNEL MATTERS: TO DISCUSS AND CONDUCT AN ANNUAL PERFORMANCE EVALUATION OF CITY MANAGER MANUEL LONGORIA, JR., AS REQUIRED BY THE CITY OF LEON VALLEY'S EMPLOYMENT CONTRACT

**PURPOSE**

The City of Leon Valley employed Manuel Longoria, Jr., as its City Manager effective May 16, 2011. As required by contractual agreement, the City Council will meet in Executive Session, as authorized by the Texas Government Code, Section 551.074, Personnel Matters to discuss and conduct an annual performance evaluation of City Manager Manuel Longoria, Jr. on May 15, 2012.

Following the Executive Session, the City Council will reconvene into Open Session and will consider any possible actions resulting from the Executive Session.

**FISCAL IMPACT**

As may be authorized by the City Council.

**RECOMMENDATION**

Not applicable.

**S.E.E IMPACT STATEMENT**

***Social Equity*** – Local governments that practice transparency and due diligence as a part of their administrative and business processes establish trust and ensure best governance practices for their residents, business owners, and community stakeholders. The City Council of the City of Leon Valley in exercising its oversight management of the City's administration encourage excellence, stability, and retention of quality credentialed employees who in governance and business practices for the City of Leon Valley.

***Economic Development*** – Local governments that provide best governance and use best management practices encourage and attract quality and stable economic development in the in challenging economic times.

***Environmental Stewardship*** – The City Manager's oversight authority of the Executive Administrative Team and the entire City Workforce ensures sound environmental practices and stewardship in the City of Leon Valley and is in keeping with the City Council's published Mission and Values Statement and goals and objectives.

APPROVED: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING COMMENTS: \_\_\_\_\_

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**Executive Session Agenda Item 2.A.,B.,&C.**

ATTEST:

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Janie Willman, City Secretary

Agenda Item 3

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
APRIL 26, 2012**

The City Council of the City of Leon Valley, Texas, met on the 26<sup>th</sup> of April, 2012 at 7:00 p.m. at the Leon Valley Conference Center located at 6421 Evers Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

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**SPECIAL MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7:00 P.M.**

**1. Call the City of Leon Valley City Council Candidate Forum to Order and Determine a Quorum is Present.**

Mayor Riley called the City Council Candidate Forum to order at 7:01 p.m. with these City Council Members in attendance: Hill, Reyna, Baldrige, and Dean.

City Staff in attendance: Library Director Trent and City Secretary Willman.

**2. Welcome and Introductions.** Library Director Trent welcomed the assembly and introduced Arliss Wilson, Phyllis Ingram, and Mary Ann Kramer, of the San Antonio Area League of Women Voters.

**3. Candidate Statement.** Councilman Reyna who is unopposed made a statement and requested the voters' support.

**4. Opposed Candidate Forum.** Mayor Riley, Councilman Dean, and Mr. Al Baldrige were introduced. The candidates received and answered questions regarding City services and issues including: the construction of the Leon Valley Public Library Children's Wing Expansion, why taxpayers have to pay for Emergency Medical Services, whether the candidates are for or against the DPS Mega Center being built on Huebner Road, if mowing by Public Works is favored, whether the candidates had first hand knowledge if El Verde is in a floodplain, particularly after the new fire station is built, would the candidates favor using CPS monies for the Library Children's Wing expansion, would the candidates favor term limits, why are City Council candidates endorsing each other, why was the Library not included in the \$7 million Bond Election, do we want to have 2 members on the City Council from the same family.

The opposed candidates made closing statements.

**5. Acknowledgement and thanks to the San Antonio League of Women Voters.** Library Director Trent thanked the League for its participation and presented Ms. Wilson with a small gift of appreciation. The residents were thanked for their participation.

**6. Adjourn.** Mayor Riley made a motion to adjourn without objection at 8:02 p.m.

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Mayor Chris Riley

ATTEST:

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Janie Willman, City Secretary

Agenda Item 4

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
APRIL 28, 2012**

The City Council of the City of Leon Valley, Texas, met on the 28<sup>th</sup> of April 2012 at 9:00 a.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

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**SPECIAL MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 9:00 a.m.**

**1. Call the City of Leon Valley Special City Council Meeting to Order and Determine a Quorum is Present.**

Mayor Riley called the Special City Council Meeting to order at 9:11 a.m. with City Council Members in attendance: Hill, Baldrige, and Dean.

City Staff in attendance: City Manager Longoria, City Secretary Willman, Community Development Director Flores, Economic Development Director Mora, Finance Director Wallace, Fire Chief Irwin, and Police Chief Wallace.

Also in attendance: Capital Facilities Committee Members Olen Yarnell, Chair, Al Uvietta, and Mike Davis, Jr.

**2. Citizens to be Heard.** No citizens came forward to address the City Council.

**Town Hall Agenda**

**3. Conduct a Town Hall Meeting on the Proposed Public Safety & Support Services Facility, and Special Bond Election scheduled for May 12, 2012.** *This agenda item will allow the City Council to present information on the Proposed Public Safety & Support Services Facility and the Special Bond Election on May 12, 2012, regarding proposed improvements to the City Fire, Police, and Support Services facilities. (Yarnell, Dean, Hill, Chief Wallace, Chief Irwin, and City Manager Longoria)*

Mayor Pro Tem Dean briefed the assembly on the history of how the City Council came to consider this issue which resulted from a Town Hall Meeting in January 2011. He explained that the architect's plans are a conceptual representation only; that no final planning work has been done.

Mayor Pro Tem Dean introduced Council Member Hill who briefly detailed the work of the Capital Facilities Committee and how it came to develop a plan and recommendations that form the basis of the Bond Election to be held on May 12, 2012. She explained that the Committee cannot proceed with developing architectural plans until the Bond Election is complete. She added that the City facilities need to be ADA and HIPPA compliant.

Mayor Riley introduced City Manager Longoria. Mr. Longoria introduced Fire Chief Irwin who made a presentation on the Fire Department's challenges and needs as identified in the architect's recommendations to the Committee. Fire Chief Irwin introduced Police Chief Wallace. Police Chief Wallace made a presentation on the Police Department's challenges and needs as identified in the architect's recommendations to the Committee.

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
APRIL 28, 2012**

City Manager Longoria spoke to the flood plain situations problem with demolishing the current facilities and reconstruction in another location which would make the project cost prohibitive. He explained that it was Bexar County's idea and intent to convey the four lots not in the flood plain to the City of Leon Valley. He noted the four southern lots are not in the flood plain. The lots to be conveyed to the City of Leon Valley by Bexar County Flood Control were part of a voluntary buyout and will be the location of the new fire station if the Bond Election is successful.

Mr. Longoria explained that the average home costing \$125,000 would experience a \$5.18 per month increase if the Bond Election is successfully passed by the voters on May 12.

Mayor Riley noted that persons over the age of 65 years who have their taxes frozen would not pay any increase. Persons who don't have the over 65 exemption can apply for it through Bexar County Appraisal District.

Mr. Uvietta addressed the assembly indicating that the political advertisements printed in the Northwest Weekly were inaccurate regarding the Bond Election about the Base Flood Elevation because that information is included in the architect's recommendations and all City presentations prepared by the Capital Facilities Committee and City staff. It was also noted that there will be other kinds of mitigation actions taken by Bexar County Flood Control.

Carol Poss, 7201 Huebner Road, addressed the City Council. She expressed appreciation for the work the Capital Facilities Committee has done. She asked the City Council to answer in a professional and positive manner the allegations made by the political advertisement run in the Northwest Weekly supplement. She noted that some people may not understand that the City is required to maintain money in a Reserve Fund. Ms. Poss recommended keeping the message simple and factual.

Olen Yarnell addressed the matter of records storage being needed as well as an Emergency Operations Center that is ADA compliant.

Marty Tome, 6306 Forest Bend, indicated the presentation was very good. She indicated she is in favor of the Bond Issue and wants to see something done about what was printed in the newspaper referencing the political advertisement.

It was also noted that the City of Leon Valley is covered by the Texas Municipal League for insurance and if the City Hall Complex was in the flood plain, insurance would not be available.

Mayor Riley invited those had not taken the tour to do so.

**Agenda Item 4**

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
APRIL 28, 2012**

- 4. Adjourn.** Motion to adjourn without objection at 10:28 a.m. by Mayor Riley.

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Mayor Chris Riley

ATTEST:

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Janie Willman, City Secretary

Agenda Item 5

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
MAY 1, 2012**

The City Council of the City of Leon Valley, Texas, met on the 1<sup>st</sup> of May, 2012 at 6:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

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**SPECIAL MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 6:00 P.M.**

**1. Call the City of Leon Valley Special City Council Meeting to Order and Determine a Quorum is Present.**

Mayor Riley called the Special City Council Meeting to order at 5:54 p.m. with all City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

City Staff in attendance: City Manager Longoria, Assistant City Attorney Ruiz, City Secretary Willman, Community Development Director Flores, and Police Chief Wallace.

**2. Executive Sessions in Accordance with the Texas Government Code**

**A.** The City Council of the City of Leon Valley convened in Executive Session at 5:58 p.m. pursuant to Section 551.071(2), Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Regarding the proposed Development Agreement with Property Owner Alamo Properties, LLC, and the Specific Use Permit Case # 2012-270, with Attached Ordinance, a Request by Barry Williamson, Applicant and Property Owner, for a Specific Use Permit to Construct and Operate an "Office" Specifically a Department of Public Safety Driver's License Mega-Center Adjacent to an R-1 (Single-Family Dwelling) Zoning District," on a B-2 (Retail) Zoned Property, in the 7400 Block of Huebner Road, Being 3.4 Acres of a 5.3 Acre Tract in the Sustainability Overlay, M&C # **05-01-12**.

**B.** The City Council of the City of Leon Valley reconvened into Open Session at 7:27 p.m. extended the City Council's apology for the delay in reconvening due to the complexity of the legal issues.

**C.** Mayor Riley announced the City Council would be taking no action resulting from the Executive Session based on the legal advice from the Assistant City Attorney.

**Adjourn.** Motion to adjourn without objection at 7:27 p.m. by Mayor Riley.

Mayor Riley announced the City Council would be taking a 5 minute break as they had been in Executive Session since 6 p.m. and thanked the assembly for their patience.

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**REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7 P.M.**

**1. Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance.**

Mayor Riley called the Regular City Council Meeting to order at 7:34 p.m. with all City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
MAY 1, 2012**

City Staff in attendance: City Manager Longoria, Assistant City Attorney Ruiz, City Secretary Willman, Community Development Director Flores, Economic Development Director Mora, Fire Chief Irwin, Library Director Trent, and Police Chief Wallace.

Also in attendance were City Engineer Sia Sayyadi and Richard Mogas, A.I.A. Architect and Leon Valley Public Library Architect of Record.

Mayor Riley led the assembly in the Pledge of Allegiance.

Mayor Riley asked if the City Council had a consideration of moving an agenda item up so that the City Council could get right to the issue at hand.

Motion by Councilman Reyna and second by Councilman Bieber to suspend the regular order of business and consider Agenda Items 6 and 5, respectively, before the City Council considers the remaining Regular Agenda items and then moving back to Agenda Item 2. The motion carried on unanimous vote of the City Council. There were no votes against and no abstentions. Mayor Riley announced the motion carried.

- 6. Consider Action on Specific Use Permit Case # 2012-270, with Development Agreement and with Attached Ordinance, a Request by Barry Williamson, Applicant and Property Owner, for a Specific Use Permit to Construct and Operate an "Office" Specifically a Department of Public Safety Driver's License Mega-Center Adjacent to an R-1 (Single-Family Dwelling) Zoning District," on a B-2 (Retail) Zoned Property, in the 7400 Block of Huebner Road, Being 3.4 Acres of a 5.3 Acre Tract in the Sustainability Overlay, M&C # 05-04-12. On March 27, 2012, the Zoning Commission recommended approval of the request by a vote of 4 to 3.**

Mayor Riley introduced the agenda item. She noted that the City Council had held its public hearing on the matter on April 3 which was about 3 to 3 ½ hours in length. Mayor Riley noted that the City Council would like to hear the citizen input and indicated based on the receipt of an email from a resident requesting opportunity for the community to be heard by the City Council, persons desiring to speak would be permitted 3 minutes each based on the City Council Rules of Conduct. The City Council Rules of Conduct allow citizens wishing to address an item on the agenda that was not covered in the scheduled time to speak up to 3 minutes with the presiding officer permitting speakers to address the City Council. Mayor Riley indicated the City Council would hear anyone desiring to speak.

Mayor Riley introduced that Councilman Reyna had a motion before the citizen speakers addressed the City Council.

Councilman Reyna indicated that because of the discussions held in Executive Session and therefore based on those discussions and on the advice from the City's legal counsel that he was making a motion to postpone Agenda Item 6 subject to the call of the chair for the reasons that the City Council is unable to rule at this time for or against a Specific Use Permit by vote. The motion was seconded by Councilman Bieber. Voting Aye: Hill, Reyna, Baldrige, and Bieber. Voting Nay: None. Abstaining due to voluntary recusal: Dean. Mayor Riley announced the motion carried.

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
MAY 1, 2012**

5. **Consider Action on Development Agreement with Property Owner Alamo Properties, LLC, Regarding the Development, Construction and Use of an “Office” Specifically a Department of Public Safety Driver’s License Mega-Center in the 7400 Block of Huebner Road, Being 3.4 Acres of a 5.3 Acre Tract in the Sustainability Overlay, M&C # 05-03-12.**

Mayor Riley introduced this agenda item and invited persons interested in addressing the City Council to come to the podium.

Jonathan Godsey, 6511 Pecan Acres Drive, indicated he found it disturbing an investment company would commence construction without first filing and securing the required legal documents and permits. He noted problems with traffic, feasibility issues, and the State’s ability to impose on communities developments of this kind without regard to impact on location.

Former Mayor Meffert addressed the City Council regarding the safety of children who attend neighboring schools going to and from the park and library. She noted the loss of ambiance of Leon Valley by paving over the area with an impervious covering. She spoke to the impact of increased traffic with safety issues with teenage drivers taking driving tests. She urged the City Council to consider all the factors involved.

Paul Ottavio, 7415 Chenal Point, pointed out that the location is the most inappropriate place in Leon Valley, noting disregard for the safety and welfare of the City’s children and their families. He voiced further concerns with traffic impact on emergency service delivery, additional operating hours and the underlying infrastructure of the City’s streets to carry the traffic volumes.

Al Baldrige, 6368 Parsley Hill, noted his family’s love for Leon Valley. He indicated that he does not think the State should be able impose this kind of project on the City. He informed the assembly that he is running for City Council and indicated that he thinks the matter is being forced on Leon Valley residents.

Sharon Brimhall, 7410 High Stepper Lane, voiced concern with the negative effect on property values with increased traffic. She said this kind of facility doesn’t belong at this location and asked the City Council to vote against it.

Walter Geraghty, 7315 Ellerby Point, indicated that he and others prefer to live in a clean community. He noted he drove by the DPS Center on Babcock Road and there is debris including diapers, trash, cups, and litter. He noted an inability to get in and out of Pavona Place with increased traffic sure to come as part of the DPS office.

Ruben Robledo, 7823 Stebbins Drive, voiced concern with his 87 year old mother being able to get to the hospital in time with all the additional traffic. He indicated two neighbors in Monte Robles have been robbed in the last two weeks. He also noted that the use is not consistent with the Master Plan and property values will go down.

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Julie Lystad, 7010 Pepperwood Street, informed the City Council that she watched traffic at the corner of Huebner and Evers Roads as children crossed the street coming home from school. She indicated she saw runners, mothers and their children in strollers. She voiced dismay with the condition of the rundown condition of the licensing center on Callaghan [Babcock]. She indicated other areas for the proposed DPS Mega Center are already available on Bandera Road with amenities to support this kind of development.

Judith Lofland, 7314 Ellerby Point, noted the traffic impact makes it difficult for persons living in Pavona Place to get out of their homes. She asked about other locations on Bandera Road. She noted concerns with safety for mothers with children in strollers and asked about a traffic impact study. She voiced concern about having a detention facility in the City and asked about protection for the City's residents.

Justin Plokhooy, 7223 Poss, expressed disappointment with Councilman Reyna's motion and with Councilman Dean's refusal to speak on his stance on the project and recusal because of the upcoming election. He called the proposed DPS Mega Center a prison / detention center. He noted that the project will kill the walkability of the City and noted he is moving to Helotes.

James Walker, 6714 Thunderbird, addressed the City Council about the sales tax referendum that was recently held and the negative impact of the proposed development and loss of taxes if the State uses it. He also noted that the City has lost the Fiesta Dodge Dealership and several other business locations in Leon Valley. He indicated the property doesn't need to go in this location.

Robert Allen, 7414 Chenal Point, noted he is a teacher and bases his teachings on honesty and respect. He and his fiancée selected Leon Valley for its natural beauty and settled here after looking at many homes throughout the San Antonio area. He indicated that if the DPS Center was here when they were looking for a home, they would have never stopped [to purchase] in Leon Valley.

Brett Ballio, 245 Wilderness Oak, San Antonio, spoke in favor of Mr. Williamson's development. Mr. Ballio, part owner of the property next to the Church of Jesus Christ of Latter Day Saints, indicated that as [property] owners, he and others are afraid they will not be able to develop their property based on the residents' concerns. He indicated that Barry Williamson went over and above in trying to meet the City's standards for the development and urged the City Council's support.

Debbie Bassett, 6746 Thunderbird, noted the mess on Babcock location [the Drivers License location] and indicated she doesn't think the City of Leon Valley needs anything like that in our area. She likes the additional space in the area remaining open and as it is.

Liz Maloy, 7411 Chenal Point, indicated that Alamo Properties' bottom line will benefit from the development. She indicated the Council's bottom line is and should be the protection, health, safety, and welfare of its citizens. She predicted the day when emergency services vehicles cannot get to the surrounding area in an emergency through traffic, risking lives and property of the residents who live there because the City is afraid of a [law] suit.

## Agenda Item 5

### **CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS MAY 1, 2012**

Joe Hinojosa, 6506 Thunderbird Drive, noted his concerns with Agenda Item 5, the Development Agreement, which he indicated from his understanding is a development agreement which may have already been reached with the developer. He noted the best approach would have been to share the development agreement with the citizens so they could understand what is being proposed. He indicated he hopes the right decision is made by the City Council about what it is going to get.

Frank Rampersad, 7621 Stebbins, lives in Monte Robles and observes what has happened as traffic signs have been changed over time. He indicated that 98% of all vehicles run the stop signs as drivers go through the neighborhood. He noted that the streets are very narrow with no sidewalks and are under-designed for heavy traffic. He offered to sell his home to the project developer.

Jeton Kellogg, 6615 Fontana Point, asked if the Development Agreement had already been reached. She indicated that her husband was almost killed at the red light because drivers run that red light. She noted that the City Council and State Senator Leticia Van De Putte, Joaquin Castro, and Alamo Properties will be responsible for the demise of Leon Valley as we know it.

Assistant City Attorney Ruiz indicated the City Council could not answer the question asked about the Development Agreement.

Betty Wolfshohl, 7414 Canterfield Road, indicated she spoke at a previous hearing, and that residents heard different lease terms about the development agreement. She asked about enforcement of Route 3 for driving tests and if it would place a burden on the Leon Valley Police Department or the DPS.

Carol Poss, 7201 Huebner Road, noted that school zones are 20 miles per hour during the 7 a.m. to 9 a.m. weekday timeframe. She further noted that drivers wanting to renew their licenses will want to come before they go to work and will impact the traffic at that time of the morning. She spoke about Councilman Dean's recusal based on his having worked for the DPS as a Texas Ranger.

Sylvia Gonzales, 7020 Pepperwood Street, shared concerns about the safety for the City's children at all times. She noted that she has felt so safe especially with the Bond Election coming up and now that will be a contradiction. She asked that the City Council vote against the development.

Michael Clemenson, 6322 Bluebird Lane, stated his credentials and urged the City Council to speak to Bob Tome to see if there is an impact study that needs to be done on this [project]. He indicated that any trash, oil, etc. that is on the property will eventually wind up in Huebner Creek.

Mary Garza, 7707 Deer Lane, addressed the City Council reminding them that during her application for a business location the City was very to the point about what the City wants in Leon Valley. She continued that the DPS Mega Center snuck by the City's processes. She noted issues and concern for residential and business safety because

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
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the DPS Mega Center will be bringing strangers to our doors. She noted the persons bringing the Center don't live in Leon Valley.

There being no other speakers to address the City Council, Mayor Riley addressed a number of the speakers' concerns, primarily with traffic, the impression that this will be a detention center, and drainage issues from runoff due to the increase of concrete paving. She noted these concerns as she has been walking in various City blocks over the last three weeks, going door-to-door, and based on the speakers' comments. She indicated her hopes that the Developer has listened and that we can work together.

Mayor Riley asked Mr. Barry Williamson if Alamo Properties could meet the parameters for another location based on Senator Van De Putte's comments on television that the proposed Center could be moved based on residential opposition. Mr. Williamson indicated that the State of Texas went through a process. He informed the City Council that his firm placed a bid which was selected as the winning bid. He noted that the State determined that Alamo Properties had the best location and that despite what people have heard that moving the location would not meet the agreement conditions that Alamo Properties agreed to with the State of Texas. She asked how long the lease is that Mr. Williamson has with the State. He answered the lease is for 10 years.

Mayor Riley asked if traffic concerns would be answered this evening. Assistant City Attorney Ruiz noted that the traffic and other concerns expressed by the residents and other speakers had been expressed to the City Council in a previous meeting and discussed with Mr. Williamson.

Attorney David Earl, stepped forward, and identified himself as the attorney representing someone with interest in the partnership. He noted that with regard to flooding, the project will comply with the rules concerning the 100 year flood plain requirements; that runoff must be dealt with on the property under design conditions with the City has required as if the property didn't exist. He indicated that the clients he represents are concerned with legally complying with regulations to prevent offsite flooding or damage by flooding.

Ms. Lofland, spoke out, asking if it is true that the Development Agreement has been agreed to already. She indicated that the developer will be sued and so will the City of Leon Valley if a development agreement was entered into by the City of Leon Valley.

Council Member Hill clarified that DPS doesn't own the land and isn't developing the property.

Councilman Reyna noted that a couple of speakers said something about protecting the people, the residents, the City. He informed the assembly that during the City Council's last meeting, the Council authorized the City Manager to negotiate an agreement which was done because the City Council received advice from its City Attorney in Executive Session which identified certain potential legal issues that needed to be resolved. The legal issues are still not resolved and therefore we [the City Council] cannot explain and may never be able to explain based on legal issues. He indicated the residents will at least be able to see the result of whatever it is the City Council and City ultimately does. He explained that the issues revolve around what is the City's (the Council's authority)

## Agenda Item 5

### CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS MAY 1, 2012

regarding this decision. He continued saying there is a lot said about why isn't it [the development] here, why isn't it there? Councilman Reyna spoke to the City Council's limited authority. He noted that the legal issues were what resulted in the vote to negotiate. He continued by indicating the strongest protection that the City Council thought it could have for the City, and for its residents is in the form of a negotiated development agreement further noting that an SUP is a rather limiting device in terms of protecting the residents. He concluded his remarks by emphasizing the City Council only has so much authority, so to try to do the best that we can within the confines of the law, because we too are bound to follow the law, it is because of that I move that we authorize the City Manager to execute the negotiated development agreement, which means that it hasn't been done yet. Once the development agreement is approved and signed then it becomes public and the residents can learn what is in the development agreement.

Motion by Councilman Reyna and second by Councilman Biever to authorize the City Manager to negotiate and execute a development agreement with Alamo Properties according to the legal requirements as defined by law and delineated by the Assistant City Attorney in Executive Session.

Councilman Reyna indicated that the development agreement is not a done deal and because it is not a done deal, the details are in the process of being negotiated. To protect our City, we can't discuss those details right now. He continued noting that he knew the residents were going to be unhappy but that the City Council was doing the best it can to protect the citizens of Leon Valley. Mayor Riley clarified that the property is zoned B-2 and has been since 1968.

Assistant City Attorney Ruiz noted that the City Council is bound by State law with regard to what it can and cannot do. He indicated it is an issue of taking the citizens concerns and what the law says can and can't happen in these types of zoning situations. He continued that he cannot go into the details about the legalities or the advice given but generally it is conform to the State law about what the City Council can and cannot do. Mayor Riley asked if the facility meets the zoning of B-2. Mr. Ruiz confirmed that the facility as it has been presented and been proposed does meet the criteria to be in that zoned area. Councilman Biever called for the question.

Mayor Riley called for a roll call vote.

Council Member Hill voted yes.

Councilman Reyna voted aye.

Council Member Baldrige.voted no.

Councilman Dean abstained on the advice of legal counsel

Councilman Biever voted in favor.

Mayor Riley announced the Motion carried.

Mayor Riley asked the City Manager about the timeline for the process. City Manager Longoria indicated that the City will continue in its efforts to negotiate, to finalize and

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
MAY 1, 2012**

negotiate the agreement and indicated that he expected that to occur within the next week or so.

Councilman Biever asked what actions can be taken [in the interim] by the developer with regards to the property now that the vote has been taken. Assistant City Attorney Ruiz indicated that staff would have to confer with the developer and his attorney to see what we would be able to do with their timeline and to see what the City's timeline is. Mayor Riley thanked the residents for their participation and reiterated the Council's apology for the late [Regular Meeting] start.

2. **Taste of Leon Valley Proclamation.** Mayor Riley presented a proclamation to Community Development Director Flores proclaiming May 20 as the Taste of Leon Valley recognition and celebration day. Everyone was invited to participate in the upcoming festival. Staff briefed the City Council on some of the family-oriented activities, music, and food, available at a nominal cost, scheduled for the event.
3. **Be Kind to Animals Week Proclamation.** Mayor Riley presented a proclamation to Community Development Director Flores proclaiming May 6 – 12 as Be Kind to Animals Week in the City of Leon Valley and encouraged the care and kindness to family pets, strays, and recognized the City's animal control efforts.
4. **Update from Richard Mogas, A.I.A. Architect, on the Progress of the Design Work for the Leon Valley Public Library Children's Wing Expansion, M&C # 05-02-12.** The City Council received an update by Mr. Mogas. Mr. Mogas recognized Mrs. Carol Poss' efforts as well as expressing his appreciation for Library Director Trent's efforts over the many years to make the Children's Wing Expansion a reality.

The City Council reviewed the final design plans for the Leon Valley Public Library Children's Wing Expansion. City Manager Longoria updated the City Council on the progress of efforts to obtain grants, funding, and the money raising efforts by the Friends of the Leon Valley Public Library. Library Director Trent addressed the question of funds needed for furnishings. The City Council discussed the design work and expressed appreciation for Mr. Mogas' efforts to complete the work by the end of May 2012.

7. **Citizens to be Heard and Time for Objections to the Consent Agenda.** Olen Yarnell, 7230 Sulky Lane, addressed the City Council requesting information on the timing and staff effort that it takes to complete grants applications related to the expansion of the Leon Valley Public Library's Children's Wing, following the City Council's presentation by Richard Mogas, A.I.A. Architect. The City Council indicated their understanding was that following the completion of the design work, staff would be able to undertake grants writing in earnest. The City Manager indicated his preference to see a concerted grants writing effort. Architect Mogas stepped forward to inform the City Council that part of their contractual agreement with the City and the Friends of the Leon Valley Public Library includes packaging and assisting with the grants marketing process.

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### CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS MAY 1, 2012

#### Consent Agenda

Motion by Council Member Hill and second by Councilman Reyna to approve the Consent Agenda as presented; Agenda Items 8 through 11. The motion carried on unanimous vote of the City Council. There were no votes against and no abstentions. Mayor Riley announced the motion carried.

8. **Consider Approval of Corrected Meeting Minutes of the February 21, 2012 Leon Valley Regular City Council Meeting.** The City Council approved corrections to the previously adopted minutes of the Leon Valley Regular City Council Meeting of February 21, 2012 to include a speaker's remarks left off the Citizens to be Heard at the beginning of the City Council Meeting on page 1 and formatting changes on page 5.
9. **Consider Approval of the Meeting Minutes of the April 14, 2012 Leon Valley Special City Council Meeting.** The City Council approved the draft minutes of the Leon Valley Regular City Council Meeting of April 14, 2012.
10. **Consider Approval of the Meeting Minutes of the April 17, 2012 Leon Valley Regular City Council Meeting.** The City Council approved the draft minutes of the Leon Valley Regular City Council Meeting of April 17, 2012.
11. **Consider Action on M&C # 05-05-12, Appointing a Member to the City's Boards, Committees, and Commissions: the Stormwater Committee.** The City Council appointed Mr. John R. Hoyt to the Leon Valley Stormwater Committee.

#### Discussion Agenda

12. **Staff Presentation of Upcoming City Contracts for City Attorney Services, Engineering Services, Solid Waste Services, and any other services as may be required, and to Provide Staff with Direction, M&C # 05-06-12.** The City Council was briefed by City Manager Longoria on three key professional contractual items to be evaluated and considered by the City Council with a recommended timetable for consideration:

Engineering Services with City staff soliciting Requests for Qualifications in July, with a preference for two contracts; one for City Engineer and one for a City Water & Sewer Engineer, using an evaluation matrix structured for engineering work with recommendations to the City Council seeking a City Council decision/selection on November 6, 2012. The City Manager informed the City Council that the logic behind his recommending a reduction from the three current engineering services providers to two providers is to align the contractual dates, to facilitate engineering services management, to optimize City projects operations, and demonstrate savings where possible. It was mentioned that the RFQ will be brought to the City Council before July so the Council can review it. There was brief discussion about engineer applicants identifying their sub-team of other engineers engaged to afford small businesses contracting opportunities.

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
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Solid Waste Collection Services with two options to be considered by the City Council. The first option would be to solicit Requests for Proposals with a July submission deadline, with review and recommendation by a City Staff Committee seeking a City Council decision/selection on September 18, 2012. The second option would be to negotiate a renewal agreement with Waste Management, the City's current services provider. The benefit of Option 2 would be to negotiate the continuance of the City's current contract, which expires on December 31, 2012, and provides the lowest garbage rates to any jurisdiction in Bexar County. There was some discussion about the effect of corporate versus the local vendor personnel knowing and dealing with City staff during negotiations and limited ability to impact and affect favorable pricing opportunities. A suggestion was made to discuss the matter during the City Council's upcoming Retreat. Mayor Riley indicated a resident suggested that the same week for Spring and Fall clean-ups be done so that as an example the third week of the Spring (March) and Fall (October) months be identified as collection dates to facilitate resident preparation and identify the City by zones. It was suggested that large bags known as bagsters be used. It was also noted that the City could cut down on collection and increase the City's share of the proceeds. Mr. Longoria indicated that a decision has to allow for timing to make changes. The City Council continued its discussion and reached a consensus to try to keep the lowest rate possible through negotiation based on upcoming mandated increases and the possibility of the Bond Election proposition passing.

City Attorney Services being provided by McKamie Krueger, LLP, expires on September 30, 2012. Staff will solicit Requests for Qualifications in July, with a review process to include City Council Members and City staff. The review process would be similar to that used in selecting a new City Auditor and obtaining a new City Audit Contract, with a recommendation seeking a City Council decision/selection on September 4, 2012.

The City Council reached a consensus, following discussion points of the manner in which interviews were conducted previously and selections were made for those contracts which will be expiring in 2012. The City Council directed the City Manager to proceed as he outlined in his presentation with a preference that he continue discussions with the Solid Waste Collection Services provider to obtain pricing and improved services information. The City Council favored meeting with principles of City Attorney firms responding to Requests for Qualification.

**13. City Manager's Report. (Longoria)**

**A. Informational updates, as may be required.** Mr. Longoria noted the error in the San Antonio Express News as published by Bexar County Elections. The City Secretary explained that although Bexar County Elections was provided the corrections to the newspaper ad before it was published, when the article went to print, the wrong list was sent by Bexar County. After internal City staff discussions, it was determined to ask Bexar County to run a correction on Sunday in order that the most widely distribution of the newspaper would carry the correct information about the candidates on this year's ballot. City Secretary Willman affirmed that the Ballot Proofs were correctly prepared and so that voters coming to Early Voting will be provided with samples of the ballots with the current and correctly named candidates.

**B. City Council/City Manager Retreat/Work Session,** May 18, 2012 at 9 a.m., immediately following the Canvass of the Elections Results, at the Kinman House,

**Agenda Item 5**

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
MAY 1, 2012**

6417 Evers Road, Leon Valley, 78238. The City Manager indicated he had received a few agenda suggestions for the Council-Manager Retreat. He will update the City Council at the May 15 meeting and requested that topics to be placed on the agenda be emailed to him.

**C. Approved Minutes of City-Affiliated Boards, Committees, and Commissions.**

The City Council received an electronic copy of the Bandera Road Site Community Advisory Group Meeting Minutes of January 19, 2012.

**D. Future Agenda Items.**

Mr. Longoria informed the City Council that the Canvass of the Results of the General and Bond Elections of May 12, 2012, will be held on Friday, May 18 at 8:30 a.m. in a Special City Council Meeting at The Kinman House, located at 6417 Evers Road, Leon Valley, 78238.

Mr. Longoria briefed the City Council indicating that staff will be providing an update, including an action item at the City Council May 15 meeting and will report on the updated plan for the operation of the City's Swimming Pool for the 2012 Summer Season. He confirmed that the City's pool will be open and operational effective with the Memorial Day Weekend.

**14. Citizens to be Heard.** There were no citizens to come forward to address the City Council.

**15. Announcements by the Mayor and Council Members.**

**Community Events:**

**May 19: Annual Pet Parade, 10 a.m. – 12 Noon, Leon Valley Conference Center, 6421 Evers Road, Leon Valley, Texas 78238.**

**May 20: Taste of Leon Valley, 2 p.m. - 6 p.m., Leon Valley Community & Conference Centers, 6421 & 6427 Evers Road, Leon Valley, Texas 78238.**

**Executive Session**

**16.** The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development). There was no Executive Session conducted under this agenda item.

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS  
MAY 1, 2012**

17. **Adjourn.** Mayor Riley made a motion to adjourn without objection at 10 p.m. There being no objections or other business to come before the City Council, Mayor Riley adjourned the meeting at 10 p.m.

\_\_\_\_\_  
Mayor Chris Riley

ATTEST:

\_\_\_\_\_  
Janie Willman, City Secretary

**MAYOR AND COUNCIL COMMUNICATION**

**DATE: May 15, 2012  
M&C: # 05-08-12**

**TO: MAYOR AND CITY COUNCIL**

**SUBJECT: CONSIDER ACTION ON ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH CHANDRA WICKHAM DBA LEON VALLEY FAMILY POOL FOR THE OPERATION OF THE GRASS VALLEY POOL (CITY'S SWIMMING POOL) FOR THE 2012 SUMMER SEASON**

**PURPOSE**

The City Council has advertised for a person or company to manage the City owned pool at 6600 Strawflower, Leon Valley, Texas and to be responsible for the daily operation and safety of the members and guests as outlined in the Texas Department of Health Standards for Swimming Pools and Spas for Class "B" Swimming Pools and Class "D" Wading Pools.

The City Council desires to authorize the City Manager to execute the AGREEMENT with Chandra Wickham DBA The Leon Valley Family Pool for a term of one year with the right to renew the Agreement for additional term of two years by giving the City notice in writing at least sixty days (60) before expiration of the original term

**FISCAL IMPACT AND RECOMMENDATION**

To authorize, with the adoption of the attached ordinance, the City Manager to execute the Agreement documents for the 2012 Swim Season to Chandra Wickham DBA The Leon Valley Family Pool for the sum of \$2,000.00 for the initial swim season in Fiscal Year 2012 only.

**S.E.E Statement**

Social- This effort impacts the availability of a community recreational facility for residents of Leon Valley.

Economic – This activity has minimal economic impact.

Environmental- This activity has little or no environmental impact.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS: \_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Janie Willman, City Secretary

**AN ORDINANCE**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH CHANDRA MARTINA WICKHAM DBA THE LEON VALLEY POOL TO OPERATE THE CITY OWNED POOL AT 6600 STRAWFLOWER LEON VALLEY TEXAS FOR THE 2012 SWIM SEASON.

**WHEREAS**, The City Council has advertised for a person or company to manage the City owned pool at 6600 Strawflower, Leon Valley, Texas and to be responsible for the daily operation and safety of the members and guests as outlined in the Texas Department of Health Standards for Swimming Pools and Spas for Class “B” Swimming Pools and Class “D” Wading Pools.

**WHEREAS**, the City Council desires to authorize the City Manager execute the AGREEMENT with Chandra Wickham DBA The Leon Valley Family Pool for a term of one year with the right to renew the Agreement for additional term of two years by giving the City notice in writing at least sixty days (60) before expiration of the original term.

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

1. To hereby authorize the City Manager to execute the Agreement documents for the 2012 Swim Season with Chandra Wickham DBA The Leon Valley Family Pool for the sum of \$2,000.00 for the initial swim season only.
2. That this authorization granted to the City Manager is hereby effective as of the date of adoption of this Ordinance and the compliance by the operator of all conditions required by state law and the City of Leon Valley City Council.

PASSED and APPROVED this the 15<sup>th</sup> day of May, 2012.

\_\_\_\_\_  
Chris Riley, Mayor

ATTEST:

\_\_\_\_\_  
Janie Willman, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**AGREEMENT TO OPERATE THE CITY OF LEON VALLEY POOL**  
**Grass Valley Pool**  
**6600 Strawflower**  
**Leon Valley, Texas 78238**

This Agreement is entered into on the 16<sup>th</sup> day of May 2012, between the City of Leon Valley (hereinafter referred to as City) and the Leon Valley Family Pool, (hereinafter referred to as Contractor), to operate the City's pool (Grass Valley Pool) located at 6600 Strawflower, Leon Valley, Texas for the 2012 swim season. The City will pay the Contractor \$2,000 to operate the City Pool for the 2012 swim season only.

Before this Agreement can be executed the following must be received from the Contractor:

- (1) Certificate of Assumed Name, properly recorded;
- (2) Certificate of a Certified Pool Operator; and a
- (3) Copy of required insurance as identified in the agreement.

In consideration of the mutual covenants herein contained the parties agree as follows:

**1. TERMS**

The term of this Agreement shall be one (1) year from May 16, 2012 through May 16, 2013. Contractor will have the right to renew this agreement for one additional term of two (2) years by giving City notice in writing at least sixty (60) days before the expiration of the original term.

**2. MEMBERSHIP**

Contractor shall provide swimming and recreation, on a membership and daily attendance basis, for residents of City and other area residents up to a maximum number of member and member families that can be reasonably accommodated. Membership shall be open to all residents of the area. The number of available memberships will be set by the Contractor. They may be changed by the Contractor from time to time based on requirements of operation.

**3. CERTIFICATION OF NON-DISCRIMINATION**

- a. Contractor agrees to comply with the Federal Civil Rights Law and the Americans with Disabilities Act, agreeing to non-discrimination based on race, age, color, religion disability, gender, ancestry, national origin, or place of birth in employment practices, programs and services. These practices, programs, and services shall include, but limited to, the following: employment, upgrading demotion or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or

other compensation; and selection for training, including apprenticeship.

- b.** Contractor shall in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, age, color, religion, disability, gender, ancestry, national origin, or place of birth.
- c.** Contractor agrees to accommodate all disabled persons as defined under the Americans with Disabilities Act, in accordance with that act, including but not limited to, providing an adequate number of personnel to lift a disabled person into the pool, or a power lift permanently installed on location. Any additional personnel required will be on location at all times the pool is in operation.
- d.** Upon request by the City, Contractor shall furnish all information or reports required to investigate his/her payrolls and personnel records that pertain to current contracts with the City for purposes of ascertaining compliance with this non - discrimination certification.

#### **4. INDEPENDENT STATUS**

Contractor agrees that in its performance of this agreement, Contractor is acting as an independent agent and is responsible as such for compliance with all laws and regulations including those pertaining to workers compensation.

#### **5. MEMBERSHIP FEES**

Contractor shall also set the membership fees for use of the property. Said fees shall be reasonable, fair and competitive with like clubs in the local area.

#### **6. MAINTENANCE – CONTRACTOR**

Except as provided for herein, during the swimming season, Contractor will be responsible for the maintenance of the grounds of the property leased hereby both inside and outside the fenced pool area. Contractor will be fully responsible for all operational costs during the term of this lease. Contractor will assume full responsibility for operation of the swimming pool and all other facilities on this property during the term hereof. Contractor will provide insect and pest control as needed. Contractor will be responsible for security and safety of the facilities.

During the swim season, in addition to the above provisions, Contractor shall be responsible for:

- a.** Mowing of all grounds inside and outside the fenced pool area including the area

between parking lot and Peach Tree Drive.

- b.** Maintain and repair of the circulation pump and filters, recirculation piping and electrical systems.
- c.** Contractor agrees to maintain the property site in all respects not specifically addressed herein as being the responsibility of the City.
- d.** Operation of the pool in accordance with the rules of the Texas Department of Health.
- e.** City owned vacant lot adjacent to the pool may be used by the Contractor for overflow parking during large events.

**7. MAINTENANCE-CITY**

During the term of this agreement, City agrees to:

- a.** Maintain the underground potable water piping system up to the pool fill nozzle and to maintain the underground potable, on-site water lines.
- b.** Maintain the sanitary sewer service lines within the facility.
- c.** Install and maintain a proper main electrical service line to the service meter at the site and the underground electrical and pool lights to the extent funds are available.
- d.** Maintain the paved parking areas of the facility and maintenance of the fencing around the facility. Contractor shall be responsible for securing of the site during the time the pool is in use.
- e.** Maintain the structural elements of the pool to the extent funds are available.
- f.** Provide the following services or materials:
  - 1.** Provide paint supplies needed for proper annual maintenance of the pool and other facilities for application by Contractor.
  - 2.** Provide rental pool cleaning equipment and, as available, manpower to operate the equipment during the annual startup effort.
  - 3.** Provide termite control.

4. Pay all electrical and water and sanitary sewer charges.
5. Operate and maintain the facilities during the off-season.

**8. ANNUAL START UP ASSISTANCE**

Contractor agrees to provide a list of further start-up projects that are not covered by this agreement by January 1 each year. The City Manager will determine whether or not such projects are beneficial to the property itself, and at his discretion, order any such projects to be performed. If such projects are performed, Contractor agrees to be firmly bound to reimburse City for costs of any and all such approved projects by August 15, of the same year. The City is not obligated to assist with any of said projects.

**9. UTILITIES**

City will execute water and sanitary sewer service agreements and thereafter is responsible for payment of the monthly charges for such utilities. City will pay all electrical cost for use of the facilities.

**10. INDEMNIFICATION/INSURANCE**

Contractor agrees to indemnify and hold harmless City from any and all legal actions currently pending or hereinafter arising from the use or misuse of the property or grounds covered herein. Contractor further agrees to provide both liability and premises insurance for the premises leased hereby and for all activities conducted thereon by Contractor. Such insurance shall additionally cover and protect City from all liability within policy limits for claims and suits arising out of the use of such premises and the activities conducted thereon by Contractor. Such liability insurance shall be in an amount of \$1,000,000.00 general liability combined single limit. The city will be named as an additional insured on all insurance policies. Contractor will furnish City a copy of the insurance certificate indicating coverage is in force which certificate shall include a 30 day notice to City prior to expiration or cancellation of the policy. City shall be named loss payable on such policy.

**11. USE OF SURPLUS REVENUE**

Contractor will use any revenues generated over and above operating costs for the improvement of the premises herein leased. In the event of termination of this agreement by either party as outlined in this agreement, any surplus funds identified in the financial report will be forfeited to the City.

**12. FINANCIAL RECORDS**

All financial books and records that pertain to the operation of the pool, with respect to this property and any and all of the activities conducted thereon, shall be available to City and any of its designated officials or agents upon reasonable notice in writing. An annual report of financial condition will be provided to the City not later than September 30th each year.

**13. ENTRY**

City retains the right to enter upon and inspect such premises at any time to confirm compliance with this agreement.

**14. TERMINATION**

Either party may be allowed to terminate this contract for any reason, by giving the other party hereto at least sixty (60) days written notice of termination.

**15. LOCATION**

The property is known as the "Grass Valley Swimming Pool" located at 6600 Strawflower Street, Leon Valley, Texas. The property is more fully described by the legal description contained in a deed under which the City of Leon Valley holds the title to said property.

IN WITNESS WHEREOF, the parties have duly executed this agreement as of the day and year first above written.

LEON VALLEY FAMILY POOL

CITY OF LEON VALLEY, TEXAS

\_\_\_\_\_  
President

\_\_\_\_\_  
Manuel Longoria, Jr., City Manager



# **LEON VALLEY FAMILY POOL AGREEMENT**

May 15, 2012  
City Council Meeting



# LEON VALLEY FAMILY POOL AGREEMENT

## BACKGROUND

The City Council has advertised for a person or company to manage the City owned pool at 6600 Strawflower, Leon Valley Texas and to be responsible for the daily operation and safety of the members and guests as outlined in the Texas Department of Health Standards for Swimming Pools and Spas for Class “B” Swimming Pools and Class “D” Wading Pools.



# LEON VALLEY FAMILY POOL AGREEMENT

## PURPOSE

The City Council desires to authorize the City Manager to execute the AGREEMENT with Chandra Wickham DBA The Leon Valley Family Pool for a term of one year with the right to renew the Agreement for additional term of two years by giving the City notice in writing at least sixty days (60) before expiration of the original term



# LEON VALLEY FAMILY POOL AGREEMENT

## FISCAL IMPACT & RECOMMENDATION

To authorize, with the adoption of the attached ordinance, the City Manager to execute the Agreement documents for the 2012 Swim Season to Chandra Wickham DBA The Leon Valley Family Pool for the sum of \$2,000.00 for the initial swim season in Fiscal Year 2012 only



# **LEON VALLEY FAMILY POOL AGREEMENT**

May 15, 2012  
City Council Meeting

Agenda Item 7

**MAYOR AND COUNCIL COMMUNICATION**

**DATE: May 15, 2012  
M&C: # 05-09-12**

**TO: MAYOR AND CITY COUNCIL**

**SUBJECT: CONSIDER ACTION ON ORDINANCE AWARDING THE BID RECEIVED FOR THE 2012 SANITARY AND SEWER IMPROVEMENT PROJECT TO M & C FONSECA CONSTRUCTION CO., INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE BID AWARD DOCUMENTS IN THE AMOUNT OF \$303,045.10 AND AUTHORIZING UP TO 25 PERCENT INCREASE, AS PERMITTED BY LAW, AND FOUND TO BE NECESSARY.**

**PURPOSE**

The City has received bids for the 2012 Water and Sanitary Sewer Improvement project. The bid opening was held on April 24, 2012 and four bids were received. The bid from M&C Fonseca is \$303,045.10.

This project involves the following work: replacing an 8” water line on Walking Gait, installation of shut off valves on nine fire hydrants, replacement of thirteen water valves and sewer spot repair on Forest Grove.

**FISCAL IMPACT**

Funding for this project is included in the current 2012 budget in the amount of \$325,000 under the enterprise program. The bid of \$303,045.10 is below the budget and staff recommends approval.

**S.E.E Statement**

Social- this effort does not impact social equity

Economic – This activity extends the life of the existing infrastructure.

Environmental- By replacing concrete pipe the life of the sewer is extended and the installation of water main loops helps to equalize water pressure in the system and removes dead ends that cause increased maintenance.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS: \_\_\_\_\_

\_\_\_\_\_

ATTEST:

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Janie Willman, City Secretary

# BID #2012-02 - SANITARY SEWER & WATER PROJECTS

April 24, 2012

## SUMMARY

| <u>Contractor</u>        | <u>Water</u> | <u>Sewer</u> | <u>Total</u> |
|--------------------------|--------------|--------------|--------------|
| M&C Fonseca              | \$271,087.10 | \$31,958.00  | \$303,045.10 |
| San Antonio Constructors | \$286,510.35 | \$27,857.70  | \$314,368.05 |
| Pronto Sand Blasting     | \$318,303.00 | \$31,456.00  | \$349,759.00 |
| Bartek                   | \$402,425.00 | \$34,446.00  | \$436,871.00 |



# 2012 Water & Sanitary Sewer Improvement Project

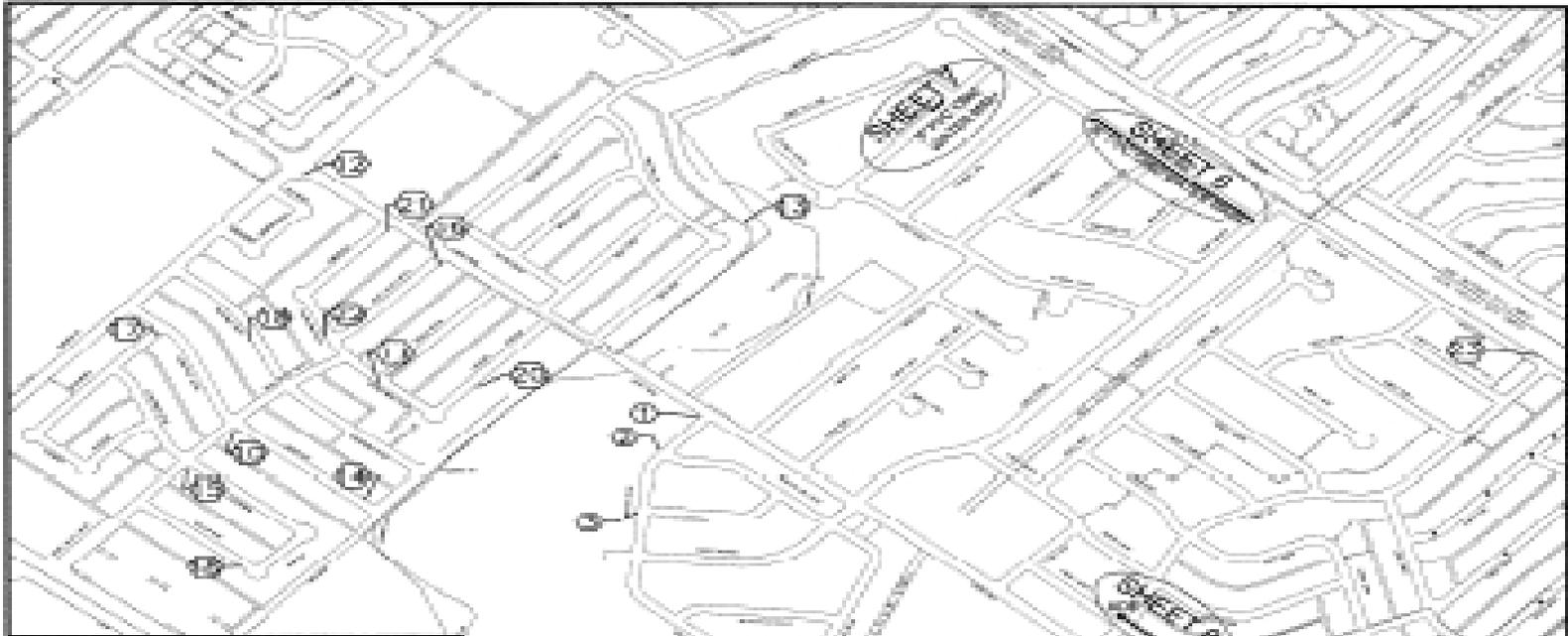
May 15, 2012  
City Council Meeting



# 2012 Water and Sanitary Sewer Improvement Project

## PURPOSE

The City has received bids for the 2012 Water and Sanitary Sewer Improvement project. The bid opening was held on April 24, 2012 and four bids were received.



**KEYED NOTES (THIS SHEET)**

|   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |





# 2012 Water and Sanitary Sewer Improvement Project

BID #2012-02 - SANITARY SEWER & WATER PROJECTS

April 24, 2012

## SUMMARY

| <b>Contractor</b>          | <b>Water</b> | <b>Sewer</b> | <b>Total</b> |
|----------------------------|--------------|--------------|--------------|
| • M&C Fonseca              | \$271,087.10 | \$31,958.00  | \$303,045.10 |
| • San Antonio Constructors | \$286,510.35 | \$27,857.70  | \$314,368.05 |
| • Pronto Sand Blasting     | \$318,303.00 | \$31,456.00  | \$349,759.00 |
| • Bartek                   | \$402,425.00 | \$34,446.00  | \$436,871.00 |



# 2012 Water and Sanitary Sewer Improvement Project

## Recommendation

The bid from M&C Fonseca is \$303,045.10. Staff and Steve Cady, P.E., reviewed the bids and references. The recommendation is to authorize, with the adoption of the attached ordinance, the bid award to M&C Fonseca in the amount of \$303,045.10 and authorize the City Manager to execute the bid award documents in the amount of \$303,045.10 and up to 25 percent increase, as permitted by law, and found to be necessary



# 2012 Water & Sanitary Sewer Improvement Project

May 15, 2012  
City Council Meeting

**MAYOR AND COUNCIL COMMUNICATION**

**DATE: May 15, 2012  
M&C: # 05-10-12**

**TO: MAYOR AND CITY COUNCIL**

**SUBJECT: DISCUSS, CONSIDER ACTION, AND PROVIDE DIRECTION TO CITY STAFF ON THE LEON VALLEY HISTORICAL SOCIETY'S (LVHS) REQUESTS PRESENTED AT THE APRIL 17, 2012 CITY COUNCIL MEETING, AS DETAILED IN AGENDA ITEM 8.A., 8.B., AND 8.C.**

**PURPOSE**

The Leon Valley City Council received an Annual Report by the Leon Valley Historical Society (LVHS) at its April 17, 2012 Regular City Council Meeting in keeping with its Lease Agreement. The LVHS made a formal request for consideration by the City Council, to-wit:

- A. Extend the Termination Date of the Lease Dated April 15, 2005 from April 15, 2015 to April 15, 2025;
- B. Deed to the Leon Valley Historical Society Additional Land from the Bandera Road Frontage of the Huebner-Onion Natural Area, Not to Exceed 1/3 Acre, Adjacent to the Existing .567 Acres Owned by the LVHS, to Encompass the Outbuildings; and
- C. Award of a \$2,400 Matching Grant to the LVHS for Payment of a Portion of Architectural Costs and Staff Fees Associated with Fulfilling Best Practices Requirements for the Dismantling of the Collapsed Farm Shed on Bandera Road Frontage.

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 agenda item as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property).

**FISCAL IMPACT**

As may be authorized by the City Council.

**RECOMMENDATION**

Not applicable.

**S.E.E IMPACT STATEMENT**

***Social Equity*** – Local governments that practice transparency and due diligence as a part of their administrative and governance practices ensure optimal Social Equity and services for their residents, business owners, and community stakeholders. The Historic Huebner-Onion Homestead and the Natural Area are considered among Leon Valley's cultural and historical amenities provided to the City's citizens, businesses, and community stakeholders.

***Economic Development*** – Local governments that provide cultural and historical amenities attract and retain quality Economic Development.

***Environmental Stewardship*** – The City of Leon Valley has, in its mission and value statements, a commitment to Environmental Stewardship. Environmentally stabilizing the Historic Huebner-Onion Homestead and the Natural Area along Bandera Road demonstrates the City Council's commitment to Environmental Stewardship and ensures this Leon Valley cultural and historical amenity for perpetuity.

**Agenda Item 8.A., B., & C.**

APPROVED: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING COMMENTS: \_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Janie Willman, City Secretary



*Dedicated to preserving our history and heritage through education and research*

April 11, 2012

**Board of Directors**

Darby Riley  
*President*

Irene Baldrige  
*Vice President*

Pam Weatherford  
*Recording Secretary*

Mark Eisenhower  
*Corresponding Secretary*

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*Treasurer*

Carol Poss  
*Memorial Trust Officer*

Shirley Owen  
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John Gaines

Frank Onion

Joyce Dorrycott

Bonnie Ellison

Cindy Smith

Honorable Chris Riley  
Mayor  
City of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238-2399

Hon. Kathy Hill  
Council Place 1  
City of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238-2399

Hon. Arthur Reyna  
Council Place 2  
City of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238-2399

Hon. Irene Baldrige  
Council Place 3  
City of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238-2399

Hon. Jack Dean  
Council Place 4  
City of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238-2399

Hon. Paul K. Biever  
Council Place 5  
City of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238-2399

Hon. Manuel Longoria, Jr.  
City Manager  
City of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238-2399

Dear Mayor Riley, Members of the City Council and City Manager Longoria:

In 2000, at the request of the City of Leon Valley, the Leon Valley Historical Society ("LVHS") accepted the deed to the historic Huebner-Onion Homestead, on .58 acres, from InTown Suites, as part of the transaction by which the City purchased the rest of the 36-acre Huebner-Onion property. The idea was that it made more sense for a volunteer non-profit, like the LVHS, which had worked hard to save the historic building and the land, to restore the Homestead, than for the City to do so.

Honorable Chris Riley  
Hon. Kathy Hill  
Hon. Arthur Reyna  
Hon. Irene Baldrige  
Hon. Jack Dean  
Hon. Paul K. Biever  
Hon. Manuel Longoria, Jr.  
April 11, 2012  
Page 2

In 2005, the city council approved a 10-year, \$1.00 a year lease to LVHS of the 36-acre tract. Since then, LVHS has maintained the property as an increasingly popular Natural Area and wildlife refuge, open to the public 7 days a week, at virtually no cost to the City. In accordance with the lease, LVHS has created and maintained a simple primitive trail on the perimeter of the property. Moreover, LVHS has continuously maintained liability insurance on the Natural Area, and has provided annual reports on its activities, including surveys of wildlife, gathering of archeological and historical artifacts and fossils, and conducting numerous volunteer cleanups of the acreage. We have also regularly provided historical/nature tours for scouts and others, and this educational effort has tremendous potential for expansion. We have participated in several Volksmarches and last year sponsored a 5k run/walk through the Natural Area. We are grateful for the City's continued confidence in entrusting the Natural Area to us.

We are in the process of developing the Master Plan for the Homestead restoration through two of the top historical architects in the state, Carolyn Petersen of Ford, Powell & Carson, and Sue Ann Pemberton of Mainstreet Architects. The Master Plan should be completed in the next few months. We will then embark on a capital campaign to raise the funds for restoration, using the Master Plan to persuade major donors to support us.

As all Leon Valley's city planners and consultants have recognized over the last 15 years, the Huebner-Onion complex is an important community asset, with its combination of preserved history and preserved nature in a densely developed urban area. The uniqueness of the site is in the combination. The restored 1862 Homestead, without the beautiful one mile nature trail, and the Joseph Huebner gravesite, would not be nearly as attractive to visitors as would the Homestead with the land. It makes sense to keep the original Huebner-Onion Homestead property together as a unit, so that it can become the important community history and nature center which the citizens envisioned years ago.

The ongoing partnership between the LVHS and the City with respect to the completion of the Huebner-Onion complex also makes sense for both parties. The City benefits because the 501(c)(3) non-profit can raise funds which the City cannot, and can gather the necessary volunteers and experts which the City is not equipped to assemble. LVHS benefits because the City's support is very important to induce donors to provide the funds; and because, as recognized by the lease, sometimes the help of the City's Public Works Department is needed to

Honorable Chris Riley  
Hon. Kathy Hill  
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Hon. Paul K. Bieber  
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repair a trail, and sometimes the help of the Leon Valley police force is needed to help visitors cross Bandera Road to visit the site for events.

This is to request the continuation of that successful partnership in several specific and immediate ways:

1. Extension of 10-year lease to 2025. LVHS requests a 10-year extension on its lease, which currently expires in 2015 (copy attached at Tab 1). This will enable LVHS to show the City's continued support for the history/nature educational center concept to major donors. LVHS and its architects believe this expression of confidence and cooperation by the City will greatly strengthen our hand in the upcoming capital campaign for Homestead restoration.

2. Beautification of Bandera Road frontage portion of Natural Area.

a. Deed of additional ½ acre. LVHS requests that the City deed to it an estimated ½ acre of the Bandera Road frontage adjacent to the Homestead (boundaries to be surveyed) which will unite the farm outbuildings/sheds with the other buildings on the Homestead property. *See* attached plat with estimated boundary (Tab 2). We would then work for installation of a new fence to encompass the enlarged boundary.

b. Request for help with architectural fees. We have cleared out the fallen or collapsed farm shed on the Bandera Road frontage at the City's request and we will continue to cooperate with the City in beautifying the frontage for visitors. The City has paid half the \$1,500 contractor cost of dismantling the shed and storing it for later reconstruction.

However, before dismantling we were compelled to take our architects' advice that we should follow best practices by documenting the location and construction of the dismantled shed, consistent with the Secretary of the Interior's standards for historic preservation.

Attached is a copy of the architectural report on the shed structure (Tab 4). This thorough and professional job will help LVHS when we begin the restoration fundraising. Although Sue Ann Pemberton generously donated her time for this report,

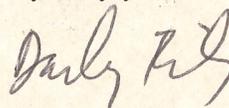
Honorable Chris Riley  
Hon. Kathy Hill  
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Hon. Manuel Longoria, Jr.  
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her staff time resulted in a charge of \$4,803.75 (Tab 3). We request the City share one-half of this total, amounting to \$2,400.00. Support from the City for one-half the cost of this report will be greatly appreciated and of great assistance to LVHS. This report was an unplanned but necessary expense outside the \$67,000 the LVHS has set aside for the historic site assessment and Master Plan. If the City disburses the \$2,400.00 amount we request, the LVHS will turn to the San Antonio Conservation Society ("SACS") for a matching grant in the amount of \$2,400.00 to cover the other one-half of the invoice. We are confident that the SACS will look favorably on a public-private partnership between the City and the LVHS and grant the balance needed, based upon our longstanding history of generous but occasional support from SACS.

3. Co-operation on Founders Day Celebrations. LVHS requests staff and other help from the City, as partners in the Founders Day celebrations, scheduled for Friday, October 19, 2012 (annual fundraising dinner for the LVHS at the Community Center) and Saturday, October 20, 2012 (3:00-8:00 p.m. festival in the park and conference center grounds). The planning committee, which includes council members Baldrige and Hill, is trying to make this celebration of the sesquicentennial (150th anniversary) of the Homestead, and the diamond (60th) anniversary of the City's incorporation into a very big event.

Please feel free to call me at (210) 225-7236 or (210) 681-5889 if you have any questions or if you wish to discuss any aspect of these requests. Thank you for your consideration.

Very truly yours,



Darby Riley  
President

DR/me  
Attachments

## MAYOR AND COUNCIL COMMUNICATION

DATE: March 1, 2005  
M&C #05-03-01

**TO:** MAYOR AND CITY COUNCIL

**SUBJECT:** CONSIDERATION OF A LEASE AGREEMENT WITH THE HISTORICAL SOCIETY OF LEON VALLEY (HSLV)

### **PURPOSE**

Consideration of a lease agreement between the City of Leon Valley and the Historical Society of Leon Valley (HSLV) to lease the City owned 36 acre Bandera Road property. The President of the HSLV has requested that the attached lease agreement be presented to the City Council at the meeting of March 1, 2005 for consideration.

A lease agreement was presented by the HSLV for Council consideration in September of 2004 however, a decision on the proposed agreement was delayed because there were too many unresolved issues. At that meeting, staff was directed by the Council to develop a workable lease agreement that would be acceptable to the parties. Council also asked that opinions and comments from the Park Commission be solicited regarding the lease agreement. Because the goal of developing a workable lease agreement has been accomplished, no other alternative use of the property is presented.

Staff has recently delivered a copy of the proposed lease agreement to the Park Commission members. The City Attorney has been sent a copy via facsimile and he will be in attendance at the meeting. Our liability insurance provider, the Texas Municipal League (TML) was sent a copy via facsimile as well. Staff does not anticipate any objections to the lease agreement from TML. The only outstanding item at this time is formal action by the Park Commission.

Attached for the Council's review is a outline summary of the actions and/or discussions which have taken place with regard to the property since it was purchased in June of 2000.

### **FINANCING**

None.

### **ALTERNATIVES**

- A. Approve the lease agreement as presented by the HSLV.
- B. Remand the lease agreement to the City Park Commission for review and recommendations for consideration by the City Council at a future date.
- C. Other.

**RECOMMENDATION**

Alternatives A or B could be approved.

APPROVE:   C  

DISAPPROVE: \_\_\_\_\_

APPROVED WITH THE FOLLOWING COMMENTS: Approve the agreement

as printed with the addition that the  
ATTEST: HSLV will be responsible for mowing  
M. Ferry the property & that the property  
will remain as printed  
as possible with marked  
trails surrounding the  
perimeter of the property.

**LEASE AGREEMENT**

**THE STATE OF TEXAS §**

**KNOW ALL MEN BY THESE PRESENTS**

**COUNTY OF BEXAR §**

This LEASE AGREEMENT (the "Lease") is made this the <sup>APRIL</sup> 15<sup>th</sup> day of ~~March~~, 2005, between the CITY OF LEON VALLEY, (the "Lessor") whose address is 6400 El Verde, Leon Valley, Texas 78238, and the HISTORICAL SOCIETY OF LEON VALLEY (the "Lessee"), a non-profit corporation incorporated under the laws of the State of Texas, whose address is P.O. Box 380644, San Antonio, Texas 78268-7644.

**WITNESSETH**, that the Lessor does by these presents LEASE and DEMISE unto the Lessee, that tract of land consisting of about thirty seven acres identified as Lot 8 of the amended Intown Suites Bandera Road subdivision as recorded in volume 9545, page 119-122 of the Deed and Plat Records of Bexar County (the "**PROPERTY**").

This lease shall contain the following terms:

1. **INITIAL TERM** -This lease shall be for an initial term of 10 years beginning on the day both parties have agreed to execute the document as shown on the signatory page of this lease.
2. **PAYMENTS** - Payment for the initial term of the lease shall consist of \$10.00 and other good and valuable services provided by the Lessee to Lessor in execution of conditions and purposes.
3. **RENEWALS** - At least ninety days prior to expiration of the initial or subsequent renewal term of the lease, Lessee may request that Lessor extend the lease for an additional term. Said option may only be exercised by written request of Lessee's authorized representative to Lessor. Said request must be received not less than ninety (90) days prior to expiration of the term.
4. **BURDENS ON PROPERTY** - Upon termination or expiration of any lease term, Lessee shall deliver the **PROPERTY** to Lessor free and clear of legal or financial liens, burdens or obligations that may have been incurred by Lessee during the term of the lease.
5. **PURPOSES** -The **PROPERTY** shall be used solely to accomplish the mission of the Lessee, that is to provide a nature center and promote conservation of natural resources through education and conservation management activities as set forth in the Huebner Creek Natural Area/Huebner-Onion Homestead Master Plan included herein.
6. **LEASE INTENTION** - The lease is intended to assist in furthering the cause of restoration of the Huebner/Onion house as a historical monument and in furthering the management of the natural area as an important public, cultural, and natural resource to further the other goals as stated in paragraph five above. Lessee shall provide regular reports describing progress in this regard and must matriculate toward this goal.

7. **SUBLEASES** - Lessee shall not sublet the **PROPERTY**, or any part thereof, to any person or persons whatsoever, without prior written authorization from the Lessor. Any such attempt to sublet shall be considered Null and Void and a violation of the terms of this agreement.
8. **USE FEES** - Lessee shall not be entitled to charge use fees to the public for use of the **PROPERTY**. Donations may be collected however to further the purposes of this Lease. Nothing in this agreement prohibits the Lessee from charging fees for access or use of other properties owned by Lessee.
9. **OWNERSHIP** - Upon termination or expiration of the Lease, improvements remaining on the **PROPERTY** shall remain with the **PROPERTY** and shall thereafter belong to Lessor. Personal property remaining on the **PROPERTY** upon expiration or termination of the Lease shall become the property of the Lessor.
10. **LIABILITY INSURANCE** - Lessee shall maintain liability insurance on the **PROPERTY** in the amounts and type required by the City for the protection of the City as follows:
  - a. The Lessee shall bear, at its own expense, general liability insurance in the amount of five hundred thousand dollars (\$500,000). From time to time, the Lessor may require the lessee to maintain a greater or lesser amount of such insurance coverage or to carry another type of insurance coverage. In such event, the lessor shall provide the lessee with written notice of any change in the required insurance coverage; the Lessee shall obtain such coverage within thirty (30) days of its receipt of such notice from the Lessor.
  - b. Any and all insurance required hereunder shall name the Lessor as a co-loss payee and additional insured. In addition, the Lessee shall provide the Lessor with a copy of each insurance policy required hereunder along with proof that all premiums for each such policy or policies shall have been paid by the Lessee.
  - c. The Lessor shall not be liable to Lessee's employees, agents, invitees, licensees or visitors, or to any other person, for any injury to such person or damage to property on or about the Premises caused by the negligence or misconduct of lessee, its agents, servants, or employees, or of any other person entering upon the Premises or property under the express or implied invitation of the Lessee.
11. **INDEMNIFICATION** - The Lessor shall not be liable to Lessee's employees, agents, invitees, licensees, or visitors, or to any other person, for any injury to such person or damage to property on or about the **PROPERTY** caused by the negligence or misconduct of lessee, its agents, servants or employees, or of any other person entering upon the **PROPERTY** under the express or implied invitation of the Lessee or caused by structures, buildings signs, additions, improvements, displays and other items becoming out of repair, or the failure or cessation of any service provided by Lessor. The Lessee agrees to **INDEMNIFY AND HOLD HARMLESS** the Lessor of and from any loss, expense or claim arising out of any such damage or injury, including the Lessor's reasonable attorneys' fees incurred thereby.
12. **SECURITY and SAFETY** - At all times of the lease, Lessee shall be fully responsible for the security and safety of visitors to the **PROPERTY**. Lessor will not be expected to provide on site security services for the site but may do so in agreement with Lessee. At such time as the

City of Leon Valley or Lessee determines that the **PROPERTY** must be closed, Lessee shall close the **PROPERTY** and/or evacuate the area.

13. **WAGES AND INSURANCE** - Lessee shall be fully responsible for its employees, including meeting all state and federal requirements for minimum wage, income tax withholding, workers compensation, insurance, and all city, state and federal requirements governing employer/employee relations. Lessee hereby certifies to Lessor that it shall be and is in compliance with all such regulations, laws and requirements. Failure to comply with this clause shall constitute a default on the part of Lessee and shall entitle Lessor to immediately terminate the Lease and take possession of the **PROPERTY**.
14. **REPORTS** - On May 1 of each year, beginning in 2006, Lessee shall produce to Lessor an annual activity report to include:
  - a. Type and number of programs and activities previously held and attendance at such;
  - b. List of any physical developments made during the year;
  - c. Proposed programs and activities for next 12 months;
  - d. Annual budget for the Lessee, and any and all such information as may be requested by the Lessor no later than thirty (30) days prior to May 1 of each year.
15. **PROPERTY ACCESS** - Lessor shall have free and full access to the **PROPERTY** at all times. The general public shall have free access to the **PROPERTY** during daylight hours. Lessee may limit public access to the **PROPERTY** only when facilities and grounds on the **PROPERTY** are not safe, or when such access would cause damage to the **PROPERTY** or programs conducted by the Lessee. Lessee shall properly post all limitations.
16. **UTILITIES** - The cost of all utility usage for Lessee shall be borne by Lessee.
17. **COMPLIANCE** - Lessee shall comply with all Ordinances of the City of Leon Valley, including Flood Plain Management Regulations.
18. **TERMINATION** - Upon the Lessee's breach of any covenant set forth in this Lease, upon written notice of such violation or breach, and upon the failure of the Lessee to remedy such violation or breach within a reasonable period of time not to exceed thirty (30) days, Lessor or its agents or assigns shall:
  - a. Have the option to terminate the leases by giving written notice to Lessee and thereafter take possession of the **PROPERTY** without being liable for any claim of damages; and/or
  - b. To seek other remedies at law or in equity, including, but not limited to the filing of a lawsuit for monetary damages sustained by the Lessor occasioned by the Lessee's breach of this Lease; and/or
  - c. To prosecute the Lessee for any violation by the Lessee or its employees, agents, invitees, licensees, and or visitors of any ordinance, regulation or statute of any governmental authority.
19. **VENUE** - The laws of the State of Texas shall govern the construction and validity of this Lease. Venue for any legal action commenced hereunder shall be in a court of appropriate jurisdiction in Bexar County, Texas.

20. **SEVERABILITY** - In the event any portion of this Lease is deemed illegal, invalid or unenforceable, then the remainder of this Lease shall not in any way be affected thereby and shall be enforced to the greatest extent permitted by applicable law.
21. **CLEAN AND SAFE** - Lessee shall maintain the **PROPERTY** to be safe for the general public's use. Safe means regular pick up and disposal of garbage, trash and domestic animal waste. Safe also means being in compliance with all provisions of City, State and Federal laws relating to health and safety. Lessee will regularly remove man-made refuse from the 36-acre natural area.
22. **NON-PROFIT STATUS** - Lessee shall demonstrate that it has received designation as an IRS 501 c.3 or c.4 non-profit corporation and agrees to maintain such status during the course of the lease.
23. **MINERAL RIGHTS** - Lessor retains all mineral rights (oil, gas, water etc.) for the **PROPERTY**.
24. **INDEPENDENT CONTRACTOR**: Lessee agrees to comply with Article 22 Section 800 of the Supplementary Conditions adopted by the City entitled "General Independent Contractor Clause". In this clause, Lessee shall assume the position of the Contractor.
25. **WAIVER OF FEES** - Lessor shall allow Lessee to use the Community Center twice each year to conduct fundraiser or promotional events. Such events must be scheduled with the Development Office in advance. The rental and fee for the use of the facility will be waived. Lessee shall pay Clean Up and security charges.
26. **CONSERVATION ACTION PLAN** - Within 1 year of the execution of this lease, the Lessee shall submit a plan that details the following:
  - a. Proposed conservation education audience
  - b. Proposed types of activities to accomplish conservation education mission
  - c. Flora and fauna found in the natural area
  - d. Wildlife and land management goals and objectives of the natural area
  - e. Wildlife and land Management tools to accomplish goals and meet objectives
  - f. Fire management strategies and procedures
27. **UTILITY CONNECTIONS** – Utility connections and related charges and fees for **PROPERTY** belonging to the Lessee shall be the responsibility of the Lessee. Lessor construction crews may, at the request of Lessee, construct a 6" sewer service line to Lessee's property after Lessee has paid all fees and obtained necessary permits from SAWS.
28. **DRAINAGE AND UTILITY EASEMENTS** – Lessor maintains blanket drainage and utility easements over the **PROPERTY** to insure the right to cause necessary drainage or utility improvements or maintenance to occur. Lessee is advised that TxDOT has funded significant drainage improvements to occur immediately upstream of the Bandera Road at Huebner Creek junction. Lessor maintains continuous rights of access in the **PROPERTY** for these purposes. Fencing must have the prior approval of Lessor.

29. **NEW CONSTRUCTION AND PLANTINGS** - Lessor retains the right of approval over any new construction in the **PROPERTY**. Trees to be planted in the **PROPERTY** must conform to the CPS tree-planting guide unless otherwise approved by Lessor. Trees are not to be planted within utility easements.
30. **FLOOD DAMAGE AND CLEAN UP** - Lessor may, at Lessee's request, provide requested assistance in clean up and refuse removal that may be needed following significant flooding. This assistance may or may not include restoration of trails, fencing or signage.
31. **FENCING, SIGNAGE and IDENTIFICATION** - Signage and Fencing for the **PROPERTY** must be subject to approval by the City's permit office. Fees less than \$100 will be waived. Project proposals; grant applications, fundraisers must clearly identify the Lessee as the sponsor and responsible party involved.
32. **GRAVE SITE** - The **PROPERTY** being leased includes the Huebner Grave Site. The gravesite has been restored by the City and Eagle Scouts and is fenced to protect it from further vandalism. During the course of the lease, Lessee assumes the obligation to protect the gravesite and should vandalism occur, shall restore the site to a preexisting condition. Lessee may remove the existing chain link fence and install a suitable iron picket or stone fence.
33. **TRAILS DESIGN AND LAYOUT**- Lessee may layout, enhance, or create trailways on the **PROPERTY** within the intent and guidelines of the Conservation Action Plan.
34. **GRANT APPLICATIONS** - Lessee and Lessor, either separately or together, may elect to pursue grants to further the purposes of the Lease as stated in paragraph 5; provided that, before application for grants, each party must advise the other of its intention in this regard and must seek the approval and/or cooperation of the other. If the parties cannot agree on the advisability of seeking any grant, such question will be submitted to the Leon Valley City Council for decision.
35. **LIGHTS** - Nothing in this lease shall preclude Lessee from installing an area lighting system near the Huebner – Onion House for parking purposes. Any such lights shall not be placed within 100' of the current residential area and shall be directed downward.
36. **BANDERA ROAD ACCESS** - The long term development plans of Lessee shall include access from Bandera Road at El Verde Road. Parking would be provided for the public in the area designated by Lessee adjacent to the Homestead.. At the request of Lessee, Lessor may assist in construction of the parking area as time and funds allow.
37. **FLOOD EMERGENCY PLAN** - For the initial phase of operation of the Property, the sole public entrance to the Property will be through Rimkus Park. Lessee will rely on Lessor's Flood Emergency Plan which keeps visitors out of Rimkus Park, to likewise keep visitors out of the Property during flood events. Lessee will post notices on the Property that the area is subject to flooding hazards.
38. **DAILY OPERATIONS PLAN** - Use of the trails on the Property will be self-guided. Signage will advise the public that this is a carry in - carry out facility and that hours of operation are sunup to sundown. Guided tours of the property may be conducted by qualified persons,

including urban biologists from Texas Parks and Wildlife, for school or scout groups or other visitors. Such tours will be coordinated through HSLV. HSLV will designate contact persons concerning the Property. Initial contact person will be Michael MacDonald, 6630 Peachtree, 522-0656, who has full authority to act as HSLV's agent.

This Lease shall become effective on April 15, 2005.

LESSEE: HISTORICAL SOCIETY OF LEON VALLEY

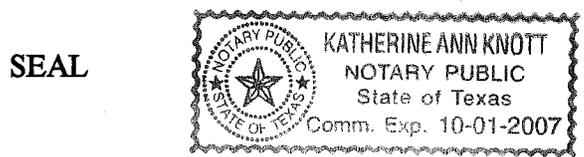
BY: President Darby Riley Darby Riley

State of Texas §

County of Bexar §

Before me, a Notary Public on this day personally appeared Darby Riley, of the Historical Society of Leon Valley, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes or consideration therein expressed.

Given under my hand and seal of office this 15<sup>th</sup> day of April, 2005.



Katherine Knott  
Notary Public, State of Texas

LESSOR: CITY OF LEON VALLEY

BY: Mayor Chris Riley Chris Riley

State of Texas §

County of Bexar §

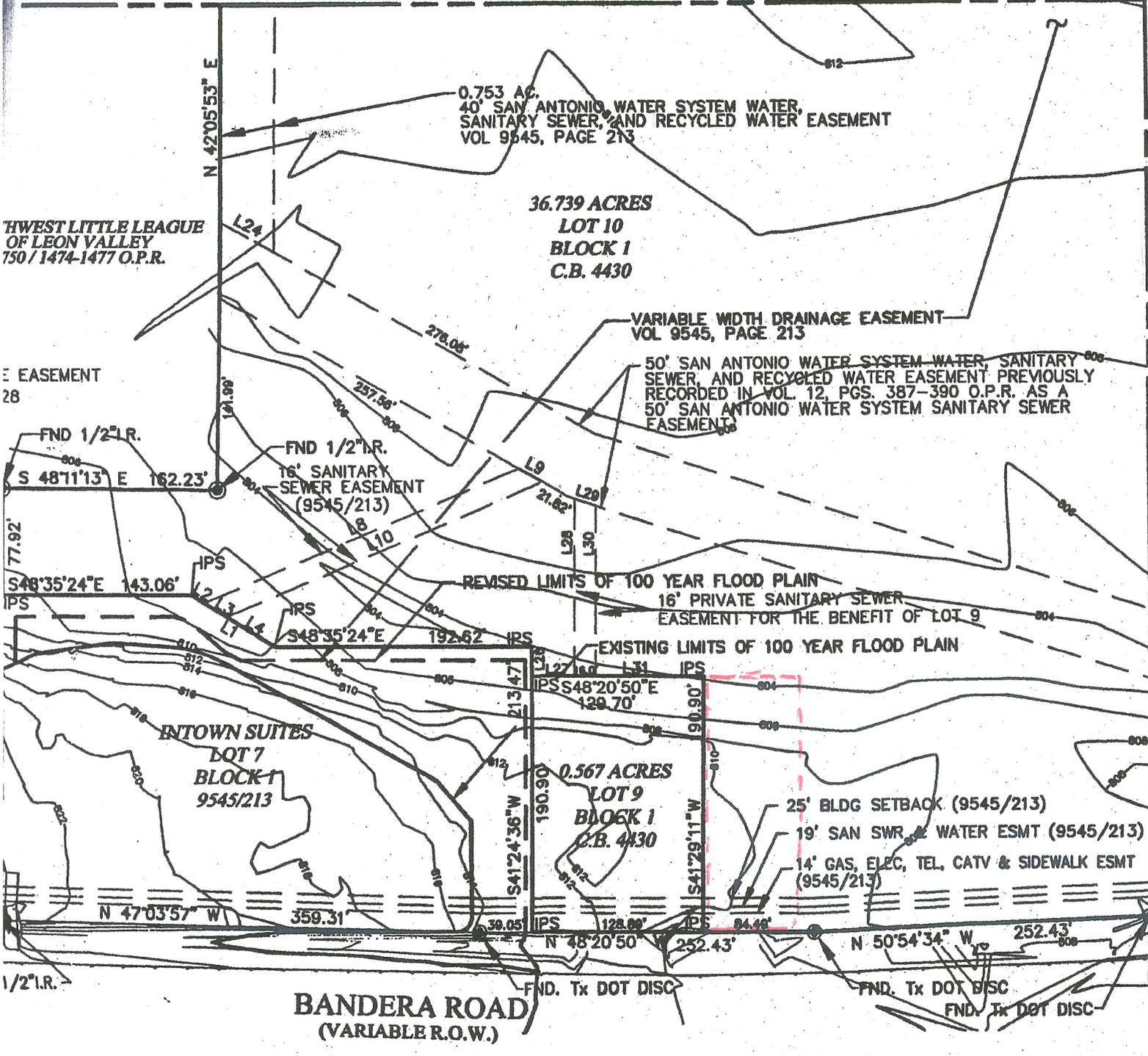
Before me, a Notary Public on this day personally appeared Chris Riley Mayor, of the City of Leon Valley, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes or consideration therein expressed.

Given under my hand and seal of office this 15 day of April, 2005.



Gretchen Black  
Notary Public, State of Texas

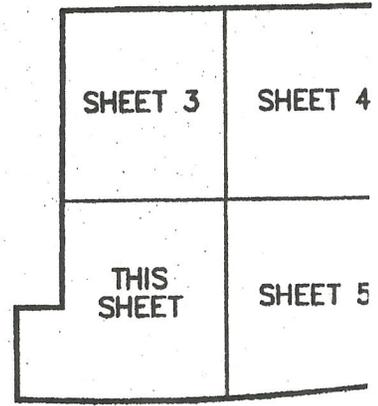
# MATCH-LINE SHEET 3 OF 5



MATCH-LINE SHEET 5 OF 5



SCALE:  
1" = 100'



INDEX MAP

# MAINSTREET

ARCHITECTS INC.

21 February 2012

Darby Riley, President  
Historical Society of Leon Valley  
P.O. Box 380644  
San Antonio, TX 78268

RE: Documentation of Fallen Structure  
Additional Service

## Invoice for Services

As per request and verbal authorization, Mainstreet Architects has documented the fallen structure located at the Huebner Onion Homestead. The documentation included photographs, measurements of the building components, and drawings of the building if reconstructed. The reconstruction was based on evidence and our best assumptions for its original construction.

|                                  |  |           |
|----------------------------------|--|-----------|
| Staff Time                       |  |           |
| 106.75 hours at \$45.00 per hour |  | \$4803.75 |

|                                |  |                  |
|--------------------------------|--|------------------|
| Architect's Time – No charge   |  |                  |
| <u>Total Requested Payment</u> |  | <u>\$4803.75</u> |

Thank you for the opportunity to provide these services for you.



Sue Ann Pemberton, FAIA

APRIL 2012

## COMMUNITY DEVELOPMENT MONTHLY REPORT

Page 1 of 3



### BUILDING PERMIT ACTIVITY

No residential building permits were issued in April 2012 and a total of two (2) Commercial Remodels revenue of \$1,257.95 with a total value of \$48,000.

The overall permits (fence, roof, HVAC, electrical, plumbing, etc...) issued in April 2012 totaled 82. The revenue generated was \$5,069.25.

Application was made for a Certificate of Occupancy by the following:

|                               |                       |
|-------------------------------|-----------------------|
| Andy Walker & Associates      | 6502 Bandera #203     |
| San Antonio Slender Solutions | 5309 Wurzbach-#200-9  |
| Greater SA House Calls        | 5309 Wurzbach #200-3  |
| Asher Gurgan                  | 6233 Evers Rd.        |
| Chuck's Computer Repair       | 6541 Bandera          |
| Maxwell Medical Services      | 5309 Wurzbach #200-10 |
| Studio Fuego                  | 6533 Bandera          |
| The Enrichment Academy        | 7702 Eckhert          |
| Daniel Hernandez, Sr. LCSW    | 6502 Bandera #212     |
| Liberty Mediation Group       | 5309 Wurzbach #200-8  |
| C Rios Enterprise, Inc.       | 7500 Eckhert #580     |

There were a total of Twelve (12) Certificates of Occupancy. The revenue totaled \$720.

### ZONING & LAND USE PROJECTS

There were no new zoning cases in April 2012.

### INSPECTIONS/REVIEWS

#### BUILDING

82 Bldg. & Plbg. inspections conducted in April 2012 by Bruce Bealor at a fee of \$2,460.

#### HEALTH

Steve Barscewski conducted 32 inspections in April 2012 at a fee of \$1,004.

-06 Food Service Establishments

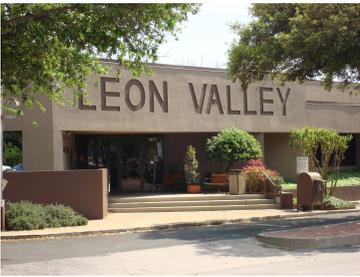
-03 Retail Establishments

-06 complaints

-01 Day Care Facility

-16 Temp Event Inspections

-03 certificates of occupancy



**APRIL 2012**

**COMMUNITY DEVELOPMENT  
MONTHLY REPORT**

**Page 2 of 3**

**CODE ENFORCEMENT  
ACTIVITY**

|  |            |
|--|------------|
| Water Leaks                                  | 1          |
| Overgrown Premises                           | 107        |
| Brush Accumulation (alley)                   | 7          |
| Overgrown Vacant Lot                         | 35         |
| Prohibited Flags (Wind<br>Wavers)            | 17         |
| Sidewalk Obsruction                          | 2          |
| Snipe Signs                                  | 31         |
| Illegal Watering                             | 3          |
| Accumulation Trash & Debris                  | 4          |
| Dilapidated Fence                            | 2          |
| No Permit (Plumbing)                         | 1          |
| Graffiti Abated                              | 12         |
| Overgrown Alley                              | 13         |
| Illegal Dumpster                             | 1          |
| Front/Side Yard Parking                      | 3          |
| Draining of Pool Water                       | 3          |
| <b>TOTAL CODE ENFORCEMENT<br/>ACTIVITIES</b> | <b>242</b> |
| <b>COMPLIED W/CODE<br/>VIOLATION NOTICE</b>  | <b>230</b> |

**ANIMAL CONTROL  
ACTIVITY**

|  |            |
|--|------------|
| Dogs Running at Large                      | 35         |
| Cats Running at Large                      | 15         |
| Barking Dogs                               | 16         |
| Leash Law Violation                        | 0          |
| Dead Animals                               | 14         |
| Wild Animals Relocated                     | 10         |
| Horse                                      | 0          |
| Excessive Animals in Dwelling              | 0          |
| Requests for Traps                         | 21         |
| Animals Reported Lost                      | 7          |
| Animals Found                              | 0          |
| Assistance w/ Snipe Sign Removal           | 15         |
| Assistance w/Graffiti Abatement            | 3          |
| Animal Cruelty Inspected                   | 6          |
| Animal Bites inspected                     | 4          |
| Animal Tag Registration                    | 62         |
| <b>TOTAL ANIMAL CONTROL<br/>ACTIVITIES</b> | <b>208</b> |

**APRIL 2012**

**COMMUNITY DEVELOPMENT  
MONTHLY REPORT**

**Page 3 of 3**



**COMMUNITY & CONFERENCE  
CENTER RENTALS**

**COMMUNITY CENTER RENTALS**

- April 2012 – Three (3)
- \* April 2011 – Five (5)

**REVENUE - \$3,358.00**

**CONFERENCE CENTER RENTALS**

- April 2012 – One (1)
- April 2011 – Three (3)

**REVENUE - \$835.00**

**HOTEL/MOTEL REVENUE - \$15, 771**

\* Previous April 2011 - \$13,652

**Other Events Held:**

- The American Backflow Workshop  
April 12
- Volunteer Appreciation Dinner  
April 10
- CAG Meeting  
April 12
- Rabies Clinic  
April 14
- Library/Fundraiser “A Visit with  
Albert Einstein”  
April 13
- Community Events Committee  
April 18
- Library/Meet the Candidates  
April 26

# Monthly Report

## Finance

### April 2012

#### ***Sales Tax Revenue***

- ❖ Sales tax revenue of \$134,224 was received from the State Comptroller's office in April. After consideration of the April sales tax payment, year-to-date sales tax revenues are 2.67% higher than this time last year.

#### ***Street Maintenance Sales Tax Revenue***

- ❖ Street Maintenance Sales tax revenue of \$33,551 was received from the State Comptroller's office in April.

#### ***Ad Valorem Taxes***

- ❖ Ad valorem tax collections of \$35,168 were received from the Tax Assessor/Collector's office in April. Collections for April 2011 were \$32,407.



# Leon Valley Police Department Monthly Report March 2012

## Calls for Service

|                   | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|-------------------|----------|----------|----------|----------|
| Calls for Service | 797      | 2,164    | 836      | 2,332    |
| Index Crimes      | 70       | 192      | 77       | 206      |
| Non-Index Crimes  | 727      | 1,972    | 759      | 2,126    |

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

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

## Non-Index Crimes

|                                | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|--------------------------------|----------|----------|----------|----------|
| Suspicious Vehicle             | 71       | 174      | 57       | 172      |
| Assist the Public/Other Agency | 75       | 215      | 88       | 233      |
| Disturbance                    | 89       | 186      | 71       | 179      |
| Violation of City Ordinance    | 13       | 38       | 15       | 28       |
| Traffic Offenses               | 23       | 86       | 42       | 101      |
| Burglar Alarm                  | 106      | 287      | 90       | 284      |
| Accidents                      | 46       | 123      | 45       | 117      |
| Criminal Mischief              | 14       | 55       | 28       | 75       |
| Other                          | 187      | 512      | 194      | 574      |
| N-Code 10*                     | 5        | 18       | 11       | 30       |
| N-Code 14**                    | 14       | 63       | 32       | 86       |
| N-Codes                        | 84       | 215      | 86       | 247      |

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

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



## Leon Valley Police Department Monthly Report

### Index Crimes

|                          | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|--------------------------|----------|----------|----------|----------|
| Burglary                 | 18       | 31       | 12       | 42       |
| Burglary – Motor Vehicle | 11       | 46       | 23       | 60       |
| Assault                  | 13       | 23       | 7        | 16       |
| Homicide                 | 0        | 0        | 0        | 0        |
| Rape                     | 0        | 0        | 0        | 0        |
| Theft                    | 24       | 82       | 32       | 80       |
| Theft of Service         | 0        | 4        | 0        | 1        |
| Vehicle Theft            | 3        | 5        | 2        | 5        |
| Robbery                  | 1        | 1        | 1        | 2        |

### Citations

|                  | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|------------------|----------|----------|----------|----------|
| Citations Issued | 691      | 2,474    | 899      | 3,336    |

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| Citations by Selected Categories | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|----------------------------------|----------|----------|----------|----------|
| Expired License Plates           | 86       | 284      | 117      | 447      |
| Expired Inspection Certificate   | 122      | 475      | 186      | 708      |
| No/Expired/Invalid DL            | 57       | 198      | 71       | 232      |
| No Insurance                     | 131      | 473      | 134      | 606      |
| Ran Red Light                    | 10       | 35       | 22       | 63       |
| Ran Stop Sign                    | 70       | 199      | 27       | 172      |
| Speeding                         | 41       | 171      | 70       | 282      |

| Hazardous vs. Non-Hazardous | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|-----------------------------|----------|----------|----------|----------|
| Hazardous                   | 121      | 405      | 119      | 517      |
| Non-Hazardous               | 570      | 2,069    | 780      | 2,819    |

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



## Leon Valley Police Department Monthly Report

### Arrest

| Arrests                    | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|----------------------------|----------|----------|----------|----------|
| Felony Offense             | 6        | 9        | 7        | 21       |
| Misdemeanor Offense        | 55       | 170      | 102      | 235      |
| Warrants                   | 13       | 44       | 1        | 29       |
| LV Municipal Court Warrant | 5        | 13       | 0        | 5        |

### Investigations

|                               | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|-------------------------------|----------|----------|----------|----------|
| Assigned                      | 94       | 307      | 137      | 388      |
| Arrest/Charges Filed at Large | 28       | 84       | 27       | 69       |
| Suspended                     | 84       | 271      | 94       | 282      |
| Closed by Exception           | 14       | 43       | 16       | 51       |

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

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

### Communications

| Total 911 Calls/ by Source   | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|------------------------------|----------|----------|----------|----------|
| Total                        |          |          | 1,014    | 2,855    |
| Business                     |          |          | 84       | 230      |
| Residential                  |          |          | 36       | 154      |
| Coin                         |          |          | 18       | 32       |
| Cellular                     |          |          | 848      | 2,359    |
| Voice over Internet Protocol |          |          | 28       | 76       |
| Unknown                      |          |          | 0        | 4        |

9-1-1 calls not available for March 2012



## Leon Valley Police Department Monthly Report

### Community Resource Officer

|                              | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|------------------------------|----------|----------|----------|----------|
| Violations of City Ordinance | 40       | 83       | 47       | 156      |

### Reserve Officers

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

|                           | Mar 2012 | YTD 2012 | Mar 2011 | YTD 2011 |
|---------------------------|----------|----------|----------|----------|
| Hours                     | 398      | 1,077    | 457      | 1,186    |
| Calls for Service Handled | 89       | 210      | 85       | 208      |
| Citations                 | 39       | 123      | 56       | 192      |



# Leon Valley Police Department Monthly Report April 2012

## Calls for Service

|                   | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|-------------------|------------|----------|------------|----------|
| Calls for Service | 800        | 2,964    | 867        | 3,199    |
| Index Crimes      | 93         | 285      | 82         | 288      |
| Non-Index Crimes  | 707        | 2,679    | 785        | 2,911    |

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

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

## Non-Index Crimes

|                                | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|--------------------------------|------------|----------|------------|----------|
| Suspicious Vehicle             | 56         | 230      | 67         | 239      |
| Assist the Public/Other Agency | 73         | 288      | 83         | 316      |
| Disturbance                    | 79         | 265      | 73         | 252      |
| Violation of City Ordinance    | 12         | 50       | 6          | 34       |
| Traffic Offenses               | 34         | 120      | 39         | 140      |
| Burglar Alarm                  | 99         | 386      | 110        | 394      |
| Accidents                      | 41         | 164      | 51         | 168      |
| Criminal Mischief              | 14         | 69       | 22         | 97       |
| Other                          | 184        | 696      | 205        | 779      |
| N-Code 10*                     | 8          | 26       | 7          | 37       |
| N-Code 14**                    | 25         | 88       | 21         | 107      |
| N-Codes                        | 82         | 297      | 101        | 348      |

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

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

\*\*\*Became separate categories in April 2011



## Leon Valley Police Department Monthly Report

### Index Crimes

|                          | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|--------------------------|------------|----------|------------|----------|
| Burglary                 | 21         | 52       | 11         | 53       |
| Burglary – Motor Vehicle | 21         | 67       | 16         | 76       |
| Assault                  | 11         | 34       | 11         | 27       |
| Homicide                 | 0          | 0        | 0          | 0        |
| Rape                     | 1          | 1        | 0          | 0        |
| Theft                    | 35         | 117      | 36         | 116      |
| Theft of Service         | 1          | 5        | 1          | 2        |
| Vehicle Theft            | 1          | 6        | 5          | 10       |
| Robbery                  | 2          | 3        | 2          | 4        |

### Citations

|                  | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|------------------|------------|----------|------------|----------|
| Citations Issued | 765        | 3,239    | 832        | 4,168    |

| Citations by Selected Categories | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|----------------------------------|------------|----------|------------|----------|
| Expired License Plates           | 89         | 373      | 96         | 543      |
| Expired Inspection Certificate   | 139        | 614      | 138        | 846      |
| No/Expired/Invalid DL            | 73         | 271      | 67         | 299      |
| No Insurance                     | 140        | 613      | 153        | 759      |
| Ran Red Light                    | 13         | 48       | 9          | 72       |
| Ran Stop Sign                    | 46         | 245      | 25         | 197      |
| Speeding                         | 61         | 232      | 97         | 379      |

| Hazardous vs. Non-Hazardous | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|-----------------------------|------------|----------|------------|----------|
| Hazardous                   | 120        | 525      | 131        | 648      |
| Non-Hazardous               | 645        | 2,714    | 701        | 3,520    |

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



## Leon Valley Police Department Monthly Report

### Arrest

| Arrests                    | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|----------------------------|------------|----------|------------|----------|
| Felony Offense             | 2          | 11       | 8          | 29       |
| Misdemeanor Offense        | 62         | 232      | 88         | 323      |
| Warrants                   | 13         | 57       | 16         | 45       |
| LV Municipal Court Warrant | 0          | 13       | 0          | 5        |

### Investigations

|                               | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|-------------------------------|------------|----------|------------|----------|
| Assigned                      | 111        | 418      | 135        | 523      |
| Arrest/Charges Filed at Large | 21         | 105      | 25         | 94       |
| Suspended                     | 60         | 331      | 61         | 343      |
| Closed by Exception           | 6          | 49       | 17         | 68       |

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

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

### Communications

| Total 911 Calls/ by Source   | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|------------------------------|------------|----------|------------|----------|
| Total                        | 1,042      | 3,994    | 1,180      | 4,035    |
| Business                     | 42         | 174      | 222        | 452      |
| Residential                  | 35         | 145      | 46         | 200      |
| Coin                         | 2          | 16       | 17         | 49       |
| Cellular                     | 744        | 2,746    | 800        | 3,159    |
| Voice over Internet Protocol | 23         | 103      | 95         | 171      |
| Unknown                      | 50         | 159      | 0          | 4        |
| Abandoned                    | 146        | 601      |            |          |



## Leon Valley Police Department Monthly Report

### Community Resource Officer

|                              | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|------------------------------|------------|----------|------------|----------|
| Violations of City Ordinance | 51         | 134      | 68         | 224      |

### Reserve Officers

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

|                           | April 2012 | YTD 2012 | April 2011 | YTD 2011 |
|---------------------------|------------|----------|------------|----------|
| Hours                     | 288        | 1,365    | 300        | 1,486    |
| Calls for Service Handled | 84         | 294      | 56         | 264      |
| Citations                 | 35         | 158      | 34         | 226      |

# **Public Works Monthly Report**

## **April 2012**



### **Director's Report**

- Attended all normal Staff meetings, Park Commission and CAG
- Slurry Seal contract inspections
- Met with SIA Engineer for various projects in progress
- Met with Danny Eckhardt; Custom Concrete street repair
- Volunteer Appreciation dinner
- Met with Greg Gideon, Viking Construction
- Met with Kristi and Claudia at City Hall
- Met with SIA; Carwash leaks on Bandera Rd
- Met with Ray Rios; pool requirements
- Met with Albert Perez; Waste Management
- Attended Water/Sewer Bids



### **Assistant Director's Report**

- Storm Water committee support
- Slurry Seal contract inspections
- Met with Bexar County CDBG staff
- Volunteer Appreciation dinner
- Bid opening 2012 Water and Sewer project



**Construction Crew Activities**

04/02 7415 Canterfield: Repaired street cut with Hotmix asphalt. Also repaired street cut at PSC.

04/03 Huebner Well Site to Huebner and Timberhill: Hauled bedding material for drainage job.

04/04 - 30 Timberhill Drainage: Began and continued through the entire month on the construction of the drainage Stormwater project by installing pipe, drain boxes and pouring concrete.



**Water/Sewer Department**

|  |                               |
|--|-------------------------------|
| Water Samples for S.A. Health District | 11 water samples for analysis |
| Disconnect Notices                     | 127                           |
| Disconnect Water Service               | 21                            |
| Flush Dead-End Water Mains             | 26 Flushed                    |

|                            |                      |
|----------------------------|----------------------|
| Meter Reading              | 3 Days               |
| Meter Re-reads             | 8 Re-reads           |
| Meter Changed Out Program  | 0 Meters changed out |
| Temporary Meters Installed | 1 Installed          |

|           |              |
|-----------|--------------|
| Move Outs | 6 Closed     |
| Move INS  | 12 Activated |
| Locates   | 2 Completed  |

|                   |                    |
|-------------------|--------------------|
| Wells/Tower Sites | Cut grass and trim |
| City Wide         | Fire hydrant list  |

| <u>Location</u>               | <u>Work done.</u>                   |
|-------------------------------|-------------------------------------|
| Leon Valley                   | Painted fire hydrants               |
| 5650 Grissom                  | Meter inspection                    |
| 7001 Pepperwood/6822 Twinspur | Installed metal meter box           |
| 7001 Pepperwood               | Meter leak, inlet gasket replaced   |
| Grass Hill Well Site          | Removed spoils/rock under well pipe |
| 6430/6434 Stable              | Service line repair                 |

7215 Sulky  
6807 Evening Sun  
Raymond Rimkus Park  
6411 Pacer Trail  
Huebner Creek  
6111 Wurzbach  
6227 Sun Hollow  
7429 Linkwood  
7420 Huebner  
5624 Poppy Seed Run  
Parsley Hill/Poppy Seed Run  
5640 Poppy Seed Run  
5648 Poppy Seed Run  
6903 Sunlight

Pressure test  
Service line repair  
Repaired 2" sprinkler line  
Service line repair  
Utility locates, exposed by excavating  
Located dead end main  
Replaced meter box  
Replaced meter box  
Meter leak, outlet gasket replaced  
Lowered service line/replaced curb stop  
Raised water main valve boxes (3)  
Lowered service line/replaced curb stop  
Lowered service line/replaced curb stop  
Sewer inspection (city camera)



### **Maintenance Crew**

Park: Cut grass and trim  
Park: Delivered BBQ pit key and instructions on use for large pavilion  
Park: Cleaned Park and opened restrooms Monday thru Sunday @7:00am  
Park: Repaired toilets leaking faucets  
Park: Removed fallen trees and branches  
Park: Picked up trash  
Park: Cut and trimmed at playground, added fluff fall zone material  
Park: Maintain restrooms  
Park: Remove graffiti  
Park: Maintain picnic tables and pavilions

Public Works: Cleaned Trucks, checked equipment  
Public Works: Cleaned and removed brush from Walking Trail behind PW  
Public Works: Cleaned shop, water cage, welding area, repairs as needed

Conference Center: Set ups and clean ups for events held there  
Conference Center: Mowed complex, repairs as needed

Community Center: Grounds cut and trimmed, repairs as needed  
Community Center: Wednesday set up for bingo & Thursday cleaned up for seniors  
Community Center: Set up for events

Library: Grounds cut and trimmed, pick up recyclables  
Library: Repairs as needed

Library Annex: Clean, mow and trim, repairs as needed

City Hall: Grounds cut and trimmed, Mondays only, repairs as needed  
City Hall: Pick up recyclables  
City Hall: Completed remodel of restroom

|                   |  |
|-------------------|--|
| LVPD:             | Repairs as needed                          |
| LVFD:             | Repairs as needed                          |
| Citywide:         | Removed graffiti throughout the city       |
| Citywide:         | Reinstall fallen stop/street signs         |
| Citywide:         | Check surveillance camera and maintain     |
| Citywide:         | Removed fallen trees                       |
| Marquee           | Marquee update as they come in             |
| Service requests: | Various requests completed as they come in |



CITY OF LEON VALLEY  
FINANCIAL STATEMENT  
APRIL 2012



# General Fund

|                                | FY 2011-2012<br>BUDGET |              | FY 2011-2012<br>Y-T-D ACTUAL |              | FY 2010-2011<br>Y-T-D |              |
|--------------------------------|------------------------|--------------|------------------------------|--------------|-----------------------|--------------|
| <b>REVENUE</b>                 |                        |              |                              |              |                       |              |
| Ad Valorem                     | \$ 3,057,097           | 58.3%        | \$ 2,747,251                 | 89.9%        | \$ 2,703,193          | 88.9%        |
| Sales Taxes                    | 1,795,645              | 58.3%        | 705,170                      | 39.3%        | 689,496               | 41.5%        |
| Franchise Taxes                | 706,236                | 58.3%        | 365,944                      | 51.8%        | 364,156               | 51.9%        |
| Licenses, Permits, Fees, Fines | 1,190,346              | 58.3%        | 638,378                      | 53.6%        | 740,956               | 61.8%        |
| Miscellaneous                  | 156,084                | 58.3%        | 53,845                       | 34.5%        | 95,771                | 38.1%        |
| <b>TOTAL REVENUE</b>           | <b>\$ 6,905,408</b>    | <b>58.3%</b> | <b>\$ 4,510,588</b>          | <b>65.3%</b> | <b>\$ 4,593,572</b>   | <b>67.0%</b> |
| <b>EXPENDITURES</b>            |                        |              |                              |              |                       |              |
| Business Office                | \$ 189,985             | 58.3%        | \$ 89,139                    | 46.9%        | \$ 98,574             | 50.1%        |
| Finance                        | 227,277                | 58.3%        | 122,603                      | 53.9%        | 121,774               | 56.5%        |
| Council & Manager              | 366,125                | 58.3%        | 197,630                      | 54.0%        | 230,797               | 50.4%        |
| Police                         | 2,146,262              | 58.3%        | 1,238,979                    | 57.0%        | 1,245,921             | 58.0%        |
| Fire                           | 2,138,627              | 58.3%        | 1,187,788                    | 55.0%        | 1,189,910             | 57.0%        |
| Public Works                   | 1,120,835              | 58.3%        | 610,037                      | 54.4%        | 596,365               | 50.0%        |
| Community Development          | 380,160                | 58.3%        | 237,004                      | 62.3%        | 197,829               | 56.1%        |
| Economic Development           | 129,282                | 58.3%        | 43,951                       | 34.0%        | 69,491                | 52.7%        |
| Special Events                 | 13,750                 | 58.3%        | 2,933                        | 21.3%        | 3,757                 | 12.5%        |
| Parks & Recreation             | 116,559                | 58.3%        | 54,040                       | 46.4%        | 64,178                | 56.5%        |
| Library                        | 427,827                | 58.3%        | 168,842                      | 39.5%        | 155,019               | 57.4%        |
| Other Sources/Uses             | 18,000                 | 58.3%        | -                            | -            | -                     | -            |
| <b>TOTAL EXPENDITURES</b>      | <b>\$ 7,274,689</b>    | <b>58.3%</b> | <b>\$ 3,952,947</b>          | <b>54.5%</b> | <b>\$ 3,973,614</b>   | <b>55.4%</b> |



# Water and Sewer Fund

|                            | FY 2011-2012<br>BUDGET |              | FY 2011-2012<br>Y-T-D ACTUAL |              | FY 2010-2011<br>Y-T-D |              |
|----------------------------|------------------------|--------------|------------------------------|--------------|-----------------------|--------------|
| <b><u>REVENUE</u></b>      |                        |              |                              |              |                       |              |
| Water Sales                | \$ 1,475,894           | 58.3%        | \$ 676,853                   | 45.9%        | \$ 712,219            | 49.2%        |
| Sewer Sales                | 1,541,447              | 58.3%        | 841,403                      | 54.6%        | 808,867               | 45.6%        |
| Connection & Platting      | 2,500                  | 58.3%        | 450                          | 18.0%        | 1,950                 | 97.5%        |
| Customer Fees              | 43,300                 | 58.3%        | 26,733                       | 61.7%        | 25,488                | 65.0%        |
| Tapping Fees               | 21,000                 | 58.3%        | 2,805                        | 13.4%        | 10,020                | 38.8%        |
| Miscellaneous              | 16,000                 | 58.3%        | 1,533                        | 9.6%         | 8,997                 | 23.6%        |
| <b>TOTAL REVENUE</b>       | <b>\$ 3,100,141</b>    | <b>58.3%</b> | <b>\$ 1,549,777</b>          | <b>50.0%</b> | <b>\$ 1,567,541</b>   | <b>47.1%</b> |
| <b><u>EXPENDITURES</u></b> |                        |              |                              |              |                       |              |
| Business Office            | 592,998                | 58.3%        | 283,876                      | 47.9%        | 290,502               | 53.8%        |
| Water System               | 942,368                | 58.3%        | 500,979                      | 53.2%        | 510,308               | 32.5%        |
| Sewer System               | 1,424,716              | 58.3%        | 581,907                      | 40.8%        | 561,677               | 38.3%        |
| Storm Water                | 343,073                | 58.3%        | 173,246                      | 50.5%        | 100,049               | 26.2%        |
| <b>TOTAL EXPENDITURES</b>  | <b>\$ 3,303,155</b>    | <b>58.3%</b> | <b>\$ 1,540,007</b>          | <b>46.6%</b> | <b>\$ 1,462,536</b>   | <b>36.9%</b> |



# Community Center Fund

| FY 2011-2012<br><u>BUDGET</u> | FY 2011-2012<br><u>Y-T-D ACTUAL</u> | FY 2010-2011<br><u>Y-T-D</u> |
|-------------------------------|-------------------------------------|------------------------------|
|-------------------------------|-------------------------------------|------------------------------|

| <u>REVENUE</u>            |                   |              |                  |              |                  |              |
|---------------------------|-------------------|--------------|------------------|--------------|------------------|--------------|
| Hotel/Motel Taxes         | 66,701            | 58.3%        | 22,614           | 33.9%        | 30,054           | 60.1%        |
| <b>RENTAL FEES:</b>       |                   |              |                  |              |                  |              |
| Community Center          | 48,000            | 58.3%        | 22,389           | 46.6%        | 20,915           | 45.5%        |
| Conference Center         | 26,000            | 58.3%        | 16,557           | 63.7%        | 13,874           | 33.0%        |
| <b>Miscellaneous:</b>     |                   |              |                  |              |                  |              |
| CDBG Grant                | -                 |              | -                |              | -                |              |
| CPS Energy Rebate         | -                 |              | -                |              | 46,415           | 185.7%       |
| <b>TOTAL REVENUE</b>      | <b>\$ 140,701</b> | <b>58.3%</b> | <b>\$ 61,560</b> | <b>43.8%</b> | <b>\$111,258</b> | <b>68.3%</b> |
| <b>TOTAL EXPENDITURES</b> | <b>\$ 134,881</b> | <b>58.3%</b> | <b>\$ 64,665</b> | <b>47.9%</b> | <b>\$201,724</b> | <b>65.6%</b> |



# Street Maintenance Sales Tax

|                           | Actual<br>FY 2010 | Actual<br>FY 2011 | Budget<br>FY 2012 | Actual<br>FY 2012 |
|---------------------------|-------------------|-------------------|-------------------|-------------------|
| Revenues                  | 422,653           | 429,403           | 439,560           | 172,853           |
| Transfers In              | -                 |                   |                   |                   |
| <b>TOTAL REVENUES</b>     | <b>422,653</b>    | <b>429,403</b>    | <b>439,560</b>    | <b>172,853</b>    |
| Expenditures              | 402,824           | 500,431           | 546,311           | 211,200           |
| <b>TOTAL EXPENDITURES</b> | <b>402,824</b>    | <b>500,431</b>    | <b>546,311</b>    | <b>211,200</b>    |
| <b>FUND BALANCE</b>       | <b>575,300</b>    | <b>504,272</b>    | <b>397,521</b>    | <b>465,925</b>    |

## FINANCIAL STATEMENT - UNAUDITED

AS OF: APRIL 30TH, 2012

100-General Fund  
FINANCIAL SUMMARY

|   | CURRENT<br>BUDGET   | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL     | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE   | % OF<br>BUDGET |
|---|---------------------|-------------------|--------------------------|---------------------|----------------------|---------------------|----------------|
| <b>REVENUE SUMMARY</b>                  |                     |                   |                          |                     |                      |                     |                |
| AD VALOREM TAXES                        | 3,057,097.00        | 34,860.64         | 0.00                     | 2,747,251.31        | 0.00                 | 309,845.69          | 89.86          |
| SALES TAXES                             | 1,795,645.00        | 142,926.57        | 0.00                     | 705,169.75          | 0.00                 | 1,090,475.25        | 39.27          |
| FRANCHISE FEES                          | 706,236.00          | 4,085.01          | 0.00                     | 365,944.41          | 0.00                 | 340,291.59          | 51.82          |
| LICENSE, PERMITS, FEES, FINE            | 1,190,346.00        | 79,672.24         | 0.00                     | 638,377.64          | 0.00                 | 551,968.36          | 53.63          |
| MISCELLANEOUS                           | 156,084.00          | 5,589.37          | 0.00                     | 53,844.69           | 0.00                 | 102,239.31          | 34.50          |
| <b>TOTAL REVENUE</b>                    | <b>6,905,408.00</b> | <b>255,955.09</b> | <b>0.00</b>              | <b>4,510,587.80</b> | <b>0.00</b>          | <b>2,394,820.20</b> | <b>65.32</b>   |
| <b>EXPENDITURE SUMMARY</b>              |                     |                   |                          |                     |                      |                     |                |
| <b>Business Office</b>                  |                     |                   |                          |                     |                      |                     |                |
| PERSONNEL SERVICES                      | 79,221.00           | 4,877.02          | 0.00                     | 33,075.74           | 0.00                 | 46,145.26           | 41.75          |
| SUPPLIES                                | 9,600.00            | 2,758.44          | 0.00                     | 6,082.59            | 88.00                | 3,429.41            | 64.28          |
| CONTRACTUAL SERVICES                    | 101,164.00          | 8,798.69          | 0.00                     | 49,892.39           | 0.00                 | 51,271.61           | 49.32          |
| <b>TOTAL Business Office</b>            | <b>189,985.00</b>   | <b>16,434.15</b>  | <b>0.00</b>              | <b>89,050.72</b>    | <b>88.00</b>         | <b>100,846.28</b>   | <b>46.92</b>   |
| <b>Finance</b>                          |                     |                   |                          |                     |                      |                     |                |
| PERSONNEL SERVICES                      | 140,036.00          | 10,486.57         | 0.00                     | 81,473.12           | 0.00                 | 58,562.88           | 58.18          |
| SUPPLIES                                | 8,517.00            | 376.04            | 0.00                     | 4,556.75            | 0.00                 | 3,960.25            | 53.50          |
| CONTRACTUAL SERVICES                    | 73,724.00           | 1,778.92          | 0.00                     | 36,573.22           | 0.00                 | 37,150.78           | 49.61          |
| CAPITAL OUTLAY                          | 5,000.00            | 0.00              | 0.00                     | 0.00                | 0.00                 | 5,000.00            | 0.00           |
| <b>TOTAL Finance</b>                    | <b>227,277.00</b>   | <b>12,641.53</b>  | <b>0.00</b>              | <b>122,603.09</b>   | <b>0.00</b>          | <b>104,673.91</b>   | <b>53.94</b>   |
| <b>City Manager &amp; Council</b>       |                     |                   |                          |                     |                      |                     |                |
| PERSONNEL SERVICES                      | 191,638.00          | 14,358.23         | 0.00                     | 109,429.53          | 0.00                 | 82,208.47           | 57.10          |
| SUPPLIES                                | 17,150.00           | 3,183.60          | 0.00                     | 6,362.62            | 212.89               | 10,574.49           | 38.34          |
| CONTRACTUAL SERVICES                    | 117,337.00          | 4,837.32          | 0.00                     | 77,125.39           | 0.00                 | 40,211.61           | 65.73          |
| CAPITAL OUTLAY                          | 40,000.00           | 0.00              | 0.00                     | 4,500.00            | 0.00                 | 35,500.00           | 11.25          |
| <b>TOTAL City Manager &amp; Council</b> | <b>366,125.00</b>   | <b>22,379.15</b>  | <b>0.00</b>              | <b>197,417.54</b>   | <b>212.89</b>        | <b>168,494.57</b>   | <b>53.98</b>   |

## FINANCIAL STATEMENT - UNAUDITED

AS OF: APRIL 30TH, 2012

100-General Fund  
FINANCIAL SUMMARY

|                                | CURRENT<br>BUDGET | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|--------------------------------|-------------------|-------------------|--------------------------|-----------------|----------------------|-------------------|----------------|
| <b>Police Administration</b>   |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES             | 217,555.00        | 16,153.94         | 0.00                     | 126,204.25      | 0.00                 | 91,350.75         | 58.01          |
| SUPPLIES                       | 1,900.00          | 80.36             | 0.00                     | 1,143.65        | 0.00                 | 756.35            | 60.19          |
| CONTRACTUAL SERVICES           | 28,472.00         | 2,165.32          | 0.00                     | 16,451.20       | 76.00                | 11,944.80         | 58.05          |
| TOTAL Police Administration    | 247,927.00        | 18,399.62         | 0.00                     | 143,799.10      | 76.00                | 104,051.90        | 58.03          |
| <b>Police Crime Prevention</b> |                   |                   |                          |                 |                      |                   |                |
| TOTAL Police Crime Prevention  | 0.00              | 0.00              | 0.00                     | 0.00            | 0.00                 | 0.00              | 0.00           |
| <b>Police Patrol</b>           |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES             | 1,178,888.00      | 86,540.50         | 0.00                     | 689,710.55      | 94.56                | 489,082.89        | 58.51          |
| SUPPLIES                       | 67,900.00         | 7,055.00          | 0.00                     | 36,230.30       | 180.00               | 31,489.70         | 53.62          |
| CONTRACTUAL SERVICES           | 9,700.00          | 124.50            | 0.00                     | 4,332.78        | 0.00                 | 5,367.22          | 44.67          |
| TOTAL Police Patrol            | 1,256,488.00      | 93,720.00         | 0.00                     | 730,273.63      | 274.56               | 525,939.81        | 58.14          |
| <b>Police Communications</b>   |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES             | 276,015.00        | 19,666.87         | 0.00                     | 149,392.31      | 0.00                 | 126,622.69        | 54.12          |
| SUPPLIES                       | 1,025.00          | 39.00             | 0.00                     | 557.49          | 0.00                 | 467.51            | 54.39          |
| CONTRACTUAL SERVICES           | 5,125.00          | 766.49            | 0.00                     | 3,688.74        | 0.00                 | 1,436.26          | 71.98          |
| TOTAL Police Communications    | 282,165.00        | 20,472.36         | 0.00                     | 153,638.54      | 0.00                 | 128,526.46        | 54.45          |
| <b>Police Investigations</b>   |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES             | 283,127.00        | 20,686.11         | 0.00                     | 165,445.12      | 0.00                 | 117,681.88        | 58.43          |
| SUPPLIES                       | 2,100.00          | 249.89            | 0.00                     | 579.21          | 0.00                 | 1,520.79          | 27.58          |
| CONTRACTUAL SERVICES           | 5,200.00          | 0.00              | 0.00                     | 1,727.61        | 0.00                 | 3,472.39          | 33.22          |
| TOTAL Police Investigations    | 290,427.00        | 20,936.00         | 0.00                     | 167,751.94      | 0.00                 | 122,675.06        | 57.76          |
| <b>Police Narcotics TF</b>     |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES             | 69,119.00         | 4,592.27          | 0.00                     | 43,165.67       | 0.00                 | 25,953.33         | 62.45          |
| CONTRACTUAL SERVICES           | 136.00            | 0.00              | 0.00                     | 0.00            | 0.00                 | 136.00            | 0.00           |
| TOTAL Police Narcotics TF      | 69,255.00         | 4,592.27          | 0.00                     | 43,165.67       | 0.00                 | 26,089.33         | 62.33          |

## FINANCIAL STATEMENT - UNAUDITED

AS OF: APRIL 30TH, 2012

100-General Fund  
FINANCIAL SUMMARY

|                             | CURRENT<br>BUDGET | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|-----------------------------|-------------------|-------------------|--------------------------|-----------------|----------------------|-------------------|----------------|
| <b>Police Reserves</b>      |                   |                   |                          |                 |                      |                   |                |
| -----                       |                   |                   |                          |                 |                      |                   |                |
| TOTAL Police Reserves       | 0.00              | 0.00              | 0.00                     | 0.00            | 0.00                 | 0.00              | 0.00           |
| <b>Fire Administration</b>  |                   |                   |                          |                 |                      |                   |                |
| -----                       |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES          | 213,852.00        | 15,102.24         | 0.00                     | 127,689.70      | 0.00                 | 86,162.30         | 59.71          |
| SUPPLIES                    | 4,940.00          | 1,570.84          | 0.00                     | 3,942.34        | 71.42                | 926.24            | 81.25          |
| CONTRACTUAL SERVICES        | 36,639.00         | 2,350.75          | 0.00                     | 25,080.55       | 0.00                 | 11,558.45         | 68.45          |
| CAPITAL OUTLAY              | 15,000.00         | 14,927.00         | 0.00                     | 14,927.00       | 0.00                 | 73.00             | 99.51          |
| TOTAL Fire Administration   | 270,431.00        | 33,950.83         | 0.00                     | 171,639.59      | 71.42                | 98,719.99         | 63.50          |
| <b>Fire Reserves</b>        |                   |                   |                          |                 |                      |                   |                |
| -----                       |                   |                   |                          |                 |                      |                   |                |
| TOTAL Fire Reserves         | 0.00              | 0.00              | 0.00                     | 0.00            | 0.00                 | 0.00              | 0.00           |
| <b>Fire Operations</b>      |                   |                   |                          |                 |                      |                   |                |
| -----                       |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES          | 1,588,452.00      | 107,486.58        | 0.00                     | 848,498.21      | 395.99               | 739,557.80        | 53.44          |
| SUPPLIES                    | 33,738.00         | 786.51            | 0.00                     | 7,225.70        | 582.74               | 25,929.56         | 23.14          |
| CONTRACTUAL SERVICES        | 50,986.00         | 16,298.97         | 0.00                     | 45,379.24       | 0.00                 | 5,606.76          | 89.00          |
| CAPITAL OUTLAY              | 62,980.00         | 0.00              | 0.00                     | 26,518.45       | 0.00                 | 36,461.55         | 42.11          |
| TOTAL Fire Operations       | 1,736,156.00      | 124,572.06        | 0.00                     | 927,621.60      | 978.73               | 807,555.67        | 53.49          |
| <b>Fire Prevention</b>      |                   |                   |                          |                 |                      |                   |                |
| -----                       |                   |                   |                          |                 |                      |                   |                |
| TOTAL Fire Prevention       | 0.00              | 0.00              | 0.00                     | 0.00            | 0.00                 | 0.00              | 0.00           |
| <b>Fire EMS</b>             |                   |                   |                          |                 |                      |                   |                |
| -----                       |                   |                   |                          |                 |                      |                   |                |
| SUPPLIES                    | 34,447.00         | 3,316.35          | 0.00                     | 19,962.36       | 3,724.45             | 10,760.19         | 68.76          |
| CONTRACTUAL SERVICES        | 67,791.00         | 2,372.93          | 0.00                     | 36,819.97       | 0.00                 | 30,971.03         | 54.31          |
| CAPITAL OUTLAY              | 29,802.00         | 0.00              | 0.00                     | 26,970.02       | 0.00                 | 2,831.98          | 90.50          |
| TOTAL Fire EMS              | 132,040.00        | 5,689.28          | 0.00                     | 83,752.35       | 3,724.45             | 44,563.20         | 66.25          |
| <b>Public Works M&amp;O</b> |                   |                   |                          |                 |                      |                   |                |
| -----                       |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES          | 717,235.00        | 51,088.55         | 0.00                     | 420,351.95      | 0.00                 | 296,883.05        | 58.61          |
| SUPPLIES                    | 164,800.00        | 12,578.45         | 0.00                     | 69,554.61       | 66.99                | 95,178.40         | 42.25          |
| CONTRACTUAL SERVICES        | 193,300.00        | 10,862.86         | 0.00                     | 97,297.58       | 0.00                 | 96,002.42         | 50.34          |
| CAPITAL OUTLAY              | 45,500.00         | 7,380.00          | 0.00                     | 7,380.00        | 15,385.85            | 22,734.15         | 50.03          |
| TOTAL Public Works M&O      | 1,120,835.00      | 81,909.86         | 0.00                     | 594,584.14      | 15,452.84            | 510,798.02        | 54.43          |

CITY OF LEON VALLEY  
 FINANCIAL STATEMENT - UNAUDITED  
 AS OF: APRIL 30TH, 2012

100-General Fund  
 FINANCIAL SUMMARY

|   | CURRENT<br>BUDGET | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|---|-------------------|-------------------|--------------------------|-----------------|----------------------|-------------------|----------------|
| <b>Public Works Construction</b>              |                   |                   |                          |                 |                      |                   |                |
| -----   |                   |                   |                          |                 |                      |                   |                |
| TOTAL Public Works Construction               | 0.00              | 0.00              | 0.00                     | 0.00            | 0.00                 | 0.00              | 0.00           |
| <b>Community Development</b>                  |                   |                   |                          |                 |                      |                   |                |
| -----   |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES                            | 207,512.00        | 12,613.11         | 0.00                     | 109,946.94      | 0.00                 | 97,565.06         | 52.98          |
| SUPPLIES                                      | 9,200.00          | 615.12            | 0.00                     | 6,218.65        | (12.53)              | 2,993.88          | 67.46          |
| CONTRACTUAL SERVICES                          | 147,448.00        | 15,979.31         | 0.00                     | 104,958.74      | 0.00                 | 42,489.26         | 71.18          |
| CAPITAL OUTLAY                                | 16,000.00         | 0.00              | 0.00                     | 0.00            | 15,892.65            | 107.35            | 99.33          |
| TOTAL Community Development                   | 380,160.00        | 29,207.54         | 0.00                     | 221,124.33      | 15,880.12            | 143,155.55        | 62.34          |
| <b>Economic Development</b>                   |                   |                   |                          |                 |                      |                   |                |
| -----   |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES                            | 111,647.00        | 5,232.02          | 0.00                     | 33,407.09       | 0.00                 | 78,239.91         | 29.92          |
| SUPPLIES                                      | 4,500.00          | 516.18            | 0.00                     | 660.84          | 27.14                | 3,812.02          | 15.29          |
| CONTRACTUAL SERVICES                          | 13,135.00         | 8,445.41          | 0.00                     | 9,856.27        | 0.00                 | 3,278.73          | 75.04          |
| TOTAL Economic Development                    | 129,282.00        | 14,193.61         | 0.00                     | 43,924.20       | 27.14                | 85,330.66         | 34.00          |
| <b>Special Events</b>                         |                   |                   |                          |                 |                      |                   |                |
| -----   |                   |                   |                          |                 |                      |                   |                |
| SUPPLIES                                      | 13,750.00         | 164.22            | 0.00                     | 2,745.79        | 186.80               | 10,817.41         | 21.33          |
| TOTAL Special Events                          | 13,750.00         | 164.22            | 0.00                     | 2,745.79        | 186.80               | 10,817.41         | 21.33          |
| <b>Parks &amp; Recreation</b>                 |                   |                   |                          |                 |                      |                   |                |
| -----   |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES                            | 70,559.00         | 5,716.57          | 0.00                     | 43,597.12       | 0.00                 | 26,961.88         | 61.79          |
| SUPPLIES                                      | 26,000.00         | 79.99             | 0.00                     | 1,383.04        | 3,427.60             | 21,189.36         | 18.50          |
| CONTRACTUAL SERVICES                          | 20,000.00         | 1,005.96          | 0.00                     | 5,632.06        | 0.00                 | 14,367.94         | 28.16          |
| TOTAL Parks & Recreation                      | 116,559.00        | 6,802.52          | 0.00                     | 50,612.22       | 3,427.60             | 62,519.18         | 46.36          |
| <b>Library</b>                                |                   |                   |                          |                 |                      |                   |                |
| -----   |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES                            | 194,880.00        | 14,095.99         | 0.00                     | 111,548.81      | 0.00                 | 83,331.19         | 57.24          |
| SUPPLIES                                      | 21,133.00         | 146.31            | 0.00                     | 3,254.27        | 0.00                 | 17,878.73         | 15.40          |
| CONTRACTUAL SERVICES                          | 41,814.00         | 1,874.84          | 0.00                     | 16,351.34       | 0.00                 | 25,462.66         | 39.10          |
| CAPITAL OUTLAY                                | 170,000.00        | 19,289.88         | 0.00                     | 37,687.41       | 0.00                 | 132,312.59        | 22.17          |
| TOTAL Library                                 | 427,827.00        | 35,407.02         | 0.00                     | 168,841.83      | 0.00                 | 258,985.17        | 39.46          |
| <b>** TOTAL EXPENDITURES ***</b>              |                   |                   |                          |                 |                      |                   |                |
|   | 7,256,689.00      | 541,472.02        | 0.00                     | 3,912,546.28    | 40,400.55            | 3,303,742.17      | 54.47          |
| <b>* REVENUE OVER (UNDER) EXPENDITURES *(</b> |                   |                   |                          |                 |                      |                   |                |
|   | 351,281.00        | (285,516.93)      | 0.00                     | 598,041.52      | (40,400.55)          | (908,921.97)      | 258.74         |

CITY OF LEON VALLEY  
 FINANCIAL STATEMENT - UNAUDITED  
 AS OF: APRIL 30TH, 2012

100-General Fund  
 FINANCIAL SUMMARY

|                                | CURRENT<br>BUDGET | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|--------------------------------|-------------------|-------------------|--------------------------|-----------------|----------------------|-------------------|----------------|
| OTHER FINANCING SOURCES (USES) |                   |                   |                          |                 |                      |                   |                |
| =====                          |                   |                   |                          |                 |                      |                   |                |
| OTHER SOURCES/USES             | ( 18,000.00)      | 0.00              | 0.00                     | 0.00            | 0.00                 | ( 18,000.00)      | 0.00           |
| TOTAL OTHER SOURCES/USES       | ( 18,000.00)      | 0.00              | 0.00                     | 0.00            | 0.00                 | ( 18,000.00)      | 0.00           |
| -----                          |                   |                   |                          |                 |                      |                   |                |
| NET GAIN OR (LOSS)             | ( 369,281.00      | ( 285,516.93)     | 0.00                     | 598,041.52      | ( 40,400.55          | ( 926,921.97)     |                |
| =====                          |                   |                   |                          |                 |                      |                   |                |

\*\*\* END OF REPORT \*\*\*

CITY OF LEON VALLEY  
 FINANCIAL STATEMENT - UNAUDITED  
 AS OF: APRIL 30TH, 2012

200-Water & Sewer  
 FINANCIAL SUMMARY

|                              | CURRENT<br>BUDGET   | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL     | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE   | % OF<br>BUDGET |
|------------------------------|---------------------|-------------------|--------------------------|---------------------|----------------------|---------------------|----------------|
| <b>REVENUE SUMMARY</b>       |                     |                   |                          |                     |                      |                     |                |
| MISCELLANEOUS                | 16,000.00           | 0.00              | 0.00                     | 1,533.48            | 0.00                 | 14,466.52           | 9.58           |
| WATER SALES                  | 1,475,894.00        | 113,895.86        | 0.00                     | 676,853.10          | 0.00                 | 799,040.90          | 45.86          |
| SEWER SALES                  | 1,541,447.00        | 140,550.77        | 0.00                     | 841,403.26          | 0.00                 | 700,043.74          | 54.59          |
| CONNECTION & PLATTING        | 2,500.00            | 0.00              | 0.00                     | 450.00              | 0.00                 | 2,050.00            | 18.00          |
| CUSTOMER FEES                | 43,300.00           | 3,385.25          | 0.00                     | 26,732.79           | 0.00                 | 16,567.21           | 61.74          |
| MAPPING FEES                 | <u>21,000.00</u>    | <u>0.00</u>       | <u>0.00</u>              | <u>2,805.00</u>     | <u>0.00</u>          | <u>18,195.00</u>    | <u>13.36</u>   |
| <b>TOTAL REVENUE</b>         | <b>3,100,141.00</b> | <b>257,831.88</b> | <b>0.00</b>              | <b>1,549,777.63</b> | <b>0.00</b>          | <b>1,550,363.37</b> | <b>49.99</b>   |
| <b>EXPENDITURE SUMMARY</b>   |                     |                   |                          |                     |                      |                     |                |
| <b>Business Office</b>       |                     |                   |                          |                     |                      |                     |                |
| PERSONNEL SERVICES           | 448,365.00          | 32,556.78         | 0.00                     | 246,448.21          | 0.00                 | 201,916.79          | 54.97          |
| SUPPLIES                     | 33,000.00           | 1,326.20          | 0.00                     | 8,500.37            | 0.00                 | 24,499.63           | 25.76          |
| CONTRACTUAL SERVICES         | 91,633.00           | 1,985.78          | 0.00                     | 28,927.21           | 0.00                 | 62,705.79           | 31.57          |
| CAPITAL OUTLAY               | <u>20,000.00</u>    | <u>0.00</u>       | <u>0.00</u>              | <u>0.00</u>         | <u>0.00</u>          | <u>20,000.00</u>    | <u>0.00</u>    |
| <b>TOTAL Business Office</b> | <b>592,998.00</b>   | <b>35,868.76</b>  | <b>0.00</b>              | <b>283,875.79</b>   | <b>0.00</b>          | <b>309,122.21</b>   | <b>47.87</b>   |
| <b>Water System</b>          |                     |                   |                          |                     |                      |                     |                |
| PERSONNEL SERVICES           | 283,893.00          | 20,218.64         | 0.00                     | 171,271.95          | 0.00                 | 112,621.05          | 60.33          |
| SUPPLIES                     | 82,000.00           | 7,404.97          | 0.00                     | 35,299.11           | 0.00                 | 46,700.89           | 43.05          |
| CONTRACTUAL SERVICES         | 378,475.00          | 21,566.79         | 0.00                     | 279,022.08          | 0.00                 | 99,452.92           | 73.72          |
| CAPITAL OUTLAY               | <u>198,000.00</u>   | <u>0.00</u>       | <u>0.00</u>              | <u>0.00</u>         | <u>15,385.85</u>     | <u>182,614.15</u>   | <u>7.77</u>    |
| <b>TOTAL Water System</b>    | <b>942,368.00</b>   | <b>49,190.40</b>  | <b>0.00</b>              | <b>485,593.14</b>   | <b>15,385.85</b>     | <b>441,389.01</b>   | <b>53.16</b>   |
| <b>Sewer System</b>          |                     |                   |                          |                     |                      |                     |                |
| PERSONNEL SERVICES           | 91,566.00           | 5,196.56          | 0.00                     | 53,026.36           | 0.00                 | 38,539.64           | 57.91          |
| SUPPLIES                     | 15,000.00           | 0.00              | 0.00                     | 0.00                | 0.00                 | 15,000.00           | 0.00           |
| CONTRACTUAL SERVICES         | <u>1,318,150.00</u> | <u>103,215.85</u> | <u>0.00</u>              | <u>528,880.22</u>   | <u>0.00</u>          | <u>789,269.78</u>   | <u>40.12</u>   |
| <b>TOTAL Sewer System</b>    | <b>1,424,716.00</b> | <b>108,412.41</b> | <b>0.00</b>              | <b>581,906.58</b>   | <b>0.00</b>          | <b>842,809.42</b>   | <b>40.84</b>   |

CITY OF LEON VALLEY  
FINANCIAL STATEMENT - UNAUDITED  
AS OF: APRIL 30TH, 2012

200-Water & Sewer  
FINANCIAL SUMMARY

|  | CURRENT<br>BUDGET | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|--|-------------------|-------------------|--------------------------|-----------------|----------------------|-------------------|----------------|
| <hr/>                                  |                   |                   |                          |                 |                      |                   |                |
| Construction                           |                   |                   |                          |                 |                      |                   |                |
| -----                                  |                   |                   |                          |                 |                      |                   |                |
| TOTAL Construction                     | 0.00              | 0.00              | 0.00                     | 0.00            | 0.00                 | 0.00              | 0.00           |
| Storm Water                            |                   |                   |                          |                 |                      |                   |                |
| -----                                  |                   |                   |                          |                 |                      |                   |                |
| PERSONNEL SERVICES                     | 154,073.00        | 12,041.65         | 0.00                     | 88,612.22       | 0.00                 | 65,460.78         | 57.51          |
| SUPPLIES                               | 23,500.00         | 21,306.95         | 0.00                     | 21,952.06       | 2.00                 | 1,545.94          | 93.42          |
| CONTRACTUAL SERVICES                   | 165,500.00        | 6,776.27          | 0.00                     | 62,679.26       | 0.00                 | 102,820.74        | 37.87          |
| TOTAL Storm Water                      | 343,073.00        | 40,124.87         | 0.00                     | 173,243.54      | 2.00                 | 169,827.46        | 50.50          |
| <hr/>                                  |                   |                   |                          |                 |                      |                   |                |
| *** TOTAL EXPENDITURES ***             | 3,303,155.00      | 233,596.44        | 0.00                     | 1,524,619.05    | 15,387.85            | 1,763,148.10      | 46.62          |
| <hr/>                                  |                   |                   |                          |                 |                      |                   |                |
| ** REVENUE OVER (UNDER) EXPENDITURES * | ( 203,014.00)     | 24,235.44         | 0.00                     | 25,158.58       | ( 15,387.85)         | ( 212,784.73)     | 104.81         |
| <hr/>                                  |                   |                   |                          |                 |                      |                   |                |
| OTHER FINANCING SOURCES (USES)         |                   |                   |                          |                 |                      |                   |                |
| -----                                  |                   |                   |                          |                 |                      |                   |                |
| TOTAL OTHER SOURCES/USES               | 0.00              | 0.00              | 0.00                     | 0.00            | 0.00                 | 0.00              | 0.00           |
| <hr/>                                  |                   |                   |                          |                 |                      |                   |                |
| NET GAIN OR (LOSS)                     | ( 203,014.00)     | 24,235.44         | 0.00                     | 25,158.58       | ( 15,387.85)         | ( 212,784.73)     |                |
| <hr/>                                  |                   |                   |                          |                 |                      |                   |                |

\*\*\* END OF REPORT \*\*\*

CITY OF LEON VALLEY  
 FINANCIAL STATEMENT - UNAUDITED  
 AS OF: APRIL 30TH, 2012

710-Community Center  
 FINANCIAL SUMMARY

|   | CURRENT<br>BUDGET | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL   | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|---|-------------------|-------------------|--------------------------|-------------------|----------------------|-------------------|----------------|
| <b>REVENUE SUMMARY</b>                        |                   |                   |                          |                   |                      |                   |                |
| TAXES   | 66,701.00         | 8,256.19          | 0.00                     | 22,614.03         | 0.00                 | 44,086.97         | 33.90          |
| FEES  | 74,000.00         | 8,609.00          | 0.00                     | 38,946.00         | 0.00                 | 35,054.00         | 52.63          |
| <b>TOTAL REVENUE</b>                          | <b>140,701.00</b> | <b>16,865.19</b>  | <b>0.00</b>              | <b>61,560.03</b>  | <b>0.00</b>          | <b>79,140.97</b>  | <b>43.75</b>   |
| <b>EXPENDITURE SUMMARY</b>                    |                   |                   |                          |                   |                      |                   |                |
| <b>Community Center Operations</b>            |                   |                   |                          |                   |                      |                   |                |
| PERSONNEL SERVICES                            | 81,381.00         | 5,576.35          | 0.00                     | 43,359.15         | 0.00                 | 38,021.85         | 53.28          |
| SUPPLIES                                      | 6,900.00          | 33.26             | 0.00                     | 415.24            | 0.00                 | 6,484.76          | 6.02           |
| CONTRACTUAL SERVICES                          | 41,600.00         | 3,078.25          | 0.00                     | 20,890.89         | 0.00                 | 20,709.11         | 50.22          |
| CAPITAL OUTLAY                                | 5,000.00          | 0.00              | 0.00                     | 0.00              | 0.00                 | 5,000.00          | 0.00           |
| <b>TOTAL Community Center Operations</b>      | <b>134,881.00</b> | <b>8,687.86</b>   | <b>0.00</b>              | <b>64,665.28</b>  | <b>0.00</b>          | <b>70,215.72</b>  | <b>47.94</b>   |
| <b>Visitor Services</b>                       |                   |                   |                          |                   |                      |                   |                |
| <b>TOTAL Visitor Services</b>                 | <b>0.00</b>       | <b>0.00</b>       | <b>0.00</b>              | <b>0.00</b>       | <b>0.00</b>          | <b>0.00</b>       | <b>0.00</b>    |
| <b>** TOTAL EXPENDITURES ***</b>              | <b>134,881.00</b> | <b>8,687.86</b>   | <b>0.00</b>              | <b>64,665.28</b>  | <b>0.00</b>          | <b>70,215.72</b>  | <b>47.94</b>   |
| <b>* REVENUE OVER (UNDER) EXPENDITURES **</b> | <b>5,820.00</b>   | <b>8,177.33</b>   | <b>0.00</b>              | <b>(3,105.25)</b> | <b>0.00</b>          | <b>8,925.25</b>   | <b>153.35</b>  |
| <b>OTHER FINANCING SOURCES (USES)</b>         |                   |                   |                          |                   |                      |                   |                |
| <b>TOTAL OTHER SOURCES/USES</b>               | <b>0.00</b>       | <b>0.00</b>       | <b>0.00</b>              | <b>0.00</b>       | <b>0.00</b>          | <b>0.00</b>       | <b>0.00</b>    |
| <b>NET GAIN OR (LOSS)</b>                     | <b>5,820.00</b>   | <b>8,177.33</b>   | <b>0.00</b>              | <b>(3,105.25)</b> | <b>0.00</b>          | <b>8,925.25</b>   |                |

\*\* END OF REPORT \*\*\*

CITY OF LEON VALLEY  
 FINANCIAL STATEMENT - UNAUDITED  
 AS OF: APRIL 30TH, 2012

720-Street Maintenance Tax  
 FINANCIAL SUMMARY

|   | CURRENT<br>BUDGET     | CURRENT<br>PERIOD | PRIOR YEAR<br>PO ADJUST. | Y-T-D<br>ACTUAL   | Y-T-D<br>ENCUMBRANCE | BUDGET<br>BALANCE | % OF<br>BUDGET |
|---|-----------------------|-------------------|--------------------------|-------------------|----------------------|-------------------|----------------|
| <b>REVENUE SUMMARY</b>                        |                       |                   |                          |                   |                      |                   |                |
| Revenues                                      | 439,560.00            | 33,551.43         | 0.00                     | 172,852.74        | 0.00                 | 266,707.26        | 39.32          |
| <b>TOTAL REVENUE</b>                          | <b>439,560.00</b>     | <b>33,551.43</b>  | <b>0.00</b>              | <b>172,852.74</b> | <b>0.00</b>          | <b>266,707.26</b> | <b>39.32</b>   |
| <b>EXPENDITURE SUMMARY</b>                    |                       |                   |                          |                   |                      |                   |                |
| <b>Street Maintenance Tax</b>                 |                       |                   |                          |                   |                      |                   |                |
| CONTRACTUAL SERVICES                          | 546,311.00            | 73,935.60         | 0.00                     | 211,199.80        | 0.00                 | 335,111.20        | 38.66          |
| <b>TOTAL Street Maintenance Tax</b>           | <b>546,311.00</b>     | <b>73,935.60</b>  | <b>0.00</b>              | <b>211,199.80</b> | <b>0.00</b>          | <b>335,111.20</b> | <b>38.66</b>   |
| <b>** TOTAL EXPENDITURES ***</b>              | <b>546,311.00</b>     | <b>73,935.60</b>  | <b>0.00</b>              | <b>211,199.80</b> | <b>0.00</b>          | <b>335,111.20</b> | <b>38.66</b>   |
| <b>* REVENUE OVER (UNDER) EXPENDITURES *(</b> | <b>106,751.00 (</b>   | <b>40,384.17)</b> | <b>0.00 (</b>            | <b>38,347.06)</b> | <b>0.00 (</b>        | <b>68,403.94)</b> | <b>64.08</b>   |
| <b>OTHER FINANCING SOURCES (USES)</b>         |                       |                   |                          |                   |                      |                   |                |
| <b>TOTAL OTHER SOURCES/USES</b>               | <b>0.00</b>           | <b>0.00</b>       | <b>0.00</b>              | <b>0.00</b>       | <b>0.00</b>          | <b>0.00</b>       | <b>0.00</b>    |
| <b>NET GAIN OR (LOSS)</b>                     | <b>( 106,751.00 (</b> | <b>40,384.17)</b> | <b>0.00 (</b>            | <b>38,347.06)</b> | <b>0.00 (</b>        | <b>68,403.94)</b> |                |

\*\* END OF REPORT \*\*\*

# NOTICE OF PUBLIC MEETING

## AGENDA

### LEON VALLEY SPECIAL CITY COUNCIL PLANNING WORK SESSION

FRIDAY, MAY 18, 2012, 8:30 A.M. – 1:30 P.M.

THE KINMAN HOUSE  
6417 EVERS ROAD  
LEON VALLEY, TEXAS 78238

SPECIAL CITY COUNCIL WORK SESSION – 8:30 A.M.

1. Call to Order and Determine a Quorum is Present
2. Discuss Meeting Expectations
3. Review and Status of the Goals Set Last Year
4. **BUDGET**
  - a. Fiscal Year 2013 General Fund Budget
  - b. Identification of new Revenue Sources
  - c. Designation of the \$1.5 million from CPS Energy CIED Fund
5. **ECONOMIC DEVELOPMENT**
  - a. Marketing Leon Valley to Developers & Businesses
  - b. Support Strategies for ED Director & LVEDC
  - c. Fiesta Dodge Property Development
  - d. Small & Local Business Advocacy Policy
6. **TRANSPORTATION**
  - a. Bandera Road Traffic-Partnership with San Antonio for Traffic Plan
  - b. Sidewalk Development & Maintenance Plan
7. **CODE COMPLIANCE**
  - a. Property Maintenance Code Plan
8. **CITY COUNCIL**
  - a. Rules of Conduct (City of Schertz Model)
9. **PLANNING INITIATIVES**
  - a. Renewing El Verde by 2020 Initiative
  - b. Discussion of Timeline to Update our City's Strategic Plan and Citizen Input
10. **CITY MANAGER EXPECTATIONS**
  - a. Establish Priorities and Focus for City Management Team
11. Adjourn

I hereby certify that the above NOTICE OF PUBLIC MEETING AND AGENDA OF THE LEON VALLEY SPECIAL CITY COUNCIL WORK SESSION was posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, **on the 15<sup>th</sup> day of May, 2012 by 8:00 a.m.** and remained so posted until after the meeting hereby posted concluded. This notice was likewise posted on the City website at [www.leonvalleytexas.gov](http://www.leonvalleytexas.gov). This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours ahead of the meeting. To make arrangements call (210) 684-1391, Ext. 216.

\_\_\_\_\_  
Janie Willman, City Secretary

I certify that the attached Notice of the Public Meeting and Agenda of the Leon Valley Special City Council Work Session of items to be considered by the Leon Valley City Council was removed by me from the City Hall Bulletin Board on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_.

;  
;-;-

\_\_\_\_\_ Title: \_\_\_\_\_

DRAFT

## Earthwise Living Committee Meeting City of Leon Valley

Date: Tuesday, March 13, 2012  
Time: 6:00 PM  
Location: Leon Valley Public Works, 6427 Evers, Leon Valley, TX 78238  
Staff Liaison: Valerie Siat  
Members Present: Thomas Benavides, Rita Burnside, Sandra Keller, Mary Key, Gene Marck, Chris Riley, and Brenda Sarmiento  
Members Absent: Erica Alamarez, Jean Johnson, Tom Kusiak, Andrea Nocito, Shirley Owen, Susan Price, Marty Tome, and Sharon Wyeth

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

- Meeting called to order at 6:00PM and Quorum was met.

### 2. Approval of minutes for February 21, 2012.

- Minutes approved.

### 3. Discuss 23<sup>rd</sup> Anniversary Earthwise Living Day Event Held on February 25, 2012.

- Valerie provided the Demographic information gathered from the event.
  - Approximately 875 visitors attended.
  - Zip Codes (78238 & 78240) with the highest attendance.
- Valerie provided the current Budget Balance (\$1,412.34 remaining).
- Assessment of 2012 event by the committee members:
  - Lack of staff in the kitchen and with coffee preparations.
  - Not enough EWL committee members present to support the event.
  - Last minute changes made to pre-assigned Speaker Tables created a shortage.
  - Speaker tables and vendor table should have been placed in the outside hall to reduce noise/voices for speaker presentations at the podium.
  - SAWS arrived at last minute with no registration.
  - Some door prizes were picked up late, therefore were not acknowledged on door prize board.
  - Directional signs not removed promptly.
  - Solar Screen (vendor booth) did not pay.
  - Wheelie Gourmet (food vendor booth) did not pay.
  - Major's script should have all members names listed.
  - The live plant decorations and white lattice display were missed this year.
  - Poetry Contest was canceled due to lack of entries. Possible consideration to remove it from the event.
  - Laptops/equipment should be tested before use.
  - Too much focus/time on door prizes. Consider alternative approach for tickets and claims.
  - Consider changing format to attract audience to speaker area to ensure enough of an audience is present.
  - Add a children's event.
  - EWL committee members present at this meeting in agreement that Jocye Trent should be given an Earthwise Pin.
  - The plastic bag/recycle bag program may be promoting the use of plastic bags. It may be better just to give attendees a free recycle bag when they register.
  - Call to EWL Committee Members to attend the Earth Day Award ceremony at the San Antonio Earth Day held at Woodlawn Lake Park on Saturday, April 21, 2012.
  - City of Leon Valley should look in Logistix Recycling for the city's recycling program. They are based in San Antonio and provide one of the most comprehensive recycling programs.

### 4. Plan Thank You Dinner.

- Thank You Dinner for the event will be held at Chacha's Mexican Cuisine inside Loop 410 on Bandera Road.
- Brenda will contact Chacha's to schedule Date & Time (Tuesday, March 27, 2012, at 6:00PM).
- Tom will send invitations to the volunteers from Bank of America, the Garden Club, and the Discovery School.

**Earthwise Living Committee Meeting  
City of Leon Valley**

**5. Adjourn**

- Meeting adjourned at 7:15PM.
- The April meeting is cancelled due to the City of Leon Valley Council Dinner for Public Service for all committee's which will be held on Tuesday, April 10, 2012 (6:00PM).
- Next meeting will be on Tuesday, May 1, 2012 (6:00PM), at Leon Valley Public Works, 6427 Evers, Leon Valley, TX 78238.



Chairwomen or Secretary



Staff Liaison



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

**January 25, 2012**

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:38 p.m. on **Wednesday, January 25, 2012** in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

**I. ROLL CALL**

Present were Vice-President Abraham Diaz acting as Chairperson, Treasurer Michael McCarley, Secretary Nancy Marin, Board Members Dr. Georgia Zannaras, Claude Guerra III and Stephen Ynostrosa. Absent and properly excused was President Mike Davis. Also present were Attorneys Steven Pena and Lisa Gonzales, and Director of Community Development and Interim Supervisor of Economic Development Kristie Flores, acting as staff support and recording secretary.

Also present were Mayor Chris Riley and City Manager Manuel Longoria Jr.

**II. EXECUTIVE SESSIONS IN ACORDANCE WITH THE TEXAS GOVERNMENT CODE**

**The City of Leon Valley Economic Development Corporation Board will Convened into Executive Session at 6:41 p.m. regarding the following sections of the Texas Government Code:**

- A. Pursuant to Section 551.071, Consultation with Attorney, Regarding Pending or Contemplated Litigation Regarding
  - (1) Larry Little and/or Town Center Project.
  - (2) Porky J's.
  
- B. Pursuant to Section 551.072, Deliberations about Real Property Regarding Appraisals for Properties Associated with the Town Center Area (Poss Road and Grissom Road) and to discuss the purchase, exchange, lease, or value of real property, and discussions with respect to negotiated contracts for prospective gifts, or for donations, for the governmental body, which such discussions would have a detrimental effect on negotiating position of the governmental body.
  
- C. Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations
  - (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations; or
  - (2) to Deliberate the Offer of a Financial or Other Incentive to a Business Prospect Described by Subdivision (1), Regarding the Town Center Project and Associated Properties.

**The Board reconvened into open session at 8:51 p.m. There was no action taken in Executive Session.**

There was no action taken on Item B.) Pursuant to Section 551.072, Deliberations about Real Property Regarding Appraisals for Properties Associated with the Town Center Area (Poss Road and Grissom Road) and to discuss the purchase, exchange, lease, or value of real property, and discussions with respect to negotiated contracts for prospective gifts, or for donations, for the governmental body, which such discussions would have a detrimental effect on negotiating position of the governmental body.

There was no action taken on Item C.) Pursuant to Section 551.087, Deliberation Regarding Economic Development Negotiations (1) to Discuss or Deliberate Regarding Commercial or Financial Information that the Governmental Body Seeks to Have Locate, Stay, or Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiations; or (2) to Deliberate the Offer of a Financial or Other Incentive to a Business Prospect Described by Subdivision (1), Regarding the Town Center Project and Associated Properties.

There was no action taken on Item A.) Pursuant to Section 551.071, Consultation with Attorney, Regarding Pending or Contemplated Litigation Regarding Item 1.) Larry Little and/or Town Center Project.

There was ACTION TAKEN on Item A.) Pursuant to Section 551.071, Consultation with Attorney, Regarding Pending or Contemplated Litigation Regarding Item 2. Porky J's. Board Member Claude Guerra III made a motion directing Board Attorney Steve Pena to proceed with paper work which would allow a collections attorney to begin the claw back process to get monies returned by Porky J's for breach of contract and attorney fees. Board Member Mike McCarley seconded the motion and the motion passed unanimously by voice vote, 6-0.

### III. CONSIDERATION FOR APPROVAL OF THE MINUTES OF: November 30, 2011

Staff passed out an updated copy of the minutes and after review of the minutes Board Member Claude Guerra III made a motion to approve the minutes of November 30, 2011. Board Member Nancy Marin seconded the motion and the motion passed unanimously by voice vote, 6-0.

### IV. FINANCIAL REPORT BY LVEDC TREASURER

Board Member and Treasurer Michael McCarley noted that there was approximately \$229, 577 in sales tax over a 13 month period. He stated that the money market was \$296,140.18.

It was noted in the general financial discussion of the Board that a budget adjustment may be needed in the area of legal fees.

### V. DISCUSSION TO CONSIDER THE REAPPLICATION TO THE TEXAS LEVERAGE FUND AND LOAN FUNDING ALTERNATIVES

Staff noted that documents had been prepared which referenced loan alternatives: 1) Texas Leverage Fund, 2) Certificates of Obligation from 10-year to 15-year and 20-year, and a Bank Qualified Loan Option from Frost Bank also specifying rates for 10-15-20 years.

Staff encouraged the Board to review the figures on their own time so that they could make an educated decision in the future if necessary.

### VI. DISCUSSION OF BUDGET, PUBLIC NOTICE/HEARINGS, AND PROPOSED PROGRAMMING FOR LVEDC

Staff presented the Board with a Draft Packet of Reimbursement Programming Alternatives for the Board to review for implementation. Staff noted that the Board had a lot to think about in regard to all of the activities surrounding the Board and encouraged them to look at the packet for later discussion.

## VII. FUTURE AGENDA ITEMS

The following items were noted for a future agenda:

- 1) Other Policy Guides: Attendance, Conflict of Interest, Document Retention, Media Relations, and Whistleblower
- 2) Discussion and Job Description for LVEDC Economic Development Executive Director
- 3) Strategic Planning LVEDC
- 4) Budget Adjustment –Legal Fees
- 5) Documation Contract
- 6) Next Meeting – February 22, 2012

## X. ADJOURN

Board Member Claude Guerra III made a motion to adjourn, seconded by Board Member Mike McCarley. The motion carried by voice vote and the meeting was adjourned at 9:50 p.m.



**BOARD PRESIDENT**



**BOARD SECRETARY**

Prepared by Staff Liaison: Kristie M. Flores



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

**March 28, 2012**

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:37 p.m. on **Wednesday, March 28, 2012** in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

**I. ROLL CALL**

Present were Vice-President Abraham Diaz acting as President, Treasurer Michael McCarley, Secretary Nancy Marin, Board Members Claude Guerra III, Dr. Georgia Zannaras, and Herman Segovia. Absent was Stephen Ynostrosa. Also present were Board Attorney Steven Peña, Director of Community Development Kristie Flores, and Director of Economic Development Claudia Mora acting as staff support and recording secretary.

**III. CITIZENS TO BE HEARD**

Acting President Diaz entertained a motion to change the order of business and move Agenda Item II. Officer Nominations and Conduct Election of Officers down and bring up Agenda Item III. Citizens to be Heard to allow the absent board members time to join the proceedings. Board Member Marin made the motion and Board Member Guerra seconded the motion. The motion passed unanimously.

Mr. Diaz proceeded down the list of citizens who signed up to speak. Each speaker was granted five (5) minutes for comments:

Ms. Rose Ryan, representing the Leon Valley Area Chamber of Commerce;

Mr. Al Baldrige;

Mr. Thomas LeRoy

**IV. CONSIDER LVEDC MINUTES – OCTOBER 11, 2011 AND FEBRUARY 22, 2012**

Board Member Marin questioned whether staff had researched and inserted language stating no board action was taken in executive session. Ms. Flores stated that she inserted language in the minutes to indicate whether action had been taken in executive session. She also informed the board that she received comments on the minutes from Board Members Marin and Guerra, and made changes accordingly. She distributed updated copies of the revised minutes. Mr. Guerra moved to approve the minutes of October 11, 2011 and February 22, 2012. Board Member McCarley seconded the motion. The motion passed unanimously.

**V. FINANCIAL REPORT BY LVEDC TREASURER (MICHAEL MCCARLEY)**

Board Member McCarley reported that as of March 28, 2012, the LVEDC demand/checking account was \$14,036.40 and the corporation's money market account was \$343,098.19. He noted that the total of both accounts was \$357,134.59. Mr. McCarley reported that the February sales tax contributed to the LVEDC account was \$22,744.24. For March, the amount was \$15,296.65. This brought the total 2012 sales tax amount to \$54,511.32 for January to March 2012. Board Member McCarley also reported that there were four (4) bills to be paid – three (3) bills for attorney fees and

one from Star Documents, as part of file copying for pending lawsuit. Mr. McCarley also mentioned that the LVEDC's contract with the City of Leon Valley required a payment. He noted the total financial obligations of the LVEDC were approximately \$24,000.

Board Member Segovia moved to accept the treasurer's report. Board Member Guerra seconded the motion. The motion passed unanimously.

#### **VIII. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2012-003, REGARDING BANK SIGNATURE DE**

Board Member McCarley reported on his discussions with Frost Bank regarding the change of persons designated to sign checks on behalf of the LVEDC. The original bank requirement included providing the bank with a copy of the certified meeting minutes and signed resolution appointing the new signees. In addition, the two existing signees were needed to transfer the signatures designation. Mr. McCarley also informed the board that the bank preferred not having two signees on the checks. He noted that the change process at the bank could take two to three weeks because our request would be sent to the bank's attorneys for their review. Mr. McCarley also said that if the LVEDC decided to go with one signor, there would have to be some internal procedures developed. Also, Mr. McCarley informed the board that the bank would assess a fee for each check to process them through their scanner. Because there are two signatures on the checks, each check would have to be hand-processed through the scanner twice.

Board Attorney Peña recommended that the Board have the executive director, Ms. Mora, look into the bank's requirements for designating new signees on the LVEDC's checks.

Board Member Marin noted for the record that she agreed with Mr. McCarley that there should be two signees on the LVEDC checks.

#### **VI. FOLLOW UP DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2012-001, ON A GRANT APPLICATION BY NORA PEREZ, APPLICANT, GDA INSURANCE – REQUEST AMOUNT \$9,663 FOR TWO (2) BUSINESS SIGNS**

Applicant Nora Perez presented her application for grant funding noting that the funding request changed from \$9,663 to \$6,743.91. Ms. Perez stated that she was making a \$1,000 cash match. She also reported that at the Board's recommendation, she met with a representative of ACCIÓN to discuss a business loan through that organization. She reported that the quoted interest rate of 10% to 15% was too high for her to consider a loan with ACCIÓN. At the request of the City of Leon Valley, Ms. Perez provided information on the insurance agency's tax contribution. Ms. Perez stated that for 2009 through 2011, the taxes were estimated to be \$173.80. Her projection for 2012 was \$70.80. Also, Ms. Perez provided projections for staff and client food purchases and sales taxes to be paid for 2012.

Ms. Perez said she was working with the property manager to bring new business to Leon Valley. She listed four businesses that she's identified to target for attraction.

Board Member McCarley asked if Ms. Perez was making an outright grant request and Ms. Perez noted that she was. Board Member Marin asked for clarification on whether the projected sales tax contribution in Ms. Perez's presentation was based on the 1/8¢ sales tax increment. Ms. Perez responded that it was.

Acting Board President Diaz mentioned that the board had offered Ms. Perez a loan. Ms. Perez stated that, at this time, the loan was not an option for her. Board Member Zannaras noted the owner's non-participation in assisting their tenant.

Board Member Segovia asked Ms. Perez when the term of her lease expired. She replied that the current term expires in November 2012.

Mr. Diaz stated that the last time the application was presented it did not meet the general criteria. He also noted that the Board would look at funding a request if the business was contributing sales tax. In addition, the Board would look into providing funding through a low interest loan. Mr. Diaz stated that the LVEDC needs to look into a policy whereby each business's background is reviewed thoroughly, and the Board may provide funding through a low interest loan.

Acting President Diaz asked if Ms. Perez would stay in Leon Valley when her lease is up in November. Ms. Perez mentioned she had invested in her location and wants to stay. She commented that she did not understand why she was considered to be ineligible for LVEDC funding. Mr. Diaz noted that the Board was not declaring Ms. Perez to be ineligible; the Board is monitoring the distribution of funds. He stated that he hopes the Board will fund sales tax generators in the future.

Board Member Segovia asked Board Attorney Peña how funding works with other communities with economic development corporations. Mr. Peña commented that the law is broad and that economic development corporations (EDC) can fund all types of businesses. The EDCs typically want to see what businesses have invested into the business and in the community. There is nothing in the law that prevents the LVEDC from being creative in how to provide funds. Mr. Peña commented that criteria for grant funding are needed. Mr. Peña said that a low interest rate on a \$6,000 loan would be worked out with low monthly payments or a combination of a loan and grant could be done.

Mr. Segovia said he wanted to see the business put in some money into the project. If a loan was not an option, then perhaps a 70/30 grant option (70% from LVEDC and 30% from the business) with a commitment from Ms. Perez to stay in Leon Valley.

Mr. Diaz stated that the grant funding cannot be one-sided. He asked if the Board would entertain a \$3,000 grant.

Board Member Marin stated that in the training session she attended in 2011 it was emphasized that EDC's should not be in the business of giving away money. There should be clawback language in agreements. Ms. Marin also said that the training encouraged the EDCs to think about the longevity of the business as well as job creation.

Board Member Zannaras noted that LVEDC partial funding was the best option because investment by the business is necessary. She also stated that signage is no guarantee of bringing in new business. Dr. Zannaras suggested that language regarding the business paying back the loan and staying in Leon Valley be part of any loan and/or grant agreement.

Ms. Perez stated that business was better when she had a sign. She invested in three flags which could not be used due to a change in the City Code.

Acting President Diaz noted it was the direction of the board to have the business invest or share in the cost of the signs. He also said that the LVEDC needs policies and procedures in place for the application process. He wanted the board to see an application and scoring sheet at the next meeting.

Mr. Peña informed the board that Ms. Perez and her LVEDC funding application had been before the board three times. He recommended that the executive director score the application using the current criteria and that the board take action on funding contingent upon the application receiving a passing score of 70 or more.

Board Member Guerra said he appreciated the diligence by the applicant, Ms. Perez, and that the LVEDC should have a policy in place outlining what would be done with non-sales tax generating business and sales tax generating businesses who apply for funding. Mr. Guerra stated that he felt strongly about having participation (investment) from the applicant businesses. He suggested that the scoring be done quickly and then proceed into the funding amount, which should be shared between LVEDC and the applicant. Mr. Guerra said that the LVEDC would like to see Ms. Perez stay in Leon Valley.

Mr. Peña commended Ms. Perez on her research and work to get lower quotes for the sign, and, in turn, a lower funding request to the LVEDC. Ms. Perez stated she had worked hard to get the quotes and make her commitment of \$1,000 to the project.

Board Member Marin asked Ms. Perez if she would reconsider an LVEDC loan. Ms. Perez said that if, after the scoring, the application does not meet the criteria, then she would consider the loan.

Board Member McCarley asked for Ms. Perez to describe the original sign. Ms. Perez described the sign and stated that she wanted the new sign to be visible to drivers on Bandera Road. Community Development Director Flores explained that temporary banners were allowed for six months at a time and that there is a 30-day wait period in between requests for signage. Also, signs are not allowed in the right of way, and portable signs are not allowed.

Mr. McCarley suggested that if Ms. Perez's application was going to be scored, that one of the Board members be present during the scoring to ensure that the director's assessment is in sync with the Board's assessment.

Acting President Diaz stated the Board direct Ms. Mora to score Ms. Perez's application; if the score is 70 or above, then the board would entertain funding through a low interest loan or a grant of \$3,000 with the applicant to fund the balance.

Mr. McCarley commented that if a loan is offered, it should be structured so that payments would start a few months down the line to give the applicant an opportunity to generate new business. Mr. Peña commented that the loan repayment could begin with low payments and then increase over time.

Board Member Guerra said that the Board and staff could present and discuss the loan condition with the applicant. Once that was done, the applicant may be able to do a loan instead of a grant.

Acting President asked Ms. Perez if, for example, the payments started at \$100 per month, could she make payments. Ms. Perez indicated that she would. Mr. Diaz said that the application would be scored and if it scored at least 70, then funding options could be discussed and considered.

Ms. Perez asked if the funding options were going to be considered even though other applicants' funding requests had been granted in full. Mr. Diaz stated that the LVEDC was going toward partial funding.

Mr. Guerra suggested the application be scored first, then the funding amount and options could be discussed.

Board Attorney Peña commented that if the application scored the minimum points for funding, then the executive director could return to the Board with recommendations. The Board would decide which option to approve.

Acting President Diaz asked for a motion to direct staff to score the application with a board member present; if the application passes 70, then staff would bring a funding recommendation to the board for consideration and approval.

Board Member Marin emphasized to staff that the application needed to be complete. Ms. Perez stated that she had re-done the application, and then asked if the scoring would be an open process. Mr. Diaz stated that the only persons to be present were a board member and staff.

Mr. Peña suggested that after the scoring, the executive director and applicant meet to discuss funding options. If the applicant does not agree with the options, then there is no need to recommend options to the Board.

Board Member Guerra stated that the Board direct staff to score the application with a board member present. Assuming that the application receives the minimum amount of points, Ms. Mora and Ms. Perez would meet to discuss the funding options with the provisions discussed at this Board meeting. The resulting options would then be recommended to the board for consideration and approval. Mr. Peña recommended that the applicant have time to review the numbers presented in the options.

Ms. Marin stated that all projects need to be taken to City Council for approval.

Mr. Peña stated that normally, the EDC budget is approved by City Council. As long as that is done and the EDC has money, it can expend funds.

Community Development Director Flores stated that she had looked into City Council approving the grants and found that they should be considered by City Council. She stated that staff can look into it again and report back to the Board.

Board Member Segovia moved to direct Ms. Mora to score Ms. Perez's application; give the Board three or four options – including grant, loan, grant and loan – with clawback language, and to report on the applicant's preferred option. Board Member Segovia seconded the motion.

Board Member Zannaras stated that the Board needed to have a definite date on the longevity period for the grant/loan. Mr. Segovia amended his motion to include a longevity period of two years. Board Member Marin added that a board member be present during the scoring. Mr. Segovia added that to his motion. Dr. Zannaras seconded the motion. The motion with its amendments passed unanimously.

Acting President Diaz, announced that the Board would take a short break at 8:30 p.m.

Acting President Diaz called for the meeting to resume at 8:40 p.m.

## **II. OFFICER NOMINATIONS AND CONDUCT ELECTION OF OFFICERS**

Acting President Diaz asked the Board Members to introduce themselves to Board Member Segovia at Board Member Marin's suggestion.

Mr. Diaz asked Board Attorney Peña if an absent Board Member was eligible to be nominated and elected for office. Mr. Peña said "yes" and that the absent Board Member could decide if he/she wanted to accept the position. There was nothing to prohibit the nomination and election of an absent board member.

Mr. Diaz opened the floor for nominations for President. Board Member Guerra nominated Mr. Diaz. Board Member Zannaras seconded the nomination. There were no other nominations. Mr. Diaz was elected President by a unanimous vote.

President Diaz asked for nominations for Vice President. He nominated absent Board Member Stephen Ynostrosa. Board Member McCarley seconded the nomination. There were no other nominations. Mr. Ynostrosa was elected Vice President by a unanimous vote.

Mr. Diaz asked for nominations for Treasurer. He nominated Board Member McCarley. Board Member Guerra seconded the nomination. There were no other nominations. Mr. McCarley was elected Treasurer by a unanimous vote.

Mr. Diaz asked for nominations for Secretary. Dr. Zannaras nominated Board Member Marin. Mr. Guerra seconded the nomination. There were no other nominations. Ms. Marin was elected Secretary by a unanimous vote.

Ms. Marin asked that the term of officers be researched and reported on at the next meeting.

## **VII. FOLLOW UP DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2012-002, FUNDING WEBQA FOR GOLOCAL PROGRAM WITH 1-YEAR SUBSCRIPTION IN THE AMOUNT OF \$3,800**

Ms. Flores introduced Ms. Lisa Dowling with WebQA who did a remote presentation on a GoLocal Program. The LVEDC Board Members were able to watch the computer screen to see how Ms. Dowling maneuvered through an existing GoLocal Program website from another city. After the short presentation, Board Member Marin asked how the program is optimized. Ms. Dowling said that the participating businesses are encouraged to register with Google to increase the chances of getting more inquiries. Ms. Flores stated that the program would be limited to Leon Valley businesses. Ms. Dowling stated that WebQA would go out and help the businesses register for the program. Ms. Marin mentioned that a list of home-based businesses does not exist; and wanted to know how to get them involved in the program. Ms. Dowling stated that a list was not needed; and that the WebQA team would do the research to find the businesses.

Board Member McCarley asked whether the businesses could advertise directly through WebQA or if they had to go through the City of Leon Valley's website. Ms. Dowling said that the businesses did not have to go through the City's website; they could advertise directly.

Board Member Segovia asked about the cost and payment for advertising. Ms. Dowling explained that the advertising module was separate from the general set up and contract. That module is optional. If it was added, WebQA would work with the City of Leon Valley to structure the payments. Board Member Marin asked for confirmation that the annual rate was reduced for subsequent years. Ms. Dowling stated that the subsequent years do not have a start-up or set-up fee. She also mentioned that the contract would be structured for one year with an option to renew. It was clarified that the cost for the first year would be \$3,800 -- \$800 for the start-up or set-up and \$3,000 for the one-year subscription (\$250 per month). Ms. Marin asked if there were proprietary rights and disclaimers for the site. Ms. Dowling said that can be done. Mr. Segovia asked if the City/LVEDC would have control of the website. Ms. Dowling said "yes". Ms. Marin asked about questionable businesses placing inappropriate content on the site and how we can prevent it. Ms. Dowling stated that WebQA would be monitoring the site regularly to prevent things like that from happening.

Board Member Segovia moved for the LVEDC to enter into an agreement with WebQA for one year at \$3,800 with an option to renew at \$3,000 per year. Board Member Zannaras seconded the motion. Board Member Marin asked staff to research whether this item needed to be taken to City Council for Approval. Ms. Flores stated that it was not necessary. The motion passed unanimously.

Board Member Guerra left the meeting at 9:30 p.m.

**VIII. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2012-004, REGARDING BANK SIGNATURE DE**

Board Member Zannaras moved to approve the resolution approving the newly elected board president, vice president and treasurer as bank signature designees. President Diaz seconded the motion. Board Member Segovia asked if this was for joint signatures. Discussion ensued regarding whether to amend the resolution to include language regarding Board Member Ynostrosa's acceptance of the Vice President position. Dr. Zannaras withdrew her motion. Ms. Marin moved to pass the resolution pending Mr. Ynostrosa's acceptance of the Vice President position. Dr. Zannaras seconded the motion. Mr. Peña stated that it was not valid until Mr. Ynostrosa accepted. Ms. Marin withdrew her motion. Dr. Zannaras withdrew her second. Dr. Zannaras moved to accept the resolution as written. Ms. Marin seconded the motion. The motion passed unanimously.

**IX. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2012-004, REGARDING TEXAS ECONOMIC DEVELOPMENT COUNCIL MEMBERSHIP FOR CLAUDIA MORA AND HERMAN SEGOVIA AND TRAVEL RELATED EXPENSES FOR TRAINING**

Ms. Mora informed the Board of the next 4B sales tax training session to be conducted by the Texas Economic Development Council (TEDC). In addition, she distributed copies of the TEDC training schedule. Board Attorney Peña reminded the Board of State training requirements.

Board Member McCarley moved to pass the resolution approving expenses associated with Texas Economic Development Council membership for Claudia Mora and Herman Segovia, and travel-related expenses for training. Board Member Marin seconded the motion. The motion passed unanimously.

**X. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE**

**The City of Leon Valley Economic Development Corporation Board Convened into Executive Session at 9:44 p.m. regarding the following sections of the Texas Government Code:**

- A. Pursuant to Section 551.071, Consultation with Attorney, Regarding Pending or Contemplated Litigation Regarding
  - (1) DOCUmentation Contract
  - (2) Porky J's
- B. The City of Leon Valley Economic Development Corporation Board will Reconvene into Open Session.
- C. The City of Leon Valley Economic Development Corporation Board will Take Any Possible Actions Resulting from the Executive Session.

**The Board reconvened into open session at 10:00 p.m.**

There was NO ACTION TAKEN in Executive Session on Item A.) Pursuant to Section 551.071, Consultation with Attorney, Regarding Pending or Contemplated Litigation Regarding (1) DOCUmentation Contract; (2) Porky J's.

Board Member Segovia moved for the Board to direct Board Attorney Steven Peña to pursue litigation on Porky J's and void the DOCUmentation contract as not valid, and send a letter to DOCUmentation. Board Member McCarley seconded the motion. Board Member Marin asked that two separate

motions be voted on by the Board. Mr. Segovia amended his motion to state that the Board direct the Board Attorney to send a letter to DOCUmentation informing them that the contract entered into with the LVEDC is not valid. Board Member Zannaras seconded the motion. The motion passed unanimously.

Mr. Segovia moved for the Board to direct the Board Attorney to file litigation against Porky J's. Mr. McCarley seconded the motion. The motion passed unanimously.

## **XI. FUTURE AGENDA ITEMS**

Board President Diaz stated that the Board needs to discuss policy and procedures on funding sales tax generating businesses and non-sales tax generating businesses. Board Member Marin stated that having a strategic plan would help the LVEDC set a course. Mr. Diaz stated that developing a strategic plan would take a long time and the need for action was immediate. Ms. Flores informed the board that staff has been working on documents for the LVEDC programs. Board Member Segovia stated that the Board needed to have policy procedures for grant applications with specific deadlines. Board Attorney Peña stated that the Board should rely on the professionals (staff) to develop these policies for the Board to consider. Ms. Flores added that staff wanted to build an application process that included a waiting period for re-application by interested businesses.

Mr. Diaz directed staff to work on the future agenda items listed and present recommendations to the Board. Mr. Peña commented that the policies should not strap the board. Ms. Marin asked that Item B – Discussion and Job Description for LVEDC Economic Development Executive Director be removed from the list.

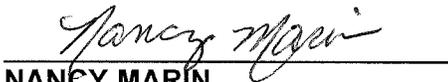
Board President Diaz took the opportunity to thank Ms. Flores for her work with the Board in the interim period. Board Member Zannaras stated that there has been much more cooperation between Economic Development and other City departments. Board Member Marin acknowledged Ms. Flores and her work with the Board.

## **XII. ADJOURN**

Board Member Segovia moved to adjourn, seconded by Board Member McCarley. The motion carried by voice vote and the meeting was adjourned at 10:30 p.m.



**ABRAHAM DIAZ**  
**BOARD PRESIDENT**



**NANCY MARIN**  
**BOARD SECRETARY**

Prepared by Staff Liaison: Claudia Mora



MINUTES OF THE MEETING OF THE  
LEON VALLEY ZONING COMMISSION

March 27, 2012

The meeting of the Leon Valley Zoning Commission convened at 6:35 p.m. on Tuesday, March 30, 2012, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

**I. Roll Call**

Present were Chairman Guerra III, Vice-Chair Wendy Phelps, 2<sup>nd</sup> Vice-Chair Olen Yarnell, and Members Rich Braune, Hal Burnside, Mike Davis, Jr., and Alternate Members Carmen Sanchez and Phyllis McMillan. Absent and properly excused were Member Pedro Esquivel. Alternate Member Linda Geraghty was not in attendance. Ms. Geraghty had previously submitted her letter of resignation from the Commission in Mid-March due to family matters. Also present was Kristie Flores, Director of Community Development, acting as recording secretary.

**II. Approval of Minutes – February 28, 2012**

Commissioner Phyllis McMillan made a motion to approve the minutes as written. Commissioner Rich Braune seconded the motion, and the motion passed unanimously by voice vote.

**III. Specific Use Permit Request #2012-270 (Department of Public Safety Mega-Center)**

Chairman Guerra III, welcomed the audience, thanked them for their attendance, and noted the process that would be followed for discussion and public hearing of Specific Use Permit Case No. 2012-270. Staff presented the case information noting that Specific Use Permit Case No. 2012-270, was a request by Barry Williamson, applicant and property owner, on behalf the Department of Public Safety (DPS), to operate and construct an "office" in the 7400 block of Huebner Road, being 3.4 acres of land out of 5.3 acres of land, measuring 24,302 square feet and being located on a B-2 (Retail) zoned property. Staff noted that Per Chapter 14, "Zoning Ordinance," Section 14.02.662, "Exceptions," where new construction abuts residential a specific use permit is required prior to obtaining a building permit. Staff gave the history of the area and then stated that the 2009 Master Plan, Section 5CC Huebner Road Corridor, and 7N Canterfield Area addressed the area in general encouraging any one who was rezoning property to consider R-1 (Single-Family), R-3A (Multiple-Family Retirement), R-6 (Garden Home), R-7 (Single-Family Medium Density Dwelling) and MX-1 (Mixed Use) zoning. Staff further explained that the use "office" as proposed was allowed in a B-2 (Retail) zoning district by right. Staff noted that the Master Plan discouraged development on Huebner Road to have an outlet to the Canterfield Subdivision. Staff noted that the applicant's site plan met the minimum requirements for site plan development including: streetscape/landscape, parking, lighting, trash receptacles, traffic impact and circulation, and other sustainability overlay requirements. Staff explained that as required by State law fifty (50) notices were sent to property owners within 200-feet of the site. Staff noted that as of that evening, twenty (20) letters were received from property owners opposed to the request, one (1) letter was received in favor, and two (2) letters were returned as undeliverable. Staff also noted that per M&C 3-06-12 the Council approved notification of 315 additional properties and of those notices one hundred forty-two (142) signatures were received via petition in opposition to the request.

**2<sup>nd</sup> Vice-Chair Olen Yarnell**, asked staff how far the notification circle was expanded. Staff noted that there was not a circle only specific neighborhoods and streets within the immediate area that were requested by Council.

**1<sup>st</sup> Vice-Chair Wendy Phelps** asked the hours of operation. Staff noted that the office would be open Monday through Friday from 8:00 a.m. to 5:00 p.m.

**Commissioner Hal Burnside**, asked staff how the property would be accessed from the North coming down on Huebner Road. He asked if vehicles would have to take a left at Evers Road to access the site. Staff noted that his description was accurate.

**Chairman Claude Guerra III** asked staff to clarify the traffic impact analysis in basic terms. Staff noted that the proposed development and the potential development on the hard corner at Evers Road and Huebner Road were submitted and the applicant determined that there would be less than 100 peak hour trips. Staff indicated that there was a technical formula from the Institute of Traffic Engineers (ITE) that is used to determine the trip generation based on the proposed use(s).

The City's reviewing engineer Sia Sayyadi noted that the DPS office did not have any facilities similar to the one proposed so they were using a smaller model that currently existed. He explained that in his efforts to work with the project engineer the smaller model would not work and the traffic impact was significantly more and for those reasons certain traffic calming measures were required by the City such as a traffic island at one of the ingress/egress at Huebner Road which allow traffic to turn right to come on the site, and turn right out of the site (right-in/right-out). The second ingress/egress would be similar with only a right turn to exit onto Huebner and head towards San Antonio. He further explained that all the rest of the traffic was directed to Evers Road, where a turn lane was required at the light. Mr. Sayyadi also noted that there were vehicle storage lanes at Evers and Huebner to assist with stacking and turning onto the site as well as to assist vehicles in merging into traffic. He further noted that the applicant would also address traffic signalization and geometry at the building permit phase to ensure that traffic will continue to move smoothly when it reaches the traffic signal at Huebner and Evers.

**Commissioner Hal Burnside** asked Mr. Sayyadi what percentage could be placed on the amount of traffic that would increase on Huebner and Evers. Mr. Sayyadi replied that the traffic increase would be under 10%.

**Chairman Guerra III**, asked staff if the routes that were proposed by the DPS for their driver's testing were available. Staff noted that there were three (3) scenarios which had been proposed and Route 3, was selected because it took the testing away from Leon Valley neighborhoods to San Antonio at Apple Green.

**Thomas Robertson, Project Manager for Alamo Park Properties and Kiki Constructors**, addressed the Commission and noted that there were several individuals representing the development who wished to speak on behalf of the project.

**Rebecca Davio, Director of Licensing with the Department of Public Safety**, addressed the Commission and noted that the State was aware that they have customer service issues and they were committed to changing their customer service to faster, easier, friendlier facilities and because of this they were looking at larger facilities with more cashier stations. Ms. Davio explained that the Texas Legislature saw the need as well and made funds available. She also noted that the State population had increased 21% and the State needed to keep up with the demand. For these reasons, Ms. Davio noted that the State intended to build six (6) new "mega" facilities, the one in Leon Valley being one (1) of them.

Commissioner Phyllis McMillan asked if any of the already existing DPS offices would be closed. Ms. Davio noted that there are four (4) DPS facilities in San Antonio and none would be closed. She stated the facility would be in addition to the existing facilities.

**Senior Trooper Ben Zamora**, addressed the Commission and noted that he had extensive experience with the functions of the DPS office and facility and troopers were stationed at the facilities to keep the office secure, maintain order and apprehend wanted individuals.

**Chairman Claude Guerra III**, noted that from the paperwork that was circulated by Alamo Park properties it was indicated that there would be detention areas on site during regular business hours but not overnight. Trooper Zamora noted that there would be holding cells to protect detainees and troopers.

**Commissioner Hal Burnside**, asked Trooper Zamora to explain the driver's test details. Trooper Zamora noted that highly experienced troopers ran the tests and three (3) routes had been determined for testing. He explained that they wanted to use all of the routes. Staff noted that Route #3 had been approved in review for the Specific Use Permit. Mr. Robertson interjected and noted that this was correct only Route 3 would be utilized and apologized for the confusion with the trooper.

**Senator Leticia Van De Putte**, addressed the Commission and noted the State had to cut many programs to balance the budget but one thing that was important to legislators was continuing to provide services. She explained that there were three (3) facilities: probation office, Child Protective Services or Welfare Office and the Department of Public Safety which took priority. Of these offices she noted that she advocated for the DPS Office for the northwest quadrant, especially because in 2013 the ID Act will go into effect requiring those who have driver's licenses to renew more frequently and provide documentation onsite. Ms. Van De Putte explained that the people that would visit this DPS office were the community's very own friends, neighbors and people that they went to church and school with. She also explained that DPS was a good presence in the area and would deter sex offenders, those with warrants or other issues with the law because these individuals would avoid the area. She urged the Commission to allow the DPS Office in the northwest quadrant, because the other location was in the northeast and would be more inconvenient.

**Thomas Robertson, Project Manager for Alamo Park Properties and Kiki Constructors**, addressed the Commission and continued to address concerns noting that the City would benefit from the ad valorem taxes that would be paid on the property. He also noted that the traffic number on record with the State based on the traffic impact analysis was 500-600 cars and overall there would only be a 3% additional impact on the traffic load. He also explained that there was no mass exodus from the site. Mr. Robertson noted that the use fit the zoning district and they would providing adequate buffering to the adjacent neighborhood.

Being no further discussion by the applicant or questions from the Commission, Chairman Guerra III opened the public hearing at 7:34 p.m.

**Liz Maloy, 7411 Chenal Point**, addressed the Commission noting that with her experience on the Zoning Commission, Council, a Master's degree in Planning and as the President of the Pavona Place Homeowner's Association, the proposed use was inappropriate for the area, would devastate the neighborhood and lower property value. She urged the Commission to deny the Specific Use Permit and find a more appropriate location for them such as the vacant Fiesta Dodge site on Bandera Road.

**Paul Ottavio, 7415 Chenal Point**, addressed the Commission and noted his concern with the dirt that was being moved on the property initially with no permitting, the detention cells, the traffic in relation to the neighborhoods and schools. He also noted that there would be no sales tax from the building and would not bring economic development to the City.

**Charles Malouff, 6514 Fontana Point**, addressed the Commission and noted that he was concerned with traffic and the cut-through's that would be created through the neighborhood and the potential hazard to kids in the area and the local school. He agreed that the Fiesta Dodge site on Bandera Road was a better location for the development.

**Joe Hinojosa, 6506 Thunderbird**, addressed the Commission and noted that traffic was already very bad in the area and did not need to be worsened by the proposed development. He explained that he did not believe this was a use that should be classified as "office." He also noted that he was

disappointed he was not notified. He explained that he learned about what was happening from the petition. He further noted that this was a bad project and urged the Commission to deny the SUP.

**Shaun Greer, 6526 Fontana Point**, addressed the Commission and noted concerns with traffic, congestion and the proposed peak hour trips.

**Miguel Garza, Paradise Carwash**, addressed the Commission and noted that he supported the office development and explained that he felt Leon Valley was staying behind. He explained that the new development should be supported by the City and that the neighbors who are opposing the project knew that the properties surrounding them were retail and commercial when they moved to the area. Mr. Garza urged the Commission to support the development.

**Jeton Kellogg, 6615 Fontana Point**, addressed the Commission and noted that there would be more noise generated from traffic into the Pavona Place neighborhood and she explained that it was already extremely difficult to get out of the subdivision. She also noted her concerns with the increased traffic and the nearby elementary school and daycare. She further noted that when the streets are closed for flooding the traffic situation is worse. She also noted concern with the holding cells and that she hoped that the Apple Creek neighborhood was informed.

Clarification was given by a member of the State Trooper Division indicating that there were four (4) holding cells because the law required that males, females and juveniles be housed separately.

**Carol Smith, 7230 Grass Valley**, addressed the Commission and noted her agreement with previous speakers and with looking for a better location for the DPS Office. She agreed with her neighbors that traffic was bad and urged the Commission not to recommend approval of the request.

**Victor Diaz, 7210 Bridle Path**, addressed the Commission and noted concerns with traffic, more accidents in the area, and vehicles speeding through the neighborhood to get to the light at Huebner and Evers Road. He expressed his opposition to the project.

**Robert Trout, 7418 Ellerby Point**, addressed the Commission and noted his opposition to the request stating that he can already hear the existing traffic from his master bedroom. He also explained that recently there was more incidents of crime in the Pavona Subdivision which would be worsened by the proposed development. He noted that he does not want the Police, Fire and EMS over-tasked. He noted that the area already had its share of concerns and the DPS office should find a better location.

**Walter Geraghty, 7315 Ellerby Point**, addressed the Commission and noted that he did not agree with the traffic count and he felt that there would be twice as many cars, especially with the driving test. He explained that it was already difficult to get in and out of the Pavona Place Subdivision and urged the Commission to deny the project.

**Ann Sawyer, 6230 Walking Gait**, addressed the Commission and noted that she had spoken to the property owner Barry Williamson who had promised a traffic study. She explained that she attended the church next door and she personally did not want the church parking lot used for parking. She noted that Bible classes were held on weekdays for approximately a dozen students and she was concerned with the traffic and their safety. She urged the Commission to consider the property as a nice residential area, but not apartments.

**Lyn Joseph, 6423 Trotter Lane**, addressed the Commission and noted that she was concerned with traffic and the students as well. She also noted that she did not want her neighborhood used as a cut through. She encouraged the Commission to look for another location for the development.

**Duane Smith, 7230 Grass Valley**, addressed the Commission and noted concerns with traffic and voiced his opposition to the request.

Being no further discussion, the public hearing was closed at 8:27 p.m.

After addressing questions that arose from the public hearing and much discussion, Commissioner Rich Braune made a motion to deny Specific Use Permit Case No. 2012-270, noting that it was not consistent and compatible with the Master Plan and surrounding zoning, did not protect the health, safety and welfare of the general public and did not protect the property rights of property owners affected by the proposed specific use permit. Commissioner Hal Burnside seconded the motion, and the motion was **defeated 3-4**. The votes FOR the motion were: Commissioners Rich Braune, Hal Burnside and Phyllis McMillan. The votes AGAINST the motion were: Chairman Claude Guerra III, Vice-Chair Wendy Phelps, 2<sup>nd</sup> Vice-Chair Olen Yarnell and Commissioner Mike Davis, Jr.

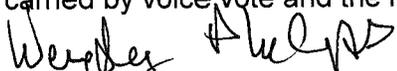
Commissioner Mike Davis, Jr., made a motion to approve Specific Use Permit Case No. 2012-270, with the following conditions: 1) the use of Route #3 only for driving tests (Huebner to Apple Green), 2) no extended hours of operation (8am-5pm only), and 3) the traffic study is sufficiently clarified and addressed as Council sees fit, noting that it was consistent and compatible with the Master Plan and surrounding zoning, did protect the health, safety and welfare of the general public and did protect the property rights of property owners affected by the proposed specific use permit. 2<sup>nd</sup> Vice-Chair Olen Yarnell seconded the motion, and the motion **passed 4-3**. The votes FOR the motion were: Chairman Claude Guerra III, Vice-Chair Wendy Phelps, 2<sup>nd</sup> Vice-Chair Olen Yarnell and Commissioner Mike Davis, Jr. The votes AGAINST the motion were: Commissioners Rich Braune, Hal Burnside and Phyllis McMillan.

#### IV. Executive Session in Accordance with the Texas Local Government Codes

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

#### VI. Adjourn

Commissioner Rich Braune made a motion to adjourn, seconded by Mike Davis, Jr. The motion carried by voice vote and the meeting was adjourned at 9:40 p.m.

  
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CHAIRMAN

  
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STAFF