

NOTICE OF PUBLIC MEETING

Aviso de Asamblea Pública

AGENDA

Orden del día

LEON VALLEY CITY COUNCIL MEETING *Asamblea del Concejo Municipal de Leon Valley*

FEBRUARY 5, 2013, 7:00 P.M.
el 5 de febrero de 2013, a las 7:00 P.M.

LEON VALLEY CITY HALL, CITY COUNCIL CHAMBERS
Ayuntamiento de la Ciudad de Leon Valley
Despacho del Concejo Municipal

6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238

REGULAR MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL, 7 P.M.
ASAMBLEA REGULAR DEL CONCEJO MUNICIPAL DE LA CIUDAD DE LEON VALLEY, 7 PM

1. **Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance.** *Declarar constituida la asamblea regular del Concejo Municipal de la Ciudad de Leon Valley; determinar que haya quórum presente y recitar la Promesa de Lealtad a la patria. (Mayor Riley)*
2. **Proclamation for Fire Chief Stan Irwin on Retirement from the City with 38 Years of Service.** *Proclamación sobre la jubilación de Stan Irwin, Jefe de Bomberos, después de 38 años de servicio en la ciudad. (Mayor Riley)*
3. **Introduction of Special Project Manager Melinda Smith.** *Presentación de Melinda Smith, encargada de proyectos especiales. (Longoria)*
4. **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. *Opiniones de los ciudadanos y tiempo para objeciones al Orden del día aprobado. El segmento de "Opiniones de los ciudadanos" es una oportunidad para que el Concejo Municipal reciba información sobre los asuntos que pudieran ser motivo de inquietud para el público. El objetivo de esta disposición de la Ley de Asambleas Abiertas es asegurar que el público siempre reciba aviso oportuno de los temas que serán discutidos por el Concejo. Si un miembro del público presenta un tema al Concejo que no fue publicado en el orden del día de esa asamblea, el Concejo puede recibir la información pero no puede tomar una decisión al respecto en esa asamblea. Es probable que el personal se ponga en contacto con la persona que solicitó*

la información o se le pida que incluya el asunto en el orden del día de una fecha posterior para consideración del Concejo.

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

Nota: El Concejo Municipal no podrá debatir los asuntos que no estén en el orden del día ni podrán tomarse medidas sobre dichos asuntos en este momento; sin embargo, el Concejo Municipal podría presentar respuestas objetivas a los temas presentados por los ciudadanos [Opinión del Procurador General – JC 0169].

Consent Agenda
Orden del día aprobado

5. **Consider Approval of the Meeting Minutes of the Special and Regular City Council Meetings of January 22, 2013.** *Considerar la aprobación de las Minutas de la Asamblea de las Asambleas Especial y Regular del Concejo Municipal del 22 de enero de 2013.* (Willman)
6. **Consider Approval of the Meeting Minutes of the Special City Council Meeting (Town Hall Meeting) of January 26, 2013.** *Considerar la aprobación de las Minutas de la Asamblea de la Asamblea Especial del Concejo Municipal (Asamblea del Ayuntamiento) del 26 de enero de 2013.* (Willman)
7. **Consider Appointment to the City's Boards, Committees, and Commissions, M&C # 02-01-13.** *Considerar nombramientos a las Juntas, Comités y Comisiones municipales, M&C # 02-01-13.* (Willman)
8. **Consider Action on an Ordinance Renewing the Support Services Contract with the Leon Valley Economic Development Corporation (LVEDC) and Authorizing the City Manager to Enter into the Agreement for Facilities and Support Services, M&C # 02-02-13.** *Considerar la toma de medidas sobre una ordenanza para renovar el Contrato de Servicios de Apoyo con la Corporación de Desarrollo Económico de Leon Valley (LVEDC, por sus siglas en inglés) y autorizar al Presidente Municipal a que celebre un acuerdo para servicios a las instalaciones y de apoyo, M&C # 02-02-13.* (Mora)
9. **Consider Action on an Ordinance Approving a Budget Adjustment to Purchase 46 Acre Feet (AF) of Water Rights for \$241,592, M&C # 02-03-13.** *Considerar la toma de medidas sobre una ordenanza para aprobar un ajuste en el presupuesto para la compra de 46 acres-pies (AF) de derechos de agua por la cantidad de \$241,592, M&C # 02-03-13.* (Marisa Flores)
10. **Consider Action on a Resolution Authorizing the City Manager to Execute the Memorandum of Understanding with Bexar County Elections Administrator to Conduct the Joint, General, and Special Elections of May 11, 2013, M&C # 02-04-13.** *Considerar la toma de medidas sobre una Resolución que autorice al Presidente Municipal a formalizar el Memorandum de Entendimiento con el Administrador Electoral del Condado de Bexar con el fin de llevar a cabo las Elecciones conjuntas, generales y especiales del 11 de mayo de 2013, M&C # 02-04-13.* (Willman)
11. **Consider Action on an Ordinance Authorizing the City Manager to Execute a Mutual Aid Agreement with the City of Helotes which will provide for Reciprocal Public Safety Answering Point (PSAP) and Texas Law Enforcement Telecommunications System Assistance in Times of Emergencies, M&C # 02-05-**

13. Considerar la toma de medidas sobre una ordenanza que autorice al Presidente Municipal a celebrar un Acuerdo de ayuda mutua con la ciudad de Helotes, el cual ofrecerá, de manera recíproca, un Punto de Respuestas de Seguridad Pública (PSAP, por sus siglas en inglés) y Ayuda en el Sistema de Telecomunicaciones para la ejecución de la Ley en Texas en situaciones de emergencia, M&C # 02-05-13. (Police Chief Wallace)

Regular Agenda
Orden del día regular

- 12. Consider Action Establishing the Recommended Committees Arising January 26, 2013 Town Hall Meeting, M&C # 02-06-13. Considerar la toma de medidas para establecer los Comités recomendados que surjan de la Asamblea del Ayuntamiento efectuada el 26 de enero de 2013, M&C # 02-06-13. (Mayor Riley)**

Discussion Agenda
Orden del día para discusión

- 13. City Manager's Report. Informe del Presidente Municipal. (Longoria)**
- A. Report on Traffic Flows at Huebner Road and Evers Road. Informe sobre los flujos de tráfico en Huebner Road y Evers Road.**
 - B. Traffic Signals on Bandera Road. Señalamientos de tráfico en Bandera Road.**
 - C. Huebner/Silo Property Conveyance. Traspaso de propiedad Huebner/Silo.**
 - D. Approved Minutes of City-Affiliated Boards, Committees, and Commissions. Minutas aprobadas de las Juntas, Comités y Comisiones afiliadas al municipio.**
 - (1) Leon Valley Economic Development Corporation Board of Directors Meeting of November 28, 2012. Asamblea del Consejo Directivo de la Corporación de Desarrollo Económico de Leon Valley, el 28 de noviembre de 2012.**
 - (2) Leon Valley 2012 Bond Program Oversight Committee Meetings of October 11, 2012, and November 29, 2012. Asambleas del Comité de Supervisión del Programa de Bonos de 2012 de Leon Valley: 11 de octubre de 2012 y 29 de noviembre de 2012.**
 - (3) Leon Valley Zoning Commission Meeting of December 11, 2012. Asamblea de la Comisión de Zonificación de Leon Valley, el 11 de diciembre de 2012.**
 - D. Future Agenda Items. Temas futuros del orden del día.**
 - (1) Call the May 11, 2013 General Election, February – March 1. Convocar a elecciones generales el 11 de mayo de 2013, febrero – 1 de marzo.**
 - (2) Construction Service Contract for the Children's Wing at the Leon Valley Public Library, February 19. Contrato de servicios de construcción para el Área Infantil de la Biblioteca Pública de Leon Valley, el 19 de febrero.**
 - (3) Consider Action on a Resolution Authorizing the City Manager to Execute a Lease with Mauricio Romero for the Kinman House at 6417 Evers Road, Leon Valley, TX., February. Considerar la toma de medidas sobre una Resolución que autorice al Presidente Municipal a celebrar un contrato de arrendamiento con Mauricio Romero para Kinman House en 6417 Evers Road, Leon Valley, TX., en febrero.**

- (4) Consideration of a Service Provider for Construction Manager at Risk for the Municipal Facilities Improvement Project. *Consideración de un proveedor de servicios para gerente de riesgo en la construcción para el Proyecto de mejoramiento de las instalaciones municipales.*
- (5) Texas Department of Transportation Presentation on Super Street Model. *Presentación del Modelo "Superstreet" del Departamento de Transporte de Texas.*

14. Citizens to be Heard. Opiniones de los ciudadanos.

15. Announcements by the Mayor and Council Members. Anuncios del Alcalde y los concejales.

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. *En este segmento, los informes sobre temas de interés comunitario sobre los cuales no se tomarán medidas, podrían proporcionarse al público de acuerdo al Capítulo 551.0415 del Código Gubernamental, como por ejemplo: las expresiones de agradecimiento, felicitación o condolencias; información sobre los días festivos; recordatorios de eventos sociales, comunitarios o ceremonias que se organizaron o patrocinaron por el cuerpo directivo o a las que asistió o asistirá un concejal de Leon Valley o un funcionario municipal.*

Earthwise Living Day, Saturday, February 23, 2013. "Earthwise Living Day" el sábado 23 de febrero de 2013.

Executive Session

Sesión Ejecutiva

- 16.** The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations, 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development). *El Concejo municipal de la Ciudad de Leon Valley se reserva el derecho de diferir a Sesión Ejecutiva en cualquier momento durante el transcurso de esta asamblea con el fin de discutir cualquiera de los asuntos indicados en el orden del día publicado anteriormente, según lo autorizan las siguientes secciones del Código gubernamental de Texas: Sección 551.071 (consulta con un abogado), Sección 551.072 (deliberaciones sobre bienes raíces), Sección 551.073 (deliberaciones sobre obsequios y donativos), Sección 551.074 (asuntos del personal), Sección 551.076 (deliberaciones sobre dispositivos de seguridad) y la Sección 551.087 (desarrollo económico).*

17. Adjourn. Clausura.

Attendance by Other Elected or Appointed Officials: Asistencia de otros funcionarios electos o designados:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of other city boards, commissions and/or

committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of other boards, commissions and/or committees of the City, whose members may be in attendance. The members of other city boards, commissions and/or committees may not participate in discussions on the items listed on the agenda, which occur at the meeting, and no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city board, commission or committee subject to the Texas Open Meetings Act. [Attorney General Opinion – No. GA-0957 (2012)]. *Se prevé que los miembros de otras juntas, comisiones y/o comités municipales, pudieran asistir a la asamblea en cantidades que pudieran constituir un quórum de otras juntas, comisiones y/o comités municipales. Por este medio se da aviso de que la asamblea, hasta el grado exigido por ley, también es una asamblea de otras juntas, comisiones y/o comités municipales, cuyos miembros podrían estar presentes. Los miembros de otras juntas, comisiones y/o comités municipales no podrán participar en discusiones sobre los temas indicados en el orden del día, y que ocurran en la asamblea, y ninguna medida será tomada por dichos asistentes a menos que ese tema y medida sea proporcionada específicamente en una orden del día para tal junta, comisión o comité municipal, sujeto a la Ley de Asambleas Abiertas de Texas. [Opinión del Procurador General – No. GA-0957 (2012)]*

I hereby certify that the above NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL were posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, on Friday, February 1, 2013, by 5:30 p.m. and remained posted until after the meeting(s) 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. *Por este medio certifico que el AVISO DE ASAMBLEA(S) PÚBLICA(S) Y ORDEN DEL DÍA DEL CONCEJO MUNICIPAL DE LA CIUDAD DE LEON VALLEY que se indicaron previamente, fueron publicados en el periódico mural del Ayuntamiento ubicado en 6400 El Verde Road, Leon Valley, Texas, el viernes 1 de febrero de 2013, para las 5:30 p.m. y siguieron publicados hasta después de que las asambleas aquí publicadas se dieron por terminadas. Este aviso también se publicó en el sitio Web de esta Ciudad en www.leonvalleytexas.gov. Este edificio tiene acceso para sillas de ruedas. Si necesita un intérprete de lenguaje de señas o cualquier otro servicio, debe solicitarlo con 48 horas de anticipación a la asamblea. Para hacer arreglos llame al teléfono (210) 684-1391, Ext. 216.*




Janie Willman, City Secretary
(Secretaria municipal)



A PROCLAMATION

WHEREAS, the City of Leon Valley congratulates and herein recognizes Stanley C. Irwin as an exceptional employee, and Fire Chief, of the City of Leon Valley, Texas, for 38 years; and

WHEREAS, this noteworthy achievement has been accomplished while providing firefighting services, fire prevention services, emergency service planning, public safety services training, grants writing and acquisition, fire service leadership, and founding the Alamo Area Fire Chiefs Association, and the Alamo Area Search and Rescue, all of which require extensive understanding of the firefighting service and public safety expectations of an informed citizenry and reflects the effective operation of the City of Leon Valley's Fire Department and Emergency Medical Services; and

WHEREAS, Stanley Irwin has in his committed and devoted service ensured the health, safety, and welfare of the citizens of Leon Valley, its businesses, and community stakeholders; and

WHEREAS, the welfare of our community depends on qualified and dedicated professionals like Stanley C. Irwin

NOW THEREFORE, I, CHRIS RILEY, MAYOR, of the City of Leon Valley, on behalf of the City Council, do hereby recognize the achievements and commitment of Stanley C. Irwin for his 38 years of devoted service to our great community by declaring February 8, 2013 as Stan Irwin Day in the City of Leon Valley.

Signed by my hand on this 5th day of February, 2013.

Chris Riley, Mayor



STANLEY C. IRWIN

Stan Irwin started his career in the fire service as a volunteer firefighter in 1972 in his hometown of Devine, Texas. Later he joined Medina County EMS and trained as an Emergency Care Attendant (ECA) in 1973 and an Emergency Medical Technician (EMT) in 1975.

Stan joined the Leon Valley Fire Department on April 1 1976. He was promoted to the rank of Engineer on October 1 1978. Later, he was promoted to Captain and placed in charge of a shift in May 1987.

On July 4, 2003 Stan was promoted to Assistant Chief under Fire Chief Doug Meckel. On July 30, 2004, Stan was appointed Fire Chief/Fire Marshal for Leon Valley.

Stan Irwin has served the citizens Of Leon Valley for almost 38 years.

SPECIALIZED TEAMS

In addition to managing his ongoing duties in Leon Valley, Chief Irwin has honed his skills in regional and state fire/rescue work in the following positions:

- Shock Trauma Advanced Tactical (STAT) Paramedic Team (Tactical Medic)
- Alamo Area Narcotics Task Force (Tactical Medic)
- Texas Task Force 1 Urban Search And Rescue (Search Team Manager)
- South Texas Regional Advisory Council for Trauma (STRAC) Swiftwater Rescue Team (Rescue Technician)
- Alamo Area Search And Rescue (Team Leader)
- Stan was an original member of the STRAC Communications Team. (ERU Team Leader)
- Chief Irwin is currently:
 - Team Leader for the Bexar County Hazardous Materials Team, Quadrant 1.
 - Ambulance Strike Team Coordinator (STRAC AST 8-30)
 - Task Force Leader, Texas Emergency Medical Task Force 8

MAJOR RESPONSES

In addition to responding to Leon Valley emergencies, Mr. Irwin has experience in operations and management of large-scale responses including major fires, searches, disasters, and multi-casualty events such as:

Searches:

- Heidi Seeman and Erica Botello searches in San Antonio
- Columbia Space Shuttle disaster, Eastern Texas

Tactical Medic:

- 51-day Branch Davidian crisis in Waco
- 1997 Republic of Texas standoff in Davis Mountains

Rescues:

- Four-day Emily Mosley rescue from Lechuguilla Cave, Carlsbad, New Mexico;
- Houston flooding in 1994
- 1998 flooding in San Antonio and Del Rio
- Fort Worth Tornadoes (2000)
- San Antonio flooding (2000)
- Tropical storm Allison flood in Houston (2001)
- Hondo tornado (2001)
- Bexar County tornadoes (2002)
- Radio Tower Rescue, Uvalde County (2002)

Major Fires:

- Kerrville Urban Interface fire in 2000
- Bexar/Bulverde Mulch Plant Fire (2003)

PROFESSIONAL ACCOMPLISHMENTS

- Developed and coordinated system design, budget, equipment specification/purchase and implementation of an Advanced Life Support (ALS) first responder program for the Leon Valley Fire Department in 1984.
- Developed planning documents and performed internal studies in 1985, 1987 and 1988 which led to the development and implementation of the fire department-based EMS program in Leon Valley in 1989. Coordinated contract for medical direction/protocol, developed budget, specified and purchased supplies and equipment, instituted training program for staff.
- Specification, purchase and installation of computer hardware and software which streamlined EMS billing and incident reporting.
- Successful development and management of numerous grants, including:
 - \$ 17,900 matching fund EMS equipment grant, 1993.
 - \$ 82,398 Traffic Preemption (VIA)
 - \$ 40,090 Prime Mover Vehicle (AACOG), 2007
 - \$ 30,174 Assistance To Firefighters Grant, SCBA Safety Equipment
 - Homeland Security Grants:
 - \$ 10,196 (2004) SHSGP, WMD Equipment
 - \$ 18,464 (2004) LETPP, WMD Equipment
 - \$ 50,393 (2006) SHSGP, Hazardous Materials Equipment
 - \$ 24,400 (2006) AACOG/REPAC, Emergency Satellite Communications Equipment

- Stan was instrumental in development of the Bexar County First Responder program with UTHSC-SA, San Antonio EMS, Bexar County Hospital District, Leon Valley and more than thirty area fire departments.
- Designed and assisted with construction of fire department's training room, public works building, and preliminary designs for the community center and city library.
- Contributed to two EMS textbooks, including AAOS "Emergency Care and Transportation Of The Sick And Injured".
- Founded Alamo Area Search and Rescue, Inc. (AASAR), a non-profit search and rescue resource for Bexar County. Stan was President/CEO from 1985-1999 and successfully negotiated a \$ 90,000 grant for land and building for AASAR. Planned and coordinated construction of an office/training building.
- Assisted with development of South Texas Regional Advisory Council for Trauma Regional Rescue Teams.
- Contributed to the designed and construction the first STRAC Emergency Response Unit, a mobile emergency communications and command post facility.
- Founded Alamo Area Fire Chief's Association, which is involved in providing regional emergency training, candidate testing, and coordination of mutual aid agreements. Stan has served as President of the organization. Over twenty regional agencies participate in the mutual aid agreement.
- Managed the Technical Rescue Competition at Garner State Park form 1990 to 2005.
- Revised the Department's Standard Operations Procedure Manual, HIPAA procedures, and, with the assistance of Dr. Gordon, maintained the EMS Protocol.

FACULTY APPOINTMENTS

- Instructor/Coordinator, EMS Education, San Antonio College, 1985-92
- Instructor, EMS Education, University Of Texas Health Science Center, San Antonio, 1986-88.
- Rescue Instructor, Alamo Area Fire Fighter Academy, San Antonio College, 1986-93.
- Rescue Instructor, Texas A & M University, Spring School, College Station, 1988-1995.
- Rescue Instructor, Bexar County Fire Fighter's Association, 1995-2000.
- WMD/Tactical Instructor, TAMU Law Enforcement Academy, 1999-2001.

AWARDS

- Fireman Of The Year, Devine Fire Department, 1974 and 1975.
- Commendation by Leon Valley City Council Resolution, for service on rescue squad project, City of Leon Valley, 1977.
- Employee of the Quarter City of Leon Valley, 1979.
- Meritorious Service Certificate, Texas Department of Health, 1983.
- Paramedic of the Year, Bexar County San Antonio Jaycees, 1983.
- City Employee of the Year City of Leon Valley, Leon Valley Lions Club, 1984.
- Distinguished Service Award Texas Association Of Emergency Medical Technicians, Region 9, 1985.
- Employee of the Quarter, City of Leon Valley, 1986.
- Recipient, Outstanding Young Men of America Award, 1987.
- Outstanding Service Award, Wilderness Rescue Competition, Texas Association of EMTs, 1987.
- EMS Person of the Year, Texas Department of Health, 2002.

Chief Irwin's last day of service with the Leon Valley Fire Department will be February 8, 2013.

Melinda Smith

Melinda Smith was raised in a military family, traveling the world, finally landing in the San Antonio area. She started working for the City of Leon Valley in 1988 as the Animal Control Officer, eventually becoming the Director of Community Development. She retired from the City of Leon Valley at 20 years to become a Registered Professional Appraiser for the Central Appraisal District of Bandera County.

After acting as their Deputy Chief Appraiser for two years, Ms. Smith accepted the job of Special Projects Manager, again with the City of Leon Valley. Ms. Smith has two grown children and three grandchildren, of whom she is especially proud. As for coming back to the City, Ms. Smith noted “I’m excited to be given the chance to work on the projects that were in the making for so many years, and now are finally coming to fruition!” Some of the projects she’ll be involved in include the Leon Valley Library expansion for the children’s wing, the Bandera Road Gateway monuments, and the hike and bike trail extension to the City of San Antonio. We welcome Ms. Smith back “home” and look forward to many more years of her service to our city!

Agenda Item 5

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 22, 2013**

The City Council of the City of Leon Valley, Texas, met on the 22nd of January, 2013, at 5:30 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 JOINT MEETING OF THE CITY OF LEON VALLEY CITY COUNCIL AND THE
LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) BOARD, 5:30 P.M.**

- 1. Call the Special Joint Meeting of the City of Leon Valley City Council and the Leon Valley Economic Development Corporation Board to Order, and Determine a Quorum is Present.** Mayor Riley called the Special Joint Meeting to order at 5:30 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, Dean, and Biever.

The following staff members were in attendance: City Manager Longoria, City Secretary Willman, Economic Development Director Mora, Human Resources Director Caldera, and Assistant to the Public Works Director Marisa Flores.

- 2. Call the Special Joint Meeting of the City of the Leon Valley City Council and the Leon Valley Economic Development Corporation Board to Order, and Determine a Quorum is Present.** LVEDC President Diaz called the LVEDC Meeting to order and announced a quorum of the LVEDC Board was present. The following Leon Valley Economic Development Corporation Board Members in attendance: Abraham Diaz, Dave Gannon, Claude Guerra, and Mike McCarley.

- 3. Quarterly Update and Dialogue Between the City Council and the LVEDC Board of Directors, M&C # 01-03-13.**

The quarterly update and dialogue between the City Council and the LVEDC Board of Directors included the following:

- The status of the project authorized for a bakery/bistro at the Kinman House including building-related improvements and collateralization matters.
- A financial report for the LVEDC.
- The status of the development of LVEDC grant and loan application guidelines.
- The addition of a Façade Program Application to the new LVEDC guidelines.
- Upcoming Town Hall Meeting Agenda consideration of branding and community identity, what it means and how that might be defined.
- Clean-up of the Bandera Road business corridor including the status of the new monuments and types of revenue sources for funding improvements and maintenance, such as TIRZs and TIFs.
- LVEDC Strategic Planning Goals.
- Status of the former Fiesta Dodge Property including any development plans proposed for the site by Bandera Road Holdings, LLC and the status of the Development Agreement.
- The status of Bayseas and other new City of Leon Valley businesses, and how the City can work to support new businesses opening in Leon Valley including the need for any new policies which may need to be considered by the City Council to help

Agenda Item 5

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 22, 2013**

businesses transition through their first six months of operation until they become known and established in the community.

- The date for the next quarterly dialogue was proposed for the month of April.

4. Adjourn.

- A. LVEDC Board President Diaz adjourned the LVEDC Meeting at 6:45 p.m. without objection.
- B. Mayor Riley adjourned the Special City Council Meeting at 6:45 p.m. without objection.

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

- 1. Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance.** Mayor Riley called the Regular City Council Meeting to order at 7:05 p.m. with the following City Council Members in attendance: Hill, Reyna, Baldridge, Dean, and Bieber.

The following staff members were in attendance: City Manager Longoria, City Attorney Zech, City Secretary Willman, Community Development Director Kristie Flores, Economic Development Director Mora, Finance Director Vickie Wallace, Fire Chief Irwin, Human Resources Director Caldera, Police Chief Randall Wallace, Public Works Director Vick, and Assistant to the Public Works Director Marisa Flores.
Also present: Ms. Valerie Mason, UTSA Intern, and Mike Del Toro, City Auditor.

Councilman Art Reyna led the assembly in the Pledge of Allegiance.

- 2. Presentation on Feral Cats: Trap-Neuter-Return, M&C # 01-04-12.** Raymond Diaz, 6429 Longhouse Court, introduced two guest presenters from the San Antonio Cat Coalition. Mr. Diaz informed the City Council that during care for a relative who lives in San Antonio, he and his wife became aware of the problem of feral cats in San Antonio. He investigated and found out about the San Antonio Feral Cat Coalition which offers training for volunteers in the trap-neuter-return (TNR) program which is grant-funded in some San Antonio neighborhoods. Mr. Diaz introduced two guest presenters; Kay Keane and Jenny Burgess. The speakers made a presentation on the benefits of a TNR program including planning requirements and a list of local communities which have adopted similar programs. A video on what to do about community feral cat concerns was shown.

Anne Gramling, 6113 Rue Sophie, and Vickie Jamvold, 7203 Poss Road, spoke in favor of the TNR Program, their experience with it, its benefits, and identified Leon Valley community advocates who favor the program.

The City Council noted that a TNR Program had previously been presented to the City Council including a request for financial support. The presenters at the time were not willing to provide the information to the City of Leon Valley which the City Council

Agenda Item 5

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 22, 2013**

requested for appropriate accountability. Due to the lack of response by the presenters to a request for further information, the matter was postponed indefinitely.

After City Council discussion of the TNR Program, City Manager Longoria was asked to provide the City Council with a report as to the need for such a program in Leon Valley.

- 3. Citizens to be Heard and Time for Objections to the Consent Agenda.** No one stepped forward to speak during the Citizens to be Heard. There were no items pulled for separate consideration on the Consent Agenda.

Consent Agenda

Motion by Councilman Reyna and second by Councilwoman/Mayor Pro Tem Hill for the approval of Consent Agenda Items 4, 5, and 6, as presented. Voting Aye: Hill, Reyna, Baldrige, Dean, and Biever. Voting Nay: None. Mayor Riley announced the motion carried.

- 4. Consider Approval of the Meeting Minutes of the Regular City Council Meeting of January 8, 2013.** Approved the Meeting Minutes of the January 8, 2013 Regular City Council Meeting.
- 5. Consider Approval of the Quarterly Investment Report for October – December, 2012, M&C # 01-05-13.** Approved the Quarterly Investment Report for the period of October – December, 2012, by minute order.
- 6. Consider Action on an Ordinance Approving a Police Department Budget Adjustment from the Police Forfeiture Fund, M&C # 01-06-13.** Approved an ordinance related to a budget adjustment from the Police Forfeiture Fund for the replacement of an outdated computer server, an increase in the number of police patrol rifles available for each shift with training ammunition and associated supplies, and an identification badge system complete with the required supplies.

Adopted Ordinance No. 13-002 – Approving Amendments to the Original Budget of the City of Leon Valley, Texas, for the Fiscal Year of 2013

Regular Agenda

- 7. Consider Approval of the Comprehensive Annual Financial Report for Fiscal Year 2012, M&C # 01-07-13.** Finance Director Vickie Wallace introduced Mike Del Toro of the City's new auditing firm of Thompson, Williams, Biediger, Castor & Young. Mr. Del Toro informed the City Council that the firm had been merged with Alonzo, Bacarisse Irvine & Palmer, P.C., effective January 1, 2013. He noted that the City would have the same audit team and work with the same audit staff with no changes beyond the name of the firm.

Mr. Del Toro informed the City Council that the Independent Auditor's Report documented the auditing firm's opinion on the City's financial statements and audit as being 'unqualified.' He explained that is the best opinion that can be given for an

Agenda Item 5

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 22, 2013**

independent audit; meaning there were no qualifying statements in the opinion letter. He presented the management discussion and analysis. Briefly discussed were the various financial statements and other sections audited. He concluded the presentation stating there were no internal control deficiencies over financial reporting and no instances of noncompliance.

The City Council asked if there were any recommendations based on the previous auditing firm recommending a fraud policy. None were noted.

Discussion Agenda

8. **Presentation and Discussion of the Huebner and Grass Hill Water Well Conditions, M&C # 01-08-13.** Public Works Director Vick made a presentation related to the City's Water Well conditions. Due to the lateness of the hour, the City Council viewed a video on one of the wells only. Staff was invited to return at some future meeting to provide additional information, if the need is determined.
9. **Presentation and Discussion on the City's Tree Preservation Policy M&C # 01-09-13.** Community Development Director Flores made a presentation on the City's Tree Preservation Policy. It was noted that some community calls had been received when trees were cut on a property on Huebner Road which is being prepared for sale. The staff presentation included the administrative processes in place for reviewing requests to remove trees before permitting is issued. Mayor Riley asked to be informed when such requests are presented to the City.
10. **City Manager's Report. (Longoria)**
 - A. **Proposed Spring Brush Collection Schedule.** Mr. Longoria reported that a proposed Spring Brush Collection schedule had been provided to him for consensus on the dates for the 2013 Spring Clean-up. The dates proposed are beginning March 18 through March 29. All materials would have to be set-out at the curb by the week of March 11 through March 17. Collection would begin the morning of March 18 through March 29. The City Council asked the City Manager to work on an appropriate schedule and on a campaign to provide timely advance notice to the City's residents. Mr. Longoria noted that a new service enhancement the City proposes to try are neighborhood sweeps as are done in the City of San Antonio. This would mean that Leon Valley Public Works and Code Enforcement Officers would work with neighborhood associations to clean-up the City.
 - B. **Pilot Solid Waste Program at the Ridge Subdivision.** Mr. Longoria reported that Mayor Riley, Council Member Baldrige, a resident of the Ridge, Waste Management Chief Marketing Officer Albert Perez, and he met with The Ridge Homeowners Association Board of Directors. March 1 was set as the target date for the start of the pilot program. Door hangers will be placed on each residence to inform residents of the pilot program. A satisfaction survey will be conducted at the end of the pilot program to assess its effectiveness in The Ridge. Mr. Longoria asked UTSA intern Valerie Mason to introduce herself to the City

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 22, 2013**

Council. He noted Ms. Mason is working on a neighborhood survey.

- C. Update on City Council/City Manager 2012-2013 Goals.** Mr. Longoria updated the City Council on the progress on the 2012-2013 Goals set at the May Retreat Work Session. Mr. Longoria reported that Code Compliance had been restructured under the Police Department to leverage resources in addressing code issues with better results to date. This is a brick and mortar year with numerous projects. He stated the position previously held by the Assistant Public Works Director who retired to a Special Projects Manager and Melinda Smith who previously worked for the City had accepted the position of Special Projects Manager. Ms. Smith reports for work on January 28. She will office at the Department of Public Works. Half Associates have developed a schematic design of the new monuments which are scheduled to start construction in August 2013. The plans will be presented at the January 26 Town Hall Meeting. Landscaping and lighting will be part of the monuments. Triangle Park has been cleaned up. Public Works cleans the pocket park with a contract position working in the Public Works Department. The \$7 million bond was issued at significant savings. The bond work is in the needs assessment phase. The Library Children's Wing expansion project will be returned to the City Council in the next two City Council meetings to obtain direction on who to proceed. It is an ongoing process with the updated plans to be presented at the Town Hall Meeting during the discussion of capital projects. Regarding communications with the City Council, the City Manager noted he sends weekly reports for most weeks. He further noted that the City is improving communications with residents through ongoing enhancements to the City's website including the use of social applications, Facebook and Twitter. In terms of customer service improvements, Mr. Longoria noted that the City's customer service approach reflects organizational cultural issues. Online customer service training is set to begin within the next two weeks. There was some brief discussion about the possibility of hiring an employee to answer the telephone and direct callers throughout the City's departments.

The City is seeking a sustained street maintenance sales tax. The legislative bill has been drafted with modifications to address some of the structural concerns which will provide voters the ability to repeal. It is ready to be filed soon. The City has been recognized for its Low Impact Development strategy as reflected on Evers Road, primarily designed to deal with stormwater issues.

- D. Monthly Departmental Reports.** There were no questions raised nor comments on the Monthly Departmental Reports presented.
- E. Financial Statement for the Month of December, 2012.** Finance Director Vickie Wallace presented the Financial Statement for the period of December 1-31, 2012.

Agenda Item 5

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 22, 2013**

F. Future Agenda Items

- (1) Consider Action on a Resolution Authorizing the City Manager to Execute a Lease with Mauricio Romero for the Kinman House at 6417 Evers Road, Leon Valley, TX., February.
- (2) Consider Renewal of Support Services Contract with Leon Valley Economic Development Corporation (LVEDC). February.
- (3) Introduction of Special Project Manager, February 5.
- (4) Consider Approving Memorandum of Understanding with Bexar County Elections Department to Conduct the Joint, General, and Special Elections of May 11, 2013, February.
- (5) Call the May 11, 2013 General Election, February – March 1.
- (6) Consideration of a Service Provider for Construction Manager at Risk for the Municipal Facilities Improvement Project.
- (7) Texas Department of Transportation Presentation on Super Street Model.

11. Citizens to be Heard. No one stepped forward to speak during the Citizens to be Heard.

12. Announcements by the Mayor and Council Members.

Annual Town Hall Meeting, Saturday, January 26, 2013
Earthwise Living Day, Saturday, February 23, 2013

Councilman Biever noted kudos were due Council Member Hill for her positive representation of the City of Leon Valley at the Texas Department of Public Safety recent opening.

Councilman Dean noted kudos were due Councilman Reyna for his work on the City's legislative initiative to obtain a street maintenance sales tax election suspension which will allow the City, if voters approve, to leverage long term financing for the work on the City's arterial roads.

Councilman Reyna thanked Councilman Dean for his support and teamwork with the Governor's Office on the street maintenance sales tax election suspension legislation.

Councilwoman/Mayor Pro Tem Hill invited the assembly to bring their neighbors to the Town Hall Meeting on Saturday, January 26. Ms. Hill noted the technological advances available at the new DPS Center in Leon Valley.

Executive Session

- 13.** The City Council convened in Executive Session at 9:39 p.m., Pursuant to Section 551.072, Deliberations about Real Property, to Deliberate the Purchase, Exchange, Lease, or Value of Real Property, M&C # 01-10-13. The City Council reconvened into open session at 10:15 p.m. with no action taken arising out of the Executive Session.
- 14.** The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed

Agenda Item 5

**CITY COUNCIL MEETINGS OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 22, 2013**

on the posted agenda, above, as authorized by the Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations, 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

There was no Executive Session conducted under this Agenda Item.

- 15. Adjourn.** Motion by Councilman Biever and second by Councilwoman Baldrige to adjourn the meeting at 10:15 p.m. Mayor Riley adjourned the meeting without objection.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

Agenda Item 6

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 26, 2013**

The City Council of the City of Leon Valley, Texas, met on the 26th of January, 2013, at 8:30 a.m. at the Leon Valley Conference Center, at 6421 Evers Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

Town Hall Meeting, 8:30 a.m.- 12:30 p.m.

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

Mayor Riley called the Town Hall Meeting to Order at 8:50 a.m. with the following City Council Members in attendance: Hill, Reyna, Baldrige, and Dean. Council Biever's absence was excused because he had an out-of-town commitment.

The following staff members were in attendance: City Manager Longoria, City Secretary Willman, Community Development Director Fores, Economic Development Director Mora, Finance Director Wallace, Fire Chief Irwin, Human Resources Director Caldera, Librarian Joyce Trent, Police Chief Wallace, Public Works Director Vick, Assistant to the Public Works Director Marisa Flores, Administrative Assistant Trejo, Community and Conference Centers Manager Gomez.

Presenters included: Mickey Conrad, OCO Architects, Jim Carrillo, Halff Associates, Leon Valley Community Director Kristie Flores, Richard Mogas of Richard Mogas Architects, AIA, Sue Ann Pemberton of Mainstreet Architects Allison Chambers of Ford, Powell & Carson Architects, Ann Nau, Architect, Mike De La Garza of Mike De La Garza +Company.

2. Presentations on the Following:

A. Construction Activity Report. City Manager Longoria and City Council Members introduced the presenters, providing a short biographical sketch of each presenter's professional credentials. Town Hall participants were updated on the progress and plans for construction projects as follows:

- Bond Projects – Mickey Conrad, OCO Architects
- Monument Project – Jim Carrillo, Halff Associates
- LC-17, Hike & Bike, Crystal Hills Park – Kristie Flores, City of Leon Valley
- Library Children's Wing – Richard Mogas, Richard Mogas Architects
- Huebner-Onion Homestead – Ford, Powell & Carson Architects

B. Communication Strategies. City Manager Longoria introduced facilitator Mike De La Garza. Mr. De La Garza conducted community communications and branding workshops.

C. Developing a Community Identity. Mr. De La Garza conducted a Community Festival workshop.

Mr. De La Garza stated he will be working to develop a report for the City which will include recommendations.

3. Closing Remarks and Adjournment. Mayor Riley thanked the staff including special thanks to Economic Development Director Claudia Mora and Administrative Assistant

Agenda Item 6

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS
JANUARY 26, 2013**

Rene Rooney and the City staff for their support and assistance. Mayor Riley thanked the City Council for their participation. She announced that the next Walk with the Mayor is scheduled for the first Saturday in April which will be through the Trails. Mayor Riley adjourned the Town Hall Meeting without objection at 12:28 p.m.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

MAYOR AND COUNCIL COMMUNICATION

DATE: February 5, 2013
M&C # **02-01-13**

TO: MAYOR AND CITY COUNCIL

SUBJECT: TO APPOINT MEMBERS TO THE CITY'S BOARDS, COMMITTEES, AND COMMISSIONS: EARTHWISE LIVING COMMITTEE

PURPOSE

The following applications reflect requests to serve on the City of Leon Valley Boards, Committees, and Commissions.

Earthwise Living Committee:

Heather Riddle

S.E.E IMPACT

Social Equity – Residents, business owner/operators, and other stakeholders volunteer to actively participate in the decision-making processes affecting City services.

Economic Development – Not applicable.

Environmental Stewardship – Not applicable.

FISCAL IMPACT

Not applicable.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Janie Willman, City Secretary

City of Leon Valley - VOLUNTEERS WANTED!

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

- Bandera Road Site - Community Advisory Group:** This Group meets quarterly to listen to updates from the Environmental Protection Agency (EPA) about the contaminate water plume in the City and inform the Council and the community about the EPA's actions and findings, and make suggestions in the remediation and investigation process. The water plume is centered at approximately the intersection of Grissom and Bandera Roads. The quarterly meeting is held at 5:30 p.m. at the Leon Valley Conference Center.
- Board of Adjustment:** The Board of Adjustment (BOA) has the power to review and approve variances from zoning ordinance requirements and administrative decisions (Zoning Interpretations) that create unnecessary hardships in the development of property because of exceptional or extraordinary conditions. Unlike other boards or commissions, the BOA makes the final decision on items that come before it; variances are not passed on to City Council for final approval. Meetings are held on-call and are typically held on Monday evenings at 6:30 p.m. at City Hall. There are five (5) members and four (4) alternates.
- Business Managers' and Owners' Alliance Committee (BOMA):** This committee, formerly the Business Alliance Committee, has taken a new name and a new emphasis to act as a business advisory committee to City Council and local businesses on business-related topics. Additional goals are: to assist in providing business incentive ideas and programs to encourage a robust economy and to retain and attract businesses; to advise on specific efforts that will market the Leon Valley business community; to facilitate business vitality by new and existing business retention, expansion, and beautification projects; and to assist the City in creating a unified theme of development that will promote future business development and redevelopment of existing properties. Meetings are held the second Wednesday of each month, at 1:00 p.m. at City Hall.
- Community Events Committee:** The Community Events Committee (CEC) is committed to providing volunteer support and coordination for the various City-sponsored civic events including the 4th of July Celebration, the Beautification Awards Program, the Grandparents' Day Concert, and the Holiday Lighting Program. Monthly meetings are held on the third Wednesday at 6:30 p.m. at the Conference Center.
- Earthwise Living Committee:** The Earthwise Living Committee (EWLC) is dedicated to providing community education that will develop a sustainable way of life in harmony with the natural surroundings. The EWLC sponsors and coordinates the annual Earthwise Living Day held on the last Saturday in February. Monthly meetings are held on the second Tuesday at 6:00 p.m. at the Public Works Service Center off Evers Road.
- Library Board of Trustees:** This Board of seven appointed members serve for terms of 2 years, and meets the second Monday of each month in the Library at 7:00 p.m. to discuss Library projects and plans, and to review Library policies.
- Park Commission:** The Park Commission (PC) is an advisory commission of Leon Valley citizens which makes recommendations to the City Council regarding park ordinances and policies, as well as serves as a liaison for the City with the public for park matters. Meetings are held on the second Monday of each month at 7:00 p.m. at City Hall. There are nine (9) members on this commission.

- Tree Advisory Board:** This seven member (7) Board with three (3) alternate members will meet to oversee the Leon Valley Tree Challenge and work toward the City's goal to plant 10,000 trees by the year 2020. Board members serve a term co-terminus with the Mayor. This Board began meeting in July 2009 and holds their meetings monthly at 6:30 p.m. in Council Chambers on the 3rd Wednesday of the month.
- Zoning Commission:** The Zoning Commission (ZC) acts as an advisory board to the City Council on land use and zoning matters. The Commission holds public meetings on all matters relating to:
 - creation of zoning districts
 - enforcement of zoning regulations
 - amendments to all zoning ordinances
 - any other matter within the scope of the zoning power
 Meetings are held on the fourth Tuesday of each month at 6:30 p.m. at City Hall. There are seven (7) members and three (3) alternates.
- Leon Valley Now Volunteers:** These volunteers serve as volunteer code enforcement assistants. They patrol a designated area of the City and report violations of City Code which the Code Enforcement Officer will investigate. There are no formal meetings after the initial training sessions. These volunteers work closely with the Community Development Department and the City's Code Enforcement Officers.
- Volunteer Park Patrol:** This new volunteer group assists the Leon Valley Police Department in to helping to manage our recreational and trail areas within the City. The volunteers will be called upon to assist staff in providing a safe environment for park patrons. The Park Patrol volunteers will receive basic training in various subjects related to the position, including public relations, first aid, CPR, policies and procedures, and special event assistance. Please see the homepage of the City's website at www.leonvalleytexas.gov for additional information.
- Other Volunteer Activities:** If you would like to assist with the graffiti abatement reporting, in our library shelving books, or just when there is a special event - consider checking this box. You will be assigned duties on the day of the activity. Your help is always welcomed!

- I would like to serve on the Committee(s) I have checked above.** Please contact me with further information regarding meetings and appointment.
- I'm not able to volunteer at this time, but perhaps in the future.**

Name	Address
Heather Riddle	6314 Rue Sophie St.
Phone Number	E-mail Address
210-601-3317	
Alternate Phone Number	

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

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

MAYOR AND COUNCIL COMMUNICATION

DATE: February 5, 2013
M&C: 02-02-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER ACTION ON AN ORDINANCE RENEWING THE SUPPORT SERVICES CONTRACT WITH THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT FOR FACILITIES AND SUPPORT SERVICES

PURPOSE

The City of Leon Valley has provided support services to the Leon Valley Economic Development Corporation since 2009. The attached service agreement continues the same terms and conditions as previously approved on December 21, 2010 and December 20, 2011.

FISCAL IMPACT

The contract amount is \$41,153 annually or \$3,429.41 monthly from the Leon Valley Economic Development Corporation to the City.

RECOMMENDATION

On January 23, 2013, the Leon Valley Economic Development Corporation reviewed the Service Agreement and recommended continuation of the agreement by a vote of 4-0.

The agreement would be for a period of twelve months beginning retroactive on December 1, 2012 through November 30, 2013.

S.E.E IMPACT STATEMENT

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

Environmental Stewardship – not applicable.

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

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

Janie Willman, City Secretary

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

STATE OF TEXAS

COUNTY OF BEXAR

This agreement is entered into by and between the CITY OF LEON VALLEY, a Texas Municipal Corporation (hereinafter referred to as "City"), acting by and through its City Manager, pursuant to Ordinance No. _____, passed and approved on February 5, 2013, and Leon Valley Economic Development Corporation, a non-profit corporation (herein referred to as "LVEDC") acting by and through its President.

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

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

WHEREAS, the LVEDC will contribute \$41,153.00 annually to the City for such services:

NOW THEREFORE:

SECTION 1.

The LVEDC agrees to pay the City the amount of forty-one thousand, one-hundred and fifty-three dollars and no cents (\$41,153.00) for their assistance and reimbursement for the following:

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

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

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

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

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

SECTION 6.

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

EXECUTED ON THIS 5th day of February 2013.

CITY OF LEON VALLEY

**LEON VALLEY ECONOMIC
DEVELOPMENT CORPORATION**

Manuel Longoria, Jr.
City Manager

Abraham Diaz, President

Approved to as form:

RESOLUTION #2013-03

A RESOLUTION OF THE LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION (LVEDC) APPROVING THE RENEWAL OF THE SUPPORT SERVICES CONTRACT WITH THE CITY OF LEON VALLEY

WHEREAS, the mission of the Leon Valley Economic Development Corporation is to promote businesses within the City or businesses relocating into the City; and

WHEREAS, the mission of the Leon Valley Economic Development Corporation also supports improvements to businesses which will improve sales tax generation and attract other businesses to the City; and

WHEREAS, the attached proposed Service Agreement for support services to the Leon Valley Economic Development Corporation (LVEDC) by the City of Leon Valley, Texas, for the period of twelve months beginning retroactive on December 1, 2012 through November 30, 2013. The Service Agreement, a true copy of which is on file in the office of the City Secretary and made a part hereof by reference, is hereby adopted and approved.

Leon Valley Economic Development Corporation Service Agreement

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

NOW THEREFORE, BE IT RESOLVED that the Leon Valley Economic Development Corporation of the City of Leon Valley, that:

1. The Board approves the Leon Valley Economic Development Corporation Service Agreement.

PASSED AND APPROVED by the Leon Valley Economic Development Corporation this **23rd day of January 2013**.

SIGNED:



Abraham Diaz, Board President

ATTEST:



Claudia Mora, Staff Liaison

ORD. NO.

AN ORDINANCE

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

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

1. The following proposed Service Agreement for support services to the Leon Valley Economic Development Corporation (LVEDC) by the City of Leon Valley, Texas, for the period of twelve months beginning retroactive on December 1, 2012 through November 30, 2013. The Service Agreement, a true copy of which will be placed on file in the office of the City Secretary and made a part hereof by reference when executed, is hereby adopted and approved.

Leon Valley Economic Development Corporation Service Agreement

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

PASSED and APPROVED this 5th day of February 2013.

Mayor Chris Riley

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney's Office
Denton, Navarro, Rocha and Bernal, P.C.

MAYOR AND COUNCIL COMMUNICATION

DATE: February 5, 2013
M&C # 02-03-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: APPROVAL OF A BUDGET ADJUSTMENT AND RELATED ORDINANCE TO PURCHASE 46 ACRE FEET (AF) OF WATER RIGHTS FOR \$241,592.

PURPOSE

In December 2009, the City Council was briefed on the continuing need to acquire water rights to support existing demand for water under the Edwards Aquifer Authority rules regarding the use of the Edwards Aquifer. In fiscal year 2010 the City purchased 55 AF of water rights for \$297,000.

On March 11, 2010, City Council approved a budget adjustment for \$334,950 to purchase 60 AF of water rights from the Regional Water Resource Development Group (RWRDG), who is administered by the San Antonio River Authority.

The City now has the opportunity to purchase additional water rights through RWRDG for \$5,200 / AF, plus a 1% administrative fee. If approved, the City would purchase a total of 46 AF of water rights for a total cost of \$241,592.

The total amount of water rights needed by 2015 is 128 AF. With this purchase the City needs to purchase an additional 22 AF.

FISCAL IMPACT

Funding to purchase the water rights is coming from the Water Supply Fee Reserve Fund. The reserve is funded from a fee that is collected on each water bill, as well as fees collected from developers. This fee can only be used to purchase water rights or lease water rights. Currently there is \$254,576 available to make this purchase.

S.E.E STATEMENT

Social- The purchase of water rights will help to ensure a livable community where adequate potable water is available to all current and future residents.

Economic – This effort obtains additional water rights needed to support the existing and new development in the City of Leon Valley.

Environmental- This effort is part of the Edwards Aquifer Authority plan to protect and enhance the use of the Edwards Aquifer, while protecting wildlife.

Approved _____ Disapproved _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

City Secretary Janie Willman

AN ORDINANCE

APPROVING AMENDMENTS TO THE ORIGINAL BUDGET OF THE CITY OF LEON VALLEY, TEXAS, FOR THE FISCAL YEAR OF 2013

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

1. The attached Mayor and Council Communication # 02-03-13 contains an amendment to the original Budgets for the City of Leon Valley, Texas, for the Fiscal Year 2013 a true copy of which is file in the office of the City Secretary and made a part hereof by reference, are hereby amended and approved and ordered filed in the office of the City Secretary.

Water and Sewer Fund

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

PASSED and APPROVED this 5th day of February, 2013.

Mayor Chris Riley

ATTEST:

City Secretary Janie Willman

APPROVED AS TO FORM:

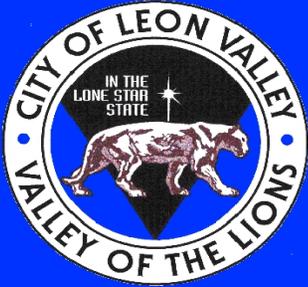
City Attorney's Office
Denton, Navarro, Rocha and Bernal, P.C.



Water Rights Purchase

Marisa Flores, Assistant to the Director

February 5, 2013



History

- City Council briefed Dec. 2009 on need to acquire water rights to support existing and future water demand
- City Council approved a budget adjustment for \$334,950 in Mar. 2011 to purchase 60 AF of water rights from the Regional Water Resource Development Group (RWRDG)



Currently

- Water Supply Fee Reserve Fund balance as of 1/30/2012 is \$254,576
- The proposed purchase for FY 2013 is 46 AF at \$5,200 / AF, for a total cost of \$241,592



Supply

Supply	
Owned Water	1,561 AF
Leased Water	672 AF
Total Authorized Amount	2,234 AF

Lease Amount	Expiration Date	New Supply	Est. Demand
200 AF	12/31/2014	2,034 AF	1737 AF
200 AF	12/31/2015	1834 AF	1737 AF
273 → 300 AF	2013 → 12/31/2019	1561 AF	1737 AF



Critical Period Pumping

- To meet the pumping requirements under the Critical Period Management plan, we need to allow for a percentage reduction to our total authorized amount

2012 Pumping Reductions		
STAGES	DAYS	FORMULA
Stage I	66	$66 / 366 \times 20 = 3.6\%$
Stage II	93	$200 / 366 \times 30 = 16.4\%$
Stage III	8	$32 / 366 \times 35 = 3.1\%$
Calculated reduction = $2261.428 - (2261.428 \times .231) = \mathbf{1739.04 AF}$		



S.E.E. Impact Statement

- **Social-** The purchase of water rights will help to ensure a livable community where adequate potable water is available to all current and future residents.
- **Economic –** This effort obtains additional water rights needed to support the existing and new development in the City of Leon Valley.
- **Environmental-** This effort is part of the Edwards Aquifer Authority plan to protect and enhance the use of the Edwards Aquifer, while protecting wildlife.



Water Rights Purchase

City Council Meeting
February 5, 2013

Agenda Item 10
Tema del Orden del Dia 10

MAYOR AND COUNCIL COMMUNICATION
COMUNICADO AL ALCALDE Y CONCEJO MUNICIPAL

DATE: February 5, 2013
FECHA: 5 de febrero de 2013
M&C: # 02-04-13

TO: MAYOR AND CITY COUNCIL
PARA: EL ALCALDE Y CONCEJO MUNICIPAL

SUBJECT:
ASUNTO:

Consider Action on Attached Resolution, Authorizing the City Manager to Sign a Joint Election Agreement with the Bexar County Elections Administrator for the Conduct of the Joint, General, and Special Elections on the 11th day of May, 2013, for the Purpose of Electing Three Members of the Leon Valley City Council; in Places 1, 3, and 5, by the Qualified Voters of the City of Leon Valley, Providing Details Relating to the Conduct of Holding the Election

Considerar la toma de medidas sobre la Resolución adjunta que autorice al Presidente Municipal a firmar un Acuerdo de Elecciones Conjuntas con el Administrador Electoral del Condado de Bexar, para la realización de las elecciones conjuntas, generales y especiales, el día 11 de mayo del 2013, con el fin de que los electores calificados de la Ciudad de Leon Valley elijan tres miembros del Concejo Municipal de Leon Valley para los puestos 1, 3 y 5; y proporcione detalles acerca de la realización y celebración de las elecciones.

PURPOSE

The purpose of this agenda item is to allow the City Council to consider authorizing the City Manager to sign a Joint Election Agreement (Memorandum of Understanding) with Bexar County for the conduct of the May 11, 2013 General Election of Officers (City Council Places 1, 3, and 5) and authorizing all details and matters related to the election.

OBJETIVO

El objetivo de este tema del orden del día es permitir que el Concejo Municipal considere autorizar al Presidente Municipal para que firme un Acuerdo de Elecciones Conjuntas (Memorandum de entendimiento) con el Condado de Bexar County, para la realización de las Elecciones Generales para los puestos 1, 3 y 5 del Concejo Municipal, el día 11 de mayo de 2013, y autorizar todos los detalles y asuntos relacionados con las elecciones.

According to Section X of the Joint Election Agreement (Memorandum of Understanding), should the City not have contested races requiring an election, immediate notice will be provided to the Bexar County Elections Administrator and the other entities resulting in the Agreement being amended to delete the City of Leon Valley as a party to the Agreement at no cost to the City of Leon Valley.

Agenda Item 10

Conforme a la Sección X del Acuerdo de las Elecciones Conjuntas (Memorándum de entendimiento), si la Ciudad no tiene puestos en contienda que requieran de elecciones, se proporcionará notificación inmediata al Administrador Electoral del Condado de Bexar, y a las demás entidades que resulte en que se hagan enmiendas al Acuerdo para eliminar a la Ciudad de Leon Valley como parte del Acuerdo, sin ningún costo a la Ciudad de Leon Valley.

In furtherance of continuity of voting facilities, the City of Leon Valley authorizes the use of City facilities during the Early Voting Period at the Leon Valley Conference Center, located at 6421 Evers Road, Leon Valley, Texas, 78238, and on Election Day at the Leon Valley City Council Chambers, 6400 El Verde Road, Leon Valley, Texas, 78238, regardless of whether the City of Leon Valley has contested positions, requiring an election.

Para seguir fomentando la continuidad de las instalaciones de votación, la Ciudad de Leon Valley autoriza el uso de las instalaciones municipales durante el periodo de votación temprana en el Centro de Conferencias de Leon Valley, ubicado en 6421 Evers Road, Leon Valley, Texas, 78238; y, el día de las elecciones, en el Despacho del Concejo Municipal de Leon Valley, en 6400 El Verde Road, Leon Valley, Texas, 78238, independientemente de si la Ciudad de Leon Valley tiene puestos en contienda que requieran de elecciones.

FISCAL IMPACT

As authorized in the current Fiscal Year Budget.

IMPACTO FISCAL

Según se autorizó en el Presupuesto del año fiscal actual.

RECOMMENDATION

That the City Council adopt the attached Resolution Authorizing the City Manager to Sign a Joint Election Agreement with the Bexar County Elections Administrator for the Conduct of the Joint, General, and Special Elections on the 11th day of May, 2013, for the Purpose of Electing Three Members of the Leon Valley City Council; in Places 1, 3, and 5, by the Qualified Voters of the City of Leon Valley, Providing Details Relating to the Conduct of Holding the Election.

RECOMENDACIÓN

Que el Concejo Municipal adopte la Resolución que autoriza al Presidente Municipal a firmar un Acuerdo de Elecciones Conjuntas con el Administrador Electoral del Condado de Bexar, para la realización de las elecciones conjuntas, generales y especiales, el día 11 de mayo del 2013, con el fin de que los electores calificados de la Ciudad de Leon Valley elijan tres miembros del Concejo Municipal de Leon Valley para los puestos 1, 3 y 5; y proporcione detalles acerca de la realización y celebración de las elecciones.

S.E.E. IMPACTS

Social Equity – Cities that embrace transparency in governance processes uphold and demonstrate a superior quality of life by encouraging collaborative and active participation.

Agenda Item 10
Tema del Orden del Dia 10

Economic Development – Cities that practice transparency in governance attract and retain quality economic development initiatives.

Environmental Stewardship – Not applicable.

IMPACTOS SOCIALES, ECONÓMICOS Y AMBIENTALES

Equidad social – Las ciudades que adoptan la transparencia en los procesos de gobernación, mantienen y demuestran una calidad de vida superior al fomentar la participación activa y de colaboración.

Desarrollo económico – Las ciudades que practican la transparencia en la gobernación, atraen y retienen iniciativas de desarrollo económico de calidad.

Aspecto ambiental – No es aplicable.

APPROVED: _____
APROBADO:

DISAPPROVED: _____
DESAPROBADO:

APPROVED WITH THE FOLLOWING AMENDMENTS:

APROBADO CON LAS SIGUIENTES ENMIENDAS: _____

ATTEST:
DOY FE:

Janie Willman, City Secretary
(Secretaria municipal)

JOINT ELECTION AGREEMENT

This Agreement is entered into by and between Bexar County Elections Administrator (“ADMINISTRATOR”), acting on behalf of Bexar County; with City of San Antonio (“COSA”); Alamo Heights Independent School District (“AHISD”); San Antonio Independent School District (“SAISD”); Harlandale Independent School District (“HISD”); Northside Independent School District (“NISD”); Southside Independent School District (“SSISD”); Trinity Glen Rose Ground Water Conservation District (“TGRGCD”); the City of Alamo Heights (“COAH”); the City of Balcones Heights (“COBH”); the City of Castle Hills (“COCH”); the City of Helotes (“COH”); the City of Hill Country Village (“COHCV”); the City of Hollywood Park (“COHP”); the City of Kirby (“COK”); the City of Leon Valley (“COLV”); the City of Live Oak (“COLO”); the City of Olmos Park (“COOP”); the City of Shavano Park (“COSP”); the City of Somerset (“COS”); the City of Terrell Hills (“COTH”); the City of Windcrest (“COW”); Bexar County W.C.I.D.# 10 (BCWCID#10) and the City of Universal City (“COUC”) and they may also be referred to, individually, as an “Entity” or, collectively, as the “Entities,” acting by and through their duly appointed and qualified representatives, pursuant to Texas Election Code Section 271.002(a), for the May 11, 2013 election.

WHEREAS, COSA will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, AHISD will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, HISD will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, JISD will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, NISD will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, SAISD will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, SSISD will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, TGRGCD will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COAH will conduct a general and special election on Saturday, May 11, 2013; and

WHEREAS, COBH will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COCH will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COH will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COHCV will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COHP will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COK will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COLV will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COLO will conduct a general and charter election on Saturday, May 11, 2013; and

WHEREAS, COOP will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COSP will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COS will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COTH will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COW will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, BCWCID#10 will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, COUC will conduct a general election on Saturday, May 11, 2013; and

WHEREAS, Section 271.002(a) of the Texas Election Code authorizes two or more political subdivisions to enter into an agreement to hold elections jointly in the election precincts that can be served by common polling places; and

WHEREAS, the Entities desire that a joint election be held in order to provide a convenient, simple, and cost-saving election to the voters in their respective jurisdictions; and

WHEREAS, the Entities desire to enter into an agreement setting out their respective duties and responsibilities for the May 11, 2013 election;

NOW THEREFORE, it is agreed that the Entities will hold a joint election on Saturday, May 11, 2013 (the "Joint Election") under the following terms and conditions:

I.

The Entities are each required to enter into their own separate contract with ADMINISTRATOR for election services and will hold elections jointly with other Entities in the election precincts that can be served by common polling places, using joint election officer and clerks as ADMINISTRATOR determines is necessary and appropriate.

II.

The Entities agree to conduct early voting jointly. ADMINISTRATOR will arrange for and handle early voting in person and by mail for the Joint Election in accordance with her contracts with those Entities.

III.

The Entities agree that a single ballot, containing all the measures and offices to be voted on at a particular polling place, shall be used in this Joint Election.

IV.

Each Entity is responsible for its own posting of public notices in connection with the Joint Election. ADMINISTRATOR shall be responsible for publishing a Notice of Election in a newspaper of general circulation in the territory as required of all the Entities under Section 4.003 of the Election Code, and each Entity shall pay ADMINISTRATOR its proportionate share of the publishing cost.

V.

Each Entity is responsible for paying ADMINISTRATOR for any and all other election costs, as applicable to the specific Entity and agreed upon by separate contract for election services between each Entity and ADMINISTRATOR.

VI.

ADMINISTRATOR will tabulate the ballots and provide a set of copies of the affidavit page of each return along with the returns of the election, as agreed upon by separate contract between each Entity and ADMINISTRATOR.

VII.

Each Entity will be responsible for canvassing its respective precinct returns for the Joint Election.

VIII.

Each Entity is responsible for preparing and sending its own Department of Justice Preclearance Submission in the required timely manner.

IX.

The Entities agree to comply with any and all applicable state and federal record retention statutes. Each Entity shall be the custodian of its respective election records.

X.

If an Entity determines not to participate in the Joint Election to be held on Saturday, May 11, 2013, because it has no contested positions, the nonparticipating Entity shall promptly notify ADMINISTRATOR and the other Entities, and this Agreement shall be automatically amended to delete the nonparticipating Entity as a party to the Agreement.

XI.

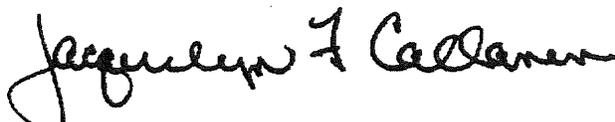
The undersigned persons are the duly authorized signatories of their Entities, and their signatures represent acceptance of the terms and conditions of this Agreement, as passed and approved by their respective governing bodies.

XII.

This Agreement may be executed in two or more counterparts. Together the counterparts shall be deemed an executed original instrument. The Entities may execute this Agreement and exchange counterparts of the signature pages by means of facsimile transmission, and the receipt of executed counterparts by facsimile transmission shall be binding on the Entities. Following a facsimile exchange, the Entities shall promptly exchange original signature pages.

SIGNED and AGREED this _____ day of _____, 2013.

BEXAR COUNTY ELECTIONS ADMINISTRATOR



Jacquelyn F. Callanen

ENTITY: _____

BY: _____

TITLE: _____

ENTITY: _____

BY: _____

TITLE: _____

ENTITY: _____

BY: _____

TITLE: _____

RESOLUCIÓN

UNA RESOLUCIÓN QUE AUTORICE AL PRESIDENTE MUNICIPAL A FIRMAR UN ACUERDO ELECTORAL CONJUNTO CON EL ADMINISTRADOR ELECTORAL DEL CONDADO DE BEXAR PARA LA REALIZACIÓN DE LAS ELECCIONES CONJUNTAS, GENERALES Y ESPECIALES EL DÍA 11 DE MAYO DE 2013, CON EL FIN DE QUE LOS ELECTORES CALIFICADOS DE LA CIUDAD DE LEON VALLEY ELIJAN A TRES MIEMBROS DEL CONCEJO MUNICIPAL DE LA CIUDAD DE LEON VALLEY PARA LOS PUESTOS 1, 3 Y 5; Y QUE PROPORCIONE LOS DETALLES RELACIONADOS CON LA REALIZACIÓN Y CELEBRACIÓN DE LAS ELECCIONES.

AHORA, POR LO TANTO, RESUÉLVASE Y ORDÉNESE POR EL CONCEJO MUNICIPAL DE LA CIUDAD DE LEON VALLEY, CONDADO DE BEXAR, TEXAS:

1. Que el Presidente Municipal por este medio quede autorizado a firmar un Acuerdo de Elecciones Conjuntas con el Administrador Electoral del Condado de Bexar para la celebración de las Elecciones Conjuntas, Generales y Especiales el día 11 de mayo de 2013 y, de acuerdo con la Sección X, que si la Ciudad de Leon Valley determina no participar en las Elecciones Conjuntas que se llevarán a cabo el sábado 11 de mayo de 2013, porque no hay puestos en contienda, que la Ciudad de Leon Valley notifique oportunamente al Administrador Electoral del Condado de Bexar y a las demás entidades, y el Acuerdo que aquí se autoriza sea enmendado para eliminar a la Ciudad de Leon Valley como parte del Acuerdo, sin ningún costo para la Ciudad de Leon Valley.
2. La Ciudad de Leon Valley por este medio autoriza, con el fin de proporcionar instalaciones para votación en las Elecciones Conjuntas, Generales y Especiales del 11 de mayo de 2013, el uso de las instalaciones municipales para la Votación adelantada en persona y la Votación el día de las elecciones. Dichas instalaciones de ubican, respectivamente, en el Centro de Conferencias de Leon Valley, en 6421 Evers Road, Leon Valley, Texas, 78238 (para la votación adelantada), y el Día de las elecciones en el Despacho del Concejo Municipal de Leon Valley, en 6400 El Verde Road, Leon Valley, Texas, 78238, independientemente de si la Ciudad de Leon Valley tiene puestos en contienda que requieran de una elección.
3. Que la Ciudad de Leon Valley celebre Elecciones Generales el día 11 de mayo de 2013, con el fin de elegir concejales para los puestos 1, 3 y 5, quienes desempeñarán sus cargos en un plazo de dos años o hasta que se elija y califique debidamente a sus sucesores.
4. Que las personas calificadas que deseen ser candidatos para estos cargos, presenten una solicitud para la candidatura ante la Secretaria Municipal en su oficina localizada en el Ayuntamiento de Leon Valley, 6400 El Verde Road, Leon Valley, Texas, 78238, a partir de las 7:30 a.m. del día 30 de enero de 2013, pero a más tardar a las 5:00 p.m. del día 1° de marzo de 2013.
5. Que en dichas elecciones se vote por cada uno de los cargos en forma separada y la persona que reciba el mayor número de votos para cada cargo sea electo para dicho puesto.
6. Que las elecciones se lleven a cabo junto con las del Condado de Bexar, el día 11 de mayo

Agenda Item 10 Resolution
Tema del Orden del Día 10 Resolución

de 2013, de acuerdo con la Sección 271 del Código Electoral de Texas. Los costos de dichas elecciones deberán ser compartidos y el Presidente Municipal queda autorizado para celebrar un contrato por servicios electorales con el Administrador Electoral del Condado de Bexar para compartir los costos de dichas elecciones de una manera justa y equitativa.

7. Que, para estas elecciones, los distritos para la votación del Condado de Bexar sean los distritos para la votación de la Ciudad de Leon Valley, y las casetas electorales y el horario para votación durante la votación adelantada en persona y la votación el día de las elecciones, sean en los lugares y a los horarios establecidos por el Administrador Electoral del Condado de Bexar para las elecciones del 11 de mayo de 2013.
8. Que la votación conjunta por adelantado en persona se lleve a cabo en el Centro de Conferencias de Leon Valley, ubicado en 6421 Evers Road, Leon Valley, Texas, a partir del 29 de abril de 2013 y termine el 7 de mayo de 2013, y en las casetas electorales adicionales para votación por adelantado que el Administrador Electoral del Condado de Bexar determine. El horario para la votación por adelantado en persona será:

Lunes	Martes	Miércoles	Jueves	Viernes	Sábado	Domingo
29 de abril 8:00 am - 6:00 pm	30 de abril 8:00 am - 6:00 pm	1° de mayo 8:00 am - 6:00 pm	2 de mayo 8:00 am - 6:00 pm	3 de mayo 8:00 am - 6:00 pm	4 de mayo 8:00 am - 8:00 pm	5 de mayo No hay votación
Lunes	Martes	Miércoles	Jueves	Viernes	Sábado	Domingo
6 de mayo 8:00 am- 8:00 pm	7 de mayo 8:00 am - 8:00 pm				11 de mayo DÍA DE ELECCIONES	

9. Que, el día de las elecciones, la votación se lleve a cabo de 7:00 a.m. a 7:00 p.m. en las casetas electorales designadas para cada distrito para la votación del Condado de Bexar, según lo ordene el Administrador Electoral del Condado de Bexar, incluyendo el uso del Despacho del Concejo Municipal de Leon Valley del Ayuntamiento de Leon Valley, ubicado en 6400 El Verde Road, Leon Valley, Texas, 78238.
10. Las solicitudes para recibir boletas electorales para votar por correo deberán enviarse a:
 Jacquelyn F. Callanen (Early Voting Clerk)
 203 W. Nueva, Suite 3.61
 San Antonio, Texas 78207-4045
11. Las solicitudes para las boletas electorales por correo deberán recibirse a más tardar el 3 de mayo de 2013, a las 5 p.m.
12. Que Jacquelyn F. Callanen, Administradora Electoral del Condado de Bexar, quede nombrada como Secretaria de la votación adelantada. El nombramiento de los Secretarios delegados de la votación adelantada se hará de acuerdo con la Sección 83.001, y siguientes, del Código Electoral de Texas.
13. Que los funcionarios electorales nombrados por el Administrador Electoral del Condado de

Agenda Item 10 Resolution
Tema del Orden del Día 10 Resolución

Bexar sean los jueces y secretarios electorales para estas elecciones conjuntas.

14. Que la ayuda oral y los materiales electorales impresos para las elecciones, se proporcione en inglés y en español, según se requiere de conformidad con el Código Electoral de Texas y la Ley Federal de Derechos de Votación de 1965, con sus enmiendas. Una o más personas estarán disponibles para ayudar a los electores el día de las elecciones y durante el período de votación adelantada.
15. Que la Secretaria Municipal sea nuestra funcionaria electoral para estas elecciones y se encargue de publicar los avisos electorales en el periódico mural que se utiliza para anunciar los avisos de las juntas del Concejo Municipal y en la página Web del municipio; que acepte las solicitudes para recibir las boletas electorales para votar por correo que se enviarán, a su vez, al Secretario de la votación adelantada; y que proporcione cualquier ayuda adicional necesaria para el proceso electoral.
16. Que cada entidad haga el escrutinio de los resultados de sus propias elecciones.

Autorizada y aprobada este día 5 de febrero de 2013.

Chris Riley, Alcalde

DOY FE:

Janie Willman, Secretaria Municipal



City of Leon Valley City Council

Consider Action on a Resolution Authorizing the City Manager to Sign a Joint Election Agreement with the Bexar County Elections Administrator for the Conduct of the Joint, General, and Special Elections on May 11, 2013

February 5, 2013



Purpose

- Authorize the City Manager to Sign a Joint Election Agreement with the Bexar County Elections Administrator to Conduct the Joint, General, & Special Elections on May 11, 2013, should the City of Leon Valley have contested races in any of the three Council Places up for election in 2013; Council Place 1, Council 3, & Council Place 5



Purpose

- Should the City of Leon Valley not have contested races requiring an election, immediate notice will be provided to the Bexar County Elections Administrator and the other entities resulting in the Agreement being amended to delete the City of Leon Valley as a party to the Agreement at no cost to the City of Leon Valley



Purpose

- Should the City of Leon Valley not have contested races requiring an election, the City of Leon Valley in furtherance of continuity of voting facilities and polling locations, authorizes the use of City facilities during the Early Voting Period at the Leon Valley Conference Center, located at 6421 Evers Road, Leon Valley, Texas, 78238, and on Election Day at the Leon Valley City Council Chambers, 7400 El Verde Road, Leon Valley, Texas, 78238



Fiscal Impact

- As authorized in the current Fiscal Year Budget



City of Leon Valley City Council

Consider Action on a Resolution Authorizing the City Manager to Sign a Joint Election Agreement with the Bexar County Elections Administrator for the Conduct of the Joint, General, and Special Elections on May 11, 2013

February 5, 2013

Agenda Item 11

MAYOR AND COUNCIL COMMUNICATION

DATE: FEBRUARY 5, 2013
M&C # 02-05-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: AUTHORIZE THE CITY MANAGER, BY ORDINANCE, TO EXECUTE A MUTUAL AID AGREEMENT WITH THE CITY OF HELOTES WHICH WILL PROVIDE FOR RECIPROCAL PUBLIC SAFETY ANSWERING POINT (PSAP) AND TEXAS LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM ASSISTANCE IN TIMES OF EMERGENCIES

PURPOSE

Helotes City Administrator Rick Schroeder contacted Leon Valley Officials in an effort to create a mutual aid agreement between the Cities of Helotes and Leon Valley which will provide assistance between the Cities Dispatch Centers during times of an emergency,

We are requesting Council approval to authorize the City Manager to execute the mutual aid agreement between the respective Cities. The agreement, which is modeled after the mutual aid agreement between our Fire Departments, allows for the providing of additional dispatching services and/or assistance which may be needed on an emergency basis to protect the health, life, and property of the inhabitants of the Cities and /or other agencies that are dispatched by the Cities Dispatch Centers.

FISCAL IMPACT

None

RECOMMENDATION

Authorize the City Manager to execute the agreement.

S.E.E. IMPACT

Social – To provide a backup system to our Dispatch Center that will be available in times of emergencies.

Economic – N/A

Environmental – N/A

APPROVED: _____ DISAPPROVED: _____
APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

City Secretary Janie Willman

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS PROVIDING FOR RECIPROCAL PUBLIC SAFETY ANSWERING POINT (PSAP) AND TEXAS LAW ENFORCEMENT TELECOMMUNICATION SYSTEM (TLETS) ASSISTANCE BETWEEN THE CITIES OF HELOTES AND LEON VALLEY, TEXAS DURING EMERGENCIES; ADOPTING A PSAP EMERGENCY SERVICES MUTUAL AID AGREEMENT BETWEEN THE SAME PARTIES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE MUTUAL AID AGREEMENT REFERENCED ABOVE ON BEHALF OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; REPEALING ANY OTHER CODE PROVISIONS, ORDINANCES, OR PARTS OF ORDINANCES, AND OTHER PROVISIONS IN CONFLICT HEREWITH; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Cities of Helotes and Leon Valley, Texas anticipate that emergencies may arise within their respective PSAPs whereby additional dispatching equipment, services, and/or assistance may be needed on an emergency basis to protect the health, life, and property of the inhabitants of the Cities and/or other agencies that are dispatched by the Cities' PSAPs; and

WHEREAS, PSAP staff have conferred and have recommended to their respective governing bodies that a reciprocal agreement be entered into whereby interlocal assistance will be given to the respective PSAPs in the event of emergencies under the terms and conditions outlined within the Public Safety Answering Point Emergency Services Mutual Aid Agreement (the "Mutual Aid Agreement" or "Agreement"), attached hereto as "Exhibit A" and incorporated herein by reference as if fully copied and set forth at length.

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

Section One. Approval. The Public Safety Answering Point Emergency Services Mutual Aid Agreement, attached hereto as "Exhibit A" and incorporated herein by reference as if fully copied and set forth at length, is approved. The City of Leon Valley Dispatch Center, acting by and through the Mayor and/or City Manager, is hereby authorized to provide such dispatching equipment, services, and/or assistance, as is available in the opinion of the Dispatch Supervisor or designee, whenever dispatching equipment, services, and/or assistance is requested by the City of Helotes, acting by and through its Mayor and/or City Administrator.

Section Two. Authorization. The City Council of the City of Leon Valley, Texas authorizes City Manager Manuel Longoria Jr. to execute the Public Safety Answering Point Emergency Services Mutual Aid Agreement referenced above on behalf of the City Council, and the City Council authorizes the City Manager to take all necessary steps to implement the provisions of this Ordinance.

Section Three. Findings. The City Council finds all of the above recitals to be true and correct and incorporates the same in this Ordinance as findings of fact.

Section Four. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

Section Five. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section Six. Effective Date. This Ordinance shall be effective immediately upon the approval of the City Council.

PASSED and APPROVED this 5th day of February 2013.

Chris Riley, Mayor

ATTEST:

Janie Willman, City Secretary

APPROVED AS TO FORM:

City Attorney's Office
Denton, Navarro, Rocha and Bernal, P.C.

**Public Safety Answering Point
Emergency Services Mutual Aid Agreement**

This Mutual Aid Agreement (the “Agreement”) is made by and between the Cities of Leon Valley and Helotes, Texas, (the “Parties”) both being Type A General Law Municipalities within the County of Bexar, Texas, through their duly authorized Mayors or other lawfully designated representatives to provide for Public Safety Answering Point (PSAP) mutual aid assistance authorized under V.T.C.A. Government Code Section 418.109 for emergencies, as described under the terms of this Mutual Aid Agreement for the participating Parties.

**SECTION I
OPERATING PROCEDURES**

- 1.1 The Parties to this Agreement agree that certain formal operating procedures shall be followed when requesting, dispatching, and deploying PSAP mutual aid assistance during emergency situations.
- 1.2 It is understood and agreed that the Dispatch Supervisor or designee of a Party requesting assistance shall be the sole judge of how much assistance is needed, and the Dispatch Supervisor or designee of the Party receiving the request for assistance shall be the sole judge of determining, pursuant to the policy of his/her jurisdiction, the level, amount, and duration of deployment of the resources, including equipment and personnel, to be devoted to the emergency in response to the requested assistance.
- 1.3 Neither Party is, in any manner, liable to the other party or to any other person, firm, corporation, or entity for the determination to supply, not to supply, limit, or terminate the amount of assistance supplied to the other Party. No Party to this Agreement accepts any liability to any third party.

**SECTION II
SCOPE OF AGREEMENT**

- 2.1 It is further agreed that the scope of this Agreement is for the provision of Public Safety Answering Point (PSAP) and Texas Law Enforcement Telecommunication System (TLETS) assistance between the Parties during emergency situations in order to protect the health, life, and property of the inhabitants of the respective jurisdictions.
- 2.2 It is further understood that these emergency situations may be potential events, and the emergency situations or events do not have to be catastrophic or disaster-scale events.

**SECTION III
PERSONNEL AND EQUIPMENT**

- 3.1 Any dispatch of PSAP personnel and equipment made pursuant to this Agreement is subject to the following conditions:
- (a) Any request for aid hereunder shall include a statement of the number of personnel and the amount and type of equipment or other assistance requested, and, further, the request shall specify the location, if applicable, to which the personnel and equipment are to be dispatched.
 - (b) The providing agency shall report to the Dispatch Supervisor or designee of the requesting agency and shall coordinate with said individual from the time of arrival or commencement to the time of departure or termination. If applicable, when proceeding to and from the emergency scene, the providing agency shall be considered to be an independent contractor for all purposes and not under the direction and control of the requesting department.
 - (c) Unless participation is previously terminated by the providing agency, the providing agency shall be released from this Agreement by the requesting agency when the services of the providing agency are no longer required or when the Dispatch Supervisor of the providing agency determines, in his/her sole discretion, that further assistance should not be provided.
- 3.2 The personnel of each Party shall continue to be officials and employees of their own respective agencies and shall be entitled to the same wages and benefits from their own respective employer as if responding within their own jurisdiction.
- 3.3 The expense of repairing or replacing equipment which may be damaged or destroyed while responding to, operating at, providing services to, or returning from an emergency in the requesting Party's jurisdiction shall be at the expense of the providing agency, unless caused in whole or in part by the negligent act of the requesting Party or any other responding Party.
- 3.4 A requesting Party shall reimburse the cost of expendable materials and supplies used by the providing agency while providing emergency assistance under this Agreement.

**SECTION IV
FINANCIAL REIMBURSEMENT**

- 4.1 No term or provision of this Agreement is intended to or shall prevent any Party to this Agreement from seeking reimbursement from the State of Texas or the Federal Government for the cost of supplies, services, equipment, or personnel costs that are available if an emergency event that a responding Party participates in is declared a disaster. The requesting Party shall not be responsible for the reimbursement of any unpaid balance due under this Section.

**SECTION V
AGREEMENT DOES NOT SUPERSEDE**

- 5.1 This Agreement does not replace, supersede, or void any other existing mutual aid agreement, disaster aid agreement, or memorandum of agreement in effect between any of the Parties participating in this Agreement.

**SECTION VI
SERVICE AREA**

- 6.1 The Parties hereto agree that responses to emergencies under this Agreement will only be within the jurisdictional area of each Party to this Agreement and not otherwise.

**SECTION VII
LIABILITY**

- 7.1 Each Party shall be liable for any and all costs, claims, liens, damages, causes of action, liability, and suits of any kind and nature arising out of, resulting from, or related to the acts or omissions of all such Party's agents, officers, directors, representatives, employees, consultants, or subcontractors. In the event the Parties are found jointly liable by a court of competent jurisdiction, liability shall be apportioned in accordance with the laws of the State of Texas and the United States, without, however, waiving any governmental immunity available to the Parties under Texas and Federal Law and without waiving any defenses of the Parties under Texas and Federal Law.
- 7.2 All governmental agencies acknowledge that they are political subdivisions of the State of Texas and are subject to, and comply with, the applicable provisions of the Texas Tort Claims Act, as set out in Civil Practices and Remedies Code, Section 101.001 *et. seq.*, and the remedies authorized therein regarding claims or causes of action that may be asserted by third parties for accident, injury, or death.
- 7.3 This Agreement will be interpreted according to the Constitution and Laws of the State of Texas. Venue of any court action brought directly or indirectly by reason of this Agreement shall be in Bexar County, Texas. This Agreement is made and is to be performed in Bexar County, Texas and is governed by the State of Texas.
- 7.4 To the extent that this Agreement meets the requirement of an Interlocal Cooperation Contract as defined by Tex. Gov't Code Ann. §791.001 the Interlocal Cooperation Act ("Act"), all rights privileges and immunities granted therein including but not limited to the allocation of civil liability provided by §791.006 thereof, shall form a part of this Agreement and shall be granted, retained and assessed in the manner provided by the Act. As applicable, the Parties shall fully comply with the Act and any payments made for services required by this Agreement shall be made from current funds available to the paying party.
- 7.5 Each Party to the Agreement shall maintain in force appropriate insurance policies providing comprehensive general liability insurance; auto liability and physical damage coverage; law enforcement and fire department liability; and

workers compensation insurance during any term of this Agreement. To the extent permitted by law, the Parties shall indemnify, save, defend and hold each other harmless from any liability arising from the performance of this Agreement. Each Party shall maintain the other Party and its Officers and Employees as additional insureds on all required insurance policies other than workers compensation insurance. Each Party shall provide the other certificates of insurance complying with the requirements of this section during any effective term hereof.

SECTION VIII OTHER AGREEMENTS

- 8.1 Nothing in this Agreement shall limit the ability of any or all of the Parties from agreeing to participate in more specific contracts for services, mutual assistance, or automatic response, nor shall this Agreement prohibit any Party from providing emergency assistance to another jurisdiction which is not a participant in this Agreement. This Agreement, however, shall not include providing assistance to such other non-signatory jurisdictions.

SECTION IX MISCELLANEOUS PROVISIONS

- 9.1 It is understood that no Party to this Agreement, by the execution of said Agreement or by the requesting or providing of assistance under this Agreement, assumes any binding legal responsibility to provide the resources, equipment, facilities, services, or personnel of such responding jurisdiction outside its own geographic area or jurisdiction, either in the instance of the initial request for assistance or any future request for assistance.
- 9.2 It is not intended by this Agreement to create, and nothing contained in this Agreement shall create, any partnership, joint venture, or similar arrangement among the Parties hereto.
- 9.3 No term or provision of this Agreement is intended to or shall create any rights in any person, firm, corporation, or other entity not a Party hereto, and no such person or entity shall have any cause of action hereunder.
- 9.4 The terms of this Agreement shall be in effect at any time a Party hereto responds to or assists the other Party within the scope of this Agreement.
- 9.5 Neither this Agreement, nor any duties or obligations hereunder, shall be assignable to any other entity without the prior written consent of all other Parties. Any assignment made without the written consent of a non-assigning Party shall be null and void.
- 9.6 In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalid, illegal, or unenforceable provisions shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

- 9.7 **Mediation.** If a dispute arises out of or relates to this Agreement or the breach thereof, the Parties shall first in good faith seek to resolve the dispute through negotiation between the upper management of each respective Party. If such dispute cannot be settled through negotiation, the Parties agree to try in good faith to settle the dispute by mediation before resorting to arbitration, litigation, or some other dispute resolution procedure; provided that a Party may not invoke mediation unless it has provided the other Party with written notice of the dispute and has attempted in good faith to resolve such dispute through negotiation. Notwithstanding the foregoing, any Party may seek immediate equitable relief, without attempting to settle a dispute through mediation, in any case where such Party is entitled to equitable relief by law, the terms of the Agreement, or otherwise. All costs of negotiation, mediation, and arbitration collectively known as alternate dispute resolution (“ADR”) shall be assessed equally between the Parties with each party bearing their own costs for attorney’s fees, experts, and other costs of ADR and any ensuing litigation
- 9.8 **Interpretation.** Each of the Parties has been represented by counsel of their choosing in the negotiation and preparation of this Agreement. Regardless of which Party prepared the initial draft of this Agreement, this Agreement shall, in the event of any dispute, whatever its meaning or application, be interpreted fairly and reasonably and neither more strongly for or against any Party.
- 9.9 **Additional Instruments.** The Parties mutually warrant that they have the requisite authority to enter into this Agreement and agree and covenant to cooperate, negotiate in good faith, and to execute such other and further instruments and documents as may be reasonably required to fulfill the public purposes provided for and included herein.
- 9.10 **Recitals incorporated.** The representations, covenants and recitations set forth in the recitals to this Agreement are material to this Agreement and are hereby found and agreed to be true and correct, and are incorporated as findings of fact into and made a part hereof for all purposes.
- 9.11 The Parties shall comply with all federal, state, and local laws and ordinances in connection with the work and services performed under this Agreement.

SECTION X TERM AND EFFECTIVE DATE

- 10.1 The term of this Agreement shall be one year from the effective date, and unless sooner terminated, shall be automatically renewed for successive one (1) year periods; provided however that the Parties shall have the right to terminate said Agreement at any time upon thirty (30) calendar days written notice each to the other.
- 10.2 This Agreement shall be effective on the date first written below upon the mutual execution of the Parties.
- 10.3 All notices provided to be given under this Agreement shall be in writing and shall either be personally served with a written receipt therefore or given by certified mail or registered mail, return receipt requested, postage prepaid and addressed to the proper Party at the address which appears below, or at such other

address as the Parties hereto may hereafter designate in accordance herewith. All notices given by mail shall be deemed to have been given at the time of deposit in the United States mail and shall be effective from such date.

As to the City of Helotes:

City Administrator
12951 Bandera Road
P.O. Box 507
Helotes, Texas 78023

As to the City of Leon Valley:

City Manager
6400 El Verde Road
Leon Valley, Texas 78238

SECTION XI AMENDMENT

- 11.1 This Agreement may be amended only by the mutual written agreement of all Parties hereto.

SECTION XII FORCE MAJEURE

- 12.1 None of the Parties hereto shall be required to perform a term, condition, or covenant in this Agreement so long as such performance is delayed or prevented by Force Majeure, which will mean acts of God, strikes, lockouts, material or labor restrictions by any governmental authority, civil riot, floods, and any other cause not reasonably within the control of said Parties and which by the existence of due diligence said Party is unable, wholly or in part, to prevent or overcome.

ARTICLE XIII MULTIPLE COUNTERPARTS

- 13.1 This Agreement may be executed in separate identical counterparts by the Parties hereto and each counterpart, when so executed and delivered, will constitute an original instrument, and all such separate identical counterparts will constitute but one and the same instrument.

EXECUTED BY THE PARTIES WHOSE SIGNATURES ARE AFFIXED HERETO, EACH REPRESENTATIVE ENTITY ACTING BY AND THROUGH ITS DULY AUTHORIZED OFFICIAL IN THE MANNER REQUIRED BY EACH REPRESENTATIVE ENTITY'S CHARTER OR, OTHERWISE, AS REQUIRED BY LAW.

Thomas A. Schoolcraft **Date**
Mayor
City of Helotes, Texas

Manuel Longoria Jr. **Date**
City Manager
City of Leon Valley, Texas

ATTEST:

City Secretary **Date**

City Secretary **Date**



City of Leon Valley

Mutual Aid Agreement

Tuesday, February 5, 2013



History

- The City of Leon Valley was approached by Helotes City Administrator
 - Mutual Aid Agreement between Dispatch Centers



Agreement

- In times of an emergency the Mayor or City Manager/Administrator may request assistance from other entity
 - Assistance is for Dispatch Services



Agreement

- The would be “no charge” for services provided



Agreement

- We are asking for authorization for the City Manager to execute the agreement

MAYOR AND COUNCIL COMMUNICATION

DATE: February 5, 2013
M&C # 02-06-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: CONSIDER ACTION ESTABLISHING THE RECOMMENDED COMMITTEES ARISING JANUARY 26, 2013 TOWN HALL MEETING

PURPOSE

This agenda item is to allow the Mayor and City Council to discuss and consider action related to establishing the recommended committees to do the work arising from the January 26, 2013 Town Hall Meeting related to:

- Communications
- Branding / City Identity
- City Festival

The Mayor and City Council participated in a Town Hall Meeting conducted on Saturday, January 26. The Town Hall Meeting agenda allowed for the public to be updated on current and upcoming City projects.

A key component of the Town Hall Meeting was to allow for the public to engage in exercises facilitated by a professional who led the assembly in helping to identify and communicate their ideas for service enhancements going forward. A report will be provided by Mike De La Garza, the facilitator. In order to ensure that momentum is not lost in the interim, the City Council may want to consider making appointments to the Committees based on the need to begin the planning and to further communicate with those persons who signed up to volunteer at the Town Hall Meeting.

RECOMMENDATION

Action will be taken according to the direction of the Mayor and City Council.

S.E.E IMPACT

Social Equity – Residents, business owner/operators, and other stakeholders volunteer to actively participate in the decision-making processes affecting City services.

Economic Development – Not applicable.

Environmental Stewardship – Not applicable.

FISCAL IMPACT

Not applicable.

APPROVED: _____ DISAPPROVED: _____
APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Janie Willman, City Secretary

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, October 11, 2012

Chairman Abraham Diaz called the 2012 Bond Program Oversight Committee Meeting to order at 6:00 p.m... Committee Chairman Abraham Diaz, and Committee members Al Uvietta, Mike Davis Jr., Pedro Esquivel, Olen Yarnell, and Christopher Gover were present. Bob Thome was absent.

Mayor Pro-Tem Kathy Hill, Councilman Jack Dean, City Manager Manuel Longoria Jr., Police Chief Wallace, and Assistant Fire Chief Lee were also present.

A quorum was present.

Presentation of Status Report Arising Out of Interviews with Architectural Firms Being Considered to include Recommendations for Selection of an Architectural Firm to Provide Services to the City of Leon Valley

Chairman Diaz introduced the City Manager, Manuel Longoria Jr. who gave a detailed presentation on the process the City of Leon Valley utilized to select the three top firms to recommend to City Council. The process included a review of applications by the Selection Review Committee, presentations to the Bond Oversight Committee, and site visits to locations where the finalists have performed services. The City Manager advised the Committee the top three firms, in order, are OCO, Alamo Architects, and Kell Munoz.

Committee Member Esquivel initiated a motion that supported the recommendation of the City Manager and signified that the Committee wished for the Manager to proceed with the process. This motion was seconded by Olen Yarnell. Chairman Diaz called for a vote and this motion passed unanimously.

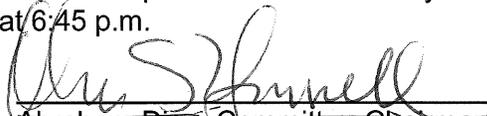
Approval of Minutes

Chairman Diaz asked for approval of the minutes from the August 30, 2012 meeting. Committee Member Davis made a motion to approve the minutes, and this was seconded by Al Uvietta.

Chairman Diaz asked for approval of the minutes from the September 13, 2012 meeting. Committee Member Esquivel made a motion to approve the minutes, and this was seconded by Mike Davis Jr..

Adjourn

Hearing no further business a motion was made by Pedro Esquivel and seconded by Al Uvietta to adjourn the meeting. The meeting was adjourned at 6:45 p.m.


Abraham Diaz, Committee Chairman
Olen Yarnell, Vice Chairman

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, November 29, 2012

Chairman Abraham Diaz called the 2012 Bond Program Oversight Committee Meeting to order at 4:35 pm. Committee Chairman Abraham Diaz, and Committee members Al Uvietta, Mike Davis Jr., Pedro Esquivel, and Olen Yarnell, were present. Bob Thome and Christopher Gover were absent.

Mayor Pro-Tem Kathy Hill, Councilman Jack Dean, City Manager Manuel Longoria Jr., Police Chief Wallace, and Fire Chief Irwin were also present.

A quorum was present.

Presentation of Status Report to Include Updates on the Selection of an Architectural Firm and the Process of Hiring Construction Manager at Risk

Chairman Diaz introduced the City Manager, Manuel Longoria Jr. who gave a detailed presentation on the process the City of Leon Valley is utilizing to negotiate with OCO Architects. Mr. Longoria spoke of the fee schedule model he was utilizing to find an appropriate fee, the proposed scope of work for the architectural firm, and the tentative work plan and schedule.

Mr. Longoria further relayed the procedures the City of Leon Valley was undertaking to hire a Construction Manager at Risk. Mr. Longoria spoke of the projected scope of service and when the fees due to the Construction Manager would be known.

Approval of Minutes

Chairman Diaz asked for approval of the minutes from the September 27, 2012 meeting. Committee Member Esquivel made a motion to approve the minutes, and this was seconded by Mike Davis Jr.

Adjourn

Hearing no further business a motion was made by Pedro Esquivel and seconded by Al Uvietta to adjourn the meeting. The meeting was adjourned at 5:25 p.m.


Abraham Diaz, Committee Chairman
Olen Yarnell, Vice



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

November 28, 2012

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:32 p.m. on **Wednesday, November 28, 2012** in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. CALL TO ORDER

Present were President Abraham Diaz, Vice President Stephen Ynostrosa, Treasurer Michael McCarley, Board Member Claude Guerra, Board Member Dr. Georgia Zannaras, and Board Member Herman Segovia. Excused: Board Member David Gannon. Also present were Board Attorney Steven Peña and Economic Development Director Claudia Mora acting as staff support and recording secretary.

II. CITIZENS TO BE HEARD

There were no citizens to be heard.

III. FINANCIAL REPORT BY LVEDC TREASURER (MICHAEL MCCARLEY) AND CONSIDERATION

Treasurer McCarley reported that as of November 28, the balance in the main account was \$410,388.73. The balance in the checking account was \$17,434.45. The total was \$427,823.18. The obligations for the month were \$4,327.92. After paying the obligations, the balance for the month was \$423,196.64. Board Member Segovia moved to accept the Financial Report. Board Member Guerra seconded. The motion carried.

IV. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2012-011, REGARDING TAX SERVICES FOR PREPARING AND FILING OF IRS FORM 990 FOR 2012 BY THOMAS D. LEROY – BOOKKEEPING & TAX SERVICES, INC.

Staff Liaison Mora reported that Mr. LeRoy had been working with staff to prepare the IRS Form 990 for the past two years. For 2011, Mr. LeRoy charged the LVEDC \$350 to complete the form. He was quoting the same cost to do the 2012 form. Board Member McCarley moved to have Mr. LeRoy perform the tax services for preparing and filing the IRS Form 990 for 2012. Board Member Guerra seconded the motion. The motion carried.

V. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2012-13, REGARDING THE FUNDING AGREEMENT BETWEEN THE LVEDC AND MAURICIO ROMERO AND EL SOL BAKERY, INC.

The Board discussed the structure of the agreement. It was determined that the agreement would be called a performance agreement. The interest rate was discussed. It was suggested that the interest rate on the loan be equal to that of the percentage of the FirstMark loan. Ms. Mora reported that she had spoken with Jerry Yost from Frost Bank to inquire whether the bank would service the loan for the LVEDC. It was reported that Frost Bank was not servicing loans for clients, like the LVEDC, any longer. Discussion ensued as to how the bank would service the loan and how the LVEDC would approach the bank to consider servicing the loan. Board Vice President Ynostrosa and Ms. Mora would have a conference call with Mr. Yost to explain what the Board wants in servicing a loan from Frost with the Board guaranteeing the \$37,500 for a collateralized loan. They would report back to the Board at the next meeting.

Treasurer McCarley expressed his concern for approving the agreement without seeing a list of collateral with serial numbers and certified or appraised values. The Board discussed expressing their concerns to the City Council prior to the City Council having a second reading of the resolution and approving the funding.

Board Member Guerra moved to approve Resolution 2012-013 with the changes discussed. Board Vice President Ynostrosa seconded the motion.

The Board approved Resolution 2012-013 with the following changes:

1. The agreement is a performance agreement; and
2. The Board will seek to obtain a third party to perform the loan underwriting and servicing.

VI. DISCUSSION AND CONSIDERATION OF ACTION WITH ATTACHED RESOLUTION 2012-012, REGARDING LEON VALLEY ECONOMIC DEVELOPMENT CORPORATION PROGRAM GUIDELINES – FUNDING POLICIES AND APPLICATION

The Board went over items noted in the guidelines and staff provided comments on the notes. The Board Attorney was asked to do a final review. The item was not voted on and will be considered at the next Board meeting.

VII. ELECTION OF LVEDC BOARD SECRETARY

This item was pulled from the agenda, and will be placed on the next meeting's agenda.

VIII. DISCUSSION AND CONSIDERATION OF RESCHEDULING OR CANCELLING DECEMBER BOARD MEETING.

The consensus of the Board was to schedule a special Board meeting for December 12.

VIII. FUTURE AGENDA ITEMS

No discussion was held on this item.

IX. ANNOUNCEMENTS

Board Members Gannon and Segovia are scheduled to attend the Texas Economic Development Council (TEDC) Sales Tax Training in Austin on December 14. Treasurer McCarley is scheduled to attend the Texas Municipal League Public Funds Investment Act Training on December 13 and 14 in San Antonio.

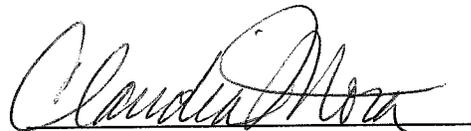
Board President Diaz mentioned the International Council of Shopping Centers Real Estate Conference (ICSC RECon) to be held in Las Vegas May 19-22. He directed Ms. Mora to forward the most recent conference email to the Board. If any of the Board members were interested in attending, they needed to let Ms. Mora know. President Diaz and Ms. Mora provided some information on the conference and the LVEDC's and City of Leon Valley's participation at the conference.

X. ADJOURN

Treasurer McCarley moved to adjourn, seconded by Board Member Segovia. The motion carried by voice vote and the meeting was adjourned at 8:31 p.m.



ABRAHAM DIAZ
BOARD PRESIDENT



CLAUDIA MORA
STAFF LIAISON



**MINUTES OF THE MEETING OF THE
LEON VALLEY ZONING COMMISSION**

December 11, 2012

The meeting of the Leon Valley Zoning Commission convened at 6:30 p.m. on Tuesday, December 11, 2012, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Roll Call

Present were Chairman Claude Guerra III, 1st Vice-Chair Wendy Phelps, 2nd Vice-Chair Olen Yarnell, and Members Hal Burnside and Pedro Esquivel and Alternate Members Phyllis McMillan and Nicole Monsibais. Absent and excused were Members Mike Davis Jr., Carmen Sanchez and Alternate Member Carlos Fernandez. Also present was Kristie Flores, Director of Community Development, acting as recording secretary.

Councilmember Kathy Hill was also present as an audience member.

II. Approval of Minutes – November 27, 2012

Commissioner Phyllis McMillan made a motion to approve the minutes as written. 2nd Vice-Chair Olen Yarnell seconded the motion, and the motion passed unanimously by voice vote.

**III. Discussion of the Master Plan Revisions for the following Neighborhood Area –
11N Seneca West, 12N Hodges, and 13N Bandera Pass Areas**

Chairman Claude Guerra III opened the discussion of the Master Plan Revisions. Staff addressed the audience and noted that the Zoning Commission reviews the Master Plan every 4 years to update it with current information and trends. Staff further noted that the Master Plan was a policy guide and was to be considered in broad terms and not as law.

Commission Member Pedro Esquivel began the Seneca West presentation noting the following observations that were made upon review and site visit by Commissioner Mike Davis, Jr. and himself:

11N Seneca West Area

1. The existing Neighborhood Matrix lets the reader/developer know what zoning/land uses are desirable for the area and provides adequate direction for staff and the Zoning Commission to follow.
2. There is no inconsistency or incompatibility of the matrix for the area. It is hoped that community members come forth and express themselves as to any zoning changes they feel would be desirable.
3. The existing zoning and development regulations appear to implement the plan. There is presently no recommendation to change the zoning/development regulations for this area.
4. An area of concern that might be reviewed more critically would be explicit signage of potential flooding as noted in the Plan. Also there may be need to evaluate the potential safety hazard the undeveloped acreage of overgrown weeds and brush. As there are no "fire breaks" between the undeveloped land and the nearby homes it has the potential of being a serious fire problem. It is suggested that safety measures be evaluated to determine needed safeguards.
5. The area improvements appear to be in good shape, generally. Vigorous Code Enforcement is encouraged with special attention to grass fire mediation in the unimproved land area.
6. Consistent with the ongoing safety concern it is suggested that we look closely at the potential

flooding of the same parts of the area and see what can be done to reduce the potential flooding problems. One possible assist in this is perhaps citizen input on the development of a flood evaluation plan (also in the MP).

7. The best opportunity for Economic Development appeared to be along Bandera Road. Modest improvements to building exteriors to improve "curb" appeal should be encouraged.
8. Beyond the suggestions already made and the proposed action recommended it is suggested that continued monitoring of citizen needs and code enforcement be ongoing and updated on a time fired schedule by appropriate city entities.
9. Paved streets and sidewalks maintained by the city appear to be adequate. Ongoing Capital Improvements to improved street and fire hydrants were noted.
10. It is believed that Plan for this area can be lived with if adequate needs are properly addressed.

Concluding the review of Seneca West, Vice-Chair Wendy Phelps and Commissioner Phyllis McMillan began the discussion of the Hodges and Castle Estates Areas. The following was noted the following in the presentation:

12N Hodges Area

1. The Master Plan does provide adequate directions for developers, staff and the Commission. The yards in Hodges Subdivision are well maintained. Hodges is an older area of the city.
2. The Master Plan Matrix for Hodges is consistent and compatible with the area.
3. The recommendations in the plan implement the goals for the area.
4. Street lights are needed in the area. It is very dark in some areas.
5. There area several stray cats and a few dogs in Hodges. The fencing is good standing, landscaping is appropriate and there are no beat up car or boats in front yards.
6. It is not clear as to whether there are flooding concerns in the area it depends how much it rains.
7. No economic development is supported in this area-mostly residential.
8. Traffic is a serious concern in the area because cars and trucks cut through to get to Bandera from Evers and vise versa.
9. More street lights on Hodges.
10. Yes, the Plan supports living in the area but traffic remains a big concern.

13N Bandera Pass

1. This area is in good condition. The residential part of this area is zoned R-5 (Manufactured Home District). The matrix clearly identifies the zoning/land uses that are desirable to the area and provides direction to staff and the Commission.
2. The zoning in this area consists of B-2 (retail), B-3 (commercial), a small parcel of R-1 (single Family), and R-5 (mobile home district). The zoning seems to be compatible with this area and what the community members desire.
3. Rezoning the lots in the B-2 (retail) facing Bandera Road might be considered to encourage other office, small business, or mixed use space. The existing zoning regulations would be consistent to implement a plan of this type.
4. The sidewalks and signage in this area appear to be adequate. It was noted that a stop sign in the Bandera Pass Manufactured Home Area was badly worn.
5. The area is well maintained and appears to be monitored by the property owner of the Bandera Pass residential area. The property owner is responsible for upkeep of the landscaped areas along the entrance road and it appears to be neat and mowed. Code Enforcement of the area is certainly encouraged.
6. No flood issues were noted.
7. Continued encouragement of businesses to occupy this area would certainly benefit Economic Development. Empty land areas could be developed to draw business and bring offices, small businesses, or other mixed use into the area.

8. The Strategic Plan for this area is adequate for the development of business and continued management of the Bandera Pass Manufactured Home Park.
9. Pedestrian access (sidewalks) along the B-2 and B-3 area on Bandera Road may be considered for pedestrian safety.
10. The Plan is acceptable for this area.

After the presentation of the area observations was complete, Chairman Guerra III opened the public discussion portion of the public meeting.

Monica Alcocer, 5985 Aids Drive, addressed the Commission and noted that CPS was repairing and working in this area and left a lot of debris in the area which would result in serious problems if there is heavy rain. She also noted that there is a stop sign down at Aids and Samaritan and a dead end sign down past Aids Drive and requested replacement. She explained that Animal Control assistance was needed because wild hogs are a major problem in the area and hunters in the area poaching deer - kids at play in the area creates a very dangerous situation. She also noted that the area remains a magnet for illegal dumping of trash, debris and other items and they still have serious flooding issues during heavy rains due to developments upstream from the Ridge.

Kevin Hakala, 4928 Althea Drive, addressed the Commission and noted continued flood concerns in the area and suggested a study or a long term solution such as a storm drain system with gutters. He explained that the City of San Antonio also needed to maintain their regular maintenance of the ditch in the right-of-way. He noted that a desperate need for lighting and traffic calming measures such as speed bumps along both Hodges from Bandera to Evers and Althea from Bandera to Hodges. He also noted the need for additional mosquito spraying.

Abraham Diaz, 6014 Kinman, addressed the Commission and noted that he had a suggestion for the development of the vacant land in Seneca West, with R-1 (Single-Family) and changing some of the zoning to R-6 (Garden Home) with the condition of a Tax Increment Reinvestment Zone (TIRZ). He noted that this designation allows money to go back to the property but only if the project is done and approved by the City Council and a special TIRZ Board which specifies zoning, parks, and low-impact development. He explained that the developer has to follow the TIRZ or they are not reimbursed. He noted that the capital improvements in the area were failing and that certificates of obligation could be issued to deal with public improvements.

Patty Manea, 6103 Britania Court, addressed the Commission and noted that she felt that the property in Seneca West was mishandled by developers in the past, but she was interested in development, and improved drainage, streets and lighting in the area. She also noted a concern with the wild hogs noted by Ms. Alcocer.

Guenther Freitag, 4909 Hodges Drive, addressed the Commission and noted the following: lighting is needed in the area, police monitoring of streets because although they have signs that say "no thru traffic" this is regularly ignored, attention to flooding, and overgrown lots behind his home.

David Herrera, 4921 Althea Drive, addressed the Commission and noted concerns with drainage, traffic, street lights, and mosquito and rodent problems.

Hector Flores, Hodges Dive, addressed the Commission and noted he was a long time resident in the area and you cannot even walk along the street in the area; speeding traffic is a big problem. He urged more police monitoring in the area.

Marion Larkin, 6403 Royalty Point, addressed the Commission and requested that the City keep the area behind her home properly mowed along the creek.

Chairman Guerra III noted as part of the discussion the **Sharon Hendricks**, of **6015 Aids Drive** had submitted a letter to the Commission noting that the Master Plan recommendations for Seneca West remain R-1.

Being no further discussion Chairman Claude Guerra III thanked those in attendance for their participation and ended the public meeting discussion. He urged the audience to attend budget meetings to express their needs for street lights, drainage, streets, sidewalks, etc... It was noted that staff would be forwarding the community concerns to the necessary departments, but the Chairman still encouraged residents to inform the Council members regarding their concerns.

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

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

VII. Adjourn

Commissioner Pedro Esquivel, made a motion to adjourn, seconded by Commissioner Phyllis McMillan. The motion carried by voice vote and the meeting was adjourned at 7:45 p.m.



CHAIR



STAFF