

NOTICE OF PUBLIC MEETING

AGENDA

LEON VALLEY CITY COUNCIL MEETING

TUESDAY, FEBRUARY 21, 2012

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

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

1. **Call to Order, Determine a Quorum is Present, and Pledge of Allegiance.**
2. **Good Neighbor Award to Dave Gannon Recognizing His Mentoring Service to School Age Youth.** *Mr. Gannon has been mentoring students at Leon Valley Elementary School for 22 years. He also mentors students at Helotes Elementary School, Driggers Elementary School, and Business Careers High School. He was named Adult Mentor-of-the-Year by the San Antonio Mentoring Forum and was honored by that organization.*
3. **Citizens to be Heard and Time for Objections to the Consent Agenda.**
“Citizens to be Heard” is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council for which the subject was not posted on the agenda of that meeting, the Council may receive the information, but cannot act upon it at that meeting. They may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion by the Council.

Consent Agenda

4. **Consider Approval of the Meeting Minutes of the February 7, 2012 Special and Regular City Council Meetings. (Willman)** *This agenda item will allow the City Council to consider approval of the draft minutes of the special and regular City Council Meetings of February 7, 2012.*

Regular Agenda

5. **Consider Action on M&C # 02-06-12, a Request to Consider Extending the 200 Foot Notification Requirement Circle for a Specific Use Permit Application for a Department of Public Safety (DPS) License Mega Center Proposed for a Location at or Near the 7400 Block of Huebner Road to a Notification Distance to Include All Pavona Place Residents.** *This agenda item will allow the City Council to consider extending the notification requirements as stipulated in Chapter 14: Zoning, Division 12. Specific Use Permits and in the Local Government Code, §211.007(c) to include all*

Pavona Place residents. (Flores)

Public Workshop

- 6.A. Conduct a Public Workshop to Receive Citizen Input on the Capital Facilities Needs Assessment Report and Proposed Public Safety & Support Services Facility, M&C # 02-07-12. Time Certain: 7:30 p.m.** *This agenda item will allow the City Council to continue receiving public input on the Capital Facilities Needs Assessment Report and Proposed Public Safety & Support Services Facility issued by the City Council ad-hoc Capital Facilities Committee regarding improvements to the City Fire, Police, and Support Services facilities. The City Council conducted a public workshop during its Regular Meeting on February 7, 2012 and during its Special Meeting on February 15, 2012 to receive citizen input. (Yarnell, Dean, Hill, Lanford, First Southwest)*
- 6.B. Discussion Regarding Calling a Special Bond Election, Review of Ballot Language, and Direction to Staff, M&C # 02-08-12.** *This agenda item will allow the City Council to discuss whether to call or order a Special Bond Election, to discuss the requirements involved in a Special Bond Election including the review of the ballot language, and to provide direction to staff. (Carey Troell, Senior Counsel, Fulbright & Jaworski, L.L.P., Bond Counsel)*

Discussion Agenda

- 7. City Manager's Report. (Longoria)**
- A. Informational Issues.**
 - B. Financial Statement of January 2012.**
 - C. Monthly Financial Report.**
 - D. Future Agenda Items and City Manager Announcements.**
 - (1) Special City Council Meeting on Monday, February 27, 2012 to Consider Ordering the May 12, 2012 General Election, and to Consider Ordering a Special Bond Election to be Held on May 12, 2012.
 - (2) Special Joint Meeting of the City of Leon Valley City Council and the City of Leon Valley Economic Development Corporation Board of Directors on Tuesday, March 6.
 - (3) Municipal Facilities Open House, Saturday, February 25 from 9 a.m. to 1 p.m. Tour the Municipal Facilities located at 6400 El Verde Road, Leon Valley, 78238. This is an opportunity to tour the Municipal Facilities in anticipation of a plan to expand and renovate the Leon Valley Police, Fire/EMS, and Support Services facilities. Open House Tours are also scheduled for Saturday, March 24 and Saturday, April 28, both from 9 a.m. to 1 p.m.
 - (4) Waste Management has a Spring Brush Pickup scheduled for April 23 through May 4. Collections of materials to be disposed of are limited to 8 cubic yards. This represents a pile six foot high, side foot wide and six foot deep. The Fall collection is scheduled for September 10 through September 21.
- 8. Citizens to be Heard.**

9. 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:

- 02-25-12** **23rd Anniversary Earthwise Living Day, 10 a.m. – 2 p.m., Leon Valley Community Center, 6427 Evers Road, Leon Valley, 78238.**
- 03-10-12** **Breakfast with the Police Department, Saturday, March 10 from 8:30 a.m. to 12:30 p.m. RSVP before March 6 to r.wallace@leonvalleytexas.gov to call 684-3215 and ask for Chief Randall Wallace.**

Executive Session

- 10.** 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).

11. Adjourn.

I hereby certify that the above NOTICE OF PUBLIC MEETING AND AGENDA OF THE LEON VALLEY CITY COUNCIL MEETING were posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, on February 17, 2012 by 11:30 a.m. and remained posted until after the meetings hereby posted concluded. This notice was likewise posted on the City website at www.leonvalleytexas.gov. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours ahead of the meeting. To make arrangements call (210) 684-1391, Ext. 216.




Janie Willman, City Secretary



GOOD NEIGHBOR AWARD

*Presented
to
Dave Gannon*

On behalf of the Leon Valley City Council, this award is presented to you in recognition of your dedication to the students of Leon Valley Elementary over the last 22 years by providing quality time mentoring our youth of today and adults of tomorrow. We appreciate your generosity of time and attention to our students. You truly represent what is finest about our community; giving without expecting reward or recognition.

Signed by my hand this 21st day of February 2012.

Mayor Chris Riley



Agenda Item 4

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
FEBRUARY 7, 2012**

The City Council of the City of Leon Valley, Texas, met on the 7th day of February 2012 at 5:15 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:

SPECIAL CITY COUNCIL MEETING – 5:15 P.M.

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

Mayor Riley called the Special City Council Meeting to order at 6:04 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Bieber.

The City Council Meeting was called to order at 6:04 p.m. due to an emergency which involved the toppling of an electric transmission tower near City Hall with electrical wires extending across Bandera Road and City Hall not being accessible due to the closure of Bandera Road.

City Staff in attendance: City Manager Longoria, Assistant City Attorneys Adolfo Ruiz and Brian Smith, and City Secretary Willman.

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 6:06 p.m., 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, M&C # 02-01-12.
- B. The City Council of the City of Leon Valley convened in Executive Session immediately following the Executive Session at 6:06 p.m. without reconvening into Open Session, Pursuant to Section 551.074, Personnel Matters, to Deliberate the Duties and Responsibilities of Public Officers, the City of Leon Valley Economic Development Corporation Board Members, Related to the Upcoming Appointments to the Board of the City of Leon Valley Economic Development Corporation, M&C # 02-02-12.
- C. The City Council of the City of Leon Valley reconvened into Open Session at 7:02 p.m.

Motion by Councilman Reyna and second by Councilman Dean on Agenda Item 2A to authorize or direct the City Manager to instruct the counsel for the Leon Valley Economic Development Corporation to proceed as the City Council discussed in Executive Session concerning the Town Center project. Voting Aye: Hill, Reyna, Baldrige, Dean, and Bieber. Voting Nay: None. Mayor Riley announced the motion carried.

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**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
FEBRUARY 7, 2012**

- D. Consider Action on M&C # 02-03-12 with attached Ordinance Appointing Members to the City of Leon Valley Economic Development Corporation Board in Places 1, 3, 5, and 7 with Terms to Expire on September 30, 2013.

Motion by Council Member Baldrige and second by Councilman Biever for the adoption of Ordinance 12-001 appointing Herman Segovia in Place 1, Claude Guerra III in Place 3, Mike McCarley in Place 5, and Dr. Georgia Zannaras in Place 7, with terms of service to expire on September 30, 2013. Voting Aye: Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Abstaining: Hill. Mayor Riley announced the motion carried.

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

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

Citizens to be Heard: Duane Smith, 7230 Grass Valley Drive, indicated his neighbor Eldon Hunt addressed the City Council at the January 24 Regular City Council Meeting regarding drainage issues following City street and alleyway improvements. As a result of the new grading in both the street and alleyway, Mr. Smith informed the City Council that water flowed into both homes (7230 and 7231 Grass Valley Drive). He asked the City to return Grass Valley restored to its previous grade and the alley returned to its preconstruction grade and topped with soil. Mr. Smith was asked to get with the City Manager regarding the situation he described.

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

Consent Agenda

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

- 4. Consider Approval of the Meeting Minutes of the January 24, 2012 Special and Regular City Council Meetings. (Willman)** The City Council approved the minutes of the special and regular City Council Meetings of January 24, 2012.
- 5. Consider Approval of the Meeting Minutes of the January 28, 2012 Special City Council Town Hall Meeting. (Willman)** The City Council approved the minutes of the special City Council Town Hall Meeting of January 28, 2012.

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
FEBRUARY 7, 2012**

Discussion Agenda

6. City Manager's Report. (Longoria)

A. Informational Issues. City Manager Longoria indicated he had four items on which to report. He asked Police Chief Randall Wallace to report on the earlier emergency situation. Police Chief Wallace reported that about 4:30 p.m., a contractor that was hired by CPS to pull lines, had a tower collapse. There were live electrical lines down across Bandera Road. The tower east of Bandera Road was shored up and crews cut the remaining lines. The dead lines were removed from across the live lines. CPS representatives were present. Electrical power was restored. Then traffic flow was restored to each side of Bandera Road. Fire Chief Stan Irwin detailed how the City's new bucket and ladder truck was used to move a member of the construction crew up over the wiring to work on the wiring and complete the emergency work sooner.

City Manager Longoria informed the City Council on the water line replacement following the 12 inch water main break at 6400 El Verde Road two weeks earlier. He reported that the contractor will replace the road pavement from Bandera Road to almost where the Fire Station is following the water main replacement, weather permitting. It may be between two weeks and one month before the work is completed and El Verde Road is re-opened.

Regarding the Proposed Property Maintenance Code Ordinance, Mr. Longoria reported that City staff has been inundated with emails with regard to the Property Maintenance Code Ordinance based on publicity and concerns on both sides of the issue.

City Manager Longoria recommended to the City Council that staff be allowed time to regroup to craft an ordinance that is more structured to the City of Leon Valley following study of other cities' ordinances. Then once that process is completed, the ordinance would be brought back in a Town Hall Meeting format to get citizen input. The City Manager asked for the City Council's direction.

The City Council asked that the newly crafted language be placed on the City's website so residents can see the new language and be prepared to comment on what the actual language to be presented at the Town Hall Meeting to be scheduled. Another suggestion was that the sections of the newly crafted language be summarized and categorized into sections so as to be easier to reference.

There will be a work session during tonight's Regular Meeting on the Municipal Facility Open House. Staff received phone calls from persons who could not get to the City Hall based on Bandera Road being closed due to the earlier electrical transmission tower emergency. For that reason, the City Manager recommended scheduling a Special City Council Meeting on Wednesday, February 15 at 7 p.m. for the sole purpose of having another work session to discuss and gain public input on the Capital Facilities Needs Assessment Report and Proposed Public Safety &

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**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
FEBRUARY 7, 2012**

Administration Support Facility. Mr. Longoria informed the City Council and the public of the Open House Tours on February 11 and February 25.

B. Future Agenda Items.

- (1) Consider Ordering the May 12, 2012 General Officers Election, February - March 5, 2012.
- (2) Municipal Facilities Open House, Saturday, February 11 from 10 a.m. to 2 p.m., Tour the Municipal Facilities located at 6400 El Verde Road, Leon Valley, 78238. This is an opportunity to tour the Municipal Facilities in anticipation of a plan to expand and renovate the Leon Valley Police, Fire/EMS, and Support Services facilities. This event will be the first of several open house events. The times and dates for other open house events will be announced later.
- (3) Second Public Workshop to Receive Citizen Input on Capital Facilities Needs Assessment Report and Proposed Public Safety & Administration Support Facility. Time Certain – 7:30 p.m. February 21, 2012.
- (4) Municipal Facilities Open House, Saturday, February 25 from 10 a.m. to 2 p.m., Tour the Municipal Facilities located at 6400 El Verde Road, Leon Valley, 78238. This is an opportunity to tour the Municipal Facilities in anticipation of a plan to expand and renovate the Leon Valley Police, Fire/EMS, and Support Services facilities. This event will be the first of several open house events. The times and dates for other open house events will be announced later.

7. **Citizens to be Heard.** There were no citizens to be heard during this agenda item.

8. **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:

02-13-12 MPO Public Meeting for Transportation Improvement Program, February 13th, 6 p.m. to 8 p.m., Leon Valley Conference Center, 6421 Evers Road, Leon Valley, 78238.

02-25-12 23rd Anniversary Earthwise Living Day, 10 a.m. – 2 p.m., Leon Valley Community Center, 6427 Evers Road, Leon Valley, 78238.

03-24-12 Pet Rabies Vaccination Clinic, 10 a.m. – 12 Noon, at the Leon Valley Conference Center at 6421 Evers Road, Leon Valley, 78238.

Mayor Riley led the assembly in singing the Birthday Song to Council Member Hill. Council Member Hill was presented with a birthday cake.

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FEBRUARY 7, 2012**

Executive Session

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

There was no Executive Session held under this Agenda Item.

10. **Adjourn.** Motion to adjourn at 7:20 p.m. by Councilman Reyna and second by Councilman Dean. There being no other business to come before the City Council, Mayor Riley adjourned the Special City Council Meeting.

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

1. **Call to Order, Determine a Quorum is Present, and Pledge of Allegiance.** Mayor Riley called the Regular City Council Meeting to order at 7:20 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Biever.

City Staff in attendance: City Manager Longoria, Assistant City Attorneys Adolfo Ruiz and Brian Smith, City Secretary Willman, Fire Chief Irwin, Finance Director Wallace, Human Resources Director Caldera, and Police Chief Wallace.

Mayor Riley led the assembly in the Pledge of Allegiance.

2. **Citizens to be Heard.** Joseph Gonzalez, 6838 Conestoga Street, came forward to report an unhygienic situation behind the strip center behind the Hobby Lobby on Bandera Road. He indicated his wife took pictures. It looks like a dump. He asked the City Council to have the owner do something about the situation. He also commented on the Property Maintenance Code. He remarked on the restrictions of the proposed Property Maintenance Code and voiced concerns about restrictions on flags in the proposed Code language.

City Manager Longoria clarified that there is nothing in the Proposed Property Maintenance Code about flags. He noted that there was misinformation distributed regarding flags.

Lyn Joseph, 6423 Trotter Lane, is for cleaning up the City of Leon Valley but she indicated that the City shouldn't get carried away with new regulations. She said she is proud of living in Leon Valley.

Ruben Robledo, 7823 Stebbins Drive, would like to see signage for whatever is being built on Evers and Huebner informing the public what is to be constructed there. He asked if the same rules apply to apartment complexes as individual residences. He

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CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS FEBRUARY 7, 2012

voiced his hope that the new property maintenance ordinance will apply to apartment complexes and residences alike.

Public Workshop

- 3. Conduct a Public Workshop to Receive Citizen Input on the Capital Facilities Needs Assessment Report and Proposed Public Safety & Support Services Facility, M&C # 02-04-12. Time Certain – 7:00 p.m.** This agenda item will allow the City Council to receive citizen input on the Capital Facilities Needs Assessment Report issued by the City Council ad-hoc Capital Facilities Committee regarding improvements to the City Fire, Police, and Administration facilities. **(Yarnell, Dean, Hill, Lanford)**

Councilman Dean introduced this agenda item briefing those present on the history of this policy initiative. Mr. Dean introduced the members of the ad-hoc committee including Mr. Al Uvietta, Mr. Mike Davis, Jr., Mr. Pedro Esquivel, Mr. Olen Yarnell, Fire Chief Stan Irwin, Police Chief Randall Wallace, City Manager Longoria, Council Member Kathy Hill, and himself. He indicated there was quite a bit of work done coming forward through the Summer months up to this date. He introduced Mr. Yarnell. Mr. Yarnell reported on the Committee's insistence on transparency. He informed those present of the tours taken of other cities where public safety facilities had been recently built.

Mr. Yarnell introduced Alamo Architect Mike Lanford. Mr. Lanford thanked the Committee for their hard work. He thanked both chiefs and the City's administration and their staffs for their participation. Mr. Lanford briefed the assembly on the process and made the formal presentation of the assessment and process. As he went through the process, Mr. Lanford detailed the challenges of the current structures and opportunities for improvement.

Mr. Longoria introduced the City's financial advisor from First Southwest, Randy Moshier. Mr. Moshier indicated his presentation was an update on the municipal market and get into a few of the financial scenarios that the City staff has been looking at. He indicated that rates have been significantly volatile. As recently as the former week, there was a 45 year low in the municipal market. He indicated that it is a good time to be borrowing for cities with good credit like the City of Leon Valley.

Council Member Hill indicated there are surveys to be completed if those persons who are interested will complete the survey that it would be helpful. She indicated the survey will be mailed to registered voters in the community.

Mr. Robert Harrison, 6308 El Verde Road, asked about zoning changes that would impact his property. Mr. Longoria indicated the zoning would only be changed to the appropriate use for the City's property where changes would be made. Later, Mr. Harrison asked about a parking lot next to his property.

Ms. Sharon Brimhall, 7410 High Stepper Lane, came forward to ask about the growth of the City, the number of firefighters, any land added to the City.

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CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS FEBRUARY 7, 2012

Ms. Guadalupe Conchas, 6205 El Verde, came forward with concerns. She asked if other properties were considered. She asked if it was part of the objective to keep all City offices together. Councilman Dean indicated that other property was considered. However, he indicated that the City can save \$1 million on the land because it will be free once the land is conveyed to the City by Bexar Flood Control.

She asked if there will be a flooding impact on her property once the new buildings are constructed. She said there is a concern about the noise level from being right across from a new fire station. She asked if the street will remain closed or if it would be opened to traffic. She indicated she would like to attend further meetings.

There were additional questions about the widening of the road and lighting from a new fire station.

Mr. Ruben Robledo, 7823 Stebbins, indicated there may need to be another egress.

Ms. Lyn Joseph, 6423 Trotter Lane, asked about how green the new buildings will be. Mr. Longoria indicated that some of the new LEEDS standards will be included as part of the bidding process. Depending on the budget, there may be some consideration given to the LEEDS standards in an alternative bid.

Mr. Javier Gamboa, 6703 Blacksmith Lane, asked about any additional distance affecting response times. Mr. Longoria explained that the circulation will be improved with the new suggested improvements.

There were questions asking about the tax rate and the effect of a new bond on the tax rate. Mr. Longoria spoke to the effect on the City's tax rate.

A question was also raised about the effect of a new bond on the tax rate paid by senior citizens. First Southwest Analyst Randy Moshier responded that there would not be a change in the rate paid by that segment of the tax base.

There was some discussion on the revenues that the City of San Antonio gets that other cities do not get including revenues from CPS Energy. For that reason, the City of Leon Valley's tax rate is not truly comparable to the City of San Antonio's tax rate. A truer comparison is Universal City. There was also an additional comment that the focus needs to be on the needs of Leon Valley rather than speculating on what other cities pay in terms of taxes as it is difficult to predict what other cities might be doing in the next two years in terms of expansion.

Mayor Riley thanked the ad-hoc Committee, the architect, and the staff for their work.

- 4. Citizens to be Heard.** There were no citizens to come forward to speak during this presentation.

Agenda Item 4

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
FEBRUARY 7, 2012**

Executive Session

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

There was no Executive Session held under this agenda item.

6. **Adjourn.** Motion to adjourn by Councilman Reyna and second by Council Member Baldrige at 8:50 p.m. With no other business to come before the City Council, the Mayor adjourned the Regular Meeting.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

Agenda Item 5

MAYOR AND COUNCIL COMMUNICATION

DATE: February 21, 2012

M&C: # 02-06-12

TO: MAYOR AND CITY COUNCIL

SUBJECT: A REQUEST TO CONSIDER EXTENDING THE 200 FOOT NOTIFICATION REQUIREMENT CIRCLE FOR A SPECIFIC USE PERMIT APPLICATION FOR A DEPARTMENT OF PUBLIC SAFETY (DPS) LICENSE MEGA CENTER PROPOSED FOR A LOCATION AT OR NEAR THE 7400 BLOCK OF HUEBNER ROAD TO A NOTIFICATION DISTANCE TO INCLUDE ALL PAVONA PLACE RESIDENTS

PURPOSE

A request was received from Liz Maloy, resident of Pavona Place (7411 Chenal Point) and President of the Homeowner’s Association, to expand the notification area of the Specific Use Permit received for a proposed Department of Public Safety Mega Center beyond the required 200-feet to include all of the Pavona Place Subdivision.

If approved, this expanded notice would include 115 property owners. Per the 200-foot notification requirement only eleven (11) Pavona Place homeowner’s would be notified. Additionally, the total 200-foot notification requirement for the Specific Use Permit would only require approximately thirty-three (33) notices to be sent to property owners.

FISCAL IMPACT

Postage for 101 additional property owners at .45 cents = \$45.45

Postage for 33 property owners at .45 cents = \$14.85

TOTAL POSTAGE 134 property owners = \$60.30

RECOMMENDATION

Approval of this request is at the discretion of City Council. Staff has the resources needed to mail the additional notices.

S.E.E. IMPACT

Social Equity – additional notification promotes collaborative participation by all residents in the area.

Economic Development – n/a

Environmental Sustainability – n/a

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Janie Willman, City Secretary

A RESOLUTION

**AUTHORIZING THE CITY COUNCIL TO DETERMINE
ADDITIONAL NOTIFICATION REQUIREMENTS FOR
SPECIFIC PLATTING, ZONING, AND LAND USE CASES
THAT MAY BE PRESENTED TO THE COUNCIL FOR
CONSIDERATION**

WHEREAS, the City Council is committed to informing their citizens to the fullest extent possible regarding proposed land use changes that may effect their neighborhood or business area; and

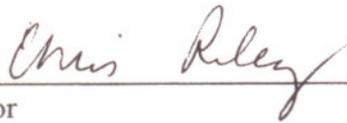
WHEREAS, the City Council is in agreement that there are times when additional information and notification should be provided to the public in excess of the requirements provided for by law; and

→ * **WHEREAS**, any member of the City Council can request that the additional notification requirements be enacted; and

WHEREAS, any such request by the Mayor or a City Councilmember to increase the notification requirements must be approved by a majority vote the City Council.

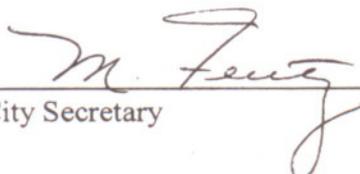
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leon Valley, Texas, that the City Council hereby reserves the right to require additional notification requirements regarding land use cases that may effect the general public. And further be it resolved that, the additional notification requirements shall be directed to staff for appropriate action if approved by a majority vote of the City Council.

PASSED and APPROVED this 1st day of March, 2005.



Mayor

ATTEST:



City Secretary



Agenda Item 5 Presentation

City of Leon Valley

Request to Consider Extending the
200-Foot Notification Requirement
Circle for Pavona Place Residents

February 21, 2012



Purpose

- Request received by Homeowner's Association President to extend the 200-ft notification circle



Purpose

- Pavona Place
 - 115 Property Owners
 - 11 Required Notices
 - 101 additional
- Only 33 total notices required by law



Fiscal Impact

- Postage Rate .45 Cents
- 101 additional property = \$45.45
- 33 property owners = \$14.85

Total Postage 134 notices = \$60.30



City of Leon Valley

Request to Consider Extending the
200-Foot Notification Requirement
Circle for Pavona Place Residents

February 21, 2012

MAYOR AND COUNCIL COMMUNICATION

DATE: February 21, 2012
M&C: # 02-07-12

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONDUCT A PUBLIC WORKSHOP TO RECEIVE CITIZEN INPUT ON THE CAPITAL FACILITIES NEEDS ASSESSMENT REPORT AND PROPOSED PUBLIC SAFETY & SUPPORT SERVICES FACILITY

PURPOSE

This is the third public workshop to receive citizen input on the Capital Facilities Needs Assessment Report and Proposed Public Safety & Support Service Facility.

The first public workshop was conducted on February 7, 2012 during the City Council's Regular Meeting. The second public workshop was conducted on February 15, 2012 during a Special City Council Meeting. The City Council initially previewed the Assessment Report and Proposed Municipal Facilities recommendations at its Town Hall Meeting on January 28, 2012.

Speakers for this agenda item are Capital Facilities Committee Chair Olen Yarnell, City Councilman Jack Dean, and Architect Mike Lanford from Alamo Architects and a Financial Analyst from First Southwest.

The City Council appointed an ad-hoc committee in June of 2011. The committee is composed of community volunteers Olen Yarnell (committee chair), Mike Davis Jr., Pedro Esquivel and Al Uvietta, LV Fire Chief, Stan Irwin, LV Police Chief, Randall Wallace, LV City Manager, Manny Longoria, and City Council members Jack Dean and Kathy Hill.

The Committee was tasked with assessing the City's capital facility needs for the City of Leon Valley based on feedback from the City Council's January 2011 Town Hall Meeting.

FISCAL IMPACT

None at this time.

RECOMMENDATION

To allow the residents, business owners, and other community stakeholders to view and give their input on the Assessment Report and Proposed Facility recommendations.

S.E.E IMPACT STATEMENT

Social Equity – The City will promote a superior quality of life by providing outstanding public safety services and superb infrastructure. The City will encourage collaborative participation by its residents, businesses, and stakeholders. Cities that provide outstanding public safety services and preserve superb infrastructure demonstrate social equity among its residents, businesses, and stakeholders. Cities that welcome collaborative participation by its residents, businesses, and stakeholders demonstrate and embrace social equity.

Agenda Item 6

Environmental Stewardship – Cities that reuse available materials in construction and renew public facility infrastructure practice environmental stewardship through the use of new environmentally supportive materials and improve the use of energy consumption used in public facilities.

Economic Development – Cities that upgrade their identity invite and welcome economic development initiatives. Renewing the City's public facility infrastructure will demonstrate a distinctive identity in the Leon Valley and greater Bexar County community.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

Agenda Item 6.A. Presentation



Public Safety and Support Service Center
City of Leon Valley

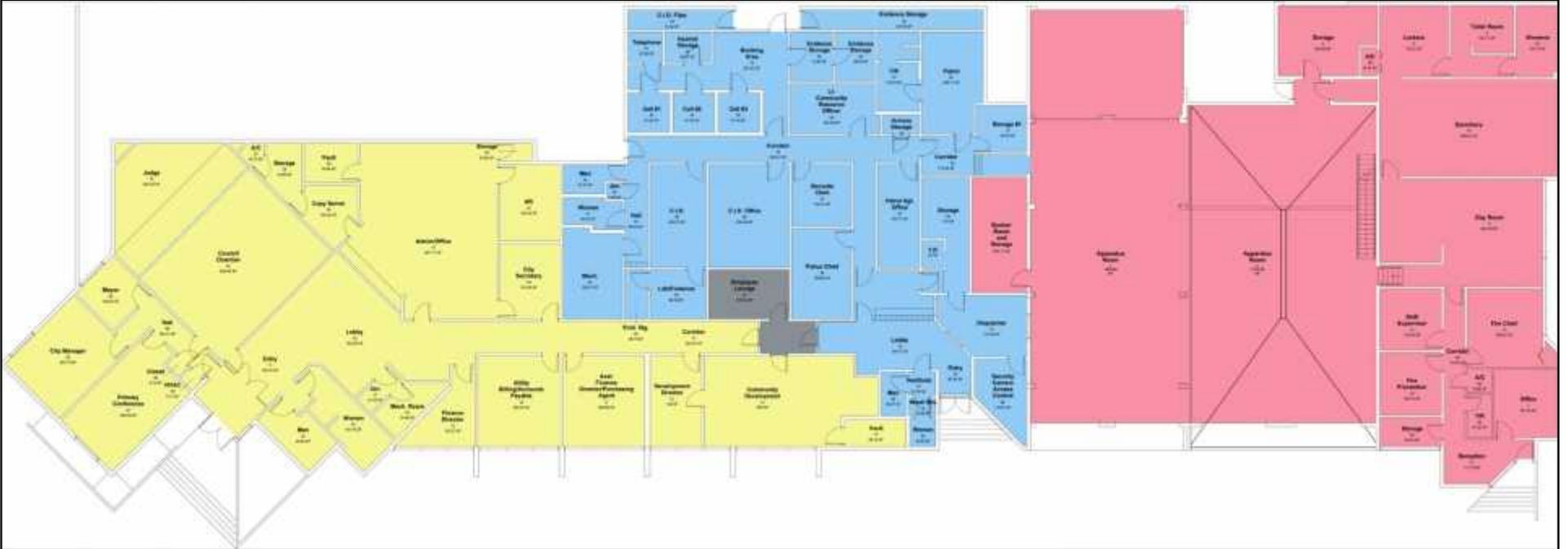
Introduction

Public Safety and Support Service Center

- Process
 - Department Interviews
 - City Administration & Municipal Services
 - Police Department
 - Fire Department
- Needs Assessments
 - City Administration & Municipal Services
 - Police Department
 - Fire Department
- Site + Drainage
- Alternate Scenarios
- Recommended Solution



Needs Assessment



Municipal Facility Assessment : Objectives

Work Development History

- October 26, 2011
 - City Administration and City Services
- November 4, 2011
 - Police Department
 - Chief Wallace
- November 8, 2011
 - Fire Department
 - Chief Irwin
- December 1, 2011
 - Fire Department Staff
 - Community Development Staff
 - Police Department Staff
- December 21, 2011
 - City of Leon Valley Project Committee
- January 4, 2012
 - Bexar County Flood Control Program Manager
 - City of Leon Valley Project Committee
- January 11, 2012
 - City of Leon Valley Project Committee
- January 18, 2012
 - City of Leon Valley Project Committee
- January 28, 2012
 - City of Leon Valley Town Hall Meeting

Needs Assessment - Findings

City Administration & Municipal Services

- Improve Visitor Experience for City Administration Services
- Brighten the Interior Environment
- Improve Service Windows for Privacy
- Court Day Process
Improve for City Admin. & Visitors
- Better Meeting Spaces for Private Conversations
- Better Workspaces
 - In General
 - Particularly:
 - Finance Director
 - Human Resources
 - Community Development
 - Judge and Prosecutor
- Improve Storage



Needs Assessment - Findings City Administration & Municipal Services

- Improve Visitor Experience for City Administration Services
- Brighten the Interior Environment
- Improve Service Windows for Privacy



Needs Assessment - Findings

City Administration & Municipal Services

- Court Day Process
Improve for City Admin. & Visitors



Needs Assessment - Findings City Administration & Municipal Services

- Better Meeting Spaces for Private Conversations



Needs Assessment - Findings City Administration & Municipal Services

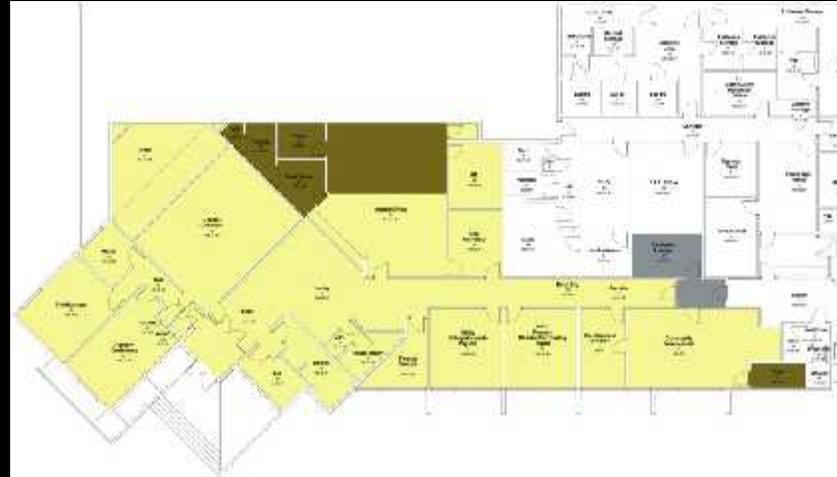
- Better Workspaces
 - In General
 - Particularly:
 - Finance Director
 - Human Resources
 - Community Development
 - Judge and Prosecutor

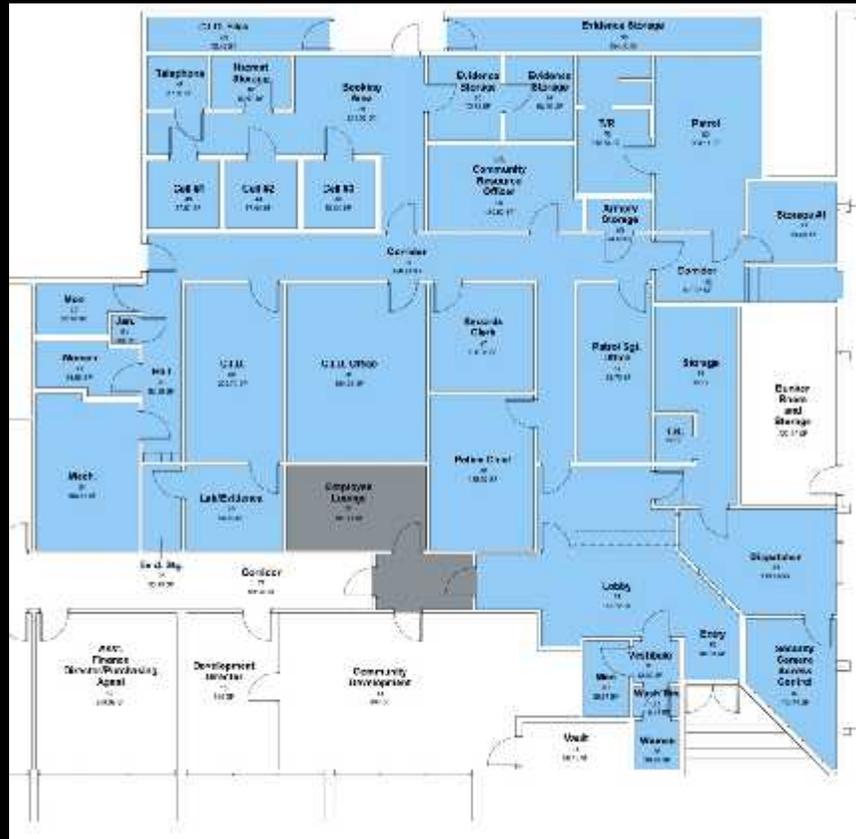


Needs Assessment - Findings

City Administration & Municipal Services

- Improve Storage





Police
4,860 sq ft

Needs Assessment - Findings

Police Department

- Improve Facility to Support Overall Department Function
 - Training Room
 - Privacy – CID
 - Secluded Room for Reports
 - Patrol Officer Suit-Out
 - Patrol Car Parking
- Improve Storage
 - Armory
 - Technology Room
 - Evidence
 - Locker Room, Gear Lockers
- Improve Security
 - Prisoner Hold Area
 - Security Camera Coverage
 - Centralize Dispatch
 - Centralize Door Lock Controls

•Prisoners

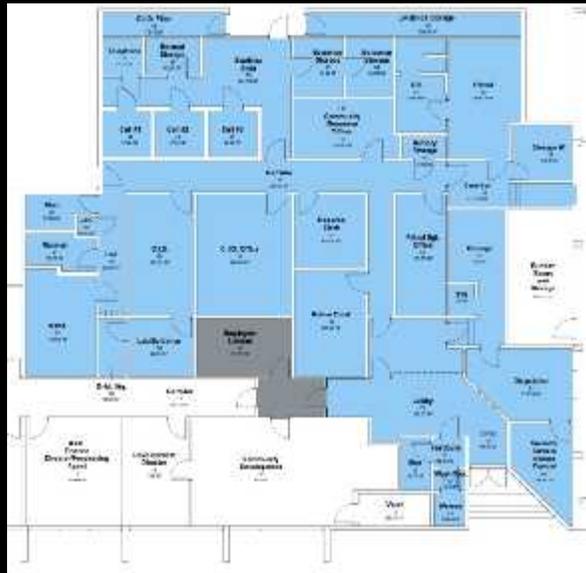
- Intake Process
- Interview
- Juveniles



Needs Assessment - Findings

Police Department

- Improve Facility to Support Overall Department Function
 - Training Room
 - Dedicated Offices – CID
 - Dedicated Room for Reports
 - Officer Suit-Out



Needs Assessment - Findings

Police Department

- Improve Facility to Support Overall Department Function
 - Training Room
 - Dedicated Offices – CID
 - Dedicated Room for Reports
 - Patrol Officer Suit-Out
 - Patrol Car Parking



Needs Assessment - Findings

Police Department

- Improve Storage
 - Armory Storage
 - Technology Storage
 - Evidence Storage
 - Locker Room, Gear Lockers



Needs Assessment - Findings

Police Department

- Improve Storage
 - Armory Storage
 - Technology Storage
 - Evidence Storage
 - Locker Room, Gear Lockers



Needs Assessment - Findings

Police Department

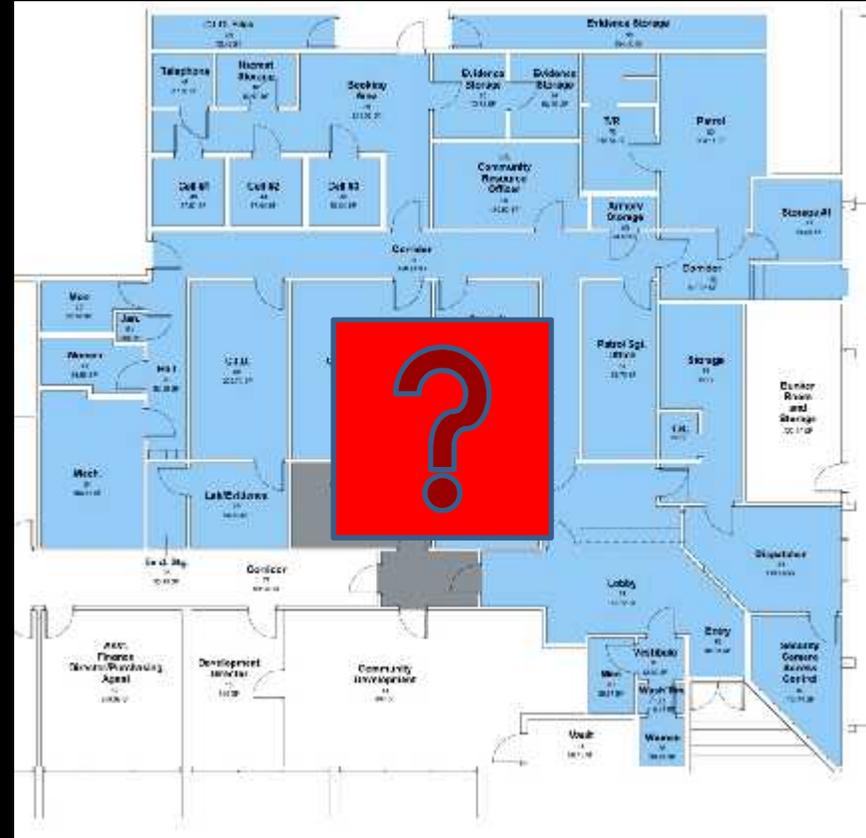
- Improve Security
 - Prisoner Hold Area
 - Security Camera Coverage
 - Centralize Dispatch
 - Centralize Door Lock Controls



Needs Assessment - Findings

Police Department

- Prisoners
 - Intake Process, Secure Sally Port
 - Interview Room, No Dedicated Space
 - Juveniles, No Dedicated Space



Needs Assessment - Findings

Fire Department

- Improve Facility to Support Overall Department Function
 - Training Room
 - Fitness Room
 - Dedicated Room for Reports
 - Responder Officer Suit-Out
- Apparatus Needs
 - Eliminate Shared Drive with Police
 - Improve Access
 - Ventilation
 - Apparatus Bays
 - Decontamination
 - Secured Parking Lot for Emergency Response Vehicles and Trailers
 - Covered Parking for Emergency Response Vehicles
- Firefighters & EMS
 - Eliminate Dorm Cohabitation
 - Provide Separate Locker Rooms for Men and Women
 - Provide Separate Shower Rooms for Men and Women
 - Improve Common Living Areas; Dayroom, Kitchen, Laundry, etc.
 - Secluded Work Area for HIPPA Compliance
- Improve Storage
 - Bunker Gear & EMS
 - Hazardous Items
 - Evidence
 - Costly Equipment
 - Narcotics



Needs Assessment - Findings

Fire Department

- Improve Facility to Support Overall Department Function
- Training Room
- Fitness Room
- Dedicated Room for Reports
- Respondent Suit-Out



Needs Assessment - Findings

Fire Department

- Apparatus Needs
 - Eliminate Shared Drive with Police
 - Improve Access
 - Address Ventilation
 - Improve Apparatus Bays



Needs Assessment - Findings

Fire Department

- Apparatus Needs
 - Secured Parking Lot for Emergency Response Vehicles and Trailers
 - Covered Parking for Emergency Response Vehicles



Needs Assessment - Findings

Fire Department

- Firefighters & EMS
 - Eliminate Dorm Cohabitation
 - Provide Separate Locker Rooms for Men and Women
 - Maintain Separate Shower Rooms for Men and Women
 - Dedicated Showers, Bathing Privacy



Needs Assessment - Findings

Fire Department

- Firefighters & EMS
 - Improve Common Living Areas; Dayroom, Kitchen, Laundry, etc.
 - Dedicated Work Area for Medical Privacy Compliance



Needs Assessment - Findings

Fire Department

- Improve Storage
 - Bunker Gear & EMS
 - Hazardous Items
 - Evidence
 - Costly Equipment
 - Medical Supplies



Needs Assessment - Findings

Fire Department

- Improve Office Areas



Site





Drainage



Bexar County
Public Works Department
Flood Control

Leon Valley

**Bexar County Public Works Department
Flood Control**



**Huebner Creek Enhanced Conveyance Project
LC-17 Segment 3**

October 3, 2011

	Existing Flood Plain	Revised Flood Plain
10 Existing Conditions	806.14	803.84
50 Existing Conditions	806.23	806.43
100 Existing Conditions	807.26	807.06
500 Existing Conditions	808.52	808.4
100 Ultimate Conditions	807.35	807.13



Flood Plain

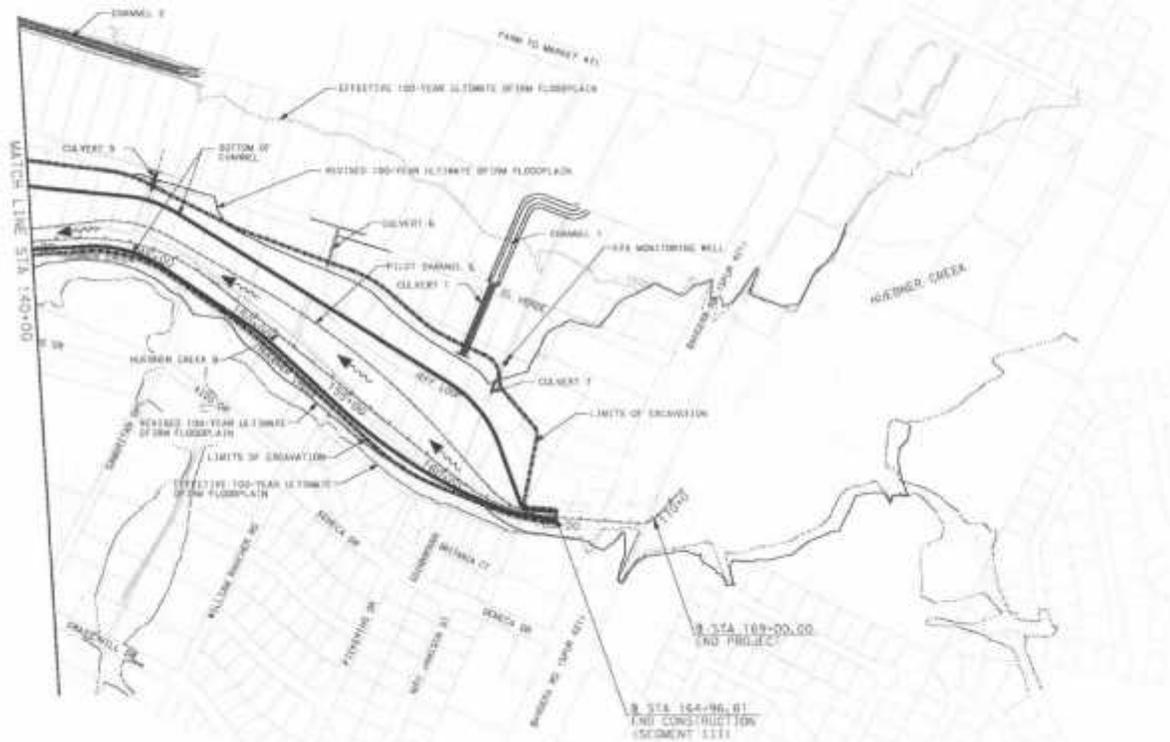


Flood Plain



Bexar County
Public Works Department
Flood Control

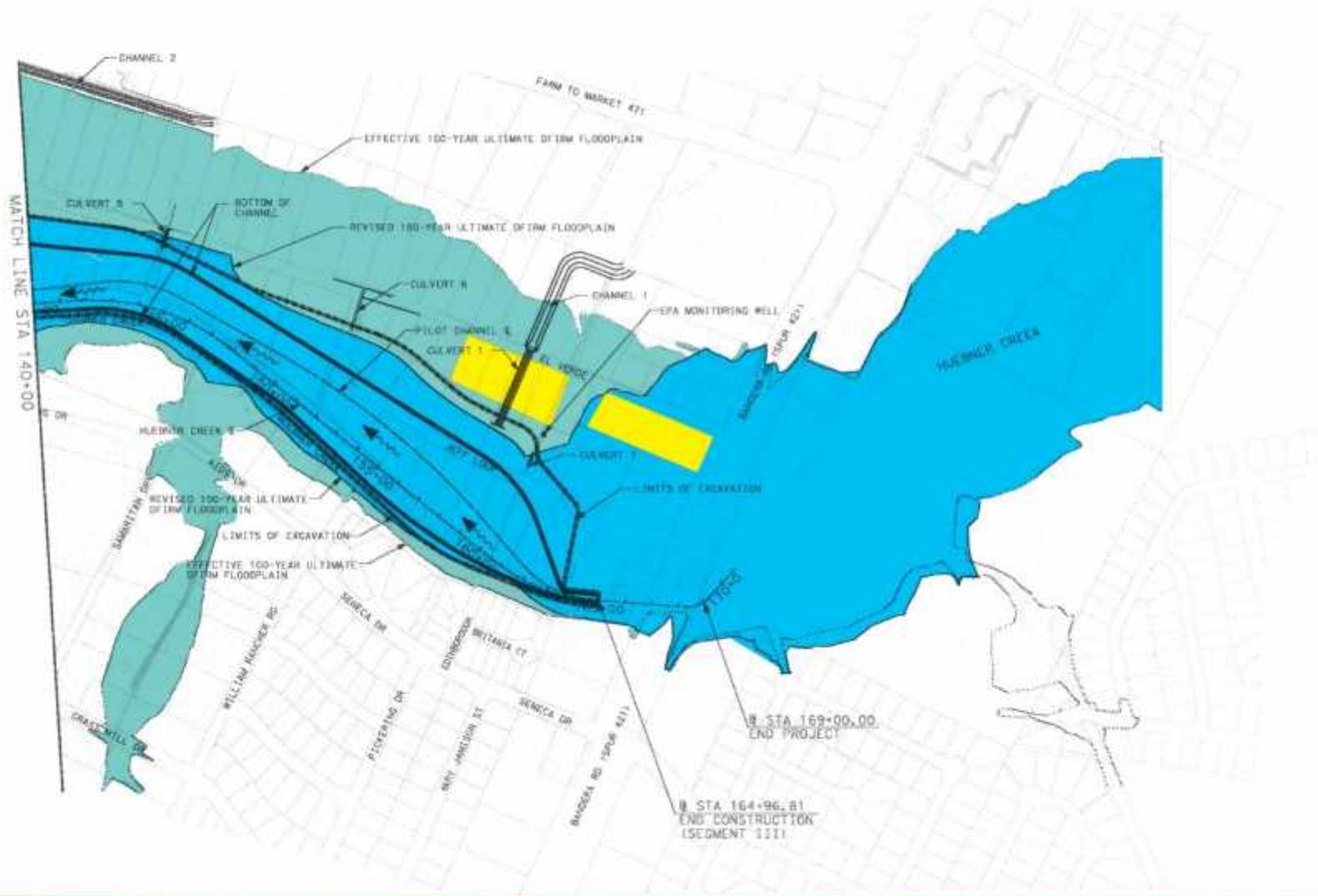
Huebner Creek LC-17 Project Layout





Bexar County
Public Works Department
Flood Control

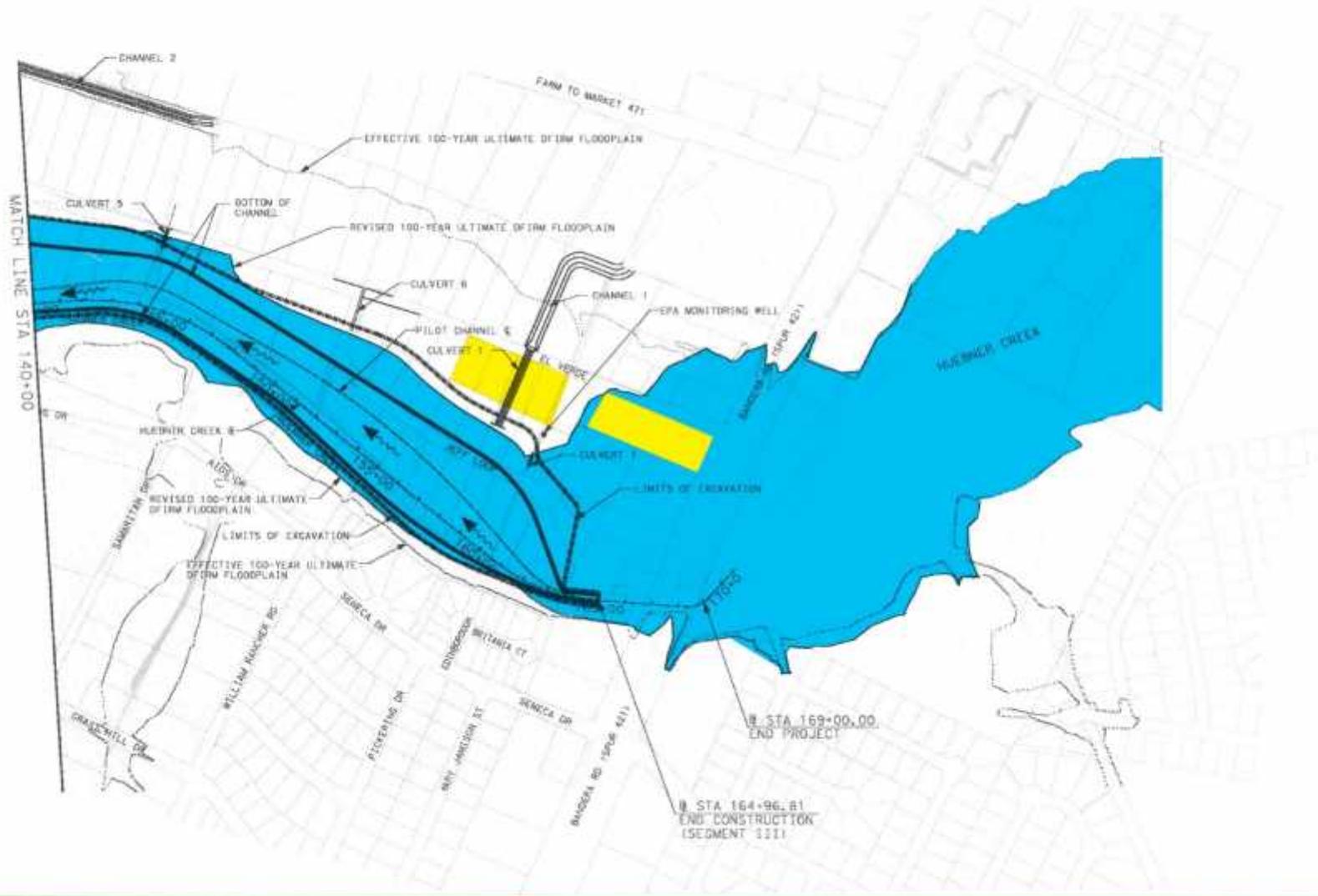
Huebner Creek LC-17 Project Layout





Bexar County
Public Works Department
Flood Control

Huebner Creek LC-17 Project Layout



SOLUTION



Recommended Plan

Remodel existing facility with New Fire Station on New Lots

Needs Assessment – Area Projections

City Administration & Municipal Services – Recommended Scenario

CITY OF LEON VALLEY
Municipal Building
Space Assessment - City Services

Current Work Area Description	Proposed Work Area Description	Current Work Area Description	Current Sq. Ft.	Proposed Work Area Description	Proposed Work Area Sq. Ft.	
FO - Finance Office	FO1 - 26 ASF	FO1 - 26 ASF	26	FO1 - 26 ASF	26	
SPD - Shared Police Office	FO2 - 96 ASF	FO2 - 96 ASF	96	FO2 - 96 ASF	96	
WC - Waste Station	FO3 - 180 ASF	FO3 - 180 ASF	180	FO3 - 180 ASF	180	
WSPD - Work Station with Shared Police Office	FO4 - 100 ASF	FO4 - 100 ASF	100	FO4 - 100 ASF	100	
	FO5 - 84 ASF	FO5 - 84 ASF	84	FO5 - 84 ASF	84	
	FO6 - 84 ASF	FO6 - 84 ASF	84	FO6 - 84 ASF	84	
Net Sq Ft Subtotal			550	550	550	
ADMINISTRATION						
ADM1	Largick, Marcy	City Manager	FO	300	FO1	300
ADM2	Whites, Jerry	City Secretary	FO	90	FO1	90
ADM3	Griffin, Cynthia	HR Director	FO	90	FO1	90
ADM4	Tepp, Angela	Administrative Assistant	FO	90	WSPD	90
Net Sq Ft Subtotal			570	570	570	
MUNICIPAL COURT						
MC1	Jones, Michelle	Senior Court Clerk	WO	60	WEO2	60
MC2	Conner, Jessica	Assistant Court Clerk	WO	60	WEO2	60
MC3	Starna, Pamela	Group Court Clerk	WO	30	WEO3	30
MC4	Waters, Dennis	Group Court Clerk	WO	30	WEO3	30
MC5	Marble, Lorraine	Judge	WO	75	FO1	120
MC6	Larson, Michelle	Prosecutor	WO	25	FO4	120
MC7		Justit	WO	25	WEO3	40
MC8		Service Window #1	WO	14	WEO3	30
MC9		Service Window #2	WO	25	WEO3	40
Net Sq Ft Subtotal			375	600	600	
FINANCE						
FM1	Walton, Jason	Finance Director	FO	120	FO3	90
FM2	Huffman, Ryan	Assistant Finance Director	WSPD	120	FO4	120
FM3	Blumhagen, Ryan	Accounts Payable/Precal	WSPD	120	FO4	120
FM4	Young, Traci	Utility Billing Clerk	WSPD	120	FO5	120
FM5	Harris, Wendie	Purchasing Agent	WSPD	120	FO4	120
Net Sq Ft Subtotal			580	630	630	
COMMUNITY DEVELOPMENT						
CD1	Peters, Krista	Development Director	FO	60	FO3	60
CD2	Conroy, Lisa	Development Admin - Assistant Dir. HR	WSPD	30	WEO3	30
CD3	Tanner, Sarah	Code Enforcement Officer	WSPD	30	WEO3	30
CD4	Wilson, Tracy	Special Contract Officer	WSPD	30	WEO3	30
CD5	Wheat, Brian	Building Inspector	WSPD	45	WEO3	60
CD6	Benavente, Steve	Health & Sanitation Officer	WSPD	45	Workstation shared with CD5	45
CD7	Correa, Sonia	EO Admin. Assistant	WSPD	30	WEO3	40
Net Sq Ft Subtotal			341	435	435	
Workstation Net Sq Ft Total			2,513	2,848	2,848	
30.0% Gross Add-On			744	871	871	

CITY OF LEON VALLEY
Municipal Building
Space Assessment - City Services Support Spaces

Current Work Area Description	Current Sq. Ft.	Proposed Work Area Description	Proposed Work Area Sq. Ft.
CITY SERVICES			
CS1	12	CS1	12
CS2	36	CS2	36
CS3	24	CS3	24
CS4	36	CS4	36
CS5	36	CS5	36
CS6	36	CS6	36
CS7	36	CS7	36
CS8	36	CS8	36
CS9	36	CS9	36
CS10	36	CS10	36
CS11	36	CS11	36
CS12	36	CS12	36
CS13	36	CS13	36
CS14	36	CS14	36
CS15	36	CS15	36
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CS223	36	CS223	36
CS224	36	CS224	36

Needs Assessment – Area Projections

City Administration & Municipal Services – Recommended Scenario

- Summary for City Services Offices and Workspaces

Current Workspace Gross Sq Ft	2,757 Sq Ft
Projected Office & Workspace Net Sq Ft	2,646 Sq Ft
Walls, hallways, etc., Add-on	978 Sq Ft
Projected Office & Workspace Gross Sq Ft	3,624 Sq Ft (+867 sq ft)

- Summary for City Services Support Spaces

Current Support Space Gross Sq Ft	3,859 Sq Ft
Projected Support Space Net Sq Ft	3,400 Sq Ft
Walls, hallways, etc., Add-on	1,257 Sq Ft
Projected Support Space Gross Sq Ft	4,657 Sq Ft (+798 sq ft)

- Total Projected Program Area Need

8,281 Gross Sq Ft

- Space Surplus

1,699 Gross Sq Ft (+20%)

- Current Area

6,616 Gross Sq Ft

- Projected Program Area Increase

1,665 Gross Sq Ft

- Program Need with Space Surplus

9,980 Gross Sq Ft

Needs Assessment – Area Projections

Police Department – Recommended Scenario

- Summary for Police Dept. Offices and Workspaces

Current Workspace Gross Sq Ft	1,974 Sq Ft
Projected Office & Workspace Net Sq Ft	1,670 Sq Ft
Walls, hallways, etc., Add-on	663 Sq Ft
Projected Office & Workspace Gross Sq Ft	2,333 Sq Ft (+359)

- Summary for Police Support Spaces

Current Support Space Gross Sq Ft	2,886 Sq Ft
Projected Support Space Net Sq Ft	4,350 Sq Ft
Walls, hallways, etc., Add-on	1,727 Sq Ft
Projected Support Space Gross Sq Ft	6,077 Sq Ft (+3,191)

- Total Projected Area Need

8,410 Gross Sq Ft

- Space Surplus

1,699 Gross Sq Ft (+20%)

- Current Area

4,860 Gross Sq Ft

- Projected Area Increase

3,550 Gross Sq Ft

- Program Need with Space Surplus

10,109 Gross Sq Ft

Needs Assessment – Area Projections

Fire Department – Recommended Scenario

CITY OF LEON VALLEY
Municipal Facilities
Space Assessment - Fire Department
Scenario 5

	Current Sq. Ft.
FIRE DEPARTMENT	
Living and Administrative Areas	
FD01 Secretary	89.00
FD02 Entry	29.00
FD03 Asst. Chief	190.00
FD04 Women's Toilet Room	47.97
FD05 Copy/Print Room	33.50
FD06 Fire Prevention	39.00
FD07 Front Mechanical Room	15.00
FD08 Shift Supervisor (Cafeteria)	138.00
FD09 Fire Chief	229.00
FD10 Fire Chief's Office	12.00
FD11 Gender	176.00
FD12 Kitchen	192.50
FD13 Dayroom	260.00
FD14 Dayroom Bath	50.00
FD15 Gender	612.00
FD16 Storage/Workshop	278.54
FD17 Heat Mechanical Room	58.00
FD18 Apparatus Room Rear Foyer	58.00
FD19 Locker Room	195.42
FD20 Men's Toilet Room	180.76
FD21 Men's Shower Room	117.28
FD22 EMS Storage Area	182.76
FD23 Training Room	551.00
FD24 Training Room Storage	16.00
Existing Gross Sq Ft Subtotal	3,870.59
Apparatus Storage	
FD25 Apparatus Main Room	3,741.00
FD26 Apparatus Room Extension	127.00
Existing Gross Sq Ft Subtotal	4,368.00
Existing Gross Sq Ft Total	8,238.59
Gross Sq Ft Improvement	6,761.41
Total Improved Gross Sq Ft	15,000.00

Needs Assessment – Area Projections

Fire Department – Recommended Scenario

- Summary for Fire Dept. Offices and Living Spaces
Current Office and Living Spaces Gross Sq Ft 3,870 Sq Ft
- Summary for Fire Dept Support Spaces
Current Support Space Gross Sq Ft 4,368 Sq Ft
- Projected Gross Sq Ft Addition
6,762 Sq Ft
- Total Projected Area Need 15,000 Gross Sq Ft
- Current Area 8,238 Gross Sq Ft
- Projected Area Increase 6,762 Gross Sq Ft

Recommended Plan

Full Remodel and New Fire Station

Admin and Public

Remodel	11852	100	\$1,185,200
Demo	0	20	\$0
New Construction	0	250	\$0
		Sub total	\$1,185,200

Police

Remodel	7096	150	\$1,064,400
Demo	766	30	\$22,980
New Construction	0	225	\$0
		Sub total	\$1,087,380

Fire

Remodel	0	100	\$0
Demo	0	20	\$0
New Construction	15000	225	\$3,375,000
		Sub total	\$3,375,000

Site, Parking Ect. \$ 500,000

Total Construction		\$6,147,580
Soft Costs	\$	614,420
Contingency	\$	238,000.00
Grand Total	\$	7,000,000



Scenario Seven

Remodel existing facility with New Fire Station on New Lots



Phase One
Complete Site Work



Phase Two
Construct Fire Station



Phase Three
Remodel Existing Fire Station



Phase Four

Relocate Police to New Renovation



Phase Five
Remodel Existing Police Area



Phase Six

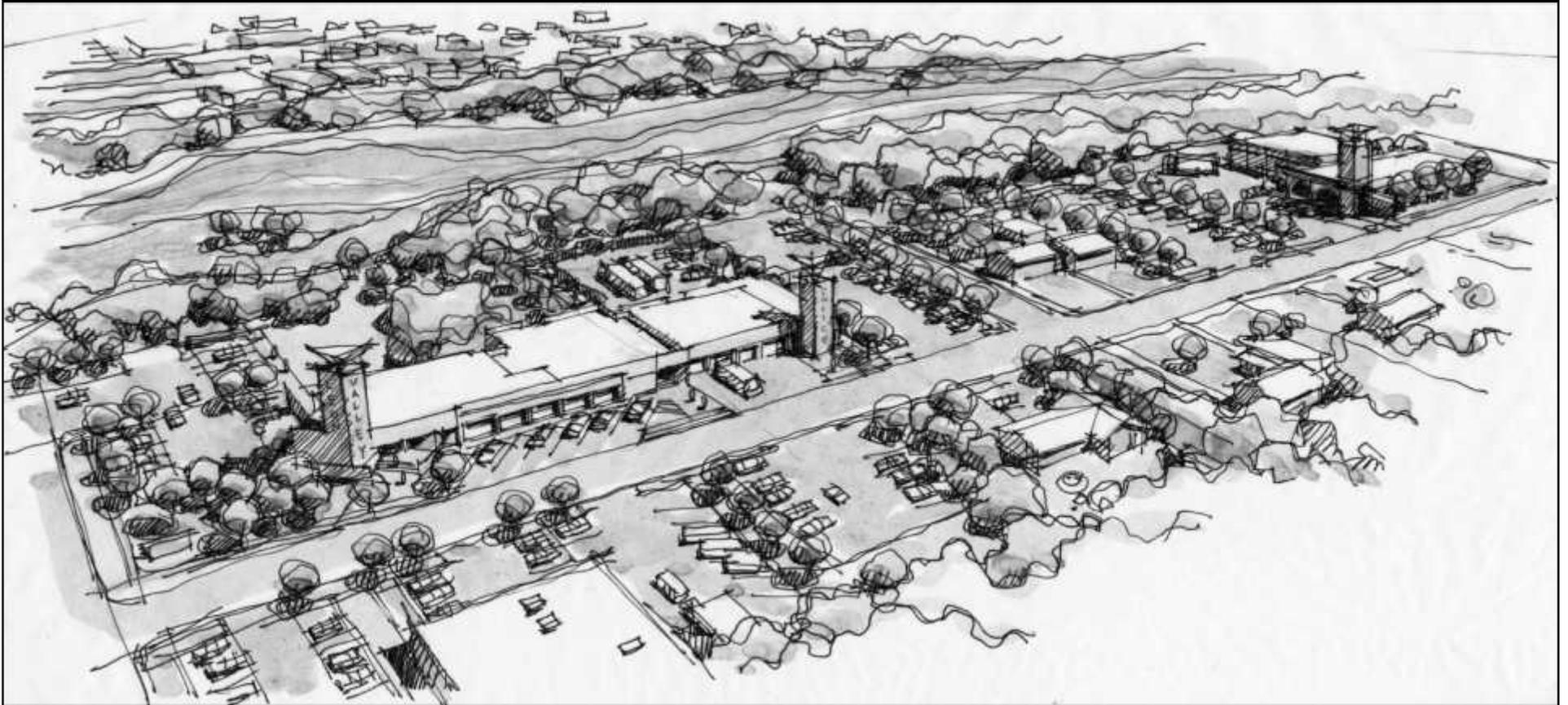
Temporarily Re-locate Admin and Remodel



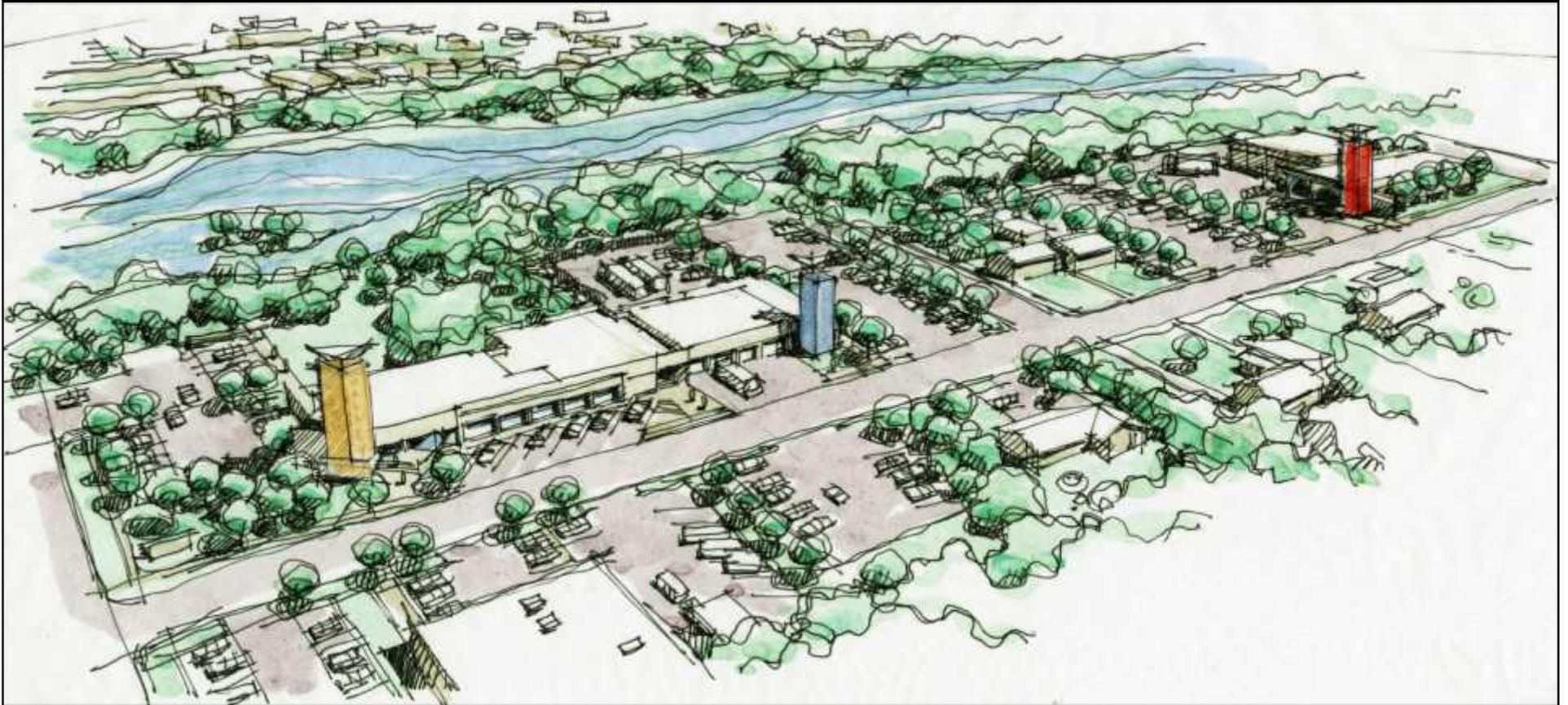
Phase Seven
Complete Work



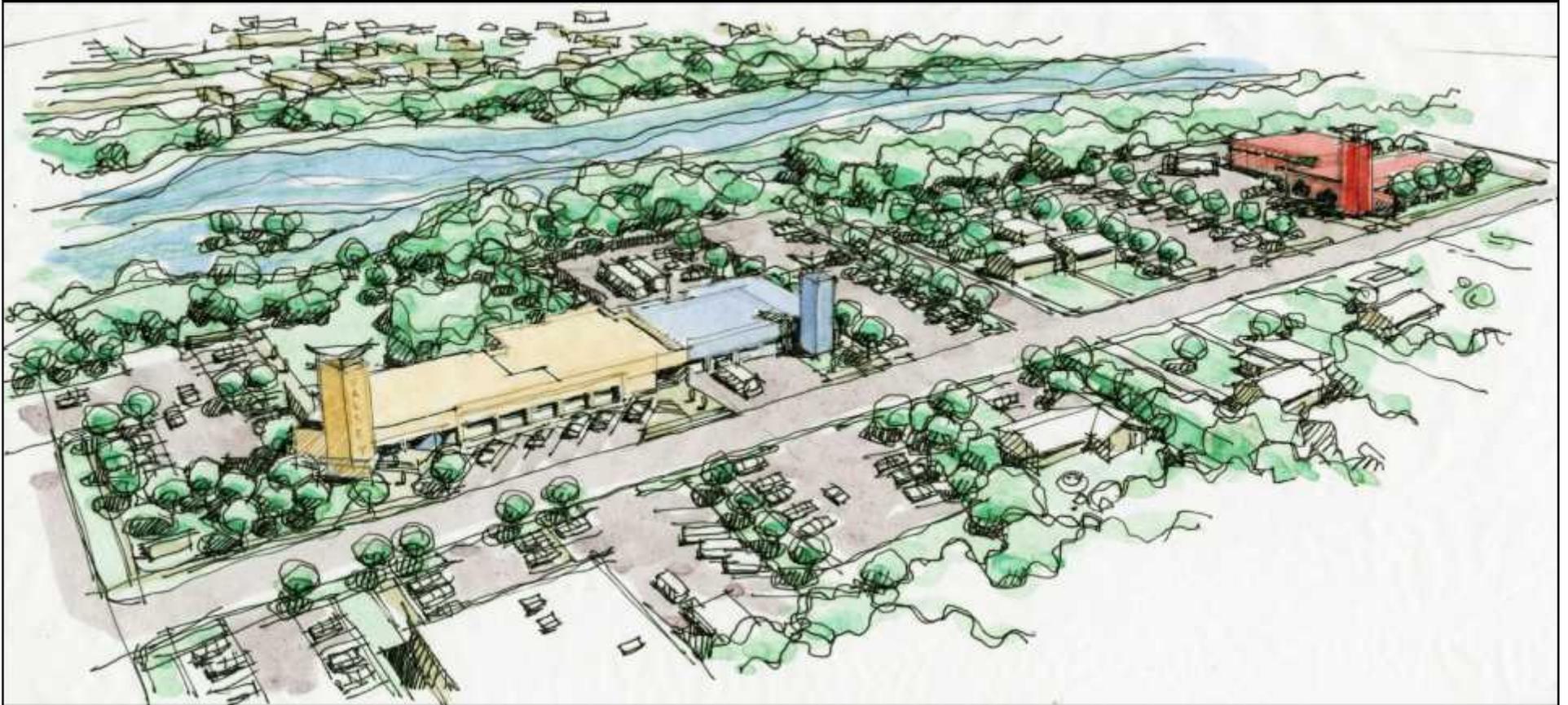
Concept Sketch



Concept Sketch



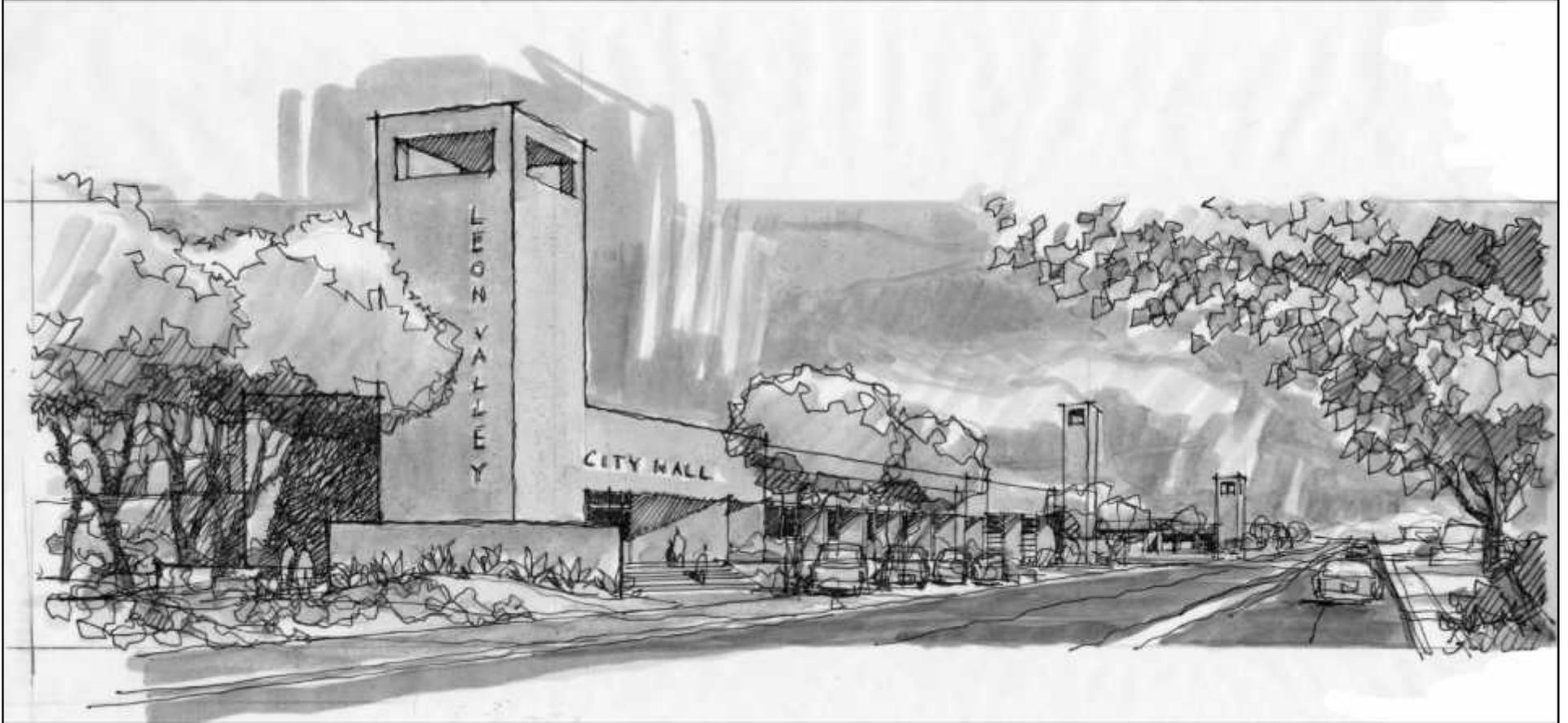
Concept Sketch



Concept Sketch



Concept Sketch from Ground Level



Concept Sketch from Ground Level



Concept Sketch from Ground Level



Concept Sketch from Ground Level

The End

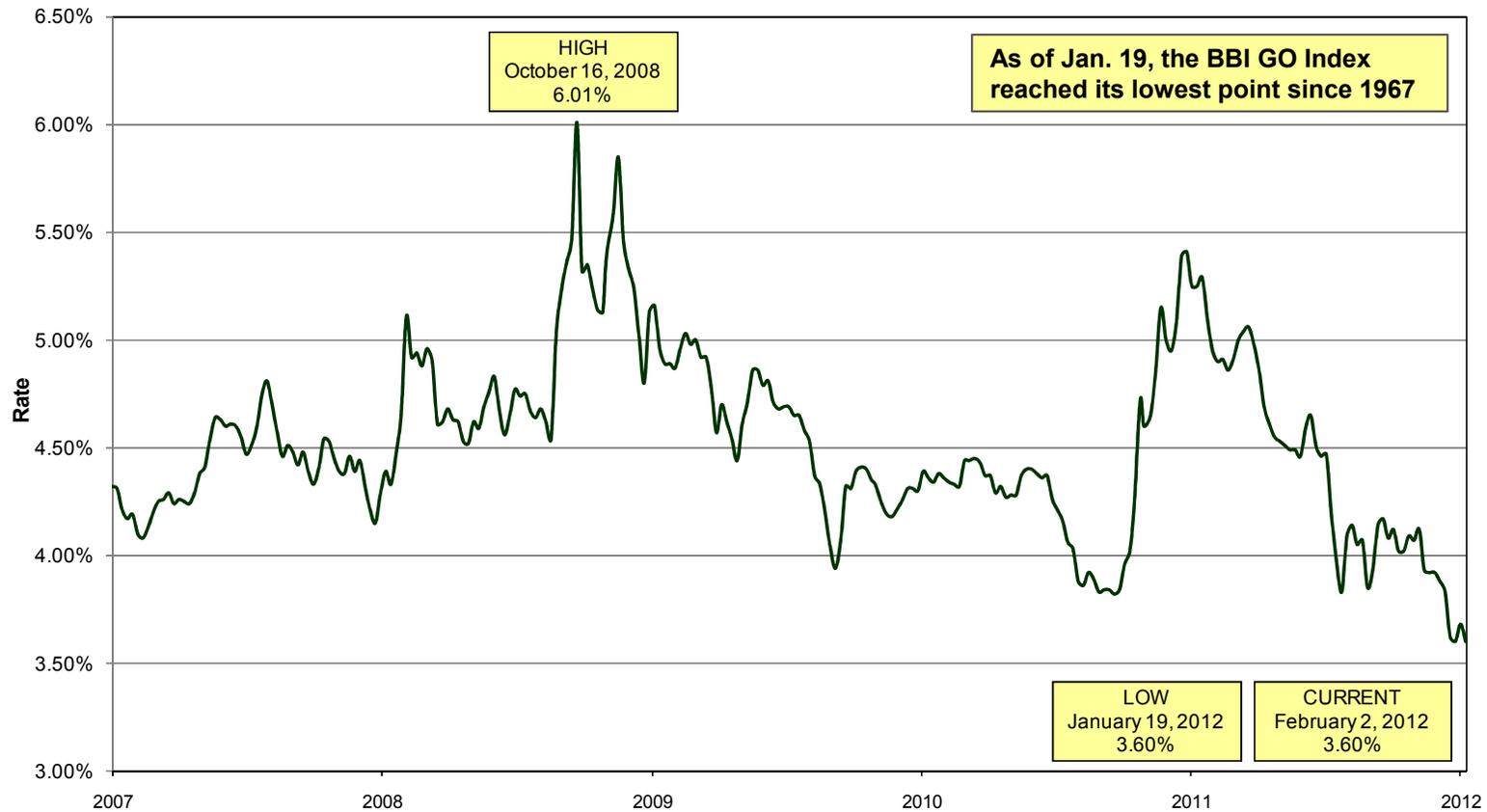
Questions and Discussion

Market Update



Bond Buyer's Index of 20 Municipal Bonds

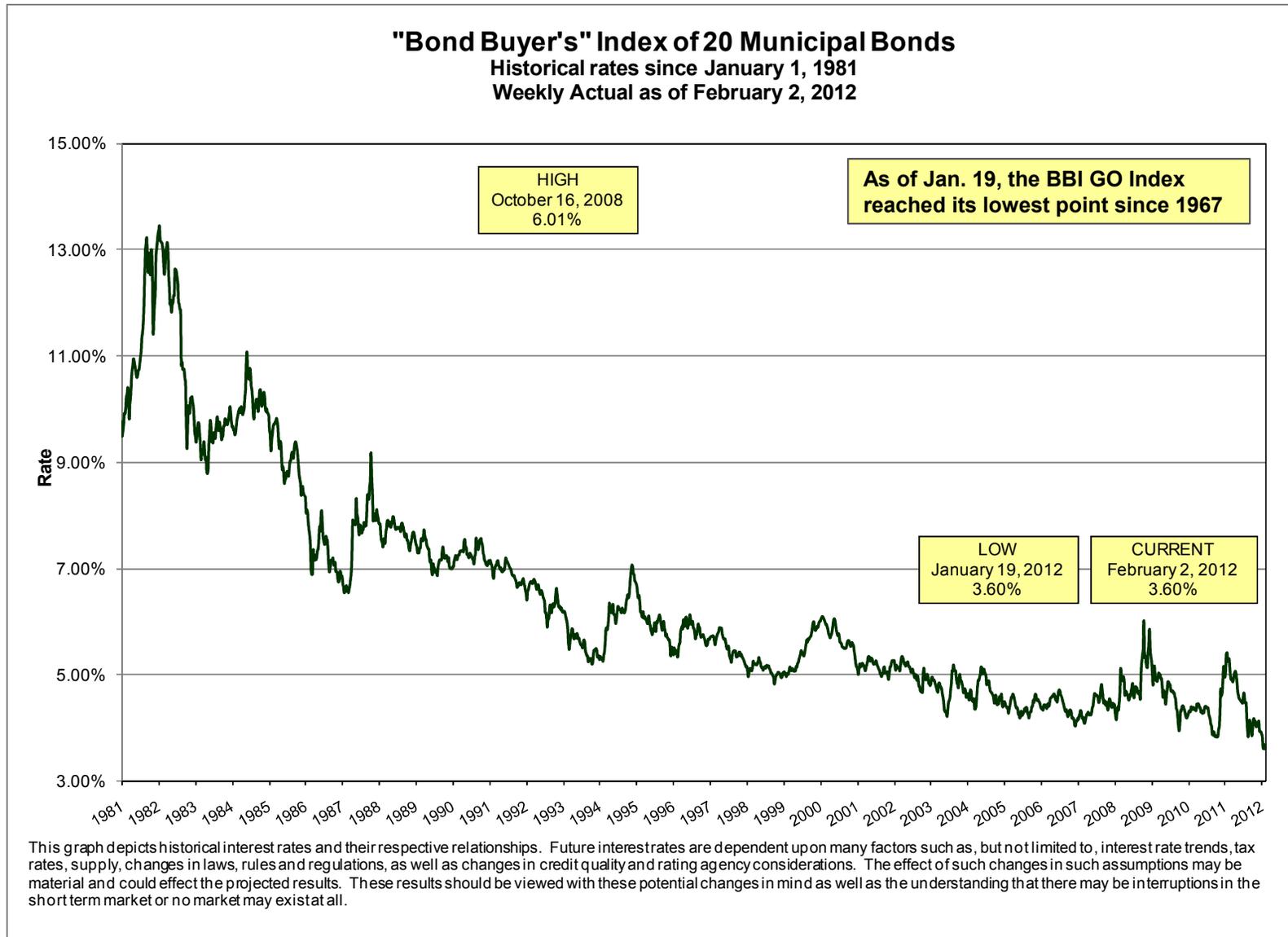
"Bond Buyer's" Index of 20 Municipal Bonds
5-Year History
Weekly Actual as of February 2, 2012



This graph depicts historical interest rates and their respective relationships. Future interest rates are dependent upon many factors such as, but not limited to, interest rate trends, tax rates, supply, changes in laws, rules and regulations, as well as changes in credit quality and rating agency considerations. The effect of such changes in such assumptions may be material and could effect the projected results. These results should be viewed with these potential changes in mind as well as the understanding that there may be interruptions in the short term market or no market may exist at all.

CITY OF LEON VALLEY, TEXAS

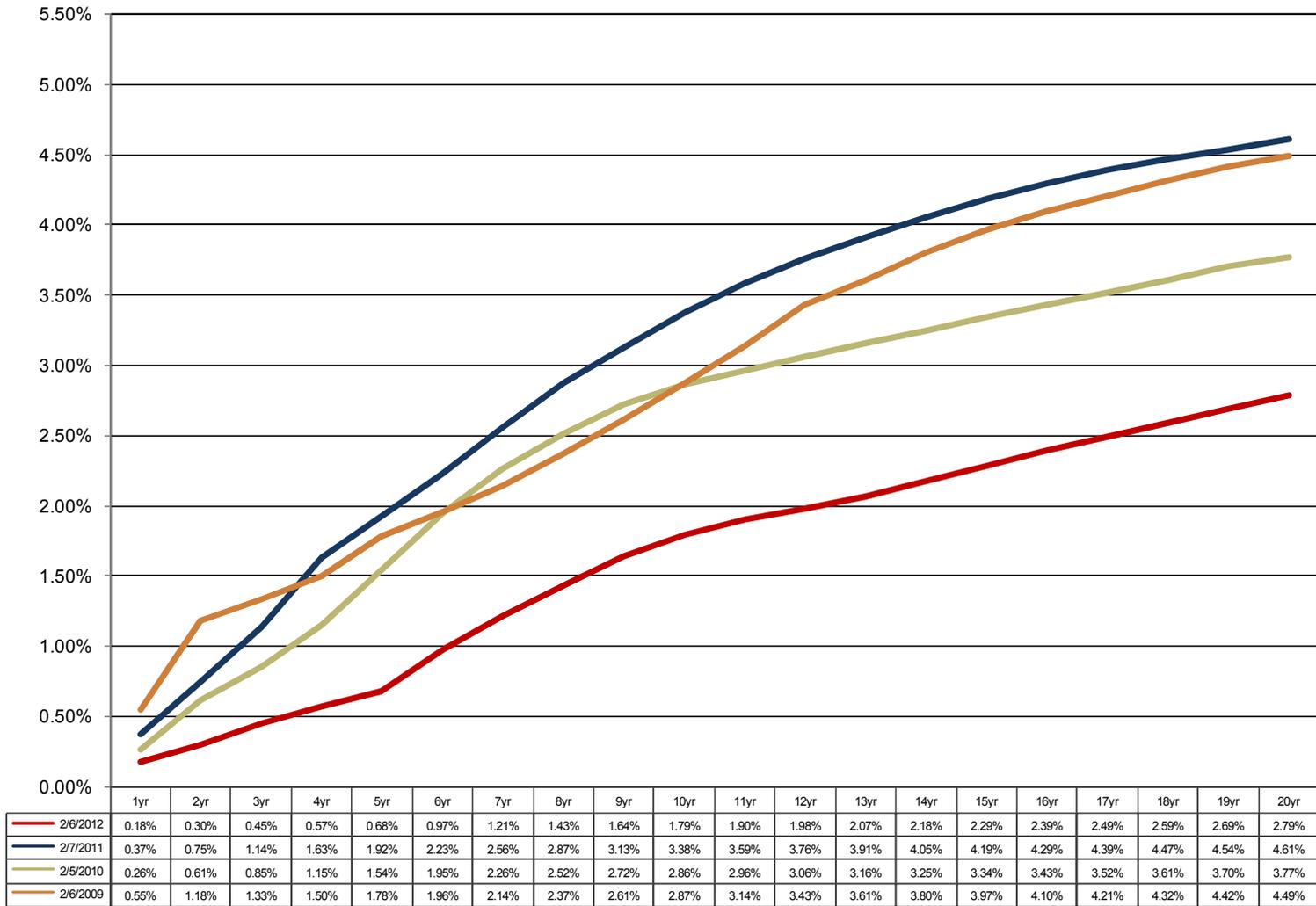
Bond Buyer's Index of 20 Municipal Bonds



CITY OF LEON VALLEY, TEXAS

Municipal Yield Curve

AAA MMD Interest Rates
Rates as of February 7, 2012



CITY OF LEON VALLEY, TEXAS

Preliminary Tax Rate Analysis



Summary of Financing Scenarios

CITY OF LEON VALLEY						
Summary of Projected Analysis Results for General Obligation Bonds ⁽¹⁾						
Scenario	Par Amount	Deposit to Project Fund	Amortization	Fixed Interest Rate	Projected Tax Rate Increase ⁽⁴⁾	Total Interest
A	\$7,000,000	\$6,871,000	20 Year	3.800% ⁽²⁾	\$0.0497	\$3,615,320
B	\$7,000,000	\$6,871,000	20 Year	2.900% ⁽³⁾	\$0.0414	\$2,698,885

Notes:

- 1) Assumes General Obligation Bonds issued by July 1, 2012. First principal and interest payment due February 1, 2013. Preliminary, subject to change.
- 2) Based on City's current tax supported ratings of AA as of January 31, 2012, plus 70-100 basis points.
- 3) Based on City's current tax supported ratings of AA as of January 31, 2012.
- 4) Fiscal year 2012 Taxable Assessed Valuation of \$662,644,707 with 0% growth thereafter, and tax collection percentage of 98.00%.

CITY OF LEON VALLEY, TEXAS

Projected Tax Impact to Homeowners*

Home Value After Exemptions	Scenario A \$7,000,000 Par - 20 Years AA Market Rates + 0.70%-1.00% \$0.0497 Projected Increase		Scenario B \$7,000,000 Par - 20 Years AA Market Rates (No Cushion) \$0.0414 Projected Increase	
	Projected Annual Tax Increase	Projected Monthly Tax Increase	Projected Annual Tax Increase	Projected Monthly Tax Increase
\$ 100,000	\$ 49.73	\$ 4.14	\$ 41.41	\$ 3.45
\$ 125,000	\$ 62.16	\$ 5.18	\$ 51.77	\$ 4.31
\$ 150,000	\$ 74.59	\$ 6.22	\$ 62.12	\$ 5.18
\$ 200,000	\$ 99.45	\$ 8.29	\$ 82.83	\$ 6.90
\$ 250,000	\$ 124.31	\$ 10.36	\$ 103.54	\$ 8.63

CITY OF LEON VALLEY, TEXAS

*All interest rate assumptions are as of 1/31/2012. Preliminary, subject to change.

Interest Rate Assumptions

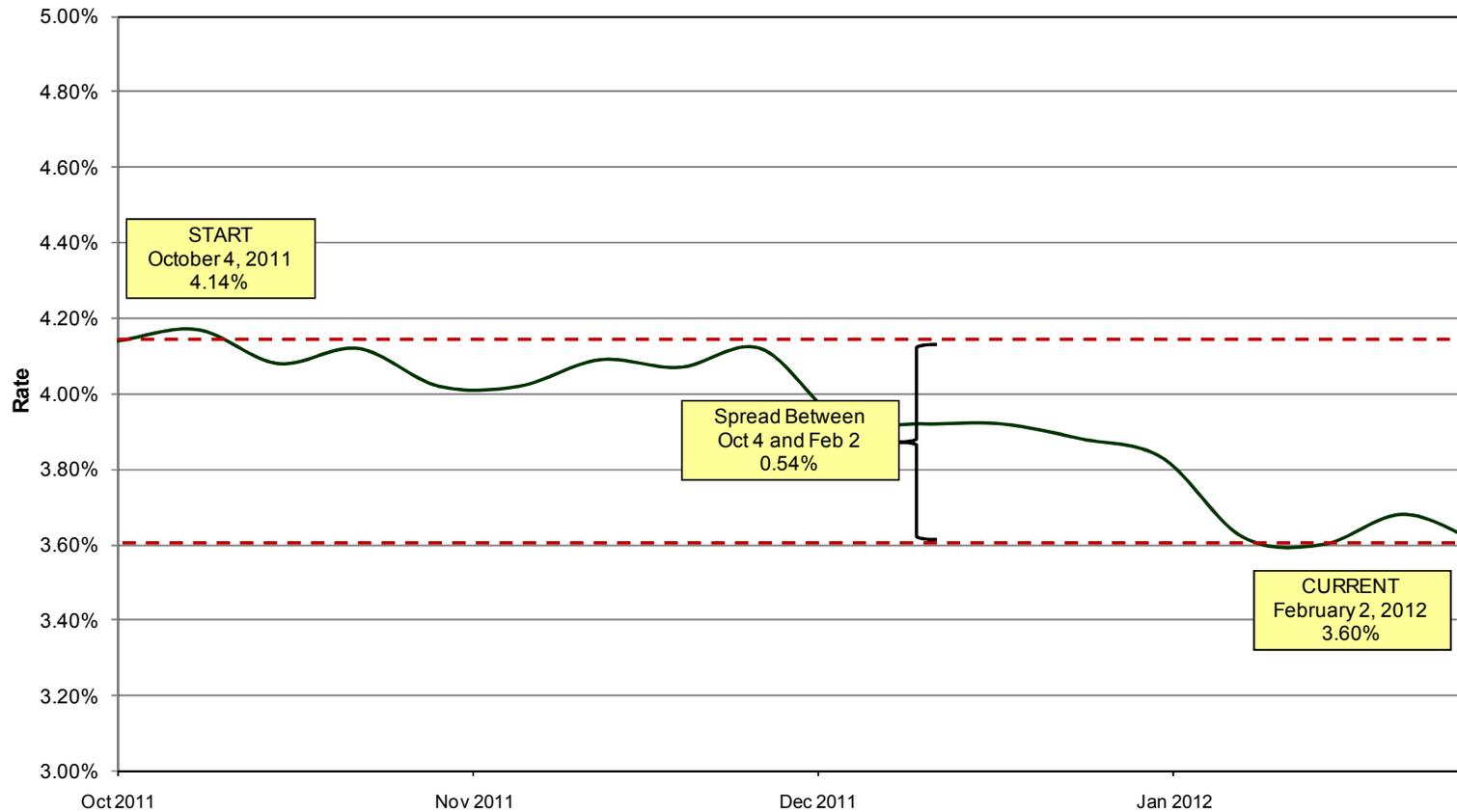
- In the event of a successful bond election, the earliest date that a bond sale can be conducted is June 12, 2012
 - 126 days from today

- Municipal interest rate environment has been very dynamic over the past few months
 - Over the last 126 days, in particular, rates have decreased by approximately 46 basis points (0.46%)
 - Conservative interest rate assumptions are 70 to 100 basis points (0.70% - 1.00%) above current AA rated interest rates

- In projecting the City's debt issuance capacity and resulting tax rate impact, it is important to understand that if the interest rate environment remains relatively unchanged from its current state by the sale date, the projected tax rate impact can be lower than projected

Bond Buyer's Index of 20 Municipal Bonds

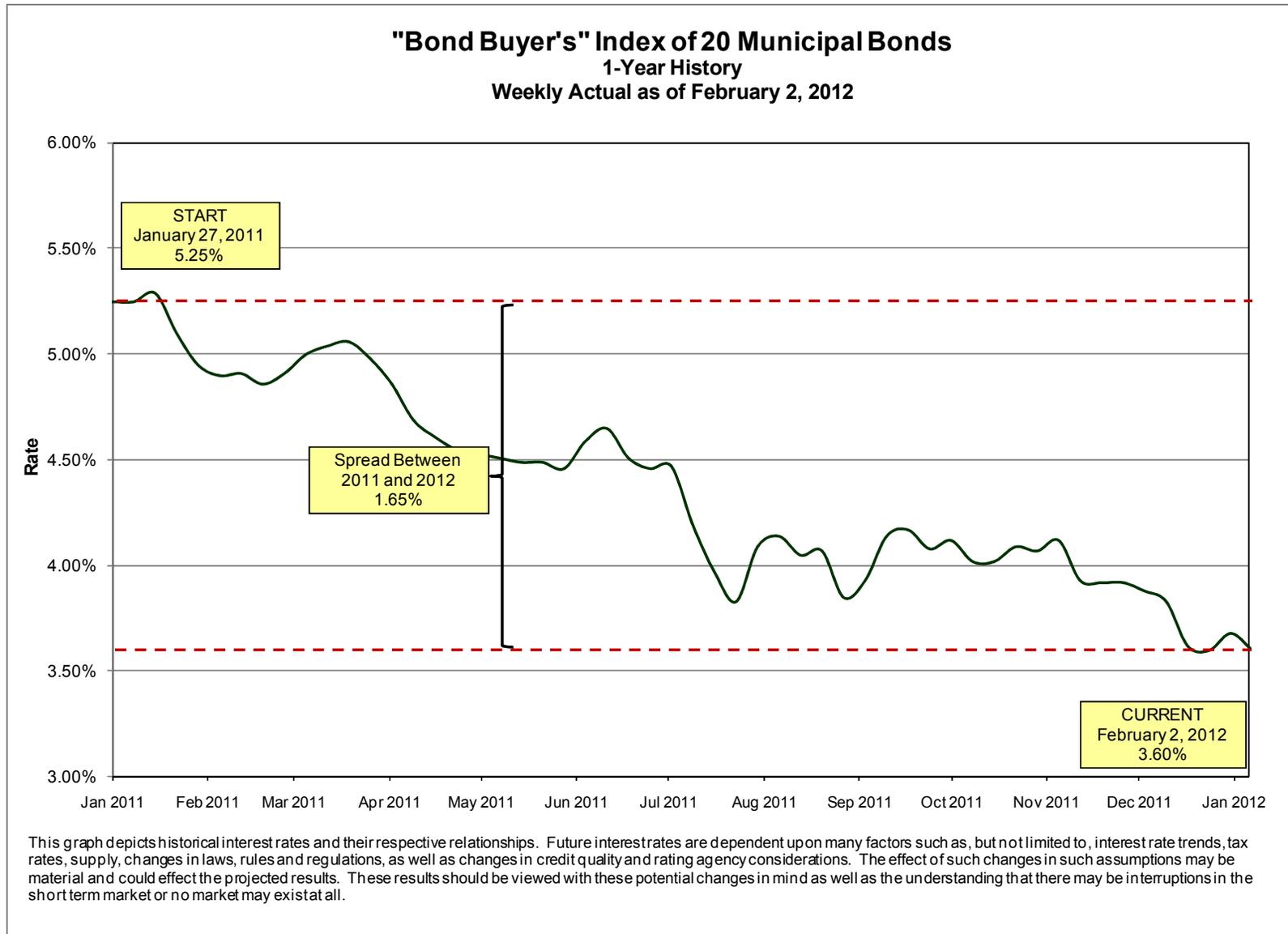
"Bond Buyer's" Index of 20 Municipal Bonds
 126-Day History
 Weekly Actual as of February 2, 2012



This graph depicts historical interest rates and their respective relationships. Future interest rates are dependent upon many factors such as, but not limited to, interest rate trends, tax rates, supply, changes in laws, rules and regulations, as well as changes in credit quality and rating agency considerations. The effect of such changes in such assumptions may be material and could effect the projected results. These results should be viewed with these potential changes in mind as well as the understanding that there may be interruptions in the short term market or no market may exist at all.

CITY OF LEON VALLEY, TEXAS

Bond Buyer's Index of 20 Municipal Bonds



CITY OF LEON VALLEY, TEXAS

\$7,000,000 Par Amount - 20 Years @ 3.800%

FYE 9/30	Taxable Assessed Valuation ⁽¹⁾	Freeze Adjusted Taxable Value	Est. AV Growth ⁽²⁾	Existing Tax-Supported D/S	Projected \$7,000,000 General Obligation Bonds Series 2012 @ 3.80% ⁽³⁾			Projected Total Tax-Supported D/S	REVISED Est. I&S Tax Rate ⁽⁴⁾⁽⁵⁾	Change
					Principal	Interest	Total			
					2012	\$ 662,644,707	\$ 590,843,712			
2013	662,644,707	590,843,712	0.00%	414,028	20,000	265,620	285,620	699,648	0.1131	0.0497
2014	662,644,707	590,843,712	0.00%	414,328	20,000	264,860	284,860	699,188	0.1130	
2015	662,644,707	590,843,712	0.00%	414,278	20,000	264,100	284,100	698,378	0.1129	
2016	662,644,707	590,843,712	0.00%	413,501	20,000	263,340	283,340	696,841	0.1126	
2017	662,644,707	590,843,712	0.00%	411,536	25,000	262,485	287,485	699,021	0.1130	
2018	662,644,707	590,843,712	0.00%	412,841	25,000	261,535	286,535	699,376	0.1131	
2019	662,644,707	590,843,712	0.00%	79,529	365,000	254,125	619,125	698,654	0.1129	
2020	662,644,707	590,843,712	0.00%	77,573	380,000	239,970	619,970	697,543	0.1127	
2021	662,644,707	590,843,712	0.00%	80,368	395,000	225,245	620,245	700,613	0.1133	
2022	662,644,707	590,843,712	0.00%	78,058	410,000	209,950	619,950	698,008	0.1128	
2023	662,644,707	590,843,712	0.00%	80,643	425,000	194,085	619,085	699,728	0.1131	
2024	662,644,707	590,843,712	0.00%	78,123	445,000	177,555	622,555	700,678	0.1133	
2025	662,644,707	590,843,712	0.00%	80,319	455,000	160,455	615,455	695,774	0.1124	
2026	662,644,707	590,843,712	0.00%	77,231	480,000	142,690	622,690	699,921	0.1131	
2027	662,644,707	590,843,712	0.00%	79,025	495,000	124,165	619,165	698,190	0.1128	
2028	662,644,707	590,843,712	0.00%	80,581	510,000	105,070	615,070	695,651	0.1124	
2029	662,644,707	590,843,712	0.00%	81,900	530,000	85,310	615,310	697,210	0.1127	
2030	662,644,707	590,843,712	0.00%		635,000	63,175	698,175	698,175	0.1128	
2031	662,644,707	590,843,712	0.00%		660,000	38,570	698,570	698,570	0.1129	
2032	662,644,707	590,843,712	0.00%		685,000	13,015	698,015	698,015	0.1128	
2033	662,644,707	590,843,712	0.00%				-	-	-	
2034	662,644,707	590,843,712	0.00%				-	-	-	
2035	662,644,707	590,843,712	0.00%				-	-	-	
2036	662,644,707	590,843,712	0.00%				-	-	-	
2037	662,644,707	590,843,712	0.00%				-	-	-	
2038	662,644,707	590,843,712	0.00%				-	-	-	
2039	662,644,707	590,843,712	0.00%				-	-	-	
2040	662,644,707	590,843,712	0.00%				-	-	-	
2041	662,644,707	590,843,712	0.00%				-	-	-	
2042	662,644,707	590,843,712	0.00%				-	-	-	
				\$ 3,767,186	\$ 7,000,000	\$ 3,615,320	\$ 10,615,320	\$ 14,382,506		\$ 0.0497

Assumptions:

- (1) FY 2012 Assessed Valuation calculated by adding the Freeze Adjusted Value to a valuation equivalent to the Actual Tax value of \$378,678.45 in the Certified Totals.
- (2) Taxable Assessed Valuation growth projected at 0% for purposes of illustration only. Preliminary, subject to change.
- (3) Fixed interest rate is approximately 70-100 basis points above market rates as of January 30, 2012, and is for purposes of illustration only. Average life of Bonds is 13.591 years.
- (4) FY 2012 actual I&S tax rate provided by City officials.
- (5) Est. tax collections rate: 98.00%

\$7,000,000 Par Amount - 20 Years @ 2.900%

FYE 9/30	Taxable Assessed Valuation ⁽¹⁾	Freeze Adjusted Taxable Value	Est. AV Growth ⁽²⁾	Existing Tax-Supported D/S	Projected \$7,000,000 General Obligation Bonds Series 2012 @ 2.90% ⁽³⁾			Projected Total Tax-Supported D/S	REVISED Est. I&S Tax Rate ⁽⁴⁾⁽⁵⁾	Change
					Principal	Interest	Total			
					2012	\$ 662,644,707	\$ 590,843,712			
2013	662,644,707	590,843,712	0.00%	414,028	35,000	202,493	237,493	651,520	0.1048	0.0414
2014	662,644,707	590,843,712	0.00%	414,328	35,000	201,478	236,478	650,805	0.1047	
2015	662,644,707	590,843,712	0.00%	414,278	40,000	200,390	240,390	654,668	0.1053	
2016	662,644,707	590,843,712	0.00%	413,501	40,000	199,230	239,230	652,731	0.1050	
2017	662,644,707	590,843,712	0.00%	411,536	45,000	197,998	242,998	654,534	0.1053	
2018	662,644,707	590,843,712	0.00%	412,841	45,000	196,693	241,693	654,534	0.1053	
2019	662,644,707	590,843,712	0.00%	79,529	380,000	190,530	570,530	650,059	0.1045	
2020	662,644,707	590,843,712	0.00%	77,573	395,000	179,293	574,293	651,865	0.1048	
2021	662,644,707	590,843,712	0.00%	80,368	405,000	167,693	572,693	653,060	0.1051	
2022	662,644,707	590,843,712	0.00%	78,058	420,000	155,730	575,730	653,788	0.1052	
2023	662,644,707	590,843,712	0.00%	80,643	430,000	143,405	573,405	654,048	0.1052	
2024	662,644,707	590,843,712	0.00%	78,123	445,000	130,718	575,718	653,840	0.1052	
2025	662,644,707	590,843,712	0.00%	80,319	455,000	117,668	572,668	652,986	0.1050	
2026	662,644,707	590,843,712	0.00%	77,231	470,000	104,255	574,255	651,486	0.1048	
2027	662,644,707	590,843,712	0.00%	79,025	480,000	90,480	570,480	649,505	0.1044	
2028	662,644,707	590,843,712	0.00%	80,581	495,000	76,343	571,343	651,924	0.1049	
2029	662,644,707	590,843,712	0.00%	81,900	510,000	61,770	571,770	653,670	0.1052	
2030	662,644,707	590,843,712	0.00%		605,000	45,603	650,603	650,603	0.1046	
2031	662,644,707	590,843,712	0.00%		625,000	27,768	652,768	652,768	0.1050	
2032	662,644,707	590,843,712	0.00%		645,000	9,353	654,353	654,353	0.1053	
2033	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2034	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2035	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2036	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2037	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2038	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2039	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2040	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2041	662,644,707	590,843,712	0.00%		-	-	-	-	-	
2042	662,644,707	590,843,712	0.00%		-	-	-	-	-	
				\$ 3,767,186	\$ 7,000,000	\$ 2,698,885	\$ 9,698,885	\$ 13,466,071		\$ 0.0414

Assumptions:

- (1) FY 2012 Assessed Valuation calculated by adding the Freeze Adjusted Value to a valuation equivalent to the Actual Tax value of \$378,678.45 in the Certified Totals.
- (2) Taxable Assessed Valuation growth projected at 0% for purposes of illustration only. Preliminary, subject to change.
- (3) Fixed interest rate is based on current market rates as of January 31, 2012, and is for purposes of illustration only. Average life of Bonds is 13.295 years.
- (4) FY 2011 actual I&S tax rate provided by City officials.
- (5) Est. tax collections rate: 98.00%

Bond Election Timing Requirements



Bond Election Timing Requirements

- Uniform election date is May 12, 2012
- Election must be called 71 days prior to May 12, 2012
- Last day to call the election is March 5, 2012*
- In order to comply with filing requirements with the Department of Justice, Bond counsel recommends calling the election on February 27, 2012

**Please note that the 71st day before election day falls on a state holiday, March 2, 2012, therefore the deadline moves to Monday, March 5, 2012, which is the next business day after the statutory deadline.*



**City of Leon Valley
Special City Council Meeting
February 21, 2012**

Tax Rate Comparison Chart



Comparison Tax Rate Table

City	Adopted 2011 Tax	Adopted 2010 Tax	Increase (Decrease)
China Grove	0.081700	0.071700	0.010000
Grey Forest	0.093525	0.093525	-
Hill Country Village	0.095000	0.095000	-
Shavano Park	0.320000	0.320000	-
Alamo Heights	0.355662	0.355662	-
Helotes	0.360000	0.363651	(0.003651)
Terrell Hills	0.385068	0.385068	-
Windcrest	0.436495	0.436495	-
Live Oak	0.477291	0.476783	0.000508
St. Hedwig	0.479895	0.479895	-
Olmos Park	0.480888	0.478499	0.002389
Elmendorf	0.481749	0.313255	0.168494
Castle Hills	0.501345	0.458668	0.042677
Leon Valley	0.535510	0.527400	0.008110
Hollywood Park	0.536710	0.490000	0.046710
Balcones Heights	0.572199	0.558843	0.013356
Converse	0.572931	0.525434	0.047497
Universal City	0.582981	0.590531	(0.007550)
Somerset	0.704675	0.648884	0.055791
Kirby	0.710978	0.697500	0.013478
San Antonio	0.565690	0.565690	-
Northside ISD	1.375500	1.365500	0.010000
Bexar County	0.326866	0.326866	-

Agenda Item 6.B.

MAYOR AND COUNCIL COMMUNICATION

DATE: February 21, 2012
M&C: # 02-08-12

TO: MAYOR AND CITY COUNCIL

**SUBJECT: DISCUSSION REGARDING CALLING A SPECIAL BOND ELECTION,
REVIEW OF BALLOT LANGUAGE, AND DIRECTION TO STAFF**

PURPOSE

The City Council appointed an ad-hoc committee in June of 2011. The committee is composed of community volunteers Olen Yarnell (committee chair), Mike Davis Jr., Pedro Esquivel and Al Uvietta, LV Fire Chief, Stan Irwin, LV Police Chief, Randall Wallace, LV City Manager, Manny Longoria, Mayor Pro Tem Jack Dean, and Council Member Kathy Hill.

The Committee was tasked with assessing the City's capital facility needs for the City of Leon Valley based on feedback from the City Council's January 2011 Town Hall Meeting. The Committee issued the Assessment Report and Proposed Municipal Facilities recommendations.

The City Council initially previewed the Assessment Report and Proposed Municipal Facilities recommendations at its Town Hall Meeting on January 28, 2012. The City Council conducted public workshops (including the evening's presentation) on February 7, February 15, and February 21, to allow the public an opportunity to review and give input on the Assessment Report and Proposed Municipal Facilities recommendations.

The City of Leon Valley conducted the first of four Open House Tours on February 11. The series of Open House Tours continues on February 25, March 24, and ends on April 28, from 9 a.m. to 1 p.m., to allow the public to tour the Leon Valley Police, Fire/EMS, and support facilities located at 6400 El Verde Road.

This agenda item will allow the City Council to discuss whether to call or order a Special Bond Election, to discuss the requirements involved in a Special Bond Election, including the review of the ballot language, and to provide direction to staff on how to proceed with this project.

FISCAL IMPACT

None at this time.

RECOMMENDATION

To allow the residents, business owners, and other community stakeholders to view and give their input on the Assessment Report and Proposed Facility recommendations.

OTHER INFORMATION

See attached memorandums from Mr. Olen Yarnell concerning the Capital Facilities Committee recommendations.

Agenda Item 6.B.

ATTACHMENTS:

- A. Memorandums from Mr. Olen Yarnell, Capital Facilities Chair
- B. Ordinance Calling the Election with Proposed Ballot Language
- C. Bond Election Timetable of Events
- D. "Do's and Don'ts for Bond Elections
- E. Ethical Guidelines for City Employees During Bond Elections

S.E.E IMPACT STATEMENT

Social Equity – The City will promote a superior quality of life by providing outstanding public safety services and superb infrastructure. The City will encourage collaborative participation by its residents, businesses, and stakeholders. Cities that provide outstanding public safety services and preserve superb infrastructure demonstrate social equity among its residents, businesses, and stakeholders. Cities that welcome collaborative participation by its residents, businesses, and stakeholders demonstrate and embrace social equity.

Environmental Stewardship – Cities that reuse available materials in construction and renew public facility infrastructure practice environmental stewardship through the use of new environmentally supportive materials and improve the use of energy consumption used in public facilities.

Economic Development – Cities that upgrade their identity invite and welcome economic development initiatives. Renewing the City's public facility infrastructure will demonstrate a distinctive identity in the Leon Valley and greater Bexar County community.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

Dear Mayor and Council,

As you requested, we stand before you as a committee, with our recommendation on the subject of the Capital Facilities needs of our City's Emergency Responders and their support Service.

With the creation of our committee you began the process of responding to citizen's request made at last year's Town Hall Meeting, Re: the need to upgrade the facilities, for our Police and Fire Departments, and their support facilities and bring them up to date and in compliance with the current standards of the industry.

We have made every effort to comply with your request to conduct our review in an open and transparent manner. In fact one of the first decisions we made was to require that it be a bottom up review that included all of the stake holders, (the City's employees), so we could achieve the best possible results for our report, and give you an open and honest recommendation from those who are on the front line of the City's service to its citizens.

The attached recommendation, (prepared by Mr. Uvietta) is the result of several tours, (to other local City's with new facilities) and seven months of meetings which at times become very intense. Our moderator/referee, Mr. Longoria did a good job of keeping us on tract, so we were finally able to come to a consensus and produce a recommendation document that the committee feels will meet our goal of creating a new facility that will serve the needs of our City for the next 25/30 years.

We realize that Seven million dollars figure is a large number, but we think it is doable and, it represents an excellent, (and we feel) necessary investment in our City's future, while at the same time complementing the sizeable investment, and positive focus, that VIA is showing in our City with their new Primo service to Leon Valley,

In addition to VIA's investment, there are a couple more reason to take this positive step forward at this time.

First is the Huebner Creek Flood Control Project currently underway by the County, has the added benefit of creating land above the floodplain, (that they are willing to donate to us at no cost) which greatly enhances our expansion plans, and reduces our cost to the tune of approx. \$ 500,000 to a million dollars, below some of the other possibilities that were available to us.

Second are the very favorable bond markets interest rates that are currently available to us.

According to our financial advisers FirstSouthwest, when the \$ 7 million figure is broken down it will cost the owners of a typical \$100,000.00 property approximately 13.6 or 14 cents per day, \$4.14 per month, or \$ 49.73 per year, (for 20 years). Most people would recognize that to be a very good return on an investment, not to mention the improvements in service that the citizens will receive from their City.

We (the committee) ask you to take the next step in the process and vote yes to take the issue to the citizens for a bond election to finance the project, which will in turn serve to enhance our reputation as a positive forward looking City with a bright future that is a good place to live and do business.

For the Capital Facilities Committee.

Sincerely,

Olen Yarnell

A handwritten signature in blue ink that reads "Olen Yarnell". The signature is written in a cursive style with a large initial "O".

Chairman

Hon. Chris Riley, Mayor
Leon Valley City Council
Leon Valley, Texas

2-15-2012

Dear Mayor and Council,

The Capital Facilities Committee, as charged, has engaged in a lengthy and comprehensive needs assessment to determine existing, and projected, facilities needs for Leon Valley Public Safety and supporting administration components of our municipal government.

As provided for by Council decree, the Alamo Architects group was engaged to conduct a professional needs assessment, develop spatial requirements based on this assessment, and have provided facility enhancement recommendations. CFC activity included intensive tours of existing LV facilities, and several recently completed municipal facility constructs in area municipalities similar to LV in size. Carefully evaluated were assessment, design, and construction aspects in order to best position recommendations, including the avoidance of costly errors.

The consensus opinion of CFC members is that the assessment process was professionally conducted, recommendations based on current and future needs are accurate and timely, and that every effort was made to contain recommendations and projected cost estimates to reasonable levels, and that remedial aspects are realistic and effective.

Public education, and input thru workshops, open house events, and sampling mechanisms are underway. Initial results evidence public support for moving forward with the recommended project and proposed funding. The availability of low interest rates, and material/construction costs along with legal requirements related to structuring a proposed bond election requiring a decision by 27 February, suggest moving forward quickly would be in the best interests of this community.

Accordingly, CFC members recommend moving forward with structuring a bond proposal vote in order to take advantage of current low interest rates and construction costs if approved by voters. In the interim, the public education process will continue vigorously.

Respectfully submitted for the Committee,

Olen Yarnell


Chairman

ORDINANCE NO. _____

AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF LEON VALLEY, TEXAS; MAKING PROVISION FOR THE CONDUCT OF A JOINT ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

WHEREAS, the City Council (the *Council*) of the CITY OF LEON VALLEY, TEXAS (the *City*), located in Bexar County, Texas (the *County*), hereby finds and determines that an election should be held to determine whether the Council shall be authorized to issue general obligation bonds of the City in the amount and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the City will contract with the County’s Election Administrator (the *Administrator*) to conduct all aspects of the Election; and

WHEREAS, the Election will be held jointly with other political subdivisions (such other political subdivisions, collectively, the *Participants*) for whom the County is also conducting their elections, as provided pursuant to the provisions of one or more joint election agreements or contracts among the City, the County, and the Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code, or other applicable law, pursuant to which the County will conduct all aspects of the Election on the City’s behalf; and

WHEREAS, the Council hereby finds and determines that it is in the best interests of the City to enter into one or more election agreements or contracts with the County and the Participants to conduct the Election in accordance with the laws of the State of Texas (the *State*) and applicable federal laws; and

WHEREAS, the Council hereby finds and determines that the necessity to construct various capital improvements within the City necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

WHEREAS, the Council hereby finds and determines that the actions hereinbefore described are in the best interests of the qualified voters of the City; now, therefore,

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

SECTION 1. The Election shall be held in the CITY OF LEON VALLEY, TEXAS on the 12th day of May, 2012 (*Election Day*), which is a uniform election date under the Texas Election Code, as amended, and is not less than seventy-one (71) days nor more than ninety (90) days from the date of the adoption of this ordinance (the *Ordinance*), for the purpose of submitting the following proposition to the qualified voters of the City:

PROPOSITION

“Shall the City Council of the City of Leon Valley, Texas be authorized to issue and sell one or more series of general obligation bonds of the City in the aggregate principal amount of not more than \$7,000,000 for the purpose of making permanent public improvements or other public purposes, to wit: designing, acquiring, constructing, improving, renovating, demolishing, expanding, and equipping a Public Safety

Agenda Item 6.B. Bond Election Ordinance

and Support Services Complex to house police, fire, municipal court, and City administration service departments, and expenses incidental and necessary to the foregoing (including necessary utility relocation, acquisition of easements, rights-of-way, and other real property interests, landscaping, and streetscape modification and improvements), such bonds to mature serially or otherwise in accordance with law; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of the City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council of the City be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity and the cost of any credit agreements executed in connection with the bonds?"

SECTION 2. The City election precincts hereby established for the purpose of holding the Election and the polling places hereby designated for holding the Election in the City election precincts are identified in Exhibit A to this Ordinance, and this Exhibit is incorporated by reference for all purposes. At least 72 days prior to Election Day, the City, acting through the City Manager, or the designee thereof, in coordination with the Administrator (or her designee), as necessary or desirable, will identify and formally approve the appointment of the Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures and can correct, modify, or change the Exhibits to this Ordinance based upon the final locations and times agreed upon by the Administrator, the City, and the Participants to the extent permitted by applicable law.

The Presiding Judge shall appoint not less than two (2) resident qualified voters of the County to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

On Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

The main early voting location is designated in Exhibit B to this Ordinance (which is incorporated herein by reference for all purposes). The individual named as the Early Voting Clerk as designated in Exhibit B is hereby appointed as the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This office or place shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent and temporary branch offices for early voting by personal appearance shall be established and maintained in accordance with the Texas Election Code. The locations, dates, and hours of operation for early voting at these offices (being permanent and/or temporary branch offices) shall be determined by the Administrator, as identified in Exhibit B hereto.

An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of the Early Voting Ballot Board

Agenda Item 6.B. Bond Election Ordinance

is hereby appointed the Presiding Judge of the Early Voting Ballot Board. The Presiding Judge shall appoint not less than two (2) resident qualified voters of the County to serve as members of the Early Voting Ballot Board.

SECTION 3. Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the City shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Paper ballots, touch screen voting machines, and/or such other legally-permissible voting method may be used for early voting and Election day voting by personal appearance. Certain early voting may be conducted by mail.

The City shall also utilize a Central Counting Station (the *Station*) as provided by Section 127.001, et seq., as amended, Texas Election Code, as amended. The Administrator, or her designee, is hereby appointed as the Manager and Presiding Judge of the Station and may appoint Station clerks and establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code, as amended. The Council hereby appoints the Administrator, or her designee, as the Tabulation Supervisor and the Administrator, or her designee, as the Programmer for the Station. Lastly, the Administrator will publish notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

SECTION 4. The official ballot shall be prepared in accordance with the Texas Election Code, as amended, so as to permit voters to vote “FOR” or “AGAINST” the aforesaid proposition which shall appear on the ballot substantially as follows:

PROPOSITION

“THE ISSUANCE OF NOT TO EXCEED \$7,000,000 OF CITY OF LEON VALLEY, TEXAS GENERAL OBLIGATION BONDS FOR DESIGNING, ACQUIRING, CONSTRUCTING, IMPROVING, RENOVATING, DEMOLISHING, EXPANDING, AND EQUIPPING A PUBLIC SAFETY AND SUPPORT SERVICES COMPLEX.”

SECTION 5. All resident qualified voters of the City shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling places. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, Chapter 1251, as amended, Texas Government Code, and as may be required by any other law. All materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 6. A substantial copy of this Ordinance shall serve as a proper notice of the Election. This notice, including a Spanish translation thereof, shall be posted at three (3) public places within the City and at the City Hall not less than twenty-one (21) days prior to Election Day, and be published on the same day in each of two (2) successive weeks in a newspaper of general circulation in the City, the first of these publications to appear in such newspaper not more than thirty (30) days, and not less than fourteen (14) full days prior to Election Day.

Agenda Item 6.B. Bond Election Ordinance

SECTION 7. The Council authorizes the City Manager, or his designee, to negotiate and enter into one or more joint election agreements or contracts with the County, through its Administrator, and the Participants in accordance with the provisions of the Texas Election Code, as amended, and as necessary or desired, to make such technical modifications to this Ordinance that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Council, as evidenced herein.

SECTION 8. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 9. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 10. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 11. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 12. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 13. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

* * *

Agenda Item 6.B. Bond Election Ordinance

PASSED AND APPROVED on the 27th day of February, 2012.

CITY OF LEON VALLEY, TEXAS

Mayor

ATTEST:

City Secretary

EXHIBIT A

ELECTION PRECINCT AND ELECTION DAY POLLING LOCATIONS

Election Day: May 12, 2012

Election Day Polling Locations open from 7:00 a.m. to 7:00 p.m.

<u>City Election Precincts</u>	<u>County Election Precincts</u>	<u>Polling Places</u>

EXHIBIT B

**MAIN, PERMANENT BRANCH, AND TEMPORARY BRANCH
POLLING PLACES, DATES, AND TIMES**

Early voting begins Monday, April 30, 2012 and ends on Tuesday, May 8, 2012

Early Voting Clerk: Jacque Callanen
Early Voting Clerk's address: 203 West Nueva, Suite 3.61
San Antonio, Texas 78207

Presiding Judge of the Early Voting Ballot Board: Jacque Callanen

Location, Dates & Hours of Main Early Voting Polling Places

Location, Dates & Hours of Temporary Branch Early Voting Polling Places

Monday, April 30
lunes, 30 de abril

Friday, May 4
viernes, 4 de mayo

Monday, May 7
lunes, 7 de mayo

Tuesday, May 1
martes, 1 de mayo

Saturday, May 5
sábado, 5 de mayo

Tuesday, May 8
martes, 8 de mayo

Wednesday, May 2
miércoles, 2 de mayo

Sunday, May 6
domingo, 6 de mayo
No Sunday Schedule
Mother's Day

Thursday, May 3
jueves, 3 de mayo

EARLY VOTING BY MAIL:

Applications for voting by mail should be mailed to be received no earlier than Tuesday, March 13, 2012 and no later than the close of business (4:30 p.m.) on Friday, May 4, 2012.

Applications should be mailed to:

Jacque Callanen
Elections Administrator
Bexar County, Texas
203 West Nueva, Suite 3.61
San Antonio, Texas 78207

City of Leon Valley, Texas Bond Election – Timetable of Events – Saturday, May 12, 2012

<u>Event</u>	<u>Time Required</u>	<u>Date</u>
City staff meeting with architects and financial advisor to determine scope of projects, financing amount, and consider report from advisory committee(s), if any	At least 9-12 weeks prior to calling the Election	City discretion
City officials contact School and County officials to discuss conducting elections at same polling locations and any applicable joint election issues needed to be agreed upon	At least 6-8 weeks prior to calling the Election	City discretion
Finalize Election Ordinance for Spanish translation	Prior to calling the Election ¹	Monday, February 20, 2012
City Council adopts Ordinance calling Election ²	Not more than 90 days nor less than 71 days prior to Election ³	Monday, February 27, 2012
Submit documents to the U.S. Department of Justice to preclear Election	At least 62 days prior to start of early voting ⁴	Tuesday, February 28, 2012
Deliver Notice of Election to the County Clerk	No later than the 60 th day prior to Election ⁵	Tuesday, March 6, 2012
Mail information brochures (optional)	At least three weeks prior to Election	City discretion
Publish First Notice of Election (English and Spanish)	First publication must occur not less than 14 days prior to Election ⁶	Monday, April 16, 2012
Post Notice of Election (English and Spanish versions)	Not less than 21 days prior to Election ⁷	Tuesday, April 17, 2012
Hold First Civic Organization meeting (optional)	10-18 days prior to Election	City discretion
Publish Second Notice of Election (English and Spanish)	One week after first publication	Monday, April 23, 2012
Receive preclearance from the U.S. Department of Justice ⁸	At least 60 days from preclearance submission	Friday, April 27, 2012
Early Voting Begins	12 days prior to Election	Monday, April 30, 2012
Hold Second Civic Organization meeting (optional)	5-10 days prior to Election	City discretion
Early Voting Ends	4 days prior to Election	Tuesday, May 8, 2012
Conduct Election	Second Saturday of May	Saturday, May 12, 2012
Canvass Election Returns	Not later than 11 days after Election and not earlier than the later of: (1) the 3 rd day after Election; (2) the date the provisional ballots have been counted; or (3) the date that all timely cast overseas ballot have been counted ⁹	Tuesday, May 15, 2012 through Wednesday, May 23, 2012
End of Election contest period	30 days after canvassing	No later than Friday, June 22, 2012

¹ Recommended that Election Ordinance be finalized at least one (1) week prior to calling the Election.

² Effective November 1, 2003, city elections conducted pursuant to Chapter 1251, as amended, Texas Government Code ("Chapter 1251") must be held on one of two available uniform election dates; additionally, on years when general elections for state and county officers are held (even-numbered years), including primary and runoff elections, a prohibition exists on holding a bond election within 30 days before or after the general, primary or runoff elections.

³ Because the Election is not being held on the date of the general election for state and county officers (November uniform election in even numbered years, which must be called no later than the 78th day before election day), the Election shall be called no later than the 71st day before election. Because the 71st day before Election day falls on March 2, 2012, which is a State holiday, the deadline moves to the following regular business date, making Monday, March 5, 2012 the last day to call the Election. Additionally, Chapter 1251 specifies that an election shall not be called earlier than 90 days prior to the planned election date. Accordingly, the earliest day on which the Election can be called is Monday, February 13, 2012 (the next business day after the 90th day prior to Election day, which is Sunday, February 12, 2012).

⁴ Must be submitted no later than Tuesday, February 28, 2012 for response to be due before first day of early voting.

⁵ Notice must be delivered no later than Tuesday, March 13, 2012.

⁶ Last day to publish the first notice of Election is Saturday, April 28, 2012. The *San Antonio Express News* is published daily. Notice must be submitted by 5:00 p.m. the day before publication.

⁷ Because the 21st day before the Election falls on a Saturday, the deadline extends to the next business day, making Monday, April 23, 2012 the last day to post notice of the Election. Section 1251.003(d) of Chapter 1251 requires that a substantial copy of the Ordinance calling the Election must be posted in three (3) public places within the City, in addition to being posted at the City Hall.

⁸ The most conservative position (and to comply fully with the Federal Voting Rights Act) would necessitate obtaining preclearance prior to the commencement of early voting.

⁹ Applies only to May election date.

MEMORANDUM

TO: Mayor Chris Riley
CC: Mr. Manuel Longoria; Ms. Janie Willman
FROM: Clay Binford
DATE: February 2, 2012
RE: “Do’s and Don’ts” for Bond Elections

This Memorandum will set forth a legal and practical analysis for issues relating to a bond election and the related permissible and impermissible actions of the governing body of the entity conducting the election.

I. TEXAS ELECTION ISSUES GOVERNED BY VARIOUS LAWS

A. Texas Election Code, primarily Chapters 251 and 255

Sec. 255.003. UNLAWFUL USE OF PUBLIC FUNDS FOR POLITICAL ADVERTISING. (a) An officer or employee of a political subdivision may not knowingly spend or authorize the spending of public funds for political advertising.

(b) Subsection (a) does not apply to a communication that factually describes the purposes of a measure if the communication does not advocate passage or defeat of the measure.

(b-1) An officer or employee of a political subdivision may not spend or authorize the spending of public funds for a communication describing a measure if the communication contains information that:

(1) the officer or employee knows is false; and

(2) is sufficiently substantial and important as to be reasonably likely to influence a voter to vote for or against the measure.

(c) A person who violates Subsection (a) or (b-1) [this section] commits an offense. An offense under this section is a Class A misdemeanor.

(d) It is an affirmative defense to prosecution for an offense under this section or the imposition of a civil penalty for conduct under this section that an officer or employee of a political subdivision reasonably relied on a court order or an interpretation of this section in a written opinion issued by:

(1) a court of record;

(2) the attorney general; or

(3) the commission (i.e. the Texas Ethics Commission).

(e) On written request of the governing body of a political subdivision that has ordered an election on a measure, the commission shall prepare an advance written advisory opinion as to whether a particular communication relating to the measure does or does not comply with this section.

(f) Subsections (d) and (e) do not apply to a port authority or navigation district.

Sec. 255.0031. UNLAWFUL USE OF INTERNAL MAIL SYSTEM FOR POLITICAL ADVERTISING.

(a) An officer or employee of a state agency or political subdivision may not knowingly use or authorize the use of an internal mail system for the distribution of political advertising.

(b) Subsection (a) does not apply to:

(1) the use of an internal mail system to distribute political advertising that is delivered to the premises of a state agency or political subdivision through the United States Postal Service; or

(2) the use of an internal mail system by a state agency or municipality to distribute political advertising that is the subject of or related to an investigation, hearing, or other official proceeding of the agency or municipality.

(c) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

(d) In this section:

(1) "Internal mail system" means a system operated by a state agency or political subdivision to deliver written documents to officers or employees of the agency or subdivision.

(2) "State agency" means:

(A) a department, commission, board, office, or other agency that is in the legislative, executive, or judicial branch of state government;

(B) a university system or an institution of higher education as defined by Section 61.003, Education Code; or

(C) a river authority created under the constitution or a statute of this state.
Added by Acts 2003, 78th Leg., ch. 229, Sec. 1, eff. Sept. 1, 2003.

Section 251.001(16) of the Texas Election Code defines "Political advertising" as "a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a "measure" that: (A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; or (B) appears: (i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or (ii) on an Internet website."

Section 251.001(19) defines "measure" as "a question or proposal submitted in an election for an expression of the voters' will and includes the circulation and submission of a petition to determine whether a question or proposal is required to be submitted in an election for an expression of the voters' will". Bond propositions are considered "measures" under this Texas law.

B. Texas Penal Code, Section 36.03

Sec. 36.03. COERCION OF PUBLIC SERVANT OR VOTER. (a) A person commits an offense if by means of coercion he:

(1) influences or attempts to influence a public servant in a specific exercise of his official power or a specific performance of his official duty or influences or attempts to influence a public servant to violate the public servant's known legal duty; or

(2) influences or attempts to influence a voter not to vote or to vote in a particular manner.

(b) An offense under this section is a Class A misdemeanor unless the coercion is a threat to commit a felony, in which event it is a felony of the third degree.

(c) It is an exception to the application of Subsection (a)(1) of this section that the person who influences or attempts to influence the public servant is a member of the governing body of a governmental entity, and that the action that influences or attempts to influence the public servant is an official action taken by the member of the governing body. For the purposes of this subsection, the term "official action" includes deliberations by the governing body of a governmental entity. Acts 1973, 63rd Leg., p. 883, ch. 399, Sec. 1, eff. Jan. 1, 1974. Amended by Acts 1989, 71st Leg., ch. 67, Sec. 1, 3, eff. Sept. 1, 1989; Acts 1993, 73rd Leg., ch. 900, Sec. 1.01, eff. Sept. 1, 1994.

C. Texas Constitution, Article 3, Section 52(a)

“Except as otherwise provided by this section, the Legislature shall have no power to authorize any county, city, town or other political corporation or subdivision of the State to lend its credit or to grant public money or thing of value in aid of, or to any individual, association or corporation whatsoever, or to become a stockholder in such corporation, association or company.”

D. The Texas Ethics Commission, pursuant to Chapter 571, as amended, Texas Government Code (specifically Section 571.061) administers and enforces Title 15 of the Election Code (Chapters 251-258, Texas Election Code) and will exercise its jurisdiction over these issues which involve the written communications (not oral - see the definition of “political advertising”).

E. Texas Ethics Commission Rule 26.2

Rule 26.2. For purposes of Section 255.003 of the Election Code, a newsletter of a public officer of a political subdivision is not political advertising if:

(1) It includes no more than two pictures of a public officer per page and if the total amount of area covered by the pictures is no more than 20 percent of the page on which the pictures appear;

(2) It includes no more than eight personally phrased references on a page that is 8 ½” x 11” or larger, with a reasonable reduction in the number of such personally phrased references in pages smaller than 8 ½” x 11”; and

(3) When viewed as a whole in the proper context:

(A) is informational rather than self-promotional;

(B) does not advocate passage or defeat of a measure; and

(C) does not support or oppose a candidate for nomination or election to a public office or office of political party, a political party, or a public officer.

II. GUIDANCE FROM TEXAS ETHICS ADVISORY OPINIONS ISSUED BY THE TEXAS ETHICS COMMISSION

A. Opinion No. 37 (1992) – an expenditure on a nonpartisan notice to inform employees about an election and encouraging people to register to vote is not a political expenditure because it is not made in connection with a campaign on a measure; it is permissible to distribute factual information about an election as long as you do not advocate the outcome

B. Opinion No. 45 (1992) – an officer or employee of the school district may not use or authorize the use of school personnel or equipment for distribution of political advertising; the “spending” of public funds includes the use of school district facilities (school classrooms, stationery, use of computers and copiers) and employees during work time to distribute political advertising

C. Opinion 183 (1994) – communications supporting or opposing candidates, officeholders, or measures that appear in a newspaper, magazine, or periodical do not constitute political advertising if the publisher receives no consideration for publishing them; if such communications appear in a publication other than a newspaper, magazine or periodical, they constitute political advertising and must be accompanied by the political advertising disclosure information set out in Election Code Section 255.002; it is permissible for political subdivision officers and employees to write letters to the editor and op-ed articles urging patrons to vote yes because no consideration was paid to the newspaper

D. Opinion No. 443 (2002) – the spending of public funds includes the use of facilities maintained by a political subdivision, the prohibition of Section 255.003 applies to any use of a political subdivision’s resources for political advertising, does not apply to the use of the facilities of a political subdivision in which the facilities serve as a public forum; the law prohibits placement of campaign fliers in teachers lounge that is not assessable to the public

E. Opinion No. 456 (2004) – the prohibitions of Section 255.003 do not apply to the broadcasting of a member of the governing body’s statements at a public, regularly scheduled meeting of that governing body, which might include such member’s statement of opinion on the merits of an item being considered by the governing body as long as the broadcast of that meeting conforms to that political subdivision’s practices regarding public meetings

F. Opinion No. 494 (2010) – reports issued by a task force created to study a matter prior to its submission for election does not constitute political advertising if such report contains the objectives of the task force and an analysis of the data obtained and does not support or oppose the measure.

III. LEGAL ANALYSIS

With respect to a pamphlet which is designed to inform the voters of an upcoming bond election by discussing the proposed projects, the analysis is whether (i) public funds are being used, (ii) is the communication “political advertising” as defined in Section 251.001(16), and (iii) does it fall within the exception of 255.003(b). If the pamphlet is prepared and paid for by the political subdivision and it falls within the definition of “political advertising”, it must be neutral in order to fall within the exception provided by Section 255.003(b), Texas Election Code for permissible political advertising. To the extent the pamphlet is not neutral in its description of the election, public funds could not be used prepare, print or distribute the pamphlet. See Ethics Advisory Opinion No. 37 (1992) permitting an expenditure for notice of an election which contains nonpartisan material intended to provide information about the election and registration for voting. Pursuant to Ethics Advisory Opinion No. 45 (1992), the prohibition of Section 255.003 includes direct expenditures as well as indirect expenditures, such as the use of the

City's equipment, specifically the internal mail system, or the use of City employees on City time, for distribution of political advertising. See, however, Ethics Advisory Opinion No. 211 (1994) permitting the use of public funds for production and distribution of a brochure which provided neutral information and was not campaign related and not intended to support an elected official.

Letters to the editor written by either the authorized representative or member of the governing body are not prohibited, even if the message is in support of or opposition to a specific measure in an upcoming election, if the author does not provide consideration, or payment, for such publication pursuant to the definition of "political advertising" in Section 251.001(16), Texas Election Code (communication in a newspaper in return for consideration). See Ethics Advisory Opinion No. 183 (1994) affirming this interpretation and making a distinction between a communication appearing in a newspaper, magazine or periodical if the publisher receives no consideration for the publication (and therefore is not political advertising) and other forms of publications. See also "Political Advertising Guide" published by The Texas Ethics Commission which states that "the effect of the consideration requirement . . . is that communications in the form of editorials, "op-ed" pieces, letters to the editor, or call-ins to a radio show, for example, are not 'political advertising'."

Oral presentations by the authorized representative of the City or City Council raise various issues which must be considered in light of the particular facts and circumstances in order to determine if they are permitted. Initially, the prohibition of Section 255.003 will only apply to written communications and therefore, the foregoing analysis is inapplicable to this type of communication. The oral presentations must not violate Section 36.03 of the Texas Penal Code and would have to be neutral and not involve any actions which might be construed as coercion (unless an exception provided by Section 36.03(c) is applicable). Although there are no statutory provisions which directly prohibit such presentations, the Texas Constitution (Article 3, Sections 51 and 52) prohibits the use of public funds for other than public purposes and an argument could be made that the time spent by the authorized representative of the City (as a salaried employee of the political subdivision) was not in furtherance of the public purpose - i.e. the position he or she was hired to fill. However, as discussed above in Ethics Advisory Opinion Ethics No. 45 (1992), the Ethics Commission noted that the prohibition of Section 255.003 included the use of school district employees on school district time and in making the distinction between "on the clock" and "off the clock" for permitted actions/expenditures, did not prohibit such actions by the employees on their own time. This seems to leave open the ability to argue that an authorized representative such as the Mayor, Councilmembers, or other City senior staff personnel, could make oral presentations in support of a measure on their own personal time, however, this argument requires that duties of these senior officials and staff be structured more like a regular City employee with daily designated hours, which is most likely not the case. The stronger argument appears to be that the these employees' hours are continual throughout the day as part of his or her on-going responsibilities with respect to the City and any personal appearance, regardless of the time of day, would be the use of public funds in support of the election measures for any presentation on an other than neutral basis. However, it seems that a reasonable argument could be made that the members of the governing body who do not receive salaries for their positions are not limited by such constitutional concerns and could, therefore, make oral presentations in support of the election measures. **Accordingly, our conservative advice is for these senior City staffers and PAC organizations to make joint presentations in the community with the City representatives only presenting the facts and the members of the PAC advocating the passage of the bond election.**

Finally, Section 255.0031 of the Election Code prohibits officers or employees of a state agency or political subdivisions from knowingly using or authorizing the use of an “internal mail system” for the distribution of political advertising. This prohibition does not apply to (1) the use of an internal mail system to distribute political advertising that is delivered to the premises of a state agency or political subdivision through the United States Postal Service; or (2) the use of an internal mail system by a state agency or municipality to distribute political advertising that is the subject of or related to an investigation, hearing, or other official proceeding of the agency or municipality. An "internal mail system" means a system operated by a state agency or political subdivision to deliver written documents to officers or employees of the agency or subdivision. An offense under this section is considered a Class A misdemeanor.

IV. PRACTICAL APPLICATIONS

A. General Rule – Unlawful “political advertising” is a written communication that advocates a particular outcome (YES or NO) in a bond election

B. A “communication” is any written or broadcast form (not oral) – billboard; flier; newsletter; poster; television, newspaper, or radio advertisement; pamphlet; or internet site

C. “Advocates” means to directly or indirectly encourage a person to vote “yes” or “no” to the outcome of the bond election

D. Examples - the following phrases and information used in an otherwise factual school district bond election brochure were all found by the Texas Ethics Commission to be unlawful political advertising: good schools are the foundation of a good community; every child deserves a good education; put children first; show you care about education; silhouette of parents and child

E. Prohibition applies to all officers and employees of the political subdivision including staff and members of the governing body

F. Prohibition against spending public funds or authorizing the spending of public funds or the use of the political subdivision’s facilities or personnel to disseminate a written communication that advocates the passage or defeat of the bond election

G. Limitation does not apply to communications that factually describe the bond election

H. Texas Constitutional prohibition creates a conflict between the staff and governing body being paid and “on the job” 24/7 versus right to free speech and attending civic organization meetings

I. Decatur ISD Texas Ethics Commission Order and newspaper article discussion

1. School district pamphlet disclosing that the “best solution” for children was a bond election and that the bond election was the “right thing to do for the children and the community”

2. Effect of adverse Texas Ethics Commission finding – criminal sanctions and fines up to \$4,000

V. GUIDELINES

A. The governing body's responsibility is to inform the public about the bond measure and to encourage voter registration and participation

B. Correspondence – public funds (which includes staff time on the job) cannot be used to promote the bond election – must only be used to provide factual information

C. Advocacy letter and bulletins cannot be prepared during an employee's workday; factual information can be prepared during the workday

D. Advocacy letters cannot be printed on political subdivision stationery; factual information can be printed

E. During the working day, individuals cannot be encouraged to vote yes, but they can be encouraged to vote

F. Information must be factual in nature

G. Material which promotes the bond election must be paid for by individual or citizen advocacy groups

H. Staff members must clear with their principal/manager any messages (and must not use school "computers" at any time to send messages promoting the bond election) they send to the community to assure it informs, rather than promotes

I. All efforts must be made to avoid any appearance that the political subdivision, governing body or staff are using influence on students to obtain a "yes" vote

J. Phone calls – (i) advocacy can only be conducted outside an employee's contracted workday, and (ii) factual information calls and those encouraging people to exercise their right to vote are not advocacy calls

K. It is important that the political subdivision lead an "information-only" effort. The political subdivision has a responsibility to inform all voters about the election

L. During bond elections, most complaints filed with the Secretary of State's Office concern violations involving improper use of school/city resources for advocacy campaigns; another problem in bond elections is when enthusiastic staff members directly or indirectly encourage students to urge their parents to vote "yes" - this is a direct violation of election laws.

VI. LIST OF DO'S AND DON'TS – Informational Activities vs. Advocacy Activities

A. **Can:**

1. Hold political action committee (PAC) sponsored meetings in City-owned facilities; PACs can endorse and pass out “vote yes” material but it must be generated on their own and with their own resources; pro and anti-measure PACs must be given equal access to the City facilities
2. Only present the facts when you are on City time, in a City facility and/or involved in City events
3. Have a lawyer (including bond counsel) review any published material or information on the website
4. Staff can place “Vote Yes” signs in their personal home yards
5. Staff can advocate for or against the election measure away from City function of their non-official or off-duty time as long as NO resources of the City are used
6. Distribute City-produced factual fliers, handouts to employees, patrons, etc

B. Cannot:

1. Use City resources (copiers, computers, paper, employees time, mail system, facilities) for promoting the passage of a bond election at any time, including using the internal mail system to distribute political advertising
2. Tell people how to vote either verbally or in writing on school/city time, at school/city events or in City facilities
3. Publicize PAC information
4. Use public announcement system or TV to promote the “yes” vote
5. Use terms like “best solution, time is now, fantastic, state-of-the-art, countless benefits, horrible shape, need, we must do something” in presenting the facts about the election
6. Use slogans, use or wear signs or buttons promoting the “yes” vote
7. Have the PAC place fliers in City facilities for pick up or distribution

C. The Texas Ethics Commission publishes guidelines for political advertising and can be located at <http://www.ethics.state.tx.us/filinginfo/padpubs.htm>

VII. CREATION OF POLITICAL ACTION COMMITTEES

The forms necessary to create a special purpose political action committee to support the upcoming bond election. Are available from the Texas Ethics Commission website at <http://www.ethics.state.tx.us/filinginfo/spacfrm.htm>

The committee is created by filing Form STA, Appointment of Campaign Treasurer, with the County Clerk. The Appointment of Campaign Treasurer Form should be filed before the committee accepts more than \$500.00 in political contributions or makes more than \$500.00 in political expenditures.

A copy of the Campaign Finance Report and instruction guide contains all of the filing deadlines for financial reporting.

VIII. BOND COUNSEL'S ROLE AND BOND ELECTIONS GENERALLY

Traditional role of bond counsel is to shepherd the City through election process from a legal perspective

Assist with the calling of the election and canvass of election results

Obtain United States Department of Justice preclearance

Once election is successful, obtain approval of resultant bonds from the Texas Attorney General

MEMORANDUM

To: _____
From: Mr. Manuel Longoria, City Manager
Date: _____, 2012
Subject: LEGAL AND ETHICAL GUIDELINES ON BOND ELECTIONS

With the calling of the bond election for the May 12, 2012 election, please find listed below some legal and ethical guidelines to sharing information with your staff about the bond election.

Guidelines:

1. It is our responsibility to inform the public about the bond measure and to encourage voter registration and participation.
2. In correspondence, we must remember that public funds, including your time on the job, may not be used to promote or discourage the passage of this bond election. Correspondence may be used only to provide factual information.
 - √ Advocacy or opposition letters and bulletins cannot be prepared during an employee’s workday. Factual information can be prepared during the workday.
 - √ Advocacy or opposition letters cannot be printed on school stationery. Factual information can be printed.
 - √ During the working day, individuals cannot be encouraged to vote yes or no, but they can be encouraged to vote.
 - √ Information must be factual in nature.
 - √ Material which promotes or opposes the bond election must be paid for by individual or citizen advocacy groups.
3. When making phone calls, remember:
 - √ Advocacy or opposition can only be conducted outside an employee’s contracted workday.
 - √ Factual information calls and those encouraging people to exercise their right to vote are not advocacy or opposition calls.

It is important that the City lead an “information-only” effort. The City has a responsibility to inform all voters about the election on May 12, 2012.

During municipal bond elections, most complaints filed with the Secretary of State’s Office concern violations involving improper use of municipal resources for advocacy campaigns. This is a direct violation of election laws.

If you have questions regarding these guidelines, please contact (210) 684-1391.

CONTACT PERSON: Mr. Manuel Longoria
City Manager
City of Leon Valley, Texas
6400 El Verde Road
Leon Valley, Texas 78238



CITY OF LEON VALLEY
FINANCIAL STATEMENT
JANUARY 2012



General Fund

	FY 2011-2012 BUDGET		FY 2011-2012 Y-T-D ACTUAL		FY 2010-2011 Y-T-D	
REVENUE						
Ad Valorem	\$ 3,057,097	33.0%	\$ 2,247,268	73.5%	\$ 2,056,581	67.6%
Sales Taxes	1,795,645	33.0%	257,874	14.4%	249,094	15.0%
Franchise Taxes	706,236	33.0%	236,508	33.5%	205,860	29.3%
Licenses,Permits,Fees,Fines	1,190,346	33.0%	314,238	26.4%	399,897	33.4%
Miscellaneous	156,084	33.0%	34,276	22.0%	59,162	23.5%
TOTAL REVENUE	\$ 6,905,408	33.0%	\$ 3,090,164	44.8%	\$ 2,970,594	43.3%
EXPENDITURES						
Business Office	\$ 189,985	33.0%	\$ 42,220	22.2%	\$ 51,305	26.1%
Finance	227,277	33.0%	69,831	30.7%	74,181	34.4%
Council & Manager	366,125	33.0%	114,131	31.2%	140,275	30.7%
Police	2,146,262	33.0%	696,063	32.0%	729,935	33.0%
Fire	2,138,627	33.0%	709,193	33.0%	689,279	33.0%
Public Works	1,120,085	33.0%	330,704	29.5%	354,797	29.7%
Community Development	380,160	33.0%	116,861	30.7%	112,610	31.9%
Economic Development	129,282	33.0%	20,664	16.0%	38,811	29.4%
Special Events	13,750	33.0%	1,280	9.3%	2,606	8.7%
Parks & Recreation	116,559	33.0%	27,515	23.6%	40,153	35.3%
Library	427,827	33.0%	86,321	20.2%	91,407	33.8%
Other Sources/Uses	18,000	33.0%	-		-	
TOTAL EXPENDITURES	\$ 7,273,939	33.0%	\$ 2,214,783	30.5%	\$ 2,325,359	32.4%



Water and Sewer Fund

	FY 2011-2012 BUDGET		FY 2011-2012 Y-T-D ACTUAL		FY 2010-2011 Y-T-D	
REVENUE						
Water Sales	\$ 1,475,894	33.0%	\$ 366,673	24.8%	\$ 372,577	25.7%
Sewer Sales	1,541,447	33.0%	443,483	28.8%	410,281	23.1%
Connection & Platting	2,500	33.0%	300	12.0%	975	48.8%
Customer Fees	43,300	33.0%	15,532	35.9%	15,569	39.7%
Tapping Fees	21,000	33.0%	840	4.0%	5,820	22.6%
Miscellaneous	16,000	33.0%	656	4.1%	4,744	12.4%
TOTAL REVENUE	\$ 3,100,141	33.0%	\$ 827,484	26.7%	\$ 809,965	24.4%
EXPENDITURES						
Business Office	592,998	33.0%	162,423	27.4%	167,528	31.0%
Water System	942,368	33.0%	352,616	37.4%	292,827	18.6%
Sewer System	1,424,716	33.0%	293,130	20.6%	385,172	26.3%
Storm Water	343,073	33.0%	83,508	24.3%	54,892	14.4%
TOTAL EXPENDITURES	\$ 3,303,155	33.0%	\$ 891,677	27.0%	\$ 900,420	22.7%



Community Center Fund

	FY 2011-2012 BUDGET		FY 2011-2012 Y-T-D ACTUAL		FY 2010-2011 Y-T-D	
<u>REVENUE</u>						
Hotel/Motel Taxes	66,701	33.0%	21,873	32.8%	11,637	23.3%
RENTAL FEES:						
Community Center	48,000	33.0%	10,230	21.3%	11,650	25.3%
Conference Center	26,000	33.0%	8,664	33.3%	6,629	15.8%
Miscellaneous:						
CDBG Grant	-	0.0%	-		-	0.0%
CPS Energy Rebate	-	0.0%	-		-	
TOTAL REVENUE	\$ 140,701	33.0%	\$ 40,767	29.0%	\$ 29,916	18.4%
TOTAL EXPENDITURES	\$ 134,881	33.0%	\$ 36,853	27.3%	\$ 43,178	14.0%



Street Maintenance Sales Tax

	Actual FY 2010	Actual FY 2011	Budget FY 2012	Actual FY 2012
Revenues	422,653	429,403	439,560	63,152
Transfers In	-			
TOTAL REVENUES	422,653	429,403	439,560	63,152
Expenditures	402,824	500,431	546,311	111,903
TOTAL EXPENDITURES	402,824	500,431	546,311	111,903
FUND BALANCE	575,300	504,272	397,521	455,521

Agenda Item 7.B.

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

100-General Fund
FINANCIAL SUMMARY

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

AD VALOREM TAXES	3,057,097.00	919,740.15	0.00	2,247,267.94	0.00	809,829.06	73.51
SALES TAXES	1,795,645.00	137,355.81	0.00	257,874.22	0.00	1,537,770.78	14.36
FRANCHISE FEES	706,236.00	37,243.32	0.00	236,507.91	0.00	469,728.09	33.49
LICENSE, PERMITS, FEES, FINE	1,190,346.00	104,564.43	0.00	314,237.72	0.00	876,108.28	26.40
MISCELLANEOUS	<u>156,084.00</u>	<u>8,258.95</u>	<u>0.00</u>	<u>34,276.25</u>	<u>0.00</u>	<u>121,807.75</u>	<u>21.96</u>
TOTAL REVENUE	6,905,408.00	1,207,162.66	0.00	3,090,164.04	0.00	3,815,243.96	44.75
=====							
EXPENDITURE SUMMARY							

Business Office							

PERSONNEL SERVICES	79,221.00	4,086.60	0.00	18,276.85	0.00	60,944.15	23.07
SUPPLIES	9,600.00	184.66	0.00	483.42	92.92	9,023.66	6.00
CONTRACTUAL SERVICES	<u>101,164.00</u>	<u>5,550.93</u>	<u>0.00</u>	<u>23,366.87</u>	<u>0.00</u>	<u>77,797.13</u>	<u>23.10</u>
TOTAL Business Office	189,985.00	9,822.19	0.00	42,127.14	92.92	147,764.94	22.22
Finance							

PERSONNEL SERVICES	140,036.00	10,290.06	0.00	45,277.40	0.00	94,758.60	32.33
SUPPLIES	8,517.00	71.50	0.00	3,824.93	92.92	4,599.15	46.00
CONTRACTUAL SERVICES	73,724.00	5,353.90	0.00	20,635.55	0.00	53,088.45	27.99
CAPITAL OUTLAY	<u>5,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>0.00</u>
TOTAL Finance	227,277.00	15,715.46	0.00	69,737.88	92.92	157,446.20	30.72
City Manager & Council							

PERSONNEL SERVICES	191,638.00	14,507.97	0.00	59,959.44	0.00	131,678.56	31.29
SUPPLIES	17,150.00	355.92	0.00	1,455.49	92.92	15,601.59	9.03
CONTRACTUAL SERVICES	117,337.00	12,894.42	0.00	52,623.52	0.00	64,713.48	44.85
CAPITAL OUTLAY	<u>40,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>40,000.00</u>	<u>0.00</u>
TOTAL City Manager & Council	366,125.00	27,758.31	0.00	114,038.45	92.92	251,993.63	31.17

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

Agenda Item 7.B.100-General Fund
FINANCIAL SUMMARY

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

PERSONNEL SERVICES	217,555.00	16,142.68	0.00	70,228.07	128.00	147,198.93	32.34
SUPPLIES	1,900.00	28.40	0.00	476.94	0.00	1,423.06	25.10
CONTRACTUAL SERVICES	<u>28,472.00</u>	<u>2,478.52</u>	<u>0.00</u>	<u>7,758.01</u>	<u>0.00</u>	<u>20,713.99</u>	<u>27.25</u>
TOTAL Police Administration	247,927.00	18,649.60	0.00	78,463.02	128.00	169,335.98	31.70
Police Crime Prevention							

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

PERSONNEL SERVICES	1,178,888.00	86,017.99	0.00	389,127.11	362.13	789,398.76	33.04
SUPPLIES	67,900.00	5,241.94	0.00	16,491.56	180.00	51,228.44	24.55
CONTRACTUAL SERVICES	<u>9,700.00</u>	<u>976.63</u>	<u>0.00</u>	<u>5,837.53</u>	<u>0.00</u>	<u>3,862.47</u>	<u>60.18</u>
TOTAL Police Patrol	1,256,488.00	92,236.56	0.00	411,456.20	542.13	844,489.67	32.79
Police Communications							

PERSONNEL SERVICES	276,015.00	19,501.27	0.00	81,969.77	0.00	194,045.23	29.70
SUPPLIES	1,025.00	0.00	0.00	467.20	0.00	557.80	45.58
CONTRACTUAL SERVICES	<u>5,125.00</u>	<u>1,654.00</u>	<u>0.00</u>	<u>2,847.25</u>	<u>0.00</u>	<u>2,277.75</u>	<u>55.56</u>
TOTAL Police Communications	282,165.00	21,155.27	0.00	85,284.22	0.00	196,880.78	30.22
Police Investigations							

PERSONNEL SERVICES	283,127.00	20,741.32	0.00	93,980.21	0.00	189,146.79	33.19
SUPPLIES	2,100.00	214.49	0.00	249.37	0.00	1,850.63	11.87
CONTRACTUAL SERVICES	<u>5,200.00</u>	<u>476.00</u>	<u>0.00</u>	<u>476.00</u>	<u>0.00</u>	<u>4,724.00</u>	<u>9.15</u>
TOTAL Police Investigations	290,427.00	21,431.81	0.00	94,705.58	0.00	195,721.42	32.61
Police Narcotics TF							

PERSONNEL SERVICES	69,119.00	4,968.75	0.00	25,484.18	0.00	43,634.82	36.87
CONTRACTUAL SERVICES	<u>136.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>136.00</u>	<u>0.00</u>
TOTAL Police Narcotics TF	69,255.00	4,968.75	0.00	25,484.18	0.00	43,770.82	36.80

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

Agenda Item 7.B.

100-General Fund
FINANCIAL SUMMARY

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

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

PERSONNEL SERVICES	213,852.00	22,399.48	0.00	75,207.69	0.00	138,644.31	35.17
SUPPLIES	4,940.00	667.39	0.00	2,083.47	0.00	2,856.53	42.18
CONTRACTUAL SERVICES	36,639.00	1,566.04	0.00	16,853.16	0.00	19,785.84	46.00
CAPITAL OUTLAY	15,000.00	0.00	0.00	0.00	14,927.00	73.00	99.51
TOTAL Fire Administration	270,431.00	24,632.91	0.00	94,144.32	14,927.00	161,359.68	40.33
Fire Reserves							

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

PERSONNEL SERVICES	1,588,452.00	108,097.28	0.00	478,616.17	478.22	1,109,357.61	30.16
SUPPLIES	33,738.00	1,017.96	0.00	3,297.34	674.87	29,765.79	11.77
CONTRACTUAL SERVICES	50,986.00	1,654.91	0.00	18,833.90	4,019.50	28,132.60	44.82
CAPITAL OUTLAY	62,980.00	12,551.33	0.00	26,518.45	0.00	36,461.55	42.11
TOTAL Fire Operations	1,736,156.00	123,321.48	0.00	527,265.86	5,172.59	1,203,717.55	30.67
Fire Prevention							

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

SUPPLIES	34,447.00	401.90	0.00	9,235.20	4,032.05	21,179.75	38.51
CONTRACTUAL SERVICES	67,791.00	9,142.05	0.00	27,445.56	0.00	40,345.44	40.49
CAPITAL OUTLAY	29,802.00	26,970.02	0.00	26,970.02	0.00	2,831.98	90.50
TOTAL Fire EMS	132,040.00	36,513.97	0.00	63,650.78	4,032.05	64,357.17	51.26
Public Works M&O							

PERSONNEL SERVICES	717,235.00	50,039.19	0.00	243,747.68	0.00	473,487.32	33.98
SUPPLIES	164,800.00	7,202.45	0.00	30,328.73	29.77	134,441.50	18.42
CONTRACTUAL SERVICES	192,550.00	4,066.63	0.00	56,597.76	0.00	135,952.24	29.39
CAPITAL OUTLAY	45,500.00	0.00	0.00	0.00	0.00	45,500.00	0.00
TOTAL Public Works M&O	1,120,085.00	61,308.27	0.00	330,674.17	29.77	789,381.06	29.52

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

Agenda Item 7.B.

100-General Fund
FINANCIAL SUMMARY

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

TOTAL Public Works Construction	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Community Development							

PERSONNEL SERVICES	207,512.00	15,100.29	0.00	60,034.57	0.00	147,477.43	28.93
SUPPLIES	9,200.00	1,022.52	0.00	3,755.78	80.39	5,363.83	41.70
CONTRACTUAL SERVICES	147,448.00	10,228.86	0.00	52,990.72	0.00	94,457.28	35.94
CAPITAL OUTLAY	16,000.00	0.00	0.00	0.00	0.00	16,000.00	0.00
TOTAL Community Development	380,160.00	26,351.67	0.00	116,781.07	80.39	263,298.54	30.74
Economic Development							

PERSONNEL SERVICES	111,647.00	942.65	0.00	20,228.70	0.00	91,418.30	18.12
SUPPLIES	4,500.00	28.40	0.00	44.96	0.00	4,455.04	1.00
CONTRACTUAL SERVICES	13,135.00	49.65	0.00	390.30	0.00	12,744.70	2.97
TOTAL Economic Development	129,282.00	1,020.70	0.00	20,663.96	0.00	108,618.04	15.98
Special Events							

SUPPLIES	13,750.00	707.65	0.00	1,160.41	119.37	12,470.22	9.31
TOTAL Special Events	13,750.00	707.65	0.00	1,160.41	119.37	12,470.22	9.31
Parks & Recreation							

PERSONNEL SERVICES	70,559.00	6,076.42	0.00	23,766.37	0.00	46,792.63	33.68
SUPPLIES	26,000.00	91.37	0.00	933.28	0.00	25,066.72	3.59
CONTRACTUAL SERVICES	20,000.00	707.90	0.00	2,815.14	0.00	17,184.86	14.08
TOTAL Parks & Recreation	116,559.00	6,875.69	0.00	27,514.79	0.00	89,044.21	23.61
Library							

PERSONNEL SERVICES	194,880.00	14,168.83	0.00	62,684.03	0.00	132,195.97	32.17
SUPPLIES	21,133.00	661.48	0.00	1,751.74	0.00	19,381.26	8.29
CONTRACTUAL SERVICES	41,814.00	1,992.71	0.00	9,302.46	0.00	32,511.54	22.25
CAPITAL OUTLAY	170,000.00	4,268.06	0.00	12,582.53	0.00	157,417.47	7.40
TOTAL Library	427,827.00	21,091.08	0.00	86,320.76	0.00	341,506.24	20.18
*** TOTAL EXPENDITURES ***							
	7,255,939.00	513,561.37	0.00	2,189,472.79	25,310.06	5,041,156.15	30.52
=====							
** REVENUE OVER (UNDER) EXPENDITURES *							
	350,531.00	693,601.29	0.00	900,691.25	25,310.06	1,225,912.19	349.73
=====							

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

Agenda Item 7.B.

100-General Fund
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
OTHER FINANCING SOURCES (USES)							
=====							
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)	(368,531.00)	693,601.29	0.00	900,691.25	(25,310.06)	(1,243,912.19)	
=====							

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

Agenda Item 7.B.

200-Water & Sewer
FINANCIAL SUMMARY

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

MISCELLANEOUS	16,000.00	163.23	0.00	655.79	0.00	15,344.21	4.10
WATER SALES	1,475,894.00	105,546.76	0.00	366,673.27	0.00	1,109,220.73	24.84
SEWER SALES	1,541,447.00	137,597.44	0.00	443,483.41	0.00	1,097,963.59	28.77
CONNECTION & PLATTING	2,500.00	300.00	0.00	300.00	0.00	2,200.00	12.00
CUSTOMER FEES	43,300.00	3,756.88	0.00	15,531.64	0.00	27,768.36	35.87
TAPPING FEES	<u>21,000.00</u>	<u>840.00</u>	<u>0.00</u>	<u>840.00</u>	<u>0.00</u>	<u>20,160.00</u>	<u>4.00</u>
TOTAL REVENUE	3,100,141.00	248,204.31	0.00	827,484.11	0.00	2,272,656.89	26.69
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Business Office							

PERSONNEL SERVICES	448,365.00	31,943.80	0.00	135,262.49	0.00	313,102.51	30.17
SUPPLIES	33,000.00	1,028.40	0.00	4,171.75	92.90	28,735.35	12.92
CONTRACTUAL SERVICES	91,633.00	3,437.22	0.00	21,386.97	1,508.88	68,737.15	24.99
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>
TOTAL Business Office	592,998.00	36,409.42	0.00	160,821.21	1,601.78	430,575.01	27.39
Water System							

PERSONNEL SERVICES	283,893.00	21,273.92	0.00	100,437.37	0.00	183,455.63	35.38
SUPPLIES	82,000.00	(3,412.92)	0.00	5,424.54	11,800.00	64,775.46	21.01
CONTRACTUAL SERVICES	378,475.00	110,835.10	0.00	234,954.23	0.00	143,520.77	62.08
CAPITAL OUTLAY	<u>198,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>198,000.00</u>	<u>0.00</u>
TOTAL Water System	942,368.00	128,696.10	0.00	340,816.14	11,800.00	589,751.86	37.42
Sewer System							

PERSONNEL SERVICES	91,566.00	5,038.59	0.00	35,559.74	0.00	56,006.26	38.84
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>80,086.24</u>	<u>0.00</u>	<u>257,570.00</u>	<u>0.00</u>	<u>1,060,580.00</u>	<u>19.54</u>
TOTAL Sewer System	1,424,716.00	85,124.83	0.00	293,129.74	0.00	1,131,586.26	20.57

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

Agenda Item 7.B.

200-Water & Sewer
FINANCIAL SUMMARY

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

TOTAL Construction	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Storm Water							

PERSONNEL SERVICES	154,073.00	11,868.35	0.00	47,220.03	0.00	106,852.97	30.65
SUPPLIES	23,500.00	0.00	0.00	53.61	0.00	23,446.39	0.23
CONTRACTUAL SERVICES	165,500.00	81.75	0.00	36,234.56	0.00	129,265.44	21.89
TOTAL Storm Water	343,073.00	11,950.10	0.00	83,508.20	0.00	259,564.80	24.34

*** TOTAL EXPENDITURES ***	3,303,155.00	262,180.45	0.00	878,275.29	13,401.78	2,411,477.93	26.99
=====							
** REVENUE OVER (UNDER) EXPENDITURES *(	203,014.00(	13,976.14)	0.00(	50,791.18(	13,401.78(	138,821.04)	68.38
=====							
OTHER FINANCING SOURCES (USES)							
=====							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00

NET GAIN OR (LOSS)	(203,014.00(	13,976.14)	0.00(	50,791.18(	13,401.78(	138,821.04)	
=====							

*** END OF REPORT ***

Agenda Item 7.B.

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

710-Community Center
FINANCIAL SUMMARY

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

TAXES	66,701.00	10,800.70	0.00	21,872.90	0.00	44,828.10	32.79
FEES	<u>74,000.00</u>	<u>5,154.00</u>	<u>0.00</u>	<u>18,894.00</u>	<u>0.00</u>	<u>55,106.00</u>	<u>25.53</u>
TOTAL REVENUE	140,701.00	15,954.70	0.00	40,766.90	0.00	99,934.10	28.97
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Community Center Operations							

PERSONNEL SERVICES	81,381.00	3,067.76	0.00	24,677.20	0.00	56,703.80	30.32
SUPPLIES	6,900.00	53.41	0.00	356.90	0.00	6,543.10	5.17
CONTRACTUAL SERVICES	41,600.00	1,911.74	0.00	11,818.91	0.00	29,781.09	28.41
CAPITAL OUTLAY	<u>5,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>0.00</u>
TOTAL Community Center Operations	134,881.00	5,032.91	0.00	36,853.01	0.00	98,027.99	27.32
Visitor Services							

TOTAL Visitor Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00

*** TOTAL EXPENDITURES ***	134,881.00	5,032.91	0.00	36,853.01	0.00	98,027.99	27.32
	=====	=====	=====	=====	=====	=====	=====
** REVENUE OVER (UNDER) EXPENDITURES **	5,820.00	10,921.79	0.00	3,913.89	0.00	1,906.11	32.75
	=====	=====	=====	=====	=====	=====	=====
OTHER FINANCING SOURCES (USES)							

TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00

NET GAIN OR (LOSS)	5,820.00	10,921.79	0.00	3,913.89	0.00	1,906.11	
	=====	=====	=====	=====	=====	=====	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: JANUARY 31ST, 2012

Agenda Item 7.B.

720-Street Maintenance Tax

FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							
Revenues	439,560.00	32,968.39	0.00	63,151.46	0.00	376,408.54	14.37
TOTAL REVENUE	439,560.00	32,968.39	0.00	63,151.46	0.00	376,408.54	14.37
EXPENDITURE SUMMARY							
Street Maintenance Tax							
CONTRACTUAL SERVICES	546,311.00	17,464.77	0.00	111,903.20	0.00	434,407.80	20.48
TOTAL Street Maintenance Tax	546,311.00	17,464.77	0.00	111,903.20	0.00	434,407.80	20.48
*** TOTAL EXPENDITURES ***	546,311.00	17,464.77	0.00	111,903.20	0.00	434,407.80	20.48
** REVENUE OVER (UNDER) EXPENDITURES *(	106,751.00)	15,503.62	0.00	(48,751.74)	0.00	(57,999.26)	54.33
OTHER FINANCING SOURCES (USES)							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET GAIN OR (LOSS)	(106,751.00)	15,503.62	0.00	(48,751.74)	0.00	(57,999.26)	

*** END OF REPORT ***

Monthly Report
Finance
January 2012

Sales Tax Revenue

- ❖ Sales tax revenue of \$131,712 was received from the State Comptroller's office in January. After consideration of the January sales tax payment, year-to-date sales tax revenues are 3.58% higher than this time last year.

Ad Valorem Taxes

- ❖ Ad valorem tax collections of \$748,926 were received from the Tax Assessor/Collector's office in January. Collections for January 2011 were \$958,676.

Fiscal Year 2011 Audit

- ❖ On January 17, 2012, the City's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2011 was presented to Council by Pat Wagner of Holtman, Wagner and Company.

Inventory

- ❖ Started the process of reviewing both fixed and non-fixed assets.

Capital Acquisition Plan

- ❖ The working draft of the fiscal year 2013 Capital Acquisition Plan was delivered to department heads.