

CITY OF LEON VALLEY



CITY COUNCIL SPECIAL & REGULAR MEETING Leon Valley City Council Chambers 6400 El Verde Road, Leon Valley, Texas 78238 Monday, June 09, 2014

AGENDA

SPECIAL CITY COUNCIL MEETING

1. **5:00 P.M.** Call to order, Determine a Quorum is Present.
2. The City Council shall meet in Executive Session under Texas Government Code §551.074 *Personnel Matters* to discuss the following: **M&C# 2014-06-09-01** (S. Passailaigue)

Interviews for Tier I Board Appointments:

- LVEDC
 - 5:00 p.m. – Arthur “Art” Reyna, Jr.
 - 5:15 p.m. – Jose Sanchez
 - 5:30 p.m. – Arnie Jacob
 - 5:45 p.m. – Jose Maldonado
 - 6:00 p.m. – Patricia Manea
- Zoning Commission
 - 6:15 p.m. – David Jordan
 - 6:30 p.m. – Jack Dean

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

REGULAR CITY COUNCIL MEETING AGENDA

1. **7:00 P.M.** Call to order, Determine a Quorum is Present, Pledge of Allegiance.
2. Consideration of Resolution No. 14-006R appointing members to boards/commissions/committees in accordance with Ordinance No. 2014-01-13-02. **M&C 2014-6-9-02** (S. Passailaigue)
3. Public Hearing on the proposed Hike and Bike Trail Improvements planned for the park known as the Huebner-Onion Natural Area Park. **M&C 2014-6-9-03** (M. Moritz)
4. Consideration of Resolution No. 14-007R to determine that the planned improvements related to the Hike and Bike project in the Huebner-Onion Natural Area Park are in the best interest of the citizens and the public (M. Moritz)

5. **Citizens to Be Heard and Time for Objections to the Consent Agenda.** "Citizens to be heard" is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council, for which the subject was not posted on the agenda of that meeting, the Council may receive the information but cannot act upon it during the meeting. Council may direct staff to contact the requestor or ask that the issue be placed on a future agenda for discussion by the Council. **Citizens must sign the appropriate sign-in sheet by 7:15 p.m.**

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

CONSENT AGENDA

6. Approval of City Council Minutes. (Passailaigue)
a) April 14, 2014 Regular City Council Meeting
b) May 12, 2014 Regular City Council Meeting
c) May 17, 2014 Coffee with the Mayor & Council
d) May 20, 2014 Special City Council Meeting
7. Consideration of Resolution No. 14 -008R appointing the Municipal Court Judges of the Leon Valley Municipal Court for a term of two (2) years expiring May 2016. **M&C 2014-6-9-04** (V. Wallace)
8. Consideration of Resolution No. 14-009R authorizing the City Manager to enter into a City Pride Sign Agreement with the Texas Department of Transportation (TxDOT) for the purpose of allowing the installation of new City limit signs along Bandera and Grissom Roads. **M&C 2014-6-9-05** (M. Moritz)
9. Consideration of Ordinance No.14-007, an ordinance of the City Council of the City of Leon Valley, Texas amending the Leon Valley Code of Ordinances Appendix A, "Fee Schedule," adding Section A2.013, "Newsletter Advertisement Fees," for fees to advertise in the City Newsletter. **M&C 2014-6-9-06** (K. Flores)
10. Consideration of Ordinance No. 14-008, approving a budget adjustment for adjustment of the Leon Valley Economic Development Corporation contribution to the Special Events Budget. **M&C 2014-6-9-07** (K. Flores)

REGULAR AGENDA

11. Election of the Mayor Pro-Tem. **M&C 2014-6-9-08** (S. Passailaigue)
12. Consider the appointment of a City Council Member to serve as a liaison to the Leon Valley Bond Oversight Committee. **M&C 2014-6-9-09** (S. Passailaigue)
13. Discussion and possible action to formally establish a process to create a Home Rule Charter Commission for the City of Leon Valley. **Memorandum** (Requested by Councilmember Biever and Councilmember Diaz)

14. Consideration of Ordinance No. 14-009, an ordinance amending the Leon Valley Code of Ordinances, Chapter 1 General Provisions, Article 1.09 Parks and Recreation, Section 1.09.008 (L) Moonwalks and related items. **M&C 2014-6-9-10** (K. Flores)
15. Consideration of Ordinance No. 14-010 approving a budget adjustment for the Municipal Facilities Bond Project for technological equipment and cabling infrastructure in the new Fire Station and Municipal facilities. **M&C 2014-6-9-11** (M. Moritz)
16. Public Hearing with attached ordinance to Consider Specific Use Permit #2014-272, the operation of a "Birthday/Playroom – Kids Only," located generally at 6835 Bandera Road in a B-2 (Retail) zoning district in the Sustainability Overlay district. **WITHDRAWN Memorandum** (K. Flores)
17. Public Hearing with attached Ordinance No. 14-011 to Consider Zoning Case #2014-393, the rezoning of approximately 14.07 acres of land located generally at 6016, 6200, 6312, 6360, and 6400 Grissom Road from the Sustainability Overlay District to the Commercial/Industrial Overlay District within a B-3 (Commercial) zoning district. **M&C 2014-6-9-12** (K. Flores)
18. Public Hearing with attached Ordinance No. 14-012 to Consider Specific Use Permit #2014-273, the operation of a "Restaurant – Not Completely Enclosed," located generally at 6430 Bandera Road in a B-2 (Retail) zoning district in the Sustainability Overlay district. **M&C 2014-6-9-13** (K. Flores)
19. Discussion and possible action on the creation of a Beautification Committee for the City of Leon Valley. **M&C 2014-6-9-14** (Mayor Chris Riley)
20. Discussion of the Volunteer Committee appointment process. **M&C 2014-6-9-15** (Mayor Chris Riley)
21. Discussion of the Rules of Conduct for City Council Business Meetings. **M&C 2014-6-9-16** (Councilman Sanchez and Councilman Martinez)
22. Discussion of topics of discussion for the Coffee with the Mayor and Council on June 14th; and clarification of what constitutes an "excused vs. unexcused absence" of a Council Member at the Coffee. **M&C 2014-6-9-17** (Mayor Chris Riley)
23. Staff Information
 - a. Programmed improvement to Raymond Rimkus Park to include prioritization, timeline for completion and formal approval process. (M. Moritz)
 - b. Update on the 4th of July Celebration. (K. Flores)
 - c. Update on the Fall Jazz Festival. (K. Flores)
 - d. Update on status of the Next Door Neighbor Social Networking program being reviewed by the City Council Communications Sub-Committee. (C. Caldera)
 - e. Update on change in Lions Roar Newsletter (Flores)
 - f. Evers Road Rehabilitation timeline and funding (Dimaline)
24. City Manager's Report
 - a. Capital Facilities Monthly Report
 - b. Monthly Departmental Reports
 - c. Approved Minutes from Boards, Commission and Committees.
 - d. City Employee News and Updates
 - e. Future Agenda Items:

- An Ordinance amending the City Code regarding regulations of Boarders, Commercial Businesses and Vehicles in R-1 Zoning Districts.
- Consideration of a policy regarding the installation of Speed Bumps in Residential areas.
- Joint meeting of the Leon Valley City Council, the Leon Valley Chamber of Commerce and the Leon Valley Economic Development Corporation on July 14, 2014.

25. Citizens to be Heard.

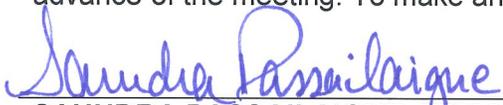
26. Announcements by the Mayor and Council Members. At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday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

27. Adjournment.

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

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

I hereby certify that the above **NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL** was posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, on June 06, 2014 at 2:03 p.m. and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at www.leonvalleytexas.gov. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To make arrangements, call (210) 684-1391, Extension 216.



SAUNDRA PASSAILAIGUE, TRMC
City Secretary



MAYOR AND COUNCIL COMMUNICATION

M&C# 2014-06-09-01

DATE: JUNE 9, 2014
TO: MAYOR AND CITY COUNCIL
FROM: Sandra Passailaigue, City Secretary
THROUGH: Manuel Longoria, Jr., City Manager
SUBJECT: Boards and Commissions Appointments

PURPOSE

The purpose of this Executive Session agenda item is to allow City Council to review the applications and resumes for all NEW Tier I board applicants; and to hold interviews with each applicant pursuant to Ordinance 2014-01-13-02.

Applicability

The term of "Boards and Commissions" shall cover all Advisory Boards, statutory Boards and Commissions, Ad-hoc and Standing Committees, and Corporations. These Boards and Commissions have been categorized into three tiers.

Tier I – Statutory Boards, Commissions and Corporations (Policy Making Authority)

- Board of Adjustments (No applications received)
- Zoning Commission
- Leon Valley Economic Development Corporation

NO VOTE WILL BE TAKEN IN EXECUTIVE SESSION.

FISCAL IMPACT

There is no financial impact associated with this proposed action.

Attachments

Ordinance 2014-01-13-02

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

ORDINANCE 2014-01-13-02

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY ADOPTING A POLICY FOR THE APPOINTMENT OF CITY BOARDS AND COMMISSIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A SAVINGS CLAUSE AND EFFECTIVE DATE

WHEREAS, the City Council is responsible for appointing various boards and commissions; and

WHEREAS, the City currently does not have a policy regarding the appointment of individuals to City boards and Commissions; and

WHEREAS, the City Council desires to have a fair and consistent policy for purposes of appointments to City boards and commissions.

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

- 1. That the City's Code of Ordinances Chapter 1 General Provisions is amended by adding Section 1.06.005, "Appointment of Boards and Commissions" as follows:**

(a) Applicability

The term of "Boards and Commissions" shall cover all Advisory Boards, statutory Boards and Commissions, Ad-hoc and Standing Committees, and Corporations. These Boards and Commissions have been categorized into the following three tiers:

Tier I – Statutory Boards, Commissions and Corporations (Policy Making Authority)

Tier II– Standing Advisory Boards (Serve in an Advisory Capacity)

Tier III- Ad-Hoc and Committees that are called up for a specific task or project. *Committees that fall under this tier could automatically dissolve/sunset upon completion of its charge, or the time prescribed by the City Council. City Council may dissolve/sunset by official action.*

The Tiers of current boards and commission are as provided for in the attached Exhibit "A". Exhibit "A" may amended by Resolution as determined necessary by City Council from time to time.

(b) Application Process

In order to maintain a consistent method of outreach and appointment of members, the following process shall be followed.

1. Tier I and Tier II Board appointments and reappointments will be conducted by Mayor and Council two times per year, in January and June, which coincide with 1) the beginning of the calendar year; and 2) Mayor and Council terms.
 - a. The Chairperson of a Tier I and Tier II Board may request consideration of appointments for a vacancy outside of the appointment schedule if there is a critical need for immediate consideration.
 - b. Appointments for Tier III Committees will be on-going, do not require interviews and will be scheduled for City Council consideration at regular monthly City Council meetings.
2. Vacancies and call for applications will be publicized through existing City communications (i.e. newsletter, website, email announcement), and shall include a deadline for submission of an application by a date and standardized timeframe, i.e. Regular Business Hours of 7:30 a.m. to 5:30 p.m., Monday through Thursday, and 7:30 a.m. to 11:30 a.m. on Friday.
3. All applications will be submitted to the City, through the City Secretary, and shall be time and date stamped upon receipt by staff, if delivered in person. Applications submitted by fax or email must arrive by the defined deadline listed in the notice calling for applications.
4. The applicant shall provide information on the application regarding criminal background and will be subject to a criminal background check.
5. A slate of applicants with their applications that are received by the advertised deadline will be forwarded to the Mayor and Council for review.
6. Interviews will be conducted for first time applicants for Tier I Boards and Commissions only; and will be scheduled during a work session of the full City Council; and will appear on the Regular Agenda as an action item.
 - a. Sitting board members who wish to serve an additional term will be required to submit an updated application by the advertised deadline to be considered for reappointment; however, an interview will not be required.

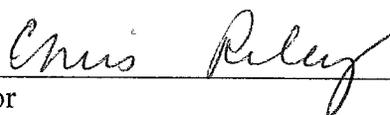
(c) Performance Measures

Below are measures to be included in the policy for use by Mayor and Council when evaluating appointments and re-appointments to its Boards and Commissions.

1. Attendance shall be tracked on an attendance log and kept by the staff liaison, and readily available to view by City Council.
2. All approved meeting minutes shall be included in the City Council agenda packet for review, and will be placed on the website.
3. Staff liaisons must track and report to the City Secretary any problem noted as soon as possible with the following issues:
 - a. If a member misses three (3) consecutive meetings of all regular meetings in a 12-month period
 - b. If a board member has any changes to their contact information, address, employment, etc.
 - c. If a board is failing to meet for any reason for more than six months
 - d. If a board member resigns
4. Members that are absent for three consecutive meetings, except for illness or disability, without first being excused by the Chairperson, shall be deemed to have vacated the position and the City Council may appoint a new member to fill the unexpired term during the next board and commission work session, or as requested by the Chairperson.

5. A member who is automatically removed from a board or commission for failure to meet the attendance requirement is ineligible to seek appointment to any board or commission for a period of one calendar year from the date of the member's automatic removal.
6. The Mayor and Council may request that some boards and commissions conduct an annual review and work plan. Council will designate which boards will conduct an annual review by December 31st of each year. The report will be due during the first quarter of the following year. The staff liaison is responsible for making sure that the review is done and the report is filed in a timely manner.
7. **Tier I** members shall follow the same requirements set for Mayor and Council, regarding the completion of a sanctioned training course on the Texas Public Information Act and Open Meetings Act, within a reasonable timeframe after appointment.
2. **This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Nothing contained in this Ordinance generally or this chapter specifically shall be construed to allow the violation of any residential deed restriction.**
3. **Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.**
4. **This ordinance shall become effective on and after its passage, approval and publication as prescribed by law.**

PASSED and APPROVED this 13th day of January, 2014.



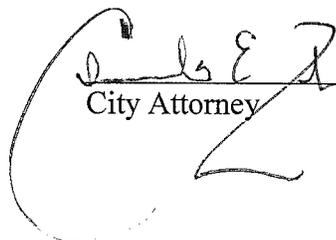
Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney

Exhibit "A"
Boards and Commissions Categories

Tier I Boards and Commissions
(Interviews Conducted for Applicants)

Board of Adjustment
Leon Valley Economic Development Corporation
Zoning and Land Use Commission

Tier II Boards and Commissions

Community Events
Earthwise Living Committee
Leon Valley 2012 Bond Oversight Committee
Library Board
Parks Commission
Stormwater Management Program
Tree Advisory Board

Tier III Boards and Commissions

Bandera Road Site - Community Advisory Group (CAG)
Branding Committee
Business Owners and Managers' Alliance (BOMA) - *inactive*
Communications Committee
Festival Committee

MAYOR AND COUNCIL COMMUNICATION

M&C# 2014-06-09-02

DATE: JUNE 09, 2014
TO: MAYOR AND CITY COUNCIL
FROM: Sandra Passailaigue, City Secretary
THROUGH: Manuel Longoria, Jr., City Manager
SUBJECT: Resolution No. 14-006R appointing members to boards/commissions.

PURPOSE

This item was placed on the City Council agenda to allow for the appointment of members of boards/commissions pursuant to City Code.

- The LVEDC has one (1) vacancy for Place 1; there is also a request to re-appoint Claude Guerra, III, Mike McCarley and Georgia Zannaras.
 - Applications received for this position are from the following: Jose Maldonado, Arnie Jacob, Jose Sanchez, Jr., Arthur “Art” Reyna, Jr., and Patricia Manea. *All applicants for re-appointment have also submitted applications.

- The Zoning Commission has three (3) vacancies which are for Alternate 1, 2, and 3; there is also a request to re-appoint Hal Burnside, Carlos Fernandez and Nicole Monsibais.
 - Applications received for these positions are from the following: David Jacob and Jack Dean. *All applicants for re-appointment have also submitted applications.

***APPLICATIONS WERE REVIEWED BY CITY COUNCIL DURING EXECUTIVE SESSION.**

APPROVED: _____ DISAPPROVED: _____

COMMENTS OR DIRECTION GIVEN OR ACTION TAKEN: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

RESOLUTION No. 14-006R

A RESOLUTION OF THE CITY OF LEON VALLEY CITY COUNCIL APPOINTING MEMBERS TO THE LEON VALLEY ECONOMIC DEVELOPMENT BOARD OF DIRECTORS AND THE ZONING COMMISSION.

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

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

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

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

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

LEON VALLEY ECONOMIC DEVELOPMENT BOARD OF DIRECTORS

- Member – Place 1** _____ Immediate – September 30, 2015
- Member – Place 3** _____ Immediate – September 30, 2015
- Member – Place 5** _____ Immediate – September 30, 2015
- Member – Place 7** _____ Immediate – September 30, 2015

ZONING COMMISSION

Alternate Members (3 vacancies)

- 1** _____ Immediate – May 31, 2015
- 2** _____ Immediate – May 31, 2016
- 3** _____ Immediate – May 31, 2015

- Member – Place 2** _____ Immediate – May 31, 2016
- Member – Place 4** _____ Immediate – May 31, 2016
- Member – Place 6** _____ Immediate – May 31, 2016

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

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

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 9th day of June, 2014.

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form: _____
CHARLES ZECH, City Attorney

MAYOR AND COUNCIL COMMUNICATION

DATE: June 9, 2014
M&C # M&C 2014-6-9-03

TO: MAYOR AND CITY COUNCIL

SUBJECT: PUBLIC HEARING HIKE AND BIKE TRAIL

PURPOSE

To hold a public hearing and to consider a resolution for planned improvements to a portion of the Huebner-Onion Natural Area Park, as mandated by Ord. No. 08-058, Section 2, which states:

“After public hearing, and determination by City Council that is in the best interests of the citizens and the public, the City may determine to utilize and enhance the subject park by granting easements for municipal and private utilities and other improvements.

The Hike and Bike Trail will start at Evers Road and then continue through Raymond Rimkus Park, along Huebner Creek in the Huebner-Onion Natural Area Park, and end on the southbound side of the Bandera Road bridge.

FISCAL IMPACT

The trail has already been funded through the MPO and from CIED funds.

RECOMMENDATION

To approve a resolution for Hike & Bike Trail, resolving that the planned Improvements related to the Hike & Bike Project in the Huebner-Onion Natural Area Park are in the best interests of the citizens and public.

S.E.E. IMPACT STATEMENT

Social Equity – The trail will provide outdoor recreational opportunities for all citizens.

Economic Development – Maintaining attractive recreational resources provides additional incentive for citizens and businesses to relocate or stay in Leon Valley.

Environmental Stewardship – A Hike & Bike Trail is a prudent use of natural resources and assures a highest and best use of our floodplain/way properties.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

City of Leon Valley Hike & Bike Trail Public Hearing

City Council Meeting

June 9, 2014

Agenda Items # 3 & 4

Purpose

- To hold a public hearing on planned improvements to a portion of the Huebner-Onion Natural Area Park, as mandated by Ord. No. 08-058, Section 2, which states:
 - *After public hearing, and determination by City Council that is in the best interests of the citizens and the public, the City may determine to utilize and enhance the subject park by granting easements for municipal and private utilities and other improvements.*
- Hike & Bike Trail will be approximately 0.85 of a mile

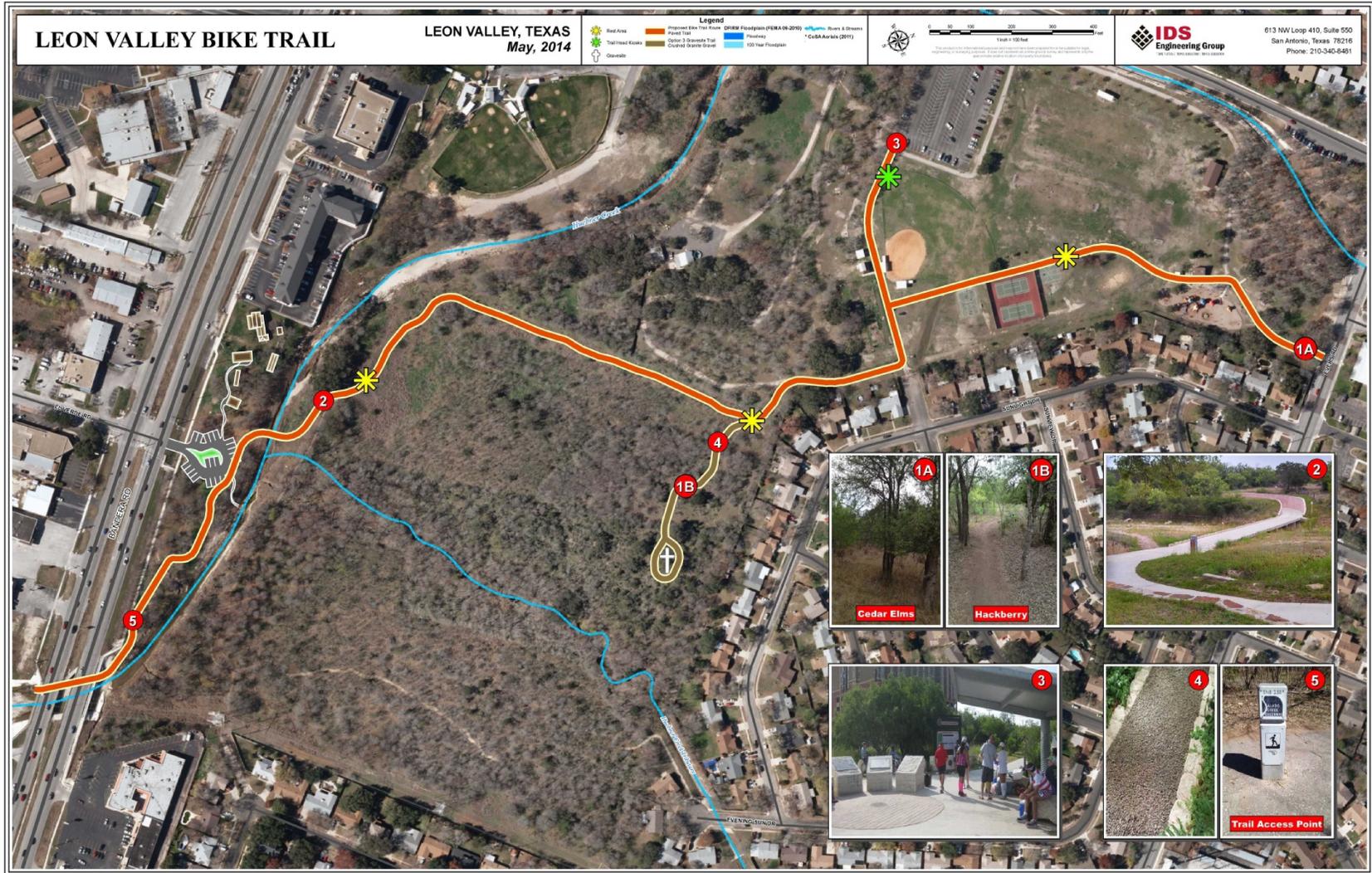
Background

- **December 6, 2011**: Authorize the Filing of application with San Antonio Bexar County MPO for the Hike and Bike Grant
- **November 2, 2012**: A Joint Meeting with the LVHS and input was given on the conceptual trail design
- **Jan 26, 2013**: Town Hall meeting to present conceptual design to public (3,000 post cards sent)
- **August 6, 2013**: Ordinance Authorizing the City Manager to enter into contract with IDS Engineering (\$177,957)
- **Nov 12, 2013**: IDS Engineering presented conceptual trail design to Park Commission
- **December 9, 2013**: Hike & Bike Presentation on development process for hike & bike process and public input
 - All Citizens received notice of Public Hearing scheduled for Jan. 9 2014 (over 3000 postcard sent)

Background

- **Jan 2, 2014** : Met with Historical Society to discuss trail alignment
- **January 9,2014**: Hike and Bike Public Meeting for Citizen Input
 - Over 50-60 citizens attended and were surveyed
- **January 13,2014**: Report from IDS Engineering on Citizen Input
 - 43 surveys received, with 62.5% in support
- **Jan 14, 2014**: Met with Park Commission to present trail alignment options & results of poll from Public Meeting
- **February 10, 2014**: Ordinance Approving Final Alignment Configuration

Trail Design



Planned Improvements



Granite Gravel Path



Trailhead & Wayfinding



ADA Trail surface



Elevated water crossings

Planned Improvements



Trail Markers



Boulder Seating



Water Fountains

S.E.E. Statement

- Social Equity – The trail will provide outdoor recreational opportunities for all citizens
- Economic Development – Maintaining attractive recreational resources provides additional incentive for citizens and businesses to relocate or stay in Leon Valley
- Environmental Stewardship – A Hike & Bike Trail is a prudent use of natural resources and assures a highest and best use of our floodplain/way properties

Companion Item #3

- To comply with Ordinance No. 08-058
- Consideration of Resolution:
 - Planned Improvements related to the Hike & Bike Project in the Huebner-Onion Natural Area Park are in the best interests of the citizens and public.
- Staff recommends approval

City of Leon Valley Hike & Bike Trail Public Hearing

City Council Meeting

June 9, 2014

Agenda Items # 3 & 4

CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS
APRIL 14, 2014

The City Council of the City of Leon Valley, Texas met on the 14th day of April 2014 at 6:00 p.m. at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business.

PRESENTATIONS AND CEREMONIAL ITEMS – 6:00 P.M.

Mayor Chris Riley called this portion of tonight's meeting to order at 6:10 p.m.

Proclamation declaring May 6th Big Give S.A. Day.

Mayor Riley introduced a program brought to her attention by a gentleman named John Burnham called *The Big Give S.A.* The purpose of this community-wide challenge is to increase public awareness of the impact local nonprofits make in addressing community challenges; bringing nonprofits and volunteers together. This event is part of the national day of giving called Give Local America; therefore, Mayor Riley read aloud a proclamation declaring May 6th Big Give S.A. Day.

Mayor Riley introduced program directors Brenda Knowles and Mary Fuentes-Valdez of Youth Transitioning into Adulthood (YTIA) which is a nonprofit organization geared at preparing youth in foster care to enter into the "real world". Their goal is to raise \$100,000 to help these children succeed.

Mayor Riley then introduced Juan Medina from the Texas Diaper Bank, also a nonprofit organization. Mr. Medina said that this organization diapers about 5000 babies from San Antonio and the surrounding areas annually.

Mayor Riley also mentioned Leroy Jacobson, Director of Campus Life at Marshall and Pat Neff, for his service. Mr. Jacobson was not in attendance this evening.

Both organizations that were present were presented a proclamation.

Proclamation to the SST-Discovery Science Olympiad team for earning twenty (20) gold, six (6) silver and four (4) bronze medals in the Stephenville Regional Science Olympiad.

Mayor Riley presented a proclamation recognizing achievement and introduced Mr. Mugire Ayci of the School of Science and Technology (SST). Mr. Ayci spoke of the accomplishments of his students in winning twenty (20) gold, six (6) silver and four (4) bronze medals in the recent Stephenville Regional Science Olympiad. Student Zaineb Hassouneh came to the podium to express her gratitude to Mr. Ayci for all he has done for her and her fellow classmates. Mr. Ayci and Mayor Riley then called up the following students to be recognized: Seana Barclay, Gabriel Casanova, Zaineb Hassouneh, Alexander Gavaghan, Ismael Albarati, Nicole Hernandez, Sadiqua Hassan, Andrea Negro, Ray Bernal, Dominique Pena, Amel Juini, Remy Freeman, David Hefner, Laura Gonzalez and Anthony Coronado.

CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS
APRIL 14, 2014

Presentation by staff of the Edwards Aquifer Authority regarding water conservation initiatives for Bexar County and the Region. (Mayor Riley)

Mayor Riley announced that this item would not be discussed this evening but would be placed on the next meeting agenda.

Leon Valley Historical Society 2013 annual report. (Leon Valley Historical Society President, Mark Eisenhower)

Mayor Riley introduced Mark Eisenhower, President of the Leon Valley Historical Society (LVHS), to present the Leon Valley Historical Society's 2013 annual report. Mr. Eisenhower apologized for not being prepared and passed the presentation over to Darby Riley who presented the 9th annual report on the Historical Society's stewardship of the 36-acre natural area. The presentation showed students from Northwest Vista College searching for fossils and artifacts in the creek. Mr. Riley said the LVHS had a busy year with the following: maintenance and clean-up of the area was performed which was necessary due to heavy rains; assisted with expansions of the fire break; participated in the Earthwise Living event; and held discussions on the hike & bike trails. Mr. Riley reported that what the LVHS would like to do in their tenth year of the lease is to continue to try to develop a long term partnership agreement with the City; promote a quarterly series of educational tours of the property that we can try to advertise so people would come out in the morning to look at birds, geology, etc.; hold another Homestead Under the Stars event. Mr. Riley added that the LVHS received two (2) grants last week totaling \$25,000, which will help with the matching of the \$30,000 grant from the Huebner Family. Mr. Riley said he was certain they would meet that match later this month enabling them to move forward with the replacement of the porch. There will also be a 5k run/walk in November.

Councilman Diaz congratulated the Historical Society on the Homestead Under the Stars event adding that he attended and enjoyed it very much.

Mayor Riley adjourned this portion of tonight's meeting at 6:40 p.m. and the Council took a twenty (20) minute recess.

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

Call to order and Pledge of Allegiance.

Mayor Riley called the Regular City Council Meeting to order at 7:02 p.m. and asked that the minutes reflect that all of the members of City Council were present: Council Members Art Reyna, Ricardo Ruiz, Jack Dean, Abraham Diaz, and Paul Bieber.

City Manager Manuel Longoria, Jr., City Secretary Sandra Passailaigue, Human Resources Director Crystal Caldera, Fire Chief Luis Valdez, Police Chief Randall Wallace, Economic

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Development Director Claudia Mora, Director of Public Works Melinda Moritz, Assistant Public Works Director David Dimaline, and Community Development Director Kristie Flores were also present.

Mayor Riley asked Mr. Karl Riemann of 7411 Belmont Place to lead the Pledge of Allegiance.

Mayor Riley then read aloud the recently approved rules on citizens to be heard as adopted by City Council in January of this year.

Affirming by Ordinance No. 14-01, the City Manager selection of Sandra Passailaigue as the City of Leon Valley City Secretary. M&C 04-01-14 (Longoria)

City Manager Longoria introduced Sandra Passailaigue and gave a brief background on her to the Council and guests. Ms. Passailaigue is the first certified municipal clerk the City of Leon Valley has ever had, and she brings a lot of experience to the City.

A motion was made by Councilman Dean, seconded by Councilman Reyna, to confirm City Manager Longoria's selection of Sandra Passailaigue as City Secretary of the City of Leon Valley, Texas. Upon a unanimous vote, Mayor Riley announced the motion carried and was approved.

Citizens to be heard and time for objections to the Consent Agenda.

Councilman Biever requested that Item 11 of tonight's agenda be pulled for discussion.

Mayor Riley then went on to citizens to be heard.

- Elizabeth Maloy – 7411 Chenal Pt. – spoke on the City of Leon Valley becoming a Home Rule City and request the question, “shall a commission be chosen to frame a new charter” to be placed on the next City Council agenda for LGC Title 2, Chapter 9 § 9.002.
- Karl Riemann – 7411 Belmont Pl. – Encouraged the members of City Council to do their homework and ask questions.
- Patricia Manea – 6103 Britania Ct. – Asked that the members of City Council accept applicants of boards/commissions/committees when they receive them, and keep personal interests out of the decision making process.
- Irene Baldrige – 6368 Parsley Hill – spoke in opposition to the presentations and ceremonial items being held at 6:00 p.m. and asked City Council to reconsider holding these items at the regular time.
- Pat Martinez – 6319 Rue Sophie – deferred comments to Item 11.
- Rita Burnside – 6938 Forest Way – deferred comments to Item 11
- Lyn Joseph – 6423 Trotter Ln. – requested information on when the new DPS facility would be complete.

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- *As allowed by Attorney General Opinion JC 0169, City Manager Longoria provided a factual response stating that 95% of the work the contractor was to perform had been done according to the engineering report he received about a year ago. Mr. Longoria and the Public Works Director are currently working with TxDOT to upgrade and improve the signal light.*
- Olen Yarnell – 7230 Sulky Ln. – distributed letters to each member of City Council in regards to the hike & bike trails and asked for a timely response. Mr. Yarnell also questioned the minutes from March 2014 where “citizen comments were suspended” and asked for clarification on this.
 - City Attorney Zech responded that the- issue is that the decision making by each individual Council member as to the reason they vote the way they did, and I can't read their minds, so I don't know why they voted the way they did. This is my observation and my observation only: last meeting, there was no question about what the ordinance said; nobody asked me whether or not it was appropriate or not under the ordinance. Actually, I don't even think I realized the ordinance discussed this specifically, so we refer to the rules of Robert's Rules of Order which does allow for a suspension of the rules for purposes of certain items. Tonight, specifically, the Mayor asked me, “can we do that?” and I said, “I don't know, do we have an ordinance?” I questioned it and apparently we do as it was provided to me, I read it. The ordinance did not provide for an allowance of suspending the rules for agenda items but it does allow for giving more time on high volume of things under Citizens to be Heard which is what we are talking about now. So I may or may not have given the same rule at last month's meeting but that's probably the reason why, but again, that is just my observation. Generally speaking, under what the ordinance says is that it can allow for more time when there is a high volume for citizens to be heard but the ordinance does not have the same language for an agenda item. According to the ordinance in place, it can be done for certain for certain things under Citizens to be Heard but not for an agenda item and from my recollection, it was for Citizens to be Heard at the last meeting. If the Council wishes to change this, we would need to bring back another ordinance to amend the current ordinance. City Council adopted Resolution No. 2014R-01-13-01 on January 13, 2014, and that this resolution does limit the time for citizen comments for the citizens to be heard portion of the meeting, whereas there is no time limit stated on actual agenda items.
- Pedro Esquivel – 7207 Forest Meadows – deferred comments to Item 11.

CONSENT AGENDA

Approval of the March 10, 2014 City Council Regular Meeting Minutes. (Caldera)

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Comment [SP1]: Mr. Yarnell asked at the May 12, 2014 meeting that I clarify this portion of the April minutes. The Council voted and approved his request.

I have reviewed the recording and inserted what City Attorney Zech said in response to Mr. Yarnell's comment.

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Approval of the March 8, 2014 Coffee with the Mayor & City Council Minutes. (Caldera)

Approval of the rescheduling of the May 10, 2014 Coffee with the Mayor & City Council, due to the City of Leon Valley's General Election being held on this day. The meeting will be rescheduled to Saturday, May 17, 2014 M&C 04-02-01. (Requested by Councilman Art Reyna and Councilman Jack Dean)

A motion was made by Councilman Reyna, seconded by Councilman Dean, to approve the Consent Agenda items as listed above. Upon a unanimous vote, Mayor Riley announced the motion carried and all listed Consent Agenda items were approved.

REGULAR AGENDA

Approval of M&C 04-03-14 to waive all fees associated with the rental of the Leon Valley Conference Center located at 6427 Evers Road to the League of Women Voters to host a meet the candidate forum on Thursday, April 24, 2014 at 7:00 p.m. (League President, Phyllis Ingram)

Mayor Riley introduced the item and invited Ms. Phyllis Ingram, President of the League of Women Voters, to the podium. Ms. Ingram began by saying that the League of Women Voters is a non-partisan, non-political organization that encourages active and informed participation in government. In the past, the candidate forum was held at the Leon Valley Library but that is no longer an option; and therefore, they are asking to hold it at the Leon Valley Conference Center, and are asking the City Council to waive the rental fee associated with its use.

This item was followed by Council discussion, followed by Mayor Riley calling upon the citizens that previously signed up to speak on this item.

- Rita Burnside – 6938 Forest Way – spoke in favor of waiving the fee.
- Pedro Esquivel – 7207 Forest Meadows – spoke in favor of waiving the fee but also suggested that City Council consider a policy on how to place limits on what groups would be eligible for a waiver.
- Albert Uvietta – 6923 Sunlight Dr. – spoke in favor of waiving the fee.
- Benny Martinez – 6319 Rue Sophie – spoke in favor of the event being held at the Leon Valley Library and in favor of waiving the fee.
- Patricia Manea – 6103 Britania Ct. – questioned how she would be able to submit her questions for the candidate forum while she is out of town; asking for a means of submitting questions and to whom be communicated. Ms. Manea also spoke in regards to a need for a policy on how events such as this are handled.
 - Mr. Longoria suggested that since this is a League of Women Voters event Ms. Manea submit her questions directly to them and not the City since it is not a City event.

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Councilman Reyna suggested that the waiver issue come back at the next Council meeting. Councilman Reyna also said that the Chamber had also offered to host the event. Mr. Joe Maldonado, President of the Leon Valley Area Chamber was in attendance and Mayor Riley invited him to the podium. Mr. Maldonado stated that the Chamber would like to work with the League of Women Voters to host the event. Ms. Ingram said she would be happy to work with the Chamber as well.

A motion was made by Councilman Bieber, seconded by Councilman Reyna, to waive the fees conditioned upon the League of Women Voters working with the Leon Valley Area Chamber of Commerce to provide a joint candidates forum. Upon a unanimous vote, Mayor Riley announced the motion carried.

Consider Amendments to the City's Zoning Regulations with a Public Hearing and Attached Ordinance No. 14-02, related to the regulation of non-chartered financial institutions. M&C 04-04-14 (Flores)

Community Development Director Kristie Flores stated that this is an item in consideration of amending the zoning ordinance regulations on non-chartered financial institutions. Last year, a ninety (90) day moratorium was placed on institutions such as car title institutions, pay day loans, and check cashing businesses; and as of March 18th that moratorium had expired. During the moratorium, staff was to research, draft and bring back to City Council an ordinance to regulate these types of businesses. The proposed ordinance includes definitions, distance regulations and signage regulations on these types of businesses. The permitted use table was also amended. Zoning Commission Chairman Claude Guerra also spoke in regards to this item.

Mayor Riley opened the Public Hearing at 8:10 p.m.

There being no further comments from the public, Mayor Riley closed the Public Hearing at 8:10 p.m.

A motion was made by Councilman Bieber, seconded by Councilman Ruiz, to adopt Ordinance No. 14-02 to include the recommendations by the Zoning Commission regarding the home mortgages and home equity. Upon a unanimous vote, Mayor Riley announced the motion carried.

A Public Hearing, first reading, and consideration of Resolution No. 14-01R approving the contribution (expenditure) of \$15,000 from the Leon Valley Economic Development Corporation (LVEDC) for the LVEDC co-sponsorship of the Leon Valley 4th of July Celebration and Fall Jazz Festival. M&C 04-05-14 (Mora)

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Economic Development Director Claudia Mora presented the item stating that this is the first public hearing and first reading as required by Charter. The second public hearing and reading are scheduled for May 12, 2014 where the City Council will vote on the resolution.

The requested \$15,000 will be used for co-sponsorship of the July 4th Celebration and the Fall Jazz Festival, with \$5000 being used equally, (\$2500 for the Jazz Festival and \$2500 for the July 4th Celebration) to pay for advertisements through Clear Channel Communications. The balance of \$10,000 will primarily be used to take care of management items for the 4th of July Celebration. Such as project management and consultants fees. ~~split between the two events for promotional advertising.~~

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Comment [SP2]: Mayor asked that I include that "the expenditure was \$10,000 to the 4th of July and \$5,000 to be split between the two events for advertising". The Council voted and approved this request.

I have included what was recording in reference to this issue.

Mayor Riley opened the Public Hearing at 8:17 p.m.

- Betty Elmer – 7115 Larksong – asked how the Leon Valley Economic Development Corporation (LVEDC) is funded.
 - Ms. Mora responded to the question by stating that the LVEDC is funded through sales tax (1% of 1/8 of the sales tax). The City of Leon Valley's LVEDC has been averaging about \$200,000 annually, and we are currently seeing an increase of about 14% sales tax.

There being no further comments from the public, Mayor Riley closed the Public Hearing at 8:21 p.m.

Presentation by City Staff of the policy concerning the one Regular Business City Council Meeting six-month trial period. M&C 04-06-14 (Caldera)

Human Resources Director Crystal Caldera presented this item. Ms. Caldera stated that in September of 2013, City Council approved Ordinance No. 2013-09-17-10 which amended the Regular City Council meetings from twice a month to once a month, as well as established the monthly Coffee with the Mayor and City Council. At that time, staff was directed to bring back to Council a six-month review indicating meeting length, number of agenda items and attendance between the twice-monthly and the once-monthly meetings. Ms. Caldera's presentation indicated that during the last six-months and having only one meeting a month, the length of the meetings did not change. Agenda items also averaged about the same with around twenty (20) items per agenda. Attendance did increase slightly.

This was item was followed by Council discussion, followed by Mayor Riley calling upon the citizens that previously signed up to speak on this item.

- Pedro Esquivel – 7207 Forest Meadows – spoke in favor of going back to two meetings per month.
- Benny Martinez – 6319 Rue Sophie – spoke in favor of going back to two meetings per month.

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- Olen Yarnell – 7230 Sulky Ln. – spoke in favor of going back to two meetings per month and to continue with the Coffee with the Mayor and Council.
- Elizabeth Maloy – 7411 Chenal Pt. – spoke in favor of going back to two meetings per month.
- Patricia Manea – 6103 Britania Ct. – spoke in favor of going back to two meetings per month.
- Carmen Sanchez – 7306 Ellerby Pt. - spoke in favor of going back to two meetings per month.

Discussion and possible action on the operation of the Leon Valley Community Pool.
M&C 04-07-14 (Dimaline)

Assistant Public Works Director David Dimaline presented this item. Mr. Dimaline reported the following: The pool revenue for 2013 was \$13,603 with expenditures of \$16,239; forty-three (43) memberships (family & individual), six-hundred-sixty-four (664) walk-ins averaging about nine (9) per day and six (6) party rentals. It was reported last month that there were some repairs needed in the amount of \$24,000 for which a request for bids was advertised for. Twenty-five (25) firms were contacted, and site visits were provided. The City received six (6) bids with a low bid of \$36,027 coming in from Aquatica Pool Management, Inc. out of San Antonio. This bid included an opening of Memorial Day to Labor Day, three (3) lifeguards and the responsibility of maintaining water quality and logging three (3) times daily, collecting fees and monitoring membership. There is a proposed schedule of being closed Sunday and Monday, Tuesday through Thursday being open from 10:00 a.m. – 7:00 p.m. and Friday and Saturday open from 10:00 a.m. – 8:00 p.m.

Mr. Dimaline conveyed that the recommendation from the Park Commission is that the City Council consider an alternate use of the pool resulting in closure of the pool, and that the land would be better put to use as a splash pad with other playground type equipment.

Mr. Dimaline added that an online survey had been made available on the City's website and that survey consisted of nine (9) questions. The survey was posted from March 15, 2014 through April 4, 2014. A total of one-hundred-sixty-four (164) responses with sixty-three percent (63%) being actual users of the pool. The results of the survey indicate the following:

On a scale of 1-10 with 10 being very important, how important to you is the pool? Rating of 7

If the pool was removed, what feature(s) would you like to see?

44% - splash pad; 26% - pavilion; 22% - basketball court; 26% - picnic area; and 19% - skate park.

If the pool remained open, what improvements would you like to see?

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7 – more affordable; 16 – better management; 13 – better upkeep; 26 – improvements to facilities; 9 – no changes; 6 – longer hours; and 14 – other (more space, close the pool, more children activities)

Mr. Dimaline concluded by presenting two options: Option 1 – open the pool and contract with Aquatica, Inc. A budget adjustment of \$56,527 would be required. Option 2 – Implement the Park Commission's recommendation. City Council would be able to take action on this at the May 12th Regular meeting.

This item was followed by Council discussion, followed by Mayor Riley calling upon the citizens that previously signed up to speak on this item.

- Lori Kelly – 6615 N. Forest Bend – read a letter from Tom Kelly.
- Benny Martinez – 6319 Rue Sophie – spoke in favor operating the pool in the same manner as the park and not use an outside company.
- Pedro Esquivel – 7207 Forest Meadows – spoke in favor of keeping the pool and charging a minimal fee and be self-sustaining.
- Olen Yarnell – 7230 Sulky Ln. – asked if the Council could take action on this item tonight and also questioned the timing of this issue being so close to opening day.
- Carolyn Gabriel – 6014 N. Forest Bend – spoke in opposition of the poll and the questions on the poll and also asked that the word be put out that the pool is open and maybe this would help increase membership. Ms. Gabriel also expressed her opposition to the proposed operational hours.
- Carmen Sanchez – 7306 Ellerby Pt. – mentioned the possibility of grant revenue to help offset the cost of repairs and maintenance of the pool.
- Rebecca Cooley – 6619 Cherryleaf Dr. – presented a slide show of the swim team.
- Brigid Cooley – 6619 Cherryleaf Dr. – thanked members of City Council for listening to the children of Leon Valley on this pool issue.

Councilman Reyna expressed concerns with the quote on repairs and asked that staff look into other options with a goal of reducing projected expenses.

Councilman Diaz thanked Miss. Brigid Cooley for speaking on this item and also asked that staff look into the code mentioned in Mr. Kelly's letter to get more information.

Councilman Dean informed those in attendance that the City Council as well as staff do want the pool to open and will do whatever it takes to make it happen in time.

Mayor Riley said we need to find someone locally to manage the pool.

A motion was made by Councilman Reyna that the City Manager gather the information discussed tonight as the information we want that has been recommended from the two CPO's

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represented here today, and that it be presented back to Council on May 12th, which includes our own expert to tell us if the \$24,000 is needed, with the numbers we need to determine when the pool opens, do we allow people to have it for free, do we have charge, and any other factor that will be a factor in helping Council make and intelligent decision. Upon a unanimous vote, Mayor Riley announced the motion carried.

There being no second to the motion, Councilman Reyna withdrew his motion.

A motion was made by Councilman Biever, seconded by Councilman Reyna, to instruct the City Manager to bring back to the next City Council meeting the material we need to make a financially responsible decision about opening the pool. Upon a unanimous vote, Mayor Riley announced the motion carried.

DISCUSSION AGENDA

Presentation and report by Waters Consulting on City of Leon Valley Personnel Compensation Study. M&C 04-08-14 (Consultant Linda Wishard)

Human Resources Director Caldera asked that this item be postponed to the next Council meeting due to a scheduling conflict.

City Manager's Report.

- a) Capital Facilities Monthly Report
- b) Update on the MPO Evers Road Grant
- c) \$100,000 accounting on the Park improvements
- d) Monthly Departmental Reports
- e) Approved Minutes from Boards, Commission and Committees
- f) City Employee news and updates
- g) Future Agenda Items:
 - Consideration and approval of the 2014 updated Strategic Plan.
 - An ordinance amending the City Code regarding regulations of boarders, commercial businesses and vehicles in R-1 zoning districts.

City Manager Manuel Longoria, Jr. reported on the following: A) The project is on schedule with the plumbing and electrical rough-in being completed with the expectation of the foundation being poured by the end of the month. Mr. Longoria added that the biggest expenditure to the ~~project~~ project to date is the design which is \$377,117 but the construction cost is set at \$6,736,460. The whole project is at \$7,367,144. On the fire station lots Mayor, you will see that we budgeted \$55,000 and the actual expense was \$56,785. Primarily the purchase of the lots was \$54,000 but we had some closing costs that were incorporated as a part of that so basically we came in a little over the budget. Mr. Longoria wanted Council to be

Comment [SP3]: Mayor asked that the "explanation from the CM on why the \$55,000 for fire station lots were added as an expense that we had not accounted for previously" be added to the minutes. The Council voted and approved this request.

I have included what was recording in reference to this issue.

Comment [SP4]: Mayor asked that "verification that the street will remain as a 4 lane road and that the rehab will be funded from the street maintenance fund, with a plan to be forthcoming to council" be added to the minutes. The Council voted and approved this request.

I have included what was recording in reference to this issue.

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aware that they should start seeing some of that money being expended. B) The City applied for a \$1.5 million dollar MPO grant to which there were fifty-six (56) applicants total and unfortunately, Leon Valley was not ~~the a~~ selected recipient. Mayor Riley asked City Manager Longoria how many lanes Evers Road would be once this project was complete and Mr. Longoria replied that the conceptual plan that Council approved indicated that Evers Road would remain four (4) lanes resurfaced. C) Public Works Director Smith-Moritz reported that Park improvements have begun with: the replacement of picnic table tops that are “vandal resistant”, -the large barbeque pit was fine and did not need repairs, additional ADA picnic tables will be installed, more soft-fall mulch was added to the playground, removed unsafe slides, sun covers will be installed over the children’s area, placement of benches at the tennis and basketball courts, enlargement of one of the basketball courts, and then resurfacing the basketball and tennis courts. The budgeted amount for this is \$100,000, but Ms. Smith said she is still getting estimates and feels there could be some savings for most of this work by using staff to do the work.

Citizens to be heard.

- Olen Yarnell – 7230 Sulky Ln. – asked that someone look into improving the microphone/audio system in Chambers.

Announcements by the Mayor and Council Members.

City Attorney Zech informed the City Council and staff of the 2014 Hog Wild event being held on May 23, 2014.

Councilman Diaz asked that our new IT staff do more on Facebook, website and other social media to get information out to citizens in a timely manner. Councilman Diaz also recognized the Leon Valley Fire Department for representing the City of Leon Valley for an outstanding performance in the recent Tower Climb. Two of the LVFD team came in top five and one, Mr. Ramiro Cano, came in at Third Place, missing it by four (4) seconds. Gabriel Nerio came in at Fifth Place and Andy Patterson at Tenth Place. This climb was done in full gear, weighing sixty (60) pounds.

Councilman Biever mentioned that he handed out thirty (30) Leon Valley Fiesta medals at Oyster Bake and that everyone has complemented on how great they look.

Mayor Riley expressed concerns brought to her attention regarding some code enforcement issues that she would like to see resolved.

Executive Session.

There was no Executive Session this evening.

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Adjourn

Hearing no further business, a motion was made by Councilman Dean, seconded by Councilman Diaz, to adjourn the meeting. Mayor Riley announced the meeting adjourned at 10:15 p.m.

APPROVED

CHRIS RILEY
MAYOR

ATTEST:
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

CITY OF LEON VALLEY



CITY COUNCIL REGULAR MEETING

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Monday, May 12, 2014

MINUTES

The City Council of the City of Leon Valley, Texas met on the 12th day of May 2014 at 6:45 p.m. at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business.

PRESENTATIONS AND CEREMONIAL ITEMS – 6:45 P.M.

Mayor Chris Riley called this portion of tonight's meeting to order at 6:47 p.m.

Proclamation declaring May as Motorcycle Safety Awareness Month.

Mayor Riley presented a proclamation to Mr. John Caillouette, Safety and Awareness Coordinator, San Antonio Region, Texas Confederation of Clubs and Independent Riders declaring May as Motorcycle Safety Awareness Month in the City of Leon Valley, Texas.

Mayor Riley adjourned this portion of the meeting at 6:54 p.m.

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

Call to order and Pledge of Allegiance.

Mayor Riley called the Regular City Council Meeting to order at 7:00 p.m. and asked that the minutes reflect that all of the members of City Council were present: Council Members Art Reyna, Ricardo Ruiz, Jack Dean, Abraham Diaz, and Paul Bieber.

City Manager Manuel Longoria, Jr., City Secretary Sandra Passailaigue, Human Resources Director Crystal Caldera, Fire Chief Luis Valdez, Assistant Fire Chief Bill Lawson, Police Chief Randall Wallace, Economic Development Director Claudia Mora, Director of Public Works Melinda Moritz, Assistant Public Works Director David Dimaline, and Community Development Director Kristie Flores were also present.

Mayor Riley asked Troop 911 of Northwest Hills Christian Church to lead the Pledge of Allegiance.

Mayor Riley then read aloud the rules on citizens to be heard as adopted by City Council in January of this year.

Citizens to be heard and time for objections to the Consent Agenda.

Mayor Riley requested that Item 4b of tonight's agenda be pulled for discussion.

Mayor Riley then went on to citizens to be heard.

- Lyn Joseph – 6423 Trotter Ln. – asked City Manager Longoria about her questions to him last month indicating that she would like an answer.
 - *As allowed by Attorney General Opinion JC 0169, City Manager Longoria provided a factual response by informing Ms. Joseph as well as the City Council and other guests that by the end of the week ALL of the questions that came up during this election season would be available for all to see with the answers. These questions have been categorized and the hope is to be more informative.*
- Albert Uvietta – 6923 Sunlight Dr. – deferred to a later item.
- Daniel S. Rodriguez -7003 Wagon Spoke – deferred to a later item.
- Anthony Tobias – 706 E. Euclid Avenue – voiced his concerns with the contract he is in with the City of Leon Valley for the 2014 Jazz Festival.
- Benny Martinez – 6319 Rue Sophie – deferred to a later item.
- Walter Geraghty – 7315 Ellerby Point – thanked the outgoing Council for an “outstanding job” and about his concerns with speeding on Bandera and Seneca.
- Carlton Soules – 3523 Mary Mt. – introduced himself as a candidate for Bexar County Judge.
- Olen Yarnell – 7230 Sulky Ln. – asked for clarification of the City Attorneys response to his concern about time limitations on citizen comments which he made during the Citizens to be Heard portion of the April Council meeting.

CONSENT AGENDA

Approval of City Council Minutes. (Passailaigue)

- a) April 12, 2014 Coffee with the Mayor & Council
- b) April 14, 2014 Regular City Council Meeting

Approval of Quarterly Investment Report for the Quarter ended March 31, 2014. M&C # 05-09-14 (V. Wallace)

Consideration of an ordinance accepting grants from the Southwest Texas Regional Advisory Council, Texas Forest Service and Law Enforcement Officer Standards and Education and corresponding budget adjustment. M&C # 05-01-14 (Valdez & R. Wallace)

Mayor Riley requested that City Secretary Passailaigue add more information to the minutes of the April 14, 2014 Council meeting (Item 4b) regarding EDC public hearing for \$15,000 expenditure and how that will be split between the 4th of July event and the Jazz Festival; the Mayor also asked that more information in the City Manager's report on capital facilities and why the \$55,000 for the fire station lots were added as an expense that we had not accounted for previously; and to also add under the City Manager's Report verification that the street will remain as a 4 lane road and that the rehab will be funded from the street maintenance fund, with a plan to be forthcoming to Council.

A motion was made by Councilman Jack Dean, seconded by Councilman Art Reyna, to approve consent agenda items 4a, 5 and 6. Upon a unanimous vote, Mayor Riley announced the motion carried and all listed Consent Agenda items were approved.

REGULAR AGENDA

Consider action to appoint new members to the Library Board at the request of the Acting Chairperson, Staph due to a critical need to fill three (3) vacancies. M&C #05-08-14 (Passailaigue)

Acting Library Board of Trustees Acting Chairperson, Horace Staph, Ph. D. submitted a written request to asking that the City Council consider the three applicants to fill vacancies on the board. The Board has been unable to meet since January 2014 due to a lack of quorum. This request was submitted in accordance with Ordinance 2014-01-13-02 § 1.(b) 1.a. stating that the Chairperson of a Tier I and II Board may request consideration of appointments for a vacancy outside of the appointment schedule if there is a critical need for immediate consideration.

A motion was made by Councilman Art Reyna, seconded by Councilman Abraham Diaz, to appoint Mary (Katie) Gwaltney, Peggy Bissett and Jill Crane to the Leon Valley Public Library Board of Trustees. Upon a unanimous vote, Mayor Riley announced the motion carried.

Presentation and possible action on the operation of the Leon Valley Community Pool. M&C #05-02-14 (Dimaline)

a) Presentation and status report.

b) Consideration of ordinance approving an amendment to the Fiscal Year 2014 Budget to appropriate funding.

Assistant Public Works Director Dimaline presented a summary of repairs totaling \$21,946. Mr. Dimaline proceeded to inform the Council and guests that the City received a low bid of \$36,027 from Aquatica Pool Management, Inc. which was withdrawn. The second lowest bid came from SA Pool Management for \$37,984 to provide pool maintenance services which would include opening the pool from Memorial Day through Labor Day; providing three (3) lifeguards; and maintenance of water quality and logging test results three (3) times a day; collecting fees and monitoring membership. Mr. Dimaline added that the operational costs of \$11,500 and pool maintenance cost of \$25,000 are already in the budget. However, to complete all of the required repairs and cover operational expenditures, staff is requesting a budget adjustment of \$34,930.

Mr. Dimaline submitted the staff recommendation which is to contract with Clear Blue Water Pool Repair and Service, LLC to repair the items listed in the report which would take a week to complete; and also to contract with SA Pool Management for the Fiscal Year 2014 season to manage and operate the pool which would require the \$34,930 budget adjustment.

- Carolyn Gabriel – 6014 N. Forest Bend – spoke in opposition of the pool being “free”.
- Carmen Sanchez – 7306 Ellerby Pt. – spoke in favor of the pool being “free” and suggested limiting membership to Leon Valley residents only.
- Benny Martinez – 6319 Rue Sophie – echoed Ms. Sanchez’ comments

A motion was made by Councilman Paul Bieber, seconded by Councilman Art Reyna, to approve and adopt Ordinance No. 14-004 funding the operation of the City pool, moving forward with the proposed repairs and with the budget adjustment as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Councilman Diaz suggested that a line item be added to the budget for the City Pool.

A Public Hearing, second reading, and consideration of Resolution No. 14-01R approving the expenditure of \$15,000 from the Leon Valley Economic Development Corporation for the co-sponsorship of the City of Leon Valley 4th of July Celebration and Fall Jazz Festival. M&C # 05-03-14 (Mora)

Economic Development Director Claudia Mora by saying that the intent of this item is to conduct the second of two public hearings and reading of the resolution approving the expenditure of Leon Valley Economic Development Corporation (LVEDC) funding, and to receive input from the citizens of Leon Valley regarding the LVEDC's co-sponsorship of the July 4th Celebration and Fall Jazz Festival. The first reading was conducted on April 14, 2014. At the request of Mayor Riley, Ms. Mora confirmed that of the designated \$15,000, \$10,000 was for project management for the 4th of July Celebration; and then \$5000 for publication expenditures to be split 50/50 for the Fall Jazz Festival and the 4th of July Celebration.

Mayor Riley opened the public hearing at 8:09 p.m.

- Carmen Sanchez – 7306 Ellerby Pt. – spoke with concern of payment to Mr. Anthony Tobias.
- Anthony Tobias – 706 E. Euclid Ave. – expressed his concerns with the contract he holds with the City for the Fall Festival as well as his concerns with payment of services.

There being no further comments from the public, Mayor Riley closed the public hearing at 8:15 p.m.

A motion was made by Councilman Paul Bieber, seconded by Councilman Art Reyna, to approve Resolution No. 14-01R as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Presentation and possible action on an ordinance amending the City of Leon Valley's Code of Ordinances, Article 8.0, "Fireworks". M&C # 05-04-14 (Valdez)

Fire Chief Luis Valdez presented this item with the intent of amending the City's Code of Ordinances to allow for the permitted use of fireworks during holidays and special events.

A motion was made by Councilman Abe Diaz, seconded by Councilman Jack Dean, to approve and adopt Ordinance No. 14-003 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Presentation and possible action on an ordinance amending the City of Leon Valley's Fee Schedule, Article A9.003. M&C # 05-05-14 (Valdez)

A motion was made by Councilman Abe Diaz, seconded by Councilman Jack Dean, to approve and adopt Ordinance No. 14-006 as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Presentation and possible action on a resolution adopting or providing direction on the new City seal as part of the process for developing a new City brand and City identity. M&C # 05-06-14 (Mora)

A motion was made by Councilman Abe Diaz, seconded by Councilman Paul Bieber, to approve Resolution No. 14-02R as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

DISCUSSION AGENDA

An item to discuss the establishment of a commission to evaluate a Home Rule Charter for the City of Leon Valley. (Mayor Riley)

City Attorney Charles Zech gave a brief presentation on Texas Home Rule Charters.

- Elizabeth Maloy – 7411 Chenal Pt. – spoke in favor of having one zip code for all of Leon Valley and for Leon Valley becoming a Home Rule City.
- Carmen Sanchez – 7306 Ellerby Pt. – spoke in favor of Leon Valley becoming a Home Rule City.
- Benny Martinez – 6319 Rue Sophie– spoke in favor of Leon Valley becoming a Home Rule City.

No action was taken.

Presentation and report by Waters Consulting on City of Leon Valley Personnel Compensation Study. M&C 04-08-14 (Consultant Linda Wishard)

Linda Wishard, Consultant with Waters Consulting gave a presentation on the results of the Leon Valley Personnel Compensation Study. No action was taken.

City Manager's Report.

- a) Report on Upgrade of the City of Leon Valley's ISO Fire Insurance Rating
- b) Capital Facilities Monthly Report
- c) Update on the MPO Evers Road Grant
- d) \$100,000 accounting on the Park improvements
- e) Monthly Departmental Reports
- f) Approved Minutes from Boards, Commission and Committees
- g) City Employee news and updates
- h) Future Agenda Items:
 - May 19, 2014 Canvassing of the Election
 - Public Hearing on Planned Improvements on the Huebner Creek Hike & Bike Trail Capital Project – June 9, 2014
 - Board Appointments – June 9, 2014
 - An ordinance amending the City Code regarding regulations of boarders, commercial businesses and vehicles in R-1 zoning districts.

City Manager Manuel Longoria, Jr. reported on the following: a) Fire Chief Valdez gave a brief presentation on the improvement to the City's ISO rating; the rating went from a Class 4 rating to a Class 3 PPC, ISO rating. b) Mr. Longoria informed the Council and guests that street signs have arrived and will be installed soon. The hike & bike construction documents are expected in June followed by Council review and then going to bid in August. The monuments are on schedule and should be completed by the end of June. Lastly, Mr. Longoria announced that the canvassing of the election had been moved to May 20, 2014 at 6:00 p.m.

Citizens to be heard.

- Daniel Rodriguez – 7003 Wagon Spoke – asked that something be done about a nuisance he reported. Mr. Rodriguez gave City Secretary Passailaigue photos of the nuisance to be given to the appropriate staff to address.

Announcements by the Mayor and Council Members.

- Councilman Reyna thanked guests and fellow Council for the opportunity to have served. Councilman Reyna then informed the Mayor that he had a scheduling conflict and would be unable to attend the May 17th Coffee with the Mayor & Council.
- City Attorney Zech reminded Council of the Annual Hog Wild event being held on Friday, May 23rd in San Marcos.
- Councilman Dean thanked guests and fellow Council for the opportunity to have served. Councilman Dean also informed the Mayor that he had a scheduling conflict and would be unable to attend the May 17th Coffee with the Mayor & Council.
- Councilman Biever informed the Mayor that he had a scheduling conflict and would be unable to attend the May 17th Coffee with the Mayor & Council.
- Mayor Riley updated everyone on the Big Give SA Event by informing all that over two million had been given.

Executive Session.

There was no Executive Session this evening.

Adjourn

Mayor Riley announced the meeting adjourned at 9:35 p.m.

APPROVED

CHRIS RILEY
MAYOR

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

CITY OF LEON VALLEY



COFFEE WITH THE MAYOR AND CITY COUNCIL

Leon Valley Conference Center
6427 Evers Road, Leon Valley, Texas 78238
Saturday, May 17, 2014

MINUTES

The Leon Valley City Council hosted a citizen meeting at the Conference Center on Saturday, May 17, 2014.

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

All members of Council were present, as was City Manager Longoria, City Secretary Passailaigue and Police Chief Randall Wallace.

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

Evers Road Update – lane configuration, rehab schedule, issues with speeding and enforcement.

Crime Control District – general discussion of status of crime in our City and summary of what the sales tax money can be used for.

No action was taken at the meeting.

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

APPROVED

CHRIS RILEY
Mayor

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

CITY OF LEON VALLEY



CITY COUNCIL SPECIAL MEETING

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Tuesday, May 20, 2014

MINUTES

The City Council of the City of Leon Valley, Texas met on the 20th day of May 20, 2014 at 6:00 p.m. at the Leon Valley City Council Chambers located at 6400 El Verde Road, Leon Valley, Texas for the purpose of the following business.

Call to order and Pledge of Allegiance.

Mayor Riley called the Regular City Council Meeting to order at 7:02 p.m.

The Leon Valley Fire Department's Honor Guard led the Pledge of Allegiance. Our Honor Guard members are Daniel Cano, Ramiro Cano, Jimmy Garcia, Gabriel Nerio and Billy Lawson.

Mayor Riley asked that the minutes reflect that the following members City Council were present: Councilman Ricardo Ruiz, Abraham Diaz, and Paul Biever. With Council Members Art Reyna and Jack Dean being absent.

City Manager Manuel Longoria, Jr., City Secretary Sandra Passailaigue, Human Resources Director Crystal Caldera, Fire Chief Luis Valdez, Assistant Fire Chief Bill Lawson, Police Chief Randall Wallace, Economic Development Director Claudia Mora, Director of Public Works Melinda Moritz, Assistant Public Works Director David Dimaline, and Community Development Director Kristie Flores were also present.

Mayor Riley introduced Preston Tanneberger, a 5th grader at Basis Charter School and Scout with Troop 485 of NW Church of Christ.

Mayor Riley then read aloud the recently approved rules on citizens to be heard as adopted by City Council in January of this year.

Citizens to be heard.

- Carolyn Gabriel – 6014 Forest Bend – deferred her comments to Item 6.
- Monica Alcocer – 5985 Aids Drive – deferred her comments to Items 6, 7 and 8.

Consideration and action on Resolution No. 14-05R canvassing the returns and declaring the official results of the City of Leon Valley, Texas, May 10, 2014 General Election. M&C 2014-05-20-01 (S. Passailaigue)

City Secretary Passailaigue gave a brief presentation on the canvassing of the returns for the 2014 General Election for the City of Leon Valley.

A motion was made by Councilman Paul Bieber, seconded by Councilman Abe Diaz, to accept Resolution No. 14-05R canvassing the returns of the City of Leon Valley, Texas 2014 General Election and declaring the official results as presented. Upon a unanimous vote, Mayor Riley announced the motion carried.

Recognition of Councilman Arthur “Art” Reyna and Councilman Jack Dean for their years of service to the City of Leon Valley.

Councilman Diaz accepted the service award on behalf of Councilman Art Reyna and Councilman Bieber accepted the service award on behalf of Councilman Jack Dean.

Chief Justice Catherine M. Stone of the Texas Fourth Court of Appeals to administer the Oath of Office and presentation of Certificate of Election to Mayor-Elect, Chris Riley; Councilman-Elect, Carmen Sanchez Council Place No. 2; and Councilman-Elect, Benny Martinez Council Place No. 4.

Chief Justice Catherine M. Stone of the Texas Fourth Court of Appeals administered the Oath of Office and presented the Certificate of Election to Mayor-Elect, Chris Riley, Councilman-Elect Carmen Sanchez Council Place No. 2, and Councilman-Elect, Benny Martinez Council Place No. 4.

Mayor Chris Riley, Councilman Carmen Sanchez and Councilman Benny Martinez took their places at the dais and began their respective terms of office.

Mayor Riley called for a recess at 6:19 p.m. and invited Council and guests to a reception in honor of the outgoing and incoming Council.

Mayor Riley reconvened the meeting at 6:40 p.m.

Mayor Riley introduced Clarissa Rodriguez of Denton, Navarro, Rocha, Bernal, Hyde & Zech who will be the City's attorney this evening.

Mayor Riley then thanked her family and the citizens of Leon Valley for their support and their vote in re-electing her to the position of Mayor.

Councilman Sanchez also thanked the citizens for the opportunity to serve.

Councilman Martinez also thanked the citizens for their support and pledged to never forget that they are his boss.

Reconsideration of Leon Valley Community Pool to charge a moderate family membership fee rather than no charge. (Mayor Riley)

- Carolyn Gabriel – 6014 N. Forest Bend – expressed her concerns with the pool have no membership fee. Ms. Gabriel asked that the City Council reconsider this. Ms. Gabriel also request that the days of operation be reconsidered.
- Monica Alcocer – 5985 Aids Drive – spoke in support the Council decision last month of there being “no fee” for the use of the City pool and suggested that Council perhaps consider a nominal guest fee.

These comments were followed by a brief discussion. No action was taken.

Discussion and action to return to two (2) regular City Council meetings per month. (Mayor Riley)

- Monica Alcocer – 5985 Aids Drive – spoke in favor of the City Council going back to two (2) meetings per month.

A motion was made by Councilman Benny Martinez, seconded by Councilman Carmen Sanchez, to bring it up at next Regular meeting to return to two (2) City Council meetings per month.

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

The City Council voted two (2) for and three (3) opposed with Councilman Biever, Councilman Diaz and Councilman Ruiz casting the negative votes. Mayor Riley announced that the motion failed.

Consideration and action on approving a moratorium on all activity regarding the proposed Hike and Bike. (Mayor Riley)

- Monica Alcocer – 5985 Aids Drive – spoke with regard to her concerns on how the Hike and Bike Project has been presented.

A motion was made by Councilman Benny Martinez, seconded by Councilman Carmen Sanchez, to place a thirty (30) day moratorium on Hike and Bike Project to review and come back to City Council at the next meeting.

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

The City Council voted two (2) for and three (3) opposed with Councilman Biever, Councilman Diaz and Councilman Ruiz casting the negative votes. Mayor Riley announced that the motion failed.

Adjourn

Mayor Riley announced the meeting adjourned at 7:59 p.m.

APPROVED

CHRIS RILEY
MAYOR

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

MAYOR AND COUNCIL COMMUNICATION

M&C #2014-06-09-04

DATE: June 09, 2014
TO: Mayor and Council
FROM: Vickie Wallace, Finance Director
THROUGH: Manuel Longoria, City Manager
SUBJECT: APPOINTING JUDGES FOR THE LEON VALLEY MUNICIPAL COURT

PURPOSE

Every two years coterminous with the election of the Mayor, the Leon Valley Municipal Court Judges must be appointed by ordinance.

FISCAL IMPACT

Fees for the Judges are included in the General Fund budget.

RECOMMENDATION

Staff recommends the re-appointment of Leon Valley Municipal Court Judges Lawrence Morales and Edmund Phillips.

S.E.E. IMPACT

Social Equity - Municipal Court Judges are appointed officials who conduct court proceedings. Judges must be impartial and strive to properly interpret the law.

Economic Development - N/A

Environmental Stewardship - N/A

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

RESOLUTION No. 14-008R

**A RESOLUTION OF THE CITY OF LEON VALLEY APPOINTING JUDGES
FOR THE LEON VALLEY MUNICIPAL COURT**

WHEREAS, the City of Leon Valley Code of Ordinances Section 7.01.003 provides for the appointment and term of municipal judges; and

WHEREAS, pursuant to Texas Government Code Section 29.005 the term of office for a municipal judge is two years; and

WHEREAS, it is necessary to appoint municipal judges to a new two year term; and

WHEREAS, the City Council of the City of Leon Valley finds and determines that the individuals below are qualified to serve as municipal judges for the City of Leon Valley.

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

The following individuals are hereby appointed as Judges of the Leon Valley Municipal Court for a term of two years:

Lawrence Morales

Edmund Phillips

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 9th day of June, 2014.

APPROVED

CHRIS RILEY

Mayor

Attest: _____

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form: _____

CHARLES E. ZECH
City Attorney

MAYOR AND COUNCIL COMMUNICATION

M&C #2014-06-09-05

DATE: JUNE 9, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: AUTHORIZE THE CITY MANAGER TO ENTER INTO A CITY PRIDE SIGN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE PURPOSE OF ALLOWING THE INSTALLATION OF NEW CITY LIMIT SIGNS ALONG BANDERA AND GRISSOM ROADS.

PURPOSE

To authorize the City Manager to enter into a City Pride Sign Agreement with TxDOT for the purpose of installing new city limit signs, depicting the City's new logo and population, along Bandera and Grissom roads.

BACKGROUND

As a part of the rebranding effort for Leon Valley, new street names signs are in the process of being installed on each street in Leon Valley. In addition, staff has redesigned the city limit signs to depict the new logo and population, and are in the process of replacing all city limit signs, to include their replacement along Bandera and Grissom Roads. When asked for permission to do so, TxDOT stated that they would allow us to install the new signs, but the City must first enter into a City Pride Sign Agreement, which mandates certain maintenance requirements for the signs, to include TxDOT approval of design, meeting TMUTCD size and materials guidelines, and submitting a traffic control plan for the actual installation.

FISCAL IMPACT

None – signage has already been budgeted and Public Works employees will be performing the replacements.

RECOMMENDATION

It is recommended that the City Council authorize the City Manager to enter into a City Pride Sign agreement with TxDOT for the purpose of installing new city limit signs along Bandera and Grissom Roads.

S.E.E. IMPACT STATEMENT

Social Equity – Provides sense of pride for all citizens and provides sense of “place” for children

Environmental Stewardship – Aluminum signs are recyclable at end of useful life

Economic Development – Maintaining an attractive main corridor may encourage new residents and business from sense of progression/growth

STRATEGIC GOALS STATEMENT

Item 2 (c) Bandera Road Monuments, Landscaping & Lighting

The new signs will enhance the City’s rebranding efforts for creating an “identity”.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

STATE OF TEXAS §

COUNTY OF TRAVIS §

CITY PRIDE SIGN AGREEMENT

THIS AGREEMENT, made on the dates hereinafter shown, by and between the State of Texas, hereinafter called the "State," represented by the Executive Director of the Texas Department of Transportation, acting for and in behalf of the Texas Transportation Commission, and the City of Leon Valley, hereinafter called the "City."

WITNESSETH

WHEREAS, the State owns, operates, and maintains a system of highways for public use and benefit, in the City of Leon Valley; and

WHEREAS, the City desires and has requested authority to construct or have reconstructed the City Pride Sign along the roadway(s) of:

- SH 16, south of Eckhert Rd.,
- FM 471, east of Timberhill Dr., and
- Spur 421, north of Callaghan Rd.

at the location(s) shown on construction plans, attached hereto and made part of this Agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, to be by them respectively kept and performed as hereinafter set forth, and in accordance with Title 43, Texas Administrative Code, Chapter 25, Subchapter H, it is agreed as follows:

A G R E E M E N T

Article 1. General

The State grants to the City permission to construct or to have reconstructed, the City Pride Sign(s) within the right-of-way as shown on construction plans and to be maintained by the City as stipulated in the Municipal Maintenance Agreement with the City of Leon Valley, dated December 21, 2012.

Article 2. Plans, Specifications and Construction Procedures

A. The City, at no cost to the State, shall prepare or have prepared, complete construction drawings, plans and specifications for the proposed City Pride Sign(s), State approved breakaway sign supports, foundations, appurtenances, and incidental items. No construction work shall be performed on highway right-of-way until these plans and specifications have been approved in writing by the State. After such approval has been given, no changes or alterations shall be made without the written approval of the State.

B. The plans and specifications shall be submitted to the District Engineer, Texas Department of Transportation, (TxDOT District), Texas for approval. Any changes or alterations which become necessary during the course of the work shall also be submitted to the District Engineer for approval.

C. The City, its contractor(s), or agents shall submit a traffic control plan as required and in accordance with the Texas Manual on Uniform Traffic Control Devices to direct and protect vehicular and pedestrian traffic while construction work, including related activities, is in progress. Details and descriptions of these traffic handling measures shall be included in the plans and specifications when submitted for approval. If, during

construction, it becomes necessary or desirable to modify the traffic control measures as specified, prior approval must be obtained from the State's District Engineer in (TxDOT District).

D. The City shall construct, or have constructed, at its entire cost and expense, the proposed City Pride Sign(s) and incidental items referred to in paragraph 1 and 2 above. The State shall have the right to inspect the work on highway right-of-way at any time during the progress of the work, and to make final inspection upon completion. Construction operations will be conducted in a manner acceptable to the District Engineer or their authorized representative. The City, its contractor(s) or agents shall correct any deficiencies revealed by the State's inspection of the work or of the traffic control and protection measures, where such deficiencies could have an adverse affect on public use of the highway or the safety and convenience of the traveling public.

E. Upon completion of the work authorized herein, the City shall submit copies of the as-built plans and specifications, including any changes or alterations, showing the City Pride Sign(s) in their completed state within 45 days to the State's District Engineer in (TxDOT District) for permanent records of the State.

F. The City agrees to pay all damages accruing to the State, by reason of injuries to the right-of-way, roadbed, pavement, and/or bridge owned by the State, when such damages are caused by the city's construction, operations, maintenance or rehabilitation on said roadway. Whenever funds are paid by the City to the State under this Agreement, the City shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." To the extent allowed by law, the City also agrees to indemnify and save harmless the State from any and all claims, demands, actions or causes of action, due to damage to property or injury to or death of persons arising from or growing out of or in any manner connected with work on said roadway project including, but not limited to, all court costs, attorney fees and other expenses incurred in connection with suits for such damage and shall, if so requested in writing, assist or relieve the State from defending any such suits brought against it. In addition, the City shall require its contractor(s) and subcontractor(s) to secure a policy of insurance in the maximum statutory limits for tort liability, naming the State as an additional insured under its terms, and maintain the required insurance coverages in full force and effect during any period that work is performed on the State right-of-way. Adequate insurance, as a minimum, shall mean the City contractor(s) shall furnish the State with the Texas Department of Transportation's Certificate of Insurance covering the below listed insurance coverages.

- 1) Worker's Compensation Insurance Amount – Statutory
- 2) Comprehensive General Liability Insurance

Amounts	Bodily Injury	\$600,000 combined single limit each
	Property Damage	occurrence and in the aggregate

OR

- Commercial General Liability Insurance

Amounts	Bodily Injury	\$250,000 each person
	Property Damage	\$100,000 each occurrence
- 3) Texas Business Automobile Policy

Amounts	Bodily Injury	\$250,000 each person
	Property Damage	\$100,000 each occurrence

The State shall be included as an "Additional Insured" by Endorsement to policies issued for coverages listed in B and C above. A "Waiver of Subrogation Endorsement" in favor of

the State shall be a part of each policy for coverages listed in A, B, and C above. A certified copy of these endorsements shall be submitted to the State with the evidence of coverage. The City and/or its contractor(s) shall be responsible for any deductions stated in the policy.

Article 3. Location

A. One City Pride and/or a Texas Commission on Environmental Quality (TCEQ), Texas Historical Commission (THC), Keep Texas Beautiful (KTB) Sign shall be allowed per eligible highway entrance to the City. A City Pride Sign shall be located on the right-hand side of the roadway unless otherwise approved in writing by the State. A City Pride Sign shall be located between 300 and 800 feet of the city limits at a location approved by the State. A City Pride Sign shall take advantage of the natural terrain, have the least impact on the scenic environment, avoid visual conflict within the State highway right-of-way, have a lateral offset greater than existing guide signs, not block the motorist's view of existing traffic control signs, and be placed in locations other than hanging above the highway.

B. A City Pride Sign shall not be located adjacent to the main lanes of full controlled access highway; however, a City Pride Sign may be located on the right-hand side of the access road.

C. The city may landscape the area adjacent to the City Pride Sign(s) upon written approval of the plans by the State's District Engineer in the (TxDOT District) District. Only small plants, flowers, and shrubbery will be allowed. Permanent structures or items such as large stones, masonry, berms, landscape timbers, etc. shall not be allowed. The State assumes no responsibility for watering, maintenance or damage due to State maintenance and construction activities, fire, theft or vandalism.

Article 4. City Pride Sign

A. The sign face of a City Pride Sign or the combined total area of the attachment signs displayed shall not exceed 80 square feet total. A City Pride Sign shall not contain words, symbols, or messages that:

- 1) May be construed as advertising, including, but not limited to, the offering of products and services.
- 2) Contain notification of municipal ordinances or regulations, or
- 3) Resemble official traffic control devices.

B. Banners, flags, streamers, flashing lights, or other appurtenances shall not be attached to a City Pride Sign or sign supports. Sign supports shall be galvanized metal or painted solid white.

C. A City Pride Sign shall not be illuminated internally or externally.

D. A City pride Sign may contain the name of the city, message, or slogan no greater than eight inches in height. The City may include a seal or symbol that is commonly used to represent the City.

E. If a City Pride Sign requires background material, it shall be painted brown (Sherwin Williams #2315 or equivalent) or have brown reflective material affixed to the sign face meeting State specifications. Lettering upon the brown background shall be white and may be any script or font. A white 2 inch border is optional. Lettering and border shall be painted white (Sherwin Williams #2130 or equivalent) or have white reflective material affixed to the sign face meeting State specifications.

Article 5. Attachment Signs

A. Attachment signs or civic information signs are provided by a non-profit civic organization or governmental entity that display points of interest or geographical, recreational, cultural, or civic information. A civic organization must be located within or have a member who resides in the City, and complies with all applicable law concerning the provisions of public accommodation without regard to race, religion, color, sex, or national origin.

B. Attachment signs may be any color or combination of colors and may be in any design or shape. Attachment signs shall not be greater than 48 inches in width and 36 inches in height, and shall not consist of text, symbols, trademarks or a legend message identifying the name or abbreviation of a commercial establishment, service or product, or contain supplemental address or directional information such as meeting dates or locations.

C. A civic organization shall apply to the City for permission to display an attachment sign upon the City Pride Sign. The City shall notify/contact the civic organization in writing if the civic organization does not meet the requirements of eligibility as stated herein. The civic organization shall have 30 calendar days after written notification to meet the requirements herein.

D. The City shall approve all attachment signs and determine the order, arrangement, and duration of display. Attachment signs shall be placed upon a City Pride Sign and shall not overlap.

E. A civic organization shall have only one attachment sign per City Pride Sign unless the City and civic organization agree to said organization's multiple attachment signs upon a City Pride Sign.

F. The City shall remove an attachment sign of a participating civic organization if the civic organization ceases to exist, does not meet the requirements stated herein, or has not provided a replacement sign after 60 days of the City or State's written notification that the attachment sign is damaged, broken, faded, or has become a hazard due to failure to build to specifications, inclement weather, inadequate maintenance, accidental damage, or other cause.

Article 6. Miscellaneous

A. Signs from the TCEQ, THC, or KTB, Proud Community Program signs, shall be erected and maintained to State specifications at the sole expense of the City. Signs shall not be allowed as attachments to State signs or sign supports.

B. Attachment signs not relocated to a City Pride Sign, TCEQ, THC, or KTB signs or other approved locations will be removed by the State at the expense of the City.

C. The State shall not require fees from the City for participating in the City Pride Sign Program. The city shall not require fees from the civic organizations or governmental entities for display upon a City Pride Sign.

D. While installing or maintaining a City Pride Sign, the City shall cooperate with any State contractor working on the State highway system at that location.

E. In the event that the State determines that it is necessary to repair, construct, reconstruct and/or make any changes in the highway facility for reasons other than those

specified herein, the City shall be responsible for all costs necessary for removal and relocation of the City Pride Sign.

F. The City shall remove a City Pride Sign if it has not provided a replacement sign within 60 calendar days of written notification from the State that the sign is damaged, broken, faded or has become a hazard due to failure to build to specifications, inclement weather, inadequate maintenance, accidental or other cause. After 60 days, the City Pride Sign not removed or replaced will be removed by the State at the expense of the city. The State may terminate this agreement upon default of the city.

G. This Agreement shall bind, and shall be for the sole and exclusive benefit of the respective parties and their legal successors.

IN TESTIMONY WHEREOF, the parties hereto have affixed their signatures, the City of Leon Valley on the ____ day of _____, 20____, and the State on the ____ day of _____, 20____.

THE CITY OF LEON VALLEY

Executed on behalf of the City by:

By _____ Date _____

Typed or Printed Name and Title _____

ATTEST:

By _____ Date _____

Typed or Printed Name and Title _____

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By _____ Date _____
District Engineer



April 30, 2014

Judith Friesenhaun
Texas Dept. of Transportation
4615 N. W. Loop 410
San Antonio, Texas 78229

RE: Request to Replace City Limit Signs
State Highway 16 (Bandera Rd) and FM 471 (Grissom Rd)

Dear Ms. Friesenhaun,

This letter is to respectfully request TxDOT's permission to replace all the city limit signs along both Bandera and Grissom Roads within the city limits of the City of Leon Valley, with new city limit signs bearing the City's new logo and colors, and the population count.

The City is in the process of replacing all city limit signs throughout the city with new signs bearing the City's new logo, and to leave the existing city limit signs on Bandera and Grissom Roads would hinder our goal of creating a sense of place for our citizens.

The new signs are white in background color with a dark blue name and border, and the logo is blue and green. The signs are 30" wide and 24" high and are made of .08 aluminum, with 3M HIP sheeting. The proof of the sign is attached for your review. We plan on contracting with the Levy Company for the installation and will follow all TMUTC guidelines.

Please let me know at your earliest convenience if this would be allowed or if there are any other concerns you may have regarding this matter. I can be reached at (210) 681-1232 x 203 or at m.moritz@leonvalleytexas.gov. We thank you in advance for your time and consideration of our request.

Sincerely,

Melinda Moritz
Director of Public Works

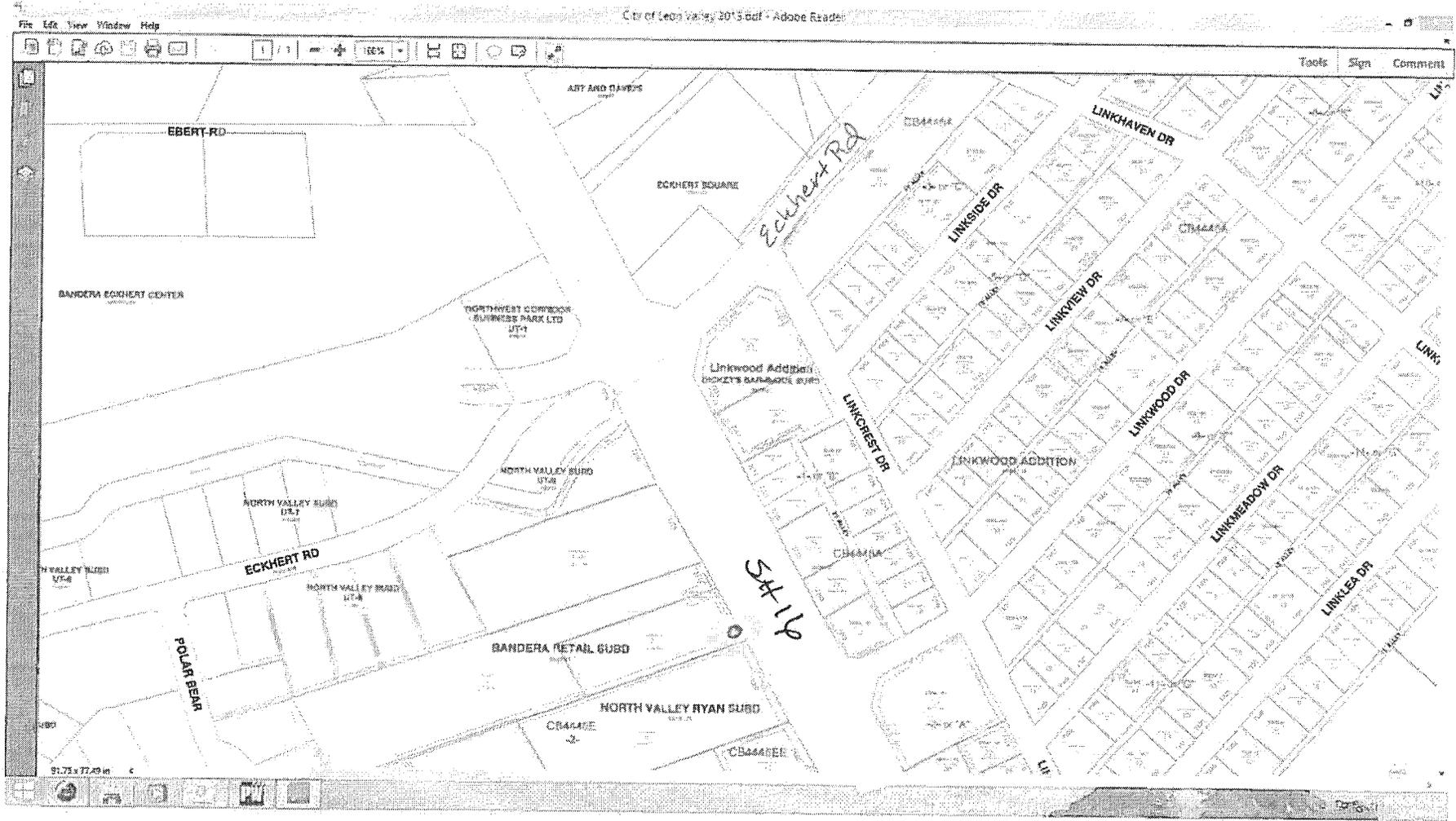


LEON VALLEY

CITY LIMIT

POP. 10,151

04/28/2014



● City limit sign



Texas Department of Transportation (TxDOT) CERTIFICATE OF INSURANCE

Form 1560-CS
Professional Provider Insurance
(Rev. 03/13)
Page 2 of 2
(Previously Known As Form 1560-CSS)

This certificate of insurance is provided for informational purposes only. This certificate does not confer any rights or obligations other than the rights and obligations conveyed by the policies referenced on this certificate. The terms of the referenced policies control over the terms of this certificate.

Prior to the beginning of work, the Contractor shall obtain the minimum insurance and endorsements specified. Only the TxDOT certificate of insurance form is acceptable as proof of insurance for department contracts. Agents should complete the form providing all requested information then either fax or mail this form directly to the address listed on page one of this form. Copies of endorsements listed below are not required as attachments to this certificate.

Insured: City of Leon Valley
 Street/Mailing Address: 6400 El Verde Road
 City: Leon Valley State: TX Zip Code: 78238-2399
 Phone Number: 210-684-1391 Vendor ID Number (11 digits): _____

Contractor/Client (if applicable): _____
 Street/Mailing Address: _____
 City: _____ State: _____ Zip Code: _____
 Phone Number: _____ Vendor ID Number (11 digits): _____

Workers' Compensation Insurance Coverage:
 Endorsed with a Waiver of Subrogation in favor of TxDOT.

Carrier Name: Texas Municipal League Intergovernmental Risk Pool			Carrier Phone Number: 512-491-2300	
Address: 1821 Rutherford Lane			City: Austin	State: TX Zip: 78754
Type of Insurance	Policy Number	Effective Date	Expiration Date	Limits of Liability
Workers' Compensation	8259	10/01/13	10/01/14	Not Less Than: Statutory - Texas

Commercial General Liability Insurance:

Carrier Name: Texas Municipal League Intergovernmental Risk Pool			Carrier Phone Number: 512-491-2300	
Address: 1821 Rutherford Lane			City: Austin	State: TX Zip: 78754
Type of Insurance	Policy Number	Effective Date	Expiration Date	Limits of Liability
Commercial General Liability Insurance Bodily Injury Property Damage OR Commercial General Liability Insurance	8259	10/01/13	10/01/14	Not Less Than: \$500,000 each occurrence \$100,000 each occurrence \$100,000 for aggregate OR \$600,000 combined single limit

Automobile Liability Insurance:

Carrier Name: Texas Municipal League Intergovernmental Risk Pool			Carrier Phone Number: 512-491-2300	
Address: 1821 Rutherford Lane			City: Austin	State: TX Zip: 78754
Type of Insurance	Policy Number	Effective Date	Expiration Date	Limits of Liability
Business Automobile Policy Bodily Injury Property Damage	8259	10/01/13	10/01/14	Not Less Than: \$250,000 each person \$500,000 each occurrence \$100,000 each occurrence

Authorized Agent name, address and zip code:

Louis R. Canales, Jr., 1821 Rutherford Lane Austin, TX 78754

THIS IS TO CERTIFY to the Texas Department of Transportation acting on behalf of the State of Texas that the insurance policies named are in full force and effect. If this form is sent by facsimile machine (fax), the sender adopts the document received by TxDOT as a duplicate original and adopts the signature produced by the receiving fax machine as the sender's original signature.

The Texas Department of Transportation maintains the information collected through this form. With few exceptions, you are entitled on request to be informed about the information that we collect about you. Under sections 555.021 and 553.023 of the Texas Government Code, you also are entitled to receive and review the information. Under section 559.004 of the Government Code, you are also entitled to have us correct information about you that is incorrect.

Area Code (512) 491-2397
 Authorized Agent's Phone Number _____
Louis R. Canales, Jr.
 Original Signature of Authorized Agent _____
05/01/14
 Date _____

Texas Department of Transportation
INSTRUCTIONS

Form 1560-CS
Professional Provider Insurance
(Rev. 03/13)
Page 1 of 2
(Previously Known As Form 1560-CSS)

BEFORE YOU SUBMIT THIS FORM, MAKE SURE:

- You have the most current 1560-CS TxDOT form. Go to the following TxDOT Internet site: <http://www.txdot.gov/business/consultants/insurance.html> then look for the Form 1560-CS.
- You have entered the 11-digit Vendor Identification Number, which includes your nine-digit FEIN (Federal Employer Identification Number).
- You have entered each authorized agent's complete address, telephone number, policy expiration dates, sign and date.
- If more than one agent covers different types of insurance (one writes Workers' Compensation, but another writes Auto), both have issued the certificate in its entirety.
- You have provided all requested information on the forms, which may be faxed but must be followed up with the originally signed forms to the address listed below.
- The form is being submitted in connection with a professional services contract.
- For construction and maintenance contracts, go to the following TxDOT Internet site: <http://www.txdot.gov/business/contractors/contractor-insurance.html> then look for the Form 1560.

DO NOT COMPLETE THIS FORM UNLESS WORKERS' COMPENSATION IS ENDORSED WITH A WAIVER OF SUBROGATION IN FAVOR OF TxDOT.

To avoid work suspension, an updated insurance form must reach the address listed below one business day prior to the expiration date. List the contractor's legal company name, including the DBA (doing business as) name as the insured. If a staff leasing service company is providing insurance, the staff leasing company name is shown first as the named insured and then in parenthesis identify the contractor/client company (i.e. XYZ Staff 4 U, Inc.-staff leasing service company (ABC Engineering, Inc.)). Show contact information (i.e. address, phone number, and etc.) for the insured/staff leasing service company in the appropriate spaces. Show the contact information (i.e. address, phone number, and etc.) for the contractor/client company in the appropriate spaces. The certificate of insurance, once on file with the department, is adequate for subsequent department contracts provided adequate coverage is still in effect. Do not refer to specific projects or contracts on this form. Over-stamping or over-typing entries on the certificate of insurance are not acceptable if they change the provisions of the certificate in any manner. Stamped, typed, or printed signatures are not acceptable. Pre-printed limits are the minimum required; if higher limits are provided by the policy, enter the higher limit amount and strike through or cross out the pre-printed limit. Binder numbers are not acceptable for policy numbers.

WORKERS' COMPENSATION INSURANCE:

The contractor is required to have Workers' Compensation Insurance if the contractor has any employees, including relatives. The word STATUTORY, under limits of liability, means that the insurer would pay benefits allowed under the Texas Workers' Compensation Law. GROUP HEALTH or ACCIDENT INSURANCE is not an acceptable substitute for Workers' Compensation.

COMMERCIAL GENERAL LIABILITY INSURANCE:

If coverages are specified separately, they must be at least these amounts:

Bodily Injury	\$500,000 each occurrence
Property Damage	\$100,000 each occurrence
	\$100,000 for aggregate

MANUFACTURERS' or CONTRACTOR LIABILITY INSURANCE is not an acceptable substitute for Comprehensive General Liability Insurance or Commercial General Liability Insurance.

BUSINESS AUTOMOBILE POLICY:

The coverage amount for a Business Automobile Policy may be shown as a minimum of \$600,000 Combined Single Limit by a typed or printed entry and deletion of the specific amounts listed for Bodily Injury and Property Damage. Personal Automobile Liability Insurance is not an acceptable substitute for a Business Automobile Policy.

MAIL CERTIFICATES TO:
Texas Department of Transportation
Contract Services Office
125 E. 11th St.
Austin, TX 78701-2483
512-416-4620 (V) 512-416-4621 (F)

RESOLUTION No. 14-009R

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CITY PRIDE SIGN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF INSTALLING NEW CITY LIMIT SIGNS ALONG BANDERA AND GRISSOM ROADS.

WHEREAS, the City of Leon Valley desires to install new City limits signs; and

WHEREAS, the installation of new City limits signs necessitates an agreement with the Texas Department of Transportation; and

WHEREAS, the City Council of the City of Leon Valley hereby find and determine that it is in the best interests of the health, safety, and welfare or the Citizens of Leon Valley to enter into an agreement with the Texas Department of Transportation to install new City limits signs.

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

1. That the City Council of the City of Leon Valley hereby authorizes the City Manager to enter into a City Pride Sign Agreement with TxDOT for purpose of replacing the city limit signs with new city limit signs depicting the new city logo and population and providing for the installation and maintenance thereof.
2. This ordinance shall become effective on and after its passage, approval, and publication, as prescribed by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 9th day of June, 2014.

APPROVED

CHRIS RILEY
Mayor

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form: _____
CHARLES E. ZECH
City Attorney

City of Leon Valley
TxDOT City Pride Sign
Agreement
City Limit Signs

City Council Meeting
June 9, 2014

Purpose

- To authorize the City Manager to enter into a City Pride Sign Agreement with the Texas Department of Transportation (TxDOT)
- To replace city limit signs along Bandera and Grissom Roads with new city limit signs, depicting the City's new logo and population

Background

- As part of rebranding, new street names signs are being installed on each street in Leon Valley
- Staff has also redesigned the city limit signs, depicting the new logo and population, and are replacing all city limit signs (approx 15)

Background

- To replace city limit signs along Bandera and Grissom Roads, City must enter into TxDOT's City Pride Sign Program, which controls sign installation and maintenance requirements:
 - Must gain TxDOT approval of design
 - Must meet TMUTCD size and materials guidelines
 - Must submit traffic control plan

City Limit Signs



Fiscal Impact

- None – sign manufacturing cost already budgeted
- Public Works employees will install and maintain signs

S.E.E. Impact Statement

- *Social Equity* –
 - Provides sense of pride for all citizens and provides sense of “place” for children
- *Environmental Stewardship* –
 - Aluminum signs are recyclable at end of useful life
- *Economic Development* –
 - Maintaining an attractive main corridor may encourage new residents and business from sense of progression/growth

Recommendation

- Recommend the City Council authorize the City Manager to enter into a City Pride Sign agreement with TxDOT for the purpose of installing new city limit signs, depicting new logo and population, along Bandera and Grissom Roads

City of Leon Valley
TxDOT City Pride Sign
Agreement
City Limit Signs

City Council Meeting
June 9, 2014

MAYOR AND COUNCIL COMMUNICATION

DATE: JUNE 9, 2014

M&C #2014-06-09-06

TO: MAYOR AND CITY COUNCIL

SUBJECT: APPROVAL OF AN AMENDMENT WITH ATTACHED ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS AMENDING THE LEON VALLEY CODE OF ORDINANCES APPENDIX A, "FEE SCHEDULE," ADDING SECTION A2.013, "NEWSLETTER ADVERTISEMENT FEES," FOR FEES TO ADVERTISE IN THE CITY NEWSLETTER

PURPOSE

Amend the Code of Ordinances to add fees related to advertising in the City newsletter. In order to have more supervision over the number of advertisements in the newsletter staff proposes to create a 4-page color newsletter with the assistance of a company called *Get Swirled*. This company charges a flat rate for production of the newsletter and does not utilize advertisement but allows the City to do so. In order to furnish this upgraded newsletter to residents and business of Leon Valley, staff proposes to recoup the expense by selling advertisements to the general public in limited supply.

These fees were determined by comparing the fees charged by similar publishers such as the Helotes Echo, the San Antonio Current and Neighborhood News. The proposed fees were determined to cover the needed expense.

FISCAL IMPACT

Proposed Fees
1/8 advertisement \$100
1/4 advertisement \$185

RECOMMENDATION

Staff recommends approval of the amendment to the fee schedule.

S.E.E IMPACT STATEMENT

Social Equity – the City encourages collaborative participation by stakeholders to support City events.

Environmental Stewardship – not applicable.

Economic Development – The funds received will be supplemental to fund the production and printing of the City newsletter.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, APPENDIX A, FEE SCHEDULE, TO ADD SECTION A2.013, NEWSLETTER ADVERTISEMENT FEES, FOR ADVERTISING IN THE CITY NEWSLETTER

WHEREAS, City of Leon Valley, Texas requires payment of various fees, charges and expenses; and

WHEREAS, the City Council for the City of Leon Valley, Texas is responsible for establishing said various fees, charges and expenses; and

WHEREAS, the City Council of the City of Leon Valley has previously adopted a fee schedule for the City; and

WHEREAS, the City Council of the City of Leon Valley hereby finds and determines that the fees adopted herein are reasonable and necessary to the efficient operation of the City of Leon Valley.

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

SECTION I.

"Appendix A, "Fee Schedule," Article A2.000, "Administrative Fees," is hereby amended to include:

Sec. A2.013, "Newsletter Advertisement Fees,"

- (a) 1/8 page \$100
- (b) 1/4 page \$185

SECTION II.

The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION III

That this ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

SECTION IV

That it is hereby declared to be the intention of the City Council of the City of Leon Valley that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

SECTION V

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

SECTION VI

This ordinance shall be effective upon passage and publication as required by State and Local law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 9th day of June, 2014.

A P P R O V E D

CHRIS RILEY
Mayor

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

CHARLES E. ZECH
City Attorney

MAYOR AND COUNCIL COMMUNICATION

DATE: JUNE 9, 2014

M&C #2014-06-09-07

TO: MAYOR AND CITY COUNCIL

SUBJECT: APPROVAL OF A BUDGET ADJUSTMENT AND RELATED ORDINANCE IN THE AMOUNT OF \$15,000 FOR THE GENERAL FUND SPECIAL EVENST BUDGET

PURPOSE

In May of 2014, the Leon Valley Economic Development Corporation approved a contribution to the City of Leon Valley Special Events budget in the amount of \$15,000. In order for the funds to be expended a budget adjustment is needed.

The following budget adjustment is requested:

General Fund Special Events \$15,000

FISCAL IMPACT

The City received a contribution for the Special Events budget in the amount of \$15,000 from the Leon Valley Economic Development Corporation.

RECOMMENDATION

Staff recommends approval of the budget adjustment with the related ordinance.

S.E.E IMPACT STATEMENT

Social Equity – the City encourages collaborative participation by stakeholders to support City events.

Environmental Stewardship – not applicable.

Economic Development – The funds received will be used towards successful completion of City events.

APPROVED:_____

DISAPPROVED:_____

APPROVED WITH THE FOLLOWING COMMENTS:_____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

AN ORDINANCE APPROVING AMENDMENTS TO THE GENERAL FUND OF THE CITY OF LEON VALLEY, TEXAS MUNICIPAL BUDGET FOR FISCAL YEAR 2013-2014.

Whereas on September 17, 2013 the City Council of the City of Leon Valley adopted the 2013-2014 fiscal year budget: and

Whereas Texas Local Government Code Section 102.010 provides that a municipality is not prohibited from making changes to a budget for municipal purposes: and

Whereas the Leon Valley City Council hereby finds and determines, that the amendments adopted under this ordinance are for a municipal purpose.

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

SECTION I

That the City Council of the City of Leon Valley hereby amends the fiscal year 2013-2014 budget as provided for in the attached Exhibit "A", said Exhibit to incorporated herein as if fully set forth herein.

**SECTION II
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION III.
REPEALER CLAUSE**

Any provisions of any prior ordinance of the City which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION IV.
EFFECTIVE DATE**

This Ordinance shall become effective and shall be in full force and effect on and after its passage and publication as required by state law.

**SECTION V.
PROPER NOTICE AND MEETING**

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

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 9th day of June, 2014.

APPROVED

CHRIS RILEY
Mayor

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

CHARLES E. ZECH
City Attorney

MAYOR AND COUNCIL COMMUNICATION

M&C# 2014-06-09-08

DATE: June 6, 2014
TO: MAYOR AND CITY COUNCIL
SUBJECT: Election of a Mayor Pro Tem

PURPOSE

The City Council votes from amongst its membership each year after the canvass and seating of the new City Council following the May elections. This item will allow the City Council to consider the election of a Mayor Pro Tem by minute order.

The Mayor Pro Tem (pore) is a member of the City Council who performs the Mayor's duties during the Mayor's incapacity or absence. The Mayor Pro Tem is selected by majority vote of the City Council among its own membership. The term is for one-year. The Mayor Pro Tem retains the right to vote on all matters before the City Council (and not just to break a tie) while performing the duties of the Mayor.

The selected Mayor Pro Tem will serve for a one-year term effective June 7, 2014.

FISCAL IMPACT

There is no cost associated with the approval of this item.

S.E.E IMPACT

Social Equity – Not applicable.

Environmental Stewardship – Not applicable.

Economic Development – Not applicable.

APPROVED:_____ DISAPPROVED:_____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

MAYOR AND COUNCIL COMMUNICATION

M&C# 2014-06-09-09

DATE: June 6, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: City Council Liaison to the Leon Valley Bond Oversight Committee (BOC)

PURPOSE

The BOC was established as an advisory committee to provide oversight of the \$7,000,000 bonds approved for the Municipal Facilities Improvement project. The charter of the BOC established a seven (7) member board plus two (2) city council liaisons. Former Councilmember Jack Dean has been serving as one of the liaisons and since he is no longer on City Council--the City Council need to appoint a replacement. Councilman Abraham Diaz currently serves as the other City Council liaison to the BOC.

The City Council may vote for this vacancy from amongst its membership. This item will allow the City Council to consider the appointment by minute order.

FISCAL IMPACT

There is no cost associated with the approval of this item.

S.E.E IMPACT

Social Equity – Not applicable.

Environmental Stewardship – Not applicable.

Economic Development – Not applicable.

APPROVED:_____ DISAPPROVED:_____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary



**CITY OF LEON VALLEY
INTEROFFICE MEMORANDUM**

DATE: June 4, 2014

TO: Mayor & City Council Members
P.H. Bieber *Alia*

FROM: Councilman Paul Bieber & Councilman Abraham Diaz

SUBJECT: City Council Agenda Item on the Creation of Homer Rule Charter Commission

We have requested that an agenda item be placed on the June 9, 2014 regular City Council meeting for adoption of a process to establish a Home Rule Charter Commission (HRCC). Our recommendation involves two phases for establishment of the HRCC. The first phase requiring city council action on June 9th involves establishing the method to appoint the Commission. The second phase is an ordinance (to be developed by the City Attorney) to establish the commission with roles and responsibilities as well as the official appointment of commission members. This would occur at the July 14, 2014 regular meeting of the City Council.

With regard to the first phase, we recommend the following process for creation of the HRCC: at the June 9th City Council meeting, we can discuss the number of individuals to appoint to the HRCC and how the Commission is to be appointed. We recommend an eleven (11) member commission. This is a very manageable number that ensures broad participation even if all members can't make all the meetings.

Regarding the appointment process, the City Council should vote on all appointments. Each city council member will appoint two (2) members and the mayor appoint one (1). Once the HRCC is established, the HRCC will select one of the HRCC members to serve as the Chairperson of the commission.

Once the number of the Commission membership and the appointment process is determined at the June meeting, we recommend creating the HRCC at the meeting in July as this would give us enough time to recruit potential HRCC members. In addition, we suggest setting a target objective to place the HRCC's recommended home rule charter before the voters during the May 2015 city election.

We look forward to your comments and to discussing and taking formal action on this most important City governance issue.

MAYOR AND COUNCIL COMMUNICATION

M&C #2014-06-09-10

DATE: JUNE 9, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: AMENDING LEON VALLEY CITY CODE, CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.09 PARKS AND RECREATION, SECTION 1.09.008 PARK RESOURCE USAGE, TO ADD A SECTION 1.09.008 (L) MOONWALKS AND RELATED ITEMS

PURPOSE

To approve an amendment to the Leon Valley City Code, Chapter 1 General Provisions, Article 1.09 Parks and Recreation, Section 1.09.008 to add a Section 1.09.008 (L), as proposed by the Leon Valley Park Commission.

BACKGROUND

In the past, persons renting the pavilions at the park have been allowed to bring a moonwalk or other inflatable object as a part of their rental activities. Moonwalks that are used as a part of the rental of a pavilion were addressed in the park rules, but not in the code. Recently, people have been bringing moonwalks to the park without having rented a pavilion and the moonwalks take up a large amount of area at the picnic sites. It is proposed to amend the Leon Valley City Code, to add a section regulating the use of moonwalks and other inflatables, so that they are confined to rental activity at the pavilions, with the following language:

“(L) Moonwalks and other inflatables may be used at Raymond Rimkus Park as a part of the rental activity at the pavilions. Moonwalks and other inflatables are not allowed in any other area of the park system. Persons bringing moonwalks or other inflatables must provide their own power source (generator) for such use.”

FISCAL IMPACT

None

RECOMMENDATION

It is recommended that the City Council approve an amendment to the Leon Valley City Code, Chapter 1 General Provisions, Article 1.09 Parks and Recreation, Section 1.09.008 Park Resource Usage to add, Section 1.09.008 (L).

S.E.E. IMPACT STATEMENT

Social Equity – Maintaining and improving park amenities assures recreational opportunities for all citizens.

Economic Development – Maintaining attractive recreational resources provides additional incentive for citizens and businesses to relocate or stay in Leon Valley.

Environmental Stewardship – Effective management of the park system assures prudent use of natural resources and assures the highest and best use of our floodplain/way properties.

STRATEGIC GOALS STATEMENT

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

Revising the ordinance to regulate the use of moonwalks will assure these goals are met.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

Saundra Passailaigue, TRMC, City Secretary

AN ORDINANCE AMENDING THE CITY OF LEON VALLEY'S CODE OF ORDINANCES CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.09 PARKS AND RECREATION, SECTION 1.09.008 PARK RESOURCE USAGE, TO ADD A SECTION 1.09.008 (L) TO ALLOW FOR MOONWALKS AND OTHER INFLATABLES

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

**SECTION I
CODE AMENDMENT**

The City of Leon Valley's Code of Ordinances Chapter 1 General Provisions, Article 1.09 Park Resource Usage, Section 1.09.008 is amended to add a Section 1.09.008 (L) as follows:

(L) Moonwalks and other inflatables may be used at Raymond Rimkus Park as a part of the rental activity at the pavilions. Moonwalks and other inflatables are not allowed in any other area of the park system. Persons bringing moonwalks or other inflatables must provide their own power source (generator) for such use."

**SECTION II
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION III.
REPEALER CLAUSE**

Any provisions of any prior ordinance of the City which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION IV.
EFFECTIVE DATE**

This Ordinance shall become effective and shall be in full force and effect on and after its passage and publication as required by state law.

**SECTION V.
PROPER NOTICE AND MEETING**

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

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 9th day of June, 2014.

Approved

CHRIS RILEY
Mayor

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

CHARLES E. ZECH
City Attorney

City of Leon Valley
Amendment to Leon Valley City Code,
Chapter 1 General Provisions
Article 1.09 Parks and Recreation

City Council Meeting
June 9, 2014

Purpose

- To approve an amendment to the Leon Valley City Code:
 - Chapter 1 General Provisions
 - Article 1.09 Parks and Recreation
 - Section 1.09.008
 - » to add a Section 1.09.008 (L), as proposed by the Leon Valley Park Commission

Background

- Sec. 1.09.010 of City Code states Park Commission shall:
 - Prepare and submit park regulations to the City Council for adoption
 - Make suggestions concerning park ordinances and park policies
 - Assist City Council in the development, maintenance and regulation of city parks as the Council may prescribe
 - Code reserves City Council's right to have final decision

Background

- Persons renting the pavilions at the park have been allowed to bring a moonwalk or other inflatable object as a part of their rental activities
- Owners are required to bring their own power source (generator)
- Moonwalks that are used as a part of the rental of a pavilion were addressed in the park rules, but not in the City Code
- Recently, people have been bringing moonwalks to the park without having rented a pavilion
- The moonwalks take up a large amount of area at the picnic sites

Recommendations

- Approve amendment to the Leon Valley City Code
- To add a section regulating the use of moonwalks and other inflatables, so that they are confined to rental activity at the pavilions, with the following language:
 - “(L) Moonwalks and other inflatables may be used at Raymond Rimkus Park as a part of the rental activity at the pavilions. Moonwalks and other inflatables are not allowed in any other area of the park system. Persons bringing moonwalks or other inflatables must provide their own power source (generator) for such use.”

Fiscal Impact

- None

S.E.E. Statement

- **Social Equity** – Maintaining and improving park amenities assures recreational opportunities for all citizens.
-
- **Economic Development** – Maintaining attractive recreational resources provides additional incentive for citizens and businesses to relocate or stay in Leon Valley.
-
- **Environmental Stewardship** – Effective management of the park system assures prudent use of natural resources and assures the highest and best use of our floodplain/way properties.

Strategic Goals Statement

- Item 2 (g) Make Improvements/Investments to Rimkus Park
 - Revising the code will assure all citizens are able to use the park system equally

City of Leon Valley
Approving an Amendment to Leon Valley
City Code, Chapter 1 General Provisions,
Article 1.09 Parks and Recreation

City Council Meeting
June 9, 2014

MAYOR AND COUNCIL COMMUNICATION

M&C #2014-06-09-11

DATE: JUNE 9, 2014

TO: MAYOR AND CITY COUNCIL

SUBJECT: APPROVAL OF A BUDGET ADJUSTMENT AND RELATED ORDINANCE IN THE AMOUNT OF \$207,770 FOR THE MUNICIPAL FACILITIES BOND PROJECT FOR THE PURPOSE OF FUNDING THE TECHNOLOGY INFRASTRUCTURE AND RELATED ITEMS AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE CONTRACTS FOR THE SAME PURPOSE

PURPOSE

To approve a budget adjustment in the amount of \$207,770, for the installation of technological infrastructure and cabling in the new Fire Station and Municipal facilities; and to authorize the City Manager to negotiate contracts with service providers.

The Municipal facilities project provides an opportunity to improve technology in the City facilities. These items are considered personal property and are not a part of the building construction. The City contracted with Elert & Associates to assess these needs and perform the Requests for Proposals and construction management of the IT systems. Elert & Associates have now submitted the proposals to the City and have recommended two companies to perform the installations. The companies and their proposals are:

Tero Technologies, Inc:

Premise Cabling Infrastructure – \$92,852.00

This includes everything related to the cabling system that brings the network connectivity to computers, security cameras and wireless access points.

Entech Sales & Service, Inc.:

Wireless Local Area Network - \$28,184.00

This includes the hardware to support a wireless network.

Network and UPS Systems - \$86,734.00

This includes the switches and UPS (battery backup) needed to support the computers, security cameras, access points and anything on the network.

This item will authorize the City Manager to negotiate contracts with Tero Technologies, Inc. and Entech Sales & Service Inc. for formal contract approval by the City Council at the July City Council meeting.

FISCAL IMPACT

In order to provide for technology and related items for the City facilities project, additional funding is needed. This funding will come from the General Fund sales tax windfall, CIED (additional funds from CPS), Community Center, Water and Sewer, and Police State Forfeiture funds. In order to accurately reflect the transfer from the various funds to the Capital Project Fund as well as the transfer to and expenditures in the Capital Project Fund, the following budget adjustments are needed:

Transfers Out: (Expenditure)	
General Fund/Sales Tax Windfall	\$116,997
Police Seizure Fund/State	\$ 38,198
Community Center Fund	\$ 20,000
Water & Sewer Fund	\$ 20,000
CIED Fund/Add'l Funding - CPS	\$ 12,575
Total Transfers out	\$207,770

Capital Project Fund	
Transfers In (Revenue)	\$207,770
Capital Improvements (Expenditure)	\$207,770

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
 City Secretary

AN ORDINANCE APPROVING AMENDMENTS TO THE GENERAL, POLICE FORFEITURE, COMMUNITY CENTER, WATER, CIED AND CAPITAL PROJECTS FUNDS OF THE CITY OF LEON VALLEY, TEXAS MUNICIPAL BUDGET FOR FISCAL YEAR 2013-2014.

Whereas on September 17, 2013 the City Council of the City of Leon Valley adopted the 2013-2014 fiscal year budget: and

Whereas Texas Local Government Code Section 102.010 provides that a municipality is not prohibited from making changes to a budget for municipal purposes: and

Whereas the Leon Valley City Council hereby finds and determines that the amendments adopted under this ordinance are for a municipal purpose.

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

SECTION I

That the City Council of the City of Leon Valley hereby amends the fiscal year 2013-2014 budget as provided for in the attached Exhibit "A", said Exhibit to be incorporated herein as if fully set forth herein.

**SECTION II
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION III
REPEALER CLAUSE**

Any provisions of any prior ordinance of the City which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION IV
EFFECTIVE DATE**

This Ordinance shall become effective and shall be in full force and effect on and after its passage and publication as required by state law.

**SECTION V
PROPER NOTICE AND MEETING**

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

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 9th day of June, 2014.

APPROVED

**CHRIS RILEY
MAYOR**

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

CHARLES E. ZECH
City Attorney



Exhibit "A"
Ordinance No. _____

**CITY OF LEON VALLEY, TEXAS
BUDGET ADJUSTMENT
FISCAL YEAR 2013-2014**

Request Submitted By: _____	Date: _____
Department Head	
Approved By: _____	Date: _____
Finance Director	
Approved By: _____	Date: _____
City Manager	

TYPE OF TRANSFER:	<u>DEPARTMENT:</u>
_____ Inter-Departmental Transfer	
_____ Intra-Departmental Transfer	
<input checked="" type="checkbox"/> Supplemental Appropriation	

FROM:

FUND	ACCOUNT NO.	DESCRIPTION	AMOUNT
General	100	Sales Tax Windfall Transfer Out	\$116,997
Police Forfeiture	900	Police Seizure Transfer Out	\$38,198
Comm Ctr	710	Community Center Transfer Out	\$20,000
Water	200	Water & Sewer Transfers Out	\$20,000
CIED	211	Current Year Operating Revenues Transfer Out	\$12,575

TO:

FUND	ACCOUNT NO.	DESCRIPTION	AMOUNT
Capital Projects	850	Transfers In	\$207,770
Capital Projects	850	Capital Improvements	\$207,770

City of Leon Valley
Budget Adjustment - Technology
Municipal Facilities Bond Project

City Council Meeting

June 9, 2014

Purpose

- To approve a budget adjustment in the amount of \$207,770, for the installation of technological infrastructure and cabling in the Municipal facilities.

Purpose

- The Municipal facilities project provides an opportunity to improve technology in the City facilities
- These items are considered personal property and not a part of the building construction
- The City contracted separately with Elert & Associates to assess these needs and perform the Requests for Proposals and construction management of the IT systems
- Elert & Associates have now submitted the proposals to the City and have recommended two companies to perform the installations

Purpose

- The companies proposing the services are:
 - Tero Technologies, Inc.
 - Premise Cabling Infrastructure - **\$92,852.00**
 - This includes everything related to the cabling systems that brings the network connectivity to computers, security cameras and wireless access points.
 - Entech Sales & Service, Inc.
 - Wireless Local Area Network - **\$28,184.00**
 - This includes the hardware to support a wireless network.
 - Network and UPS Systems - **\$86,734.00**
 - This includes the switches and UPS (battery backup) needed to support the computers, security cameras, access points and anything on the network.

Fiscal Impact

- The following budget adjustment is needed for the Capital Projects Fund:

» General Fund/Sales Tax Windfall	\$116,997
» Police Seizure Fund/State	\$ 38,198
» Community Center Fund	\$ 20,000
» Water & Sewer Fund	\$ 20,000
» CIED Fund/Add'l Funding - CPS	\$ 12,575
» Total Transfers out	\$207,770
» Transfers in:	
» Capital Projects Fund	\$207,770
» Capital Improvements (Expenditure)	\$207,770

Recommendation

- Recommend approval of a budget adjustment in the amount of \$207,770, for the installation of technological infrastructure and cabling in the new Fire Station and Municipal facilities; and
- Meets City Council Strategic Goals for 2013-2014 by continuing to improve the City's Capital and Planning Projects
- Staff will work on contracts with suggested vendors for approval at the next CC meeting

S.E.E. Statement

- Social Equity –
 - Improves technology based services provided to the community and enhances web-based payment options
- Economic Development –
 - Enhances the City's professional image
- Environmental Stewardship –
 - Use of technology reduces the need for paper and related products

City of Leon Valley
Budget Adjustment – Technology
Municipal Facilities Bond Project

City Council Meeting

June 9, 2014

City of Leon Valley Memorandum

Date: June 4, 2014
To: Mayor Chris Riley and City Council
From: Kristie M. Flores, Director of Community Development
RE: Specific Use Permit Case #2014-272

This Specific Use Permit Case #2014-272, was withdrawn because the use does not require an SUP. A dated Permitted Use Table was referenced and the applicant thought they needed an SUP, but in looking at the revised Table the SUP is no longer required.

The Item is listed on the agenda because it was published and notified for the City Council date of June 9, 2014. Thus, if anyone is in attendance for the public hearing – it can be noted that the case was withdrawn because the use is allowed by right without a Specific Use Permit.

Thank you.

MAYOR AND COUNCIL COMMUNICATION

DATE: JUNE 9, 2014

M&C #2014-06-12

TO: MAYOR AND CITY COUNCIL

SUBJECT: PUBLIC HEARING WITH ATTACHED ORDINANCE TO CONSIDER ZONING CASE 2014-393, THE REZONING OF APPROXIMATELY 14.07 ACRES OF LAND LOCATED GENERALLY AT 6016, 6200, 6312, 6360, AND GRISSOM ROAD FROM THE SUSTAINABILITY OVERLAY DISTRICT TO THE COMMERCIAL/INDUSTRIAL OVERLAY DISTRICT WITHIN A B-3 (COMMERCIAL) ZONING DISTRICT

PURPOSE

A group of property owners Henry Daughtry Jr. (Leon Valley Storage), Leatrice Hans, Eddie Miller and Susana Guzman have come together to request rezoning from the Sustainability Overlay to the Commercial/Industrial Overlay at the subject noted addresses above. The property owners wish to expand and enhance their properties on Grissom Road. These owners support the Zoning Overlays and the goals of beautification and improved design standards, but cannot presently expand without triggering complete conformance with the Sustainability Overlay standards. The businesses are located in a B-3 (Commercial) zoning district and were allowed by right before the Overlay was initiated. Presently, the businesses are non-conforming and would not continue to be allowed in the Sustainability Overlay if the Overlay is triggered (i.e. building improvements/construction) and so to continue their businesses, and make them better the property owners are requesting rezoning to the Commercial/Industrial Overlay. The specifics regard this case are on the attached Zoning Worksheet.

Overlay changes should be done in groupings of properties and not individually as that is not the nature of an overlay. Thus, this request is appropriate.

FISCAL IMPACT

The property owner of Leon Valley Storage is proposing a \$1.2 million office/retail center and storage addition in the vacant property. The other property owners involved in the request are also making improvements to their property.

RECOMMENDATION

On Thursday, May 29, 2014 the Zoning Commission recommended approval of Zoning Case #2014-393, noting it was consistent and compatible with the area, by a unanimous vote of 7-0.

S.E.E IMPACT STATEMENT

Social Equity – the property owner has spoken to adjacent property owners regarding his expansion and their part in the overlay change consideration. The property owners involved in the rezoning consideration support the change as do other surrounding property owners.

Environmental Stewardship – the applicant has noted that they will comply with the Overlay requirements for streetscaping and landscaping would be maintained.

Economic Development – Leon Valley Storage, Miller's Automotive and Mundo Verde are Leon Valley businesses. In fact, Leon Valley Storage is one of the oldest businesses still in existence in Leon Valley. Business retention and expansion promotes additional patronage, sales tax generation and encourages other businesses to stay and make improvements, as well as encourages other businesses to locate in Leon Valley.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC

City Secretary

LEON VALLEY

ZONING APPLICATION FORM (please print or type in black)

Personal Information

Name of Applicant: Henry A. Daughtry, Jr.
Address: 6200 Grissom Road, SATX 78238
Phone No: Home () Work (210) 845-7350 Fax (210) 757-3032
Status (check one): Owner Agent (if agent, attach notarized Letter of Authorization)
see Attached FOUR OWNER'S

Property Description

Address: 6016, 6200, 6312, 6360 & 6400 Grissom Rd
Legal Description: CB5955, Lots 7, 8, 9, 10, 11, 12A, 14, A, & 15
Current Zoning: B-3 Sustainable Overlay Requested Zoning: B-3 Commercial & Industrial Overlay
Existing Property Use or State None: Self-Storage, Auto Repair, Vacant LANDSCAPE CONTRACTOR
Acreage and/or Square Footage: 14.07 ac; BCADID: 361,712, 361,713, 361,715, 361,716 & 361,743
Does owner own adjacent property? Yes No

List Existing Structures: VARIOUS Bldg Circa 1940's + 1950's
and/or
Existing Uses: See Above - Four Owners

I hereby certify that I have read and examined this application and the attached instruction sheet and know the information I have provided to be true and correct. All provisions of laws and ordinances governing this application will be complied with whether specified herein or not. The granting of a zoning change does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the property.

Henry A. Daughtry, Jr.
Signature of Applicant 5-5-14
Date

BEFORE ME, A Notary Public in and for Bexar County, on this date personally appeared Henry A. Daughtry (Applicant) who duly states that all facts on this application are true to the best of his/her knowledge.

SWORN TO and SUBSCRIBED before me this 5th day of May, 2014.



Marie D. Mendez
Notary Public, Bexar County, Texas
My Commission expires: 3-19-2018

att. 1

Land Use Statement ReZoning Case 2014-393

The purpose of this request is to rezone the subject properties from B-3 Sustainability Overlay to B-3 Commercial & Industrial Overlay in order to permit the applicant property owners to pursue their respective development and business objectives as follows:

1. Leon Valley Storage, 6016, 6200 Grissom Rd, formerly dba Uhl's Storage is the oldest continually operating business in Leon Valley with many structures and fences which are a legacy of an era when function was paramount and aesthetics and curb appeal were not a consideration. The Daughtry Family ownership (since 1993) is committed to upgrading and investing in this property as a core holding and is currently investing in curb appeal projects that include painting Grissom Rd-fronting structures to current architectural color schemes, removing the current galvanized chain link fences that are topped with barbed and/or concertina wire at the top and replacing with 8 foot high black vinyl coated architectural chain link fencing without barbed wire, new signage and landscaping to include hedges with drip irrigation inside the frontage fence line where feasible and across the front of the old hangar building. Total investment will be in excess of \$35,000 and has been approved for a \$10,000 participating grant from the LVEDC.

Self Storage is not a conforming use under the Sustainability Overlay, but is permitted under the Commercial & Industrial Overlay which will be needed for any eventual old building removal and new construction for modern self storage. Hence the rezoning request from LVS.

2. Eddie Miller, dba Miller Machine Shop, 6312 Grissom (1.635 acre), is also operating under a non-conforming use status since their business also predates the current overlay zoning. The owner would like to invest in needed curb appeal upgrades but would like to be rezoned to conform to the property current use.

3. 6360 Grissom is a 2.27 acre vacant lot purchased by Leatrice Hans and her late husband in 1981. She has entered into an agreement to sell the property to Leon Valley Storage, but it is conditioned upon and subject to the requested rezoning in order to permit development of a state-of-the art Office & Self Storage facility that will have office/retail store fronts (no appearance of storage from Grissom).

4. 6400 Grissom (2.45 acres) owned by Susana Guzman dba Mundo Verde Irrigation and Landscaping is used for conducting business operations from this location. They have plans for future development that may require rezoning as requested.

SUMMARY:

The proposed rezoning is consistent with the current uses in the surrounding area including Miracle Body & Paint which was recently rezoned as we are requesting. The requested rezoning will encourage curb appeal and other investment in the existing developed properties and permit a new development on a vacant lot that will add an estimated \$1.2 Million to the property tax rolls and generate sales tax revenues.

Both churches which anchor each end of Grissom relative to subject properties have expressed SUPPORT for this rezoning as have all the other businesses we have been able to contact.

att.2

Subject Property

Bexar CAD - Map of Property ID 361713 for Year 2014



Property Details

Account

Property ID: 361713
Geo ID: 05955-000-0090
Type: Real

Legal Description: CB 5955 BLK LOT 9, 10, 11 & 12A

Location

Situs Address: 6200 GRISSOM LEON VALLEY, TX 78238
Neighborhood: NBHD code13390
Mapsco: 580A4
Jurisdictions: CAD, 06, 08, 09, 10, 11, 32, 56

Owner

Owner Name: UHLS LTD
Mailing Address: , 6200 GRISSOM RD, SAN ANTONIO, TX 78238-2231

Property

Appraised Value: \$1,400,000.00

<http://www.bcad.org/Map/View/Map/1/361713/2014>



Map Disclaimer: This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

att. 3b

Bexar CAD - Map of Property ID 361716 for Year 2014



Property Details

Account

Property ID: 361716
Geo ID: 05955-000-0150
Type: Real

Legal Description: CB 5955 BLK LOT 15

Location

Situs Address: 6360 GRISSOM LEON VALLEY, TX 78238
Neighborhood: NBHD code13390
Mapsc0: 580A3
Jurisdictions: CAD, 06, 08, 09, 10, 11, 32, 56

Owner

Owner Name: HANS MAURICE & LEATRICE M
Mailing Address: , 104 PERSIMMON DR, SAN ANTONIO, TX 78213-2426

Property

Appraised Value: \$209,280.00

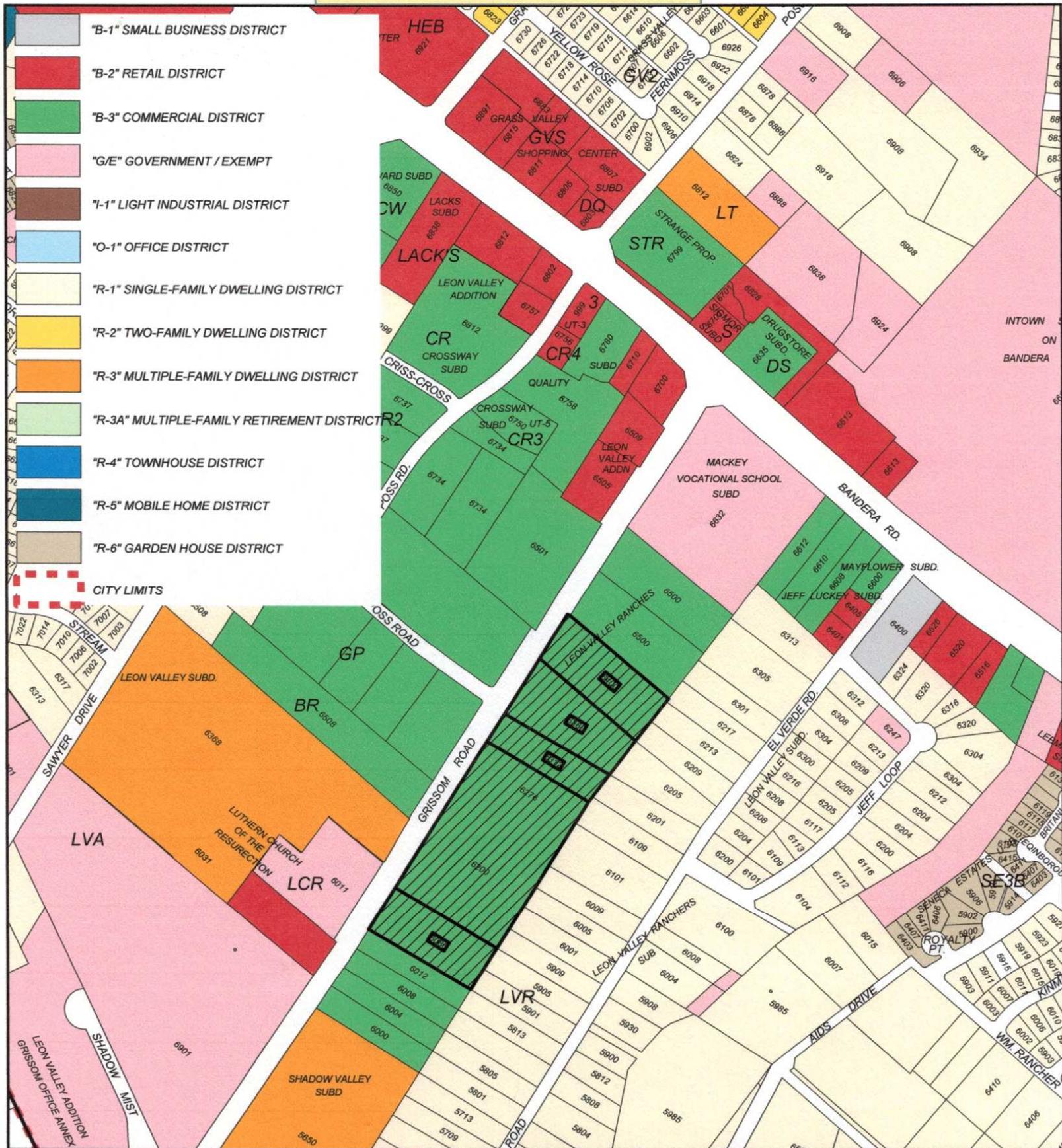
<http://www.bcad.org/Map/View/Map/1/361716/2014>



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Att. 3d

CITY OF LEON VALLEY



Zoning Case #2014-393
 A request to Rezone from the
 Sustainability Zoning Overlay to
 the Commercial/Industrial Zoning Overlay

att.4

**Sustainability Overlay (SO)
Underlying Zoning B-3**

Adult Care Facility
Alcoholic Beverage Sales – No on premise consumption
Alteration and Repair of Apparel
Ambulance Service
Animal Clinic
Antique store
Appliance, minor-repair
Appliance store repair and/or service incidental
Art Gallery/museum
Assembly/packaging **(SUP required)**
Attended donation station **(SUP required)**
Automobile accessories – retail sales w/installation and/or repair incidental **(SUP required)**
Automobile accessories – retail sales without installation and/or repair incidental
Automobile service station – gasoline sales only **(SUP required)**
Automobile service station –repair incidental **(SUP required)**
Automobile/vehicle inspection station **(SUP required)**
Bakery
Bank, savings and loan
Bar **(SUP required)**
Barber or beauty equipment and supplies
Barber or beauty shop
Bicycle sales and repair
Bookstore
Building specialty store
Camera/photographic supply
Candy, nut and confectionery store
Catering facility
Cemetery **(SUP required)**
Child care facility
Clinic – medical or dental
Clothing and accessory store
Club or lodge (private) **(SUP required)**
Communications distribution hub **(SUP required)**

**Commercial/Industrial Overlay (CIO)
Underlying Zoning B-3**

Adult Care Facility
Air Conditioning Repair
Air Conditioning Sales – Repair and/Service Incidental
Alcoholic Beverage Sales – No on premise consumption
Alteration and Repair of Apparel
Ambulance Serve
Animal Clinic
Animal Shelter/Pound
Antique store
Appliance, minor-repair
Appliance, major – repair
Appliance store repair and/or service incidental
Art Gallery/museum
Assembly/packaging **(SUP required)**
Attended donation station **(SUP required)**
Auditorium, convention center, and other similar meeting facilities **(SUP required)**
Automobile accessories – retail sales w/installation and/or repair incidental
Automobile and boat storage **(SUP required)**
Automobile lubrication service facility – lubrication only
Automobile parts and components – retail sales with installation and/or repair incidental
Automobile accessories – retail sales without installation and/or repair incidental
Automobile and boat storage **(SUP required)**
Automobile lubrication service facility – lubrication only
Automobile parts and components – retail sales with installation and/or repair incidental
Automobile rental with unenclosed on-site storage of not more than twelve (12) private passenger vehicles
Automobile rental on-site storage
Automobile rental and/or sales
Automobile repair and/or service
Automobile repair and/or service – brakes repair facility
Bait store
Bakery
Bank, savings and loan

att. 5a

Sustainability Overlay (SO)
Underlying Zoning B-3

Computer store or similar
Convenience store
Cosmetic store
Dairy product sales
Department store
Drugstore
Dry-cleaning (pick-up only)
Entertainment – INDOOR **(SUP required)**
Entertainment – OUTDOOR **(SUP required)**
Feed, seed and fertilizer sales
Firearms and/or ammo **(SUP required)**
Fish market (enclosed)
Flea market
Floor cleaning **(SUP required)**
Floor covering sales
Floral shop
Food product sales
Fruit and produce market
Funeral home **(SUP required)**
Furniture sales
Garden specialty
Gift shop
Glass sheet sales
Grocery store
Gym
Hardware store
Hobby store
Hospital **(SUP required)**
Permanent Cosmetics **(SUP required)**
Interior decorating
Jewelry sales
Laboratory – medical or dental **(SUP required)**
Laundromat
Leather goods
Locksmith
Convalescent Center **(SUP required)**
Nursing Home (SUP required)
Inn
Medical Equipment sales
Music store
Office Equipment
Office Professional

Commercial/Industrial Overlay (CIO)
Underlying Zoning B-3

Bar **(SUP required)**
Barber or beauty equipment and supplies
Barber or beauty shop
Bicycle sales and repair
Boat sales and service **(SUP required)**
Bookstore
Building specialty store
Cabinet or carpenter
Camera/photographic supply
Candy, nut and confectionery store
Carwash (automatic)
Carwash (self-service)
Catering facility
Cemetery **(SUP required)**
Child care facility
Churches
Cleaning products
Clinic – medical or dental
Clothing and accessory store
Club or lodge (private) **(SUP required)**
Cold storage plant **(SUP required)**
Communications distribution hub **(SUP required)**
Computer store or similar
Contractor facility
Convenience store
Cosmetic store
Dairy product sales
Dance hall **(SUP required)**
Department store
Drugstore
Dry-cleaning (pick-up only)
Entertainment – INDOOR **(SUP required)**
Entertainment – OUTDOOR **(SUP required)**
Exterminator
Farm equipment sales
Feed, seed and fertilizer sales
Firearms and/or ammo **(SUP required)**
Fish market (enclosed)
Flea market
Floor cleaning
Floor covering sales
Floral shop

att. 5b

**Sustainability Overlay (SO)
Underlying Zoning B-3**

Optical store
Paint and wallpaper
Parking lot and parking garage
Pet grooming
Pet store
Photographic equipment and supplies
Picture framing shop
Plant Nursery I (**SUP required**)
Plant Nursery II (**SUP required**)
Plant Nursery III (**SUP required**) – no
outside storage – screen required
Plant Nursery Sales (**SUP required**)
Playroom/birthday part room, children only
Plumbing fixture store
Pool and spa sales (**no outside storage**)
Post Office
Printing and reproduction services (**SUP
required**)
Radio/television station (**no tower**)
Recreational facility
Restaurant and/or food establishment
Restaurant and/or food establishment (**not
completely enclosed – SUP required**)
Retail Outlet
Salon specialty
Shoe sales and/or repair
Sign shop (**SUP required**)
Sporting goods
Stamp and/or coin store
Stationery sales
Studio for fine arts
Tailor shop
Telephone sales – to include mobile
Theater, indoor
Tobacco store
Tool and equipment rental
Toy store
Trophy sales
Videotape sales and rental
Watch and clock repair

**Commercial/Industrial Overlay (CIO)
Underlying Zoning B-3**

Food product sales
Fruit and produce market
Funeral home
Furniture sales
Furniture repairs
Garden specialty
Gift shop
Glass sheet sales
Grocery store
Gym
Hardware store
Hobby store
Hospital (**SUP required**)
Permanent Cosmetics
Interior decorating
Jewelry sales
Kennel (**SUP required**)
Laboratory – medical or dental
Laboratory – research
Laundromat
Laundry supply (**SUP required**)
Leather goods or luggage
Library
Convalescent center
Nursing home
Hotel
Inn
Motel
Suite hotel
Lumberyard (**SUP required**)
Machine, tools construction equipment sales,
repair and service
Manufacturing (**SUP required**)
Medical Equipment supplies
Motorcycle sales, repair and service
Moving and transfer company
Music store
Nonemergency medical transport
Office Equipment
Office Professional
Optical store
Paint and wallpaper
Park and ride
Parking lot and parking garage (**SUP
required**)

Att. 5C

**Sustainability Overlay (SO)
Underlying Zoning B-3**

**Commercial/Industrial Overlay (CIO)
Underlying Zoning B-3**

Pet grooming
Pet store
Photographic equipment and supplies
Picture framing shop
Plant Nursery I
Plant Nursery II (**SUP required**)
Plant Nursery III
Plant Nursery IV
Plant Nursery Sales
Playground equipment sales
Playroom/birthday part room, children only
Plumbing fixture store
Portable building sales
Pool and spa sales
Post Office
Printing and reproduction services
Propane facility (**SUP required**)
Radio/television station (**no tower**)
Recreational facility
Restaurant and/or food establishment
Restaurant and/or food establishment (**not completely enclosed**)
Repair shop
Retail Outlet
Salon specialty
Shoe sales and/or repair
School
School, vocational
Self-storage facility
Sign shop
Small airs firing range – indoor (**SUP required**)
Sporting goods
Stamp and/or coin store
Stationery sales
Studio for fine arts
Tailor shop
Taxidermist (**SUP required**)
Telecommunications (**SUP required**)
Telephone sales – to include mobile
Temporary use (**SUP required**)
Theater, indoor
Theater, outdoor (**SUP required**)
Tobacco store
Tool and equipment rental
Toy store

att. 5d

Sustainability Overlay (SO) Underlying Zoning B-3	Commercial/Industrial Overlay (CIO) Underlying Zoning B-3 Trophy sales Truck repair/maintenance University Videotape sales and rental Warehouse storage facility Watch and clock repair Wholesale facility
--	--

att.be

within 200ft FAVOR

City of Leon Valley

Zoning Case # 2014-393

6016, 6200, 6312, 6360, and 6400 Grissom Rd

Legal Description: CB 5955, Lots 7, 8, 9, 10, 11, 12A, 14A, and 15

Leon Valley Parcels

Current Zoning: B-3 Sustainable Overlay

Requested Zoning: B-3 Commercial & Industrial Overlay

Existing Property Uses: Self Storage, Auto Repair, Vacant Lot, Landscaping Contractor

This is to express SUPPORT FOR the proposed rezoning subject properties.

Name: Manned Roberto D.D. MIRADE Body + Paint

Address: 6217 GRISSOM Rd. S.A. TX. 78238

RECEIVED
MAY 27 2014
BY: KMF

att. 6a

DUPLICATE within
200ft.

Dear Mrs. Inbred, 5-29-14
I would like to express
my support for the lifting of
the overlay across Grissom
and all four properties being
proposed to right by
Hank Daughtery & Mal Rubio

**MIRACLE
BODY & PAINT**

OFFICE (210) 680-1987
CELL (210) 843-9564

MANUEL G. RUBIO

GENERAL MANAGER

WWW.MIRACLEBODYANDPAINT.COM

6217 GRISSOM ROAD SAN ANTONIO, TEXAS 78238

RECEIVED
MAY 29 2014

BY: ED 4:15PM

att. bb

City of Leon Valley

Zoning Case # 2014-393

6016, 6200, 6312, 6360, and 6400 Grissom Rd

Legal Description: CB 5955, Lots 7, 8, 9, 10, 11, 12A, 14A, and 15

Leon Valley Parcels

Within 200ft FAVOR

Current Zoning: B-3 Sustainable Overlay

Requested Zoning: B-3 Commercial & Industrial Overlay

Existing Property Uses: Self Storage, Auto Repair, Vacant Lot, Landscaping Contractor

This is to express SUPPORT FOR the proposed rezoning subject properties.

Name:

Jake Bixler

Address:

6012 Grissom Road 78239

RECEIVED
MAY 27 2014
BY: KMF

att.lc

City of Leon Valley

Zoning Case # 2014-393

6016, 6200, 6312, 6360, and 6400 Grissom Rd

Legal Description: CB 5955, Lots 7, 8, 9, 10, 11, 12A, 14A, and 15

Leon Valley Parcels

within draft FAVOR

Current Zoning: B-3 Sustainable Overlay

Requested Zoning: B-3 Commercial & Industrial Overlay

Existing Property Uses: Self Storage, Auto Repair, Vacant Lot, Landscaping Contractor

This is to express SUPPORT FOR the proposed rezoning subject properties.

Name:

Michelle Menor Barcelona's Lofts.

Address:

6201 Grissom Rd SA TX 78238

RECEIVED
MAY 27 2014
BY: KMF

att.6d

City of Leon Valley
Zoning Case # 2014-393

Within 200-ft IN FAVOR

6016, 6200, 6312, 6360, and 6400 Grissom Rd
Legal Description: CB 5955, Lots 7, 8, 9, 10, 11, 12A, 14A, and 15
Leon Valley Parcels

Current Zoning: B-3 Sustainable Overlay
Requested Zoning: B-3 Commercial & Industrial Overlay
Existing Property Uses: Self Storage, Auto Repair, Vacant Lot, Landscaping Contractor

This is to express SUPPORT FOR the proposed rezoning subject properties.

Name: WILBERT W. HENNING JR.
Wilbert W. Henning Jr.

Address: 6201 El Verde Rd, Leon Valley, TX 78238

25

RECEIVED
MAY 27 2014
BY: KMF

att. be

City of Leon Valley

Zoning Case # 2014-393

6016, 6200, 6312, 6360, and 6400 Grissom Rd

Legal Description: CB 5955, Lots 7, 8, 9, 10, 11, 12A, 14A, and 15

Leon Valley Parcels

Within 200-ft FAVOR

Current Zoning: B-3 Sustainable Overlay

Requested Zoning: B-3 Commercial & Industrial Overlay

Existing Property Uses: Self Storage, Auto Repair, Vacant Lot, Landscaping Contractor

This is to express SUPPORT FOR the proposed rezoning subject properties.

Name:

Rolands Allen Kamp R. Allen

Address:

6213 EL VERDE

RECEIVED
MAY 27 2014

BY:KMF.....

att. 6f

Within 200ft FAVOR

City of Leon Valley

Zoning Case # 2014-393

6016, 6200, 6312, 6360, and 6400 Grissom Rd

Legal Description: CB 5955, Lots 7, 8, 9, 10, 11, 12A, 14A, and 15

Leon Valley Parcels

Current Zoning: B-3 Sustainable Overlay

Requested Zoning: B-3 Commercial & Industrial Overlay

Existing Property Uses: Self Storage, Auto Repair, Vacant Lot, Landscaping Contractor

This is to express SUPPORT FOR the proposed rezoning subject properties.

Name: Kim E. Webster *[Signature]*

Address: Lutheran Church of the Resurrection
6011 Grissom Rd Leon Valley, TX 78238

RECEIVED
MAY 27 2014

BY: *[Signature]*

att. bg

City of Leon Valley

Zoning Case # 2014-393

6016, 6200, 6312, 6360, and 6400 Grissom Rd

Legal Description: CB 5955, Lots 7, 8, 9, 10, 11, 12A, 14A, and 15

Leon Valley Parcels

within 200-ft FAVOR

Current Zoning: B-3 Sustainable Overlay

Requested Zoning: B-3 Commercial & Industrial Overlay

Existing Property Uses: Self Storage, Auto Repair, Vacant Lot, Landscaping Contractor

This is to express SUPPORT FOR the proposed rezoning subject properties.

Freedom Baptist Church

Name:

Anthony Lamb, Pastor

Address:

6416 Grissom Road

Leon Valley

RECEIVED
MAY 27 2014

BY: KMF

att.lh

Kristie Flores

From: Mayor Riley
Sent: Thursday, May 29, 2014 7:40 PM
To: C Henley
Cc: Kristie Flores
Subject: RE: Zoning Meeting

Cindy - I was not aware of this possible zoning change for Uhl's Storage (expansion). I am copying Kristie Flores, Community Development Director and requesting that she give you an update on this possible zoning request, including pertinent facts and meeting dates for the zoning commission to consider this, if indeed this has been filed.

If this application has been filed, it first goes to the zoning commission for a vote and recommendation. Depending on what happens at the commission it next comes to city council who has the final say. Unfortunately, I do not have a vote because we are a general law city, but the (5) council members do. There is ample opportunity at the zoning commission and city council to express your opinion on a zoning case through a public hearing.

Let's see what Mrs. Flores says and then you will have a better idea of what the next step is. I appreciate you contacting me with your concern and I will contact once we know the facts.
Sincerely, chris

Chris Riley

Mayor, City of Leon Valley
6400 El Verde Rd.
Leon Valley, TX. 78238
(210) 618-2092 - (cell)
(210) 684-1391, Ext. 218

From: C Henley [baseballfan365247@yahoo.com]
Sent: Thursday, May 29, 2014 6:32 PM
To: Mayor Riley
Subject: Zoning Meeting

*opposed - within
200ft*

I'm writing to you in regards to a possible zoning change for a property on Grissom. I understand Uhls storage is interested in purchasing a piece of property that fronts Grissom rd. They want to expand their storage units. A gentleman stopped by my mothers Maggie Schenck who resides at 6217 El Verde last week. He told me their intentions and I told him I was against it. My reasons is as you know El Verde floods and the more that is built around us (concrete/asphalt) the less surface area the rain has to soak in. I told this to the gentleman. I would like for you to please consider this when you vote. Please do not approve this. Besides the run off comes along w/ the oil, gas and all other waste that run off into our property. People work on cars boats etc there.

Thank you in advance of your support of our street.

att.li

Cindy Henley

ORDINANCE No. 14-011

AN ORDINANCE REZONING APPROXIMATELY 14.07 ACRES OF LAND, GENERALLY LOCATED AT 6016, 6200, 6312, 6360, AND 6400 GRISSOM ROAD FROM THE SUSTAINABILITY OVERLAY ZONING DISTRICT TO THE COMMERCIAL/INDUSTRIAL OVERLAY ZONING DISTRICT.

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

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

WHEREAS, the Leon Valley Code of Ordinances Chapter 14 constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 14 of the Leon Valley Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended approval of the re-zoning of the designated properties and has confirmed that the re-zoning is uniform and conforms to the plan and design of the City of Leon Valley's Zoning regulations and the City of Leon Valley Comprehensive Plan; and

WHEREAS, the City Council of the City of Leon Valley has also held a public hearing regarding the re-zoning on affected properties and has issued adequate notice to all the affected parties; and

WHEREAS, the City Council of the City of Leon Valley believes the re-zoning of affected properties will not adversely affect the character of the area of the neighborhood in which it is proposed to rezone; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City's Zoning Ordinance; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City of Leon Valley;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

LEON VALLEY, TEXAS, THAT:

SECTION I.

1. Property being described as Lots 7, 8, 9, 10, 11, 12A, 14, 15, and Lot 23, CB 5955, Leon Valley Ranches Subdivision, being approximately 14.07 acres of land, generally located at 6016, 6200, 6312, 6360, and 6400 Grissom Road, and more particularly described in case file ZC 2014-393, is hereby rezoned from the from the Sustainability Overlay (SO) Zoning District to the Commercial/Industrial Overlay (CIO) Zoning District.
2. That the City's Official Zoning Map is hereby amended to reflect the above approved zoning.
3. The City staff is hereby authorized to issue said zoning when all conditions imposed by the City Council have been addressed and complied with in full.

Comment [CZ1]: Any conditions should be included in the ordinance.

SECTION II.

The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION III

That this ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

SECTION IV

That it is hereby declared to be the intention of the City Council of the City of Leon Valley that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

SECTION V

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

SECTION VI

This ordinance shall be effective upon passage and publication as required by State and Local law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the ____ day of _____, 2014.

APPROVED

CHRIS RILEY
Mayor

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

CHARLES E. ZECH
City Attorney

City of Leon Valley City Council

Zoning Case #2014-393

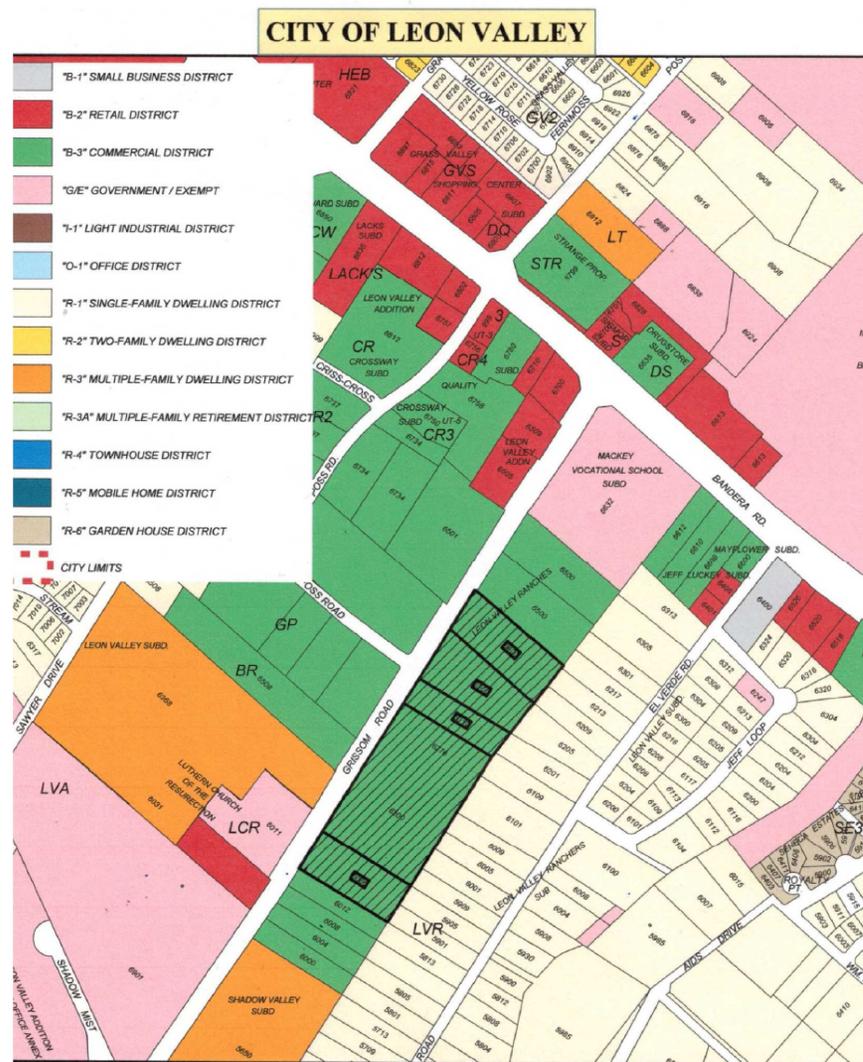
Rezoning request for 14.07 acres
From Sustainability to Commercial/Industrial
Overlay 6016-6400 Grissom Road

June 9, 2014

Purpose

- Applicants: Daughtry, Hans, Guzman, Miller
- Rezone Approximately 14.07 acres from the Sustainability Overlay to the Commercial Industrial Overlay
- 6016, 6200, 6213, 6360 & 6400 Grissom Road
- Lots 7, 8, 9, 10, 11, 12A, 14 and 15, and Lot 23 (or A), CB 5955, Leon Valley Ranches Subdivision

Surrounding Zoning



Zoning Case #2014-393
 A request to Rezone from the
 Sustainability Zoning Overlay to
 the Commercial/Industrial Zoning Overlay



Proposed Change with Existing CIO

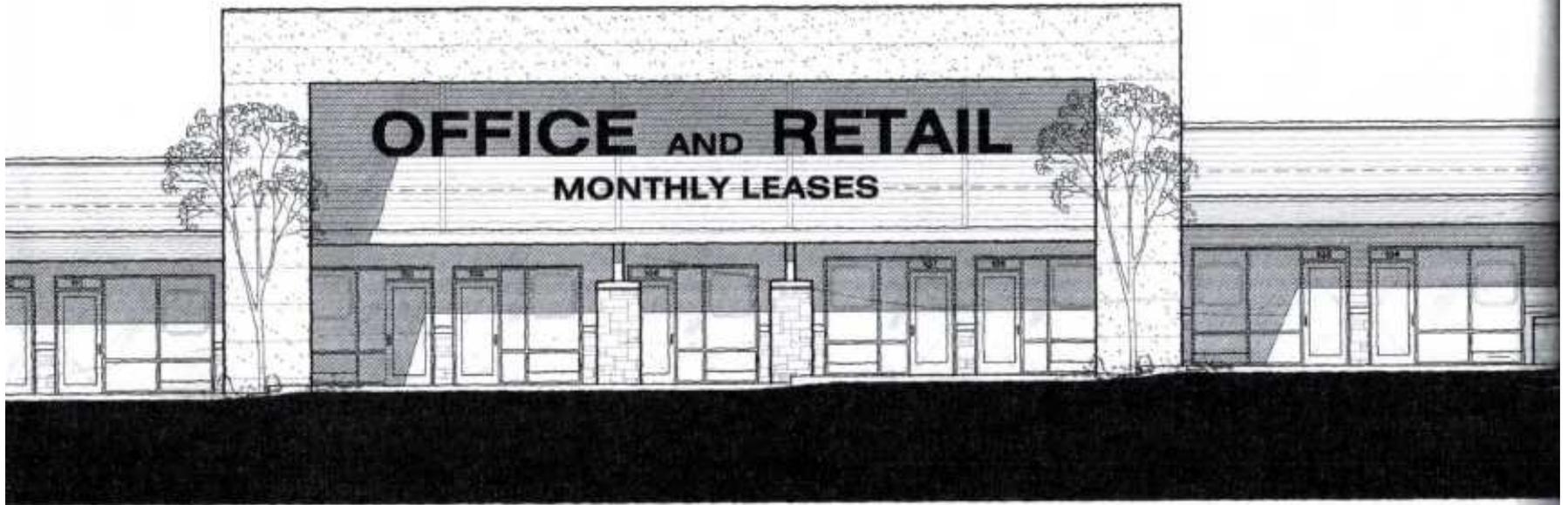


Zoning Case #2014-393
 A request to Rezone from the
 Sustainability Zoning Overlay to
 the Commercial/Industrial Zoning Overlay



Fiscal Impact

- The property owner of Leon Valley Storage is proposing a \$1.2 million office/retail center and storage addition in the vacant property. The other property owners involved in the request are also making improvements to their property.



LESLIE ROAD SA

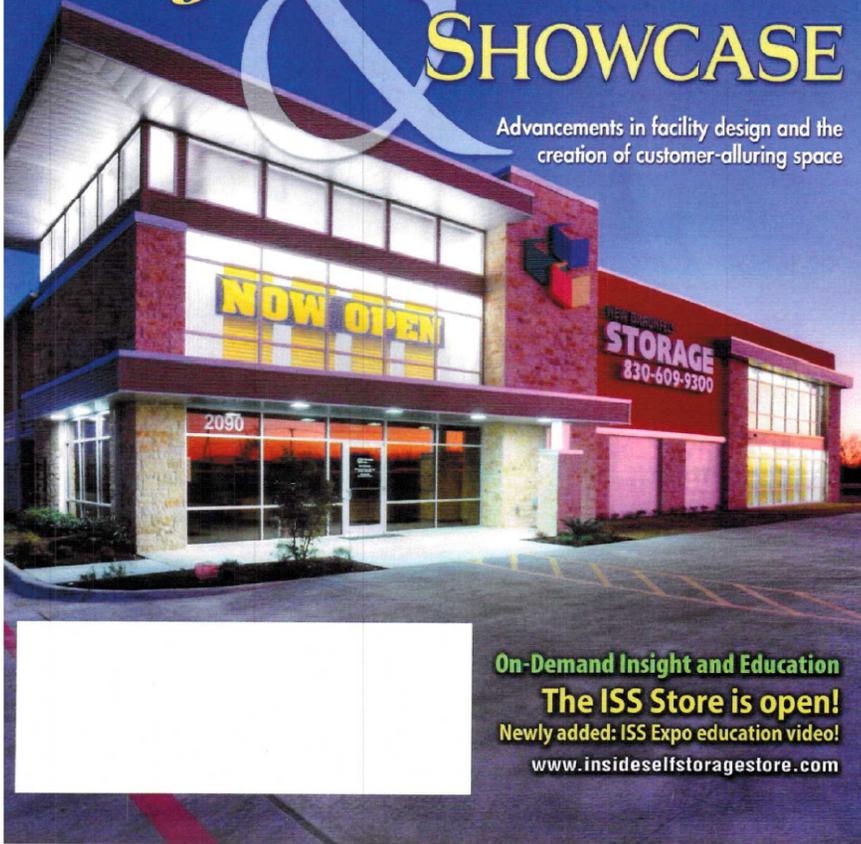
September 2012 www.insideselfstorage.com VIRGO

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The ISS Store is open!
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Property Owners 200-feet

- 30 Letters Mailed to Property Owners
- 10 Total Responses
- 8 Received in FAVOR
- 1 Received in OPPOSITION
- 0 Returned UNDELIVERABLE
- 1 Duplicate in FAVOR

Zoning Recommendation

- On May 29, 2014 the Zoning Commission recommended APPROVAL of the request noting it was consistent and compatible with the area, by a unanimous vote of 7-0.

City of Leon Valley City Council

Zoning Case #2014-393

Rezoning request for 14.07 acres
From Sustainability to Commercial/Industrial
Overlay 6016-6400 Grissom Road

June 9, 2014

MAYOR AND COUNCIL COMMUNICATION

DATE: JUNE 9, 2014

M&C #2014-06-09-13

TO: MAYOR AND CITY COUNCIL

SUBJECT: PUBLIC HEARING WITH ATTACHED ORDINANCE TO CONSIDER SPECIFIC USE PERMIT CASE #2014-273, THE OPERATION OF A "RESTAURANT – NOT COMPLETELY ENCLOSED," LOCATED GENERALLY LOCATED AT 6430 BANDERA ROAD, IN A B-2 (RETAIL) ZONING DISTRICT IN THE SUSTAINABILITY OVERLAY DISTRICT

PURPOSE

Wing Daddy’s Sauce House is requesting operation for a restaurant with an open patio at 6430 Bandera Road. A Specific Use Permit (SUP) is required because of the unenclosed patio and the potential for added noise and/or light pollution, and traffic. See the attached Specific Use Application for the request details.

FISCAL IMPACT

Wing Daddy’s is proposing \$283,000 in improvements to the site.

RECOMMENDATION

The Zoning Commission met on Wednesday, June 4, 2014 and the recommendation will be presented at the City Council meeting of Monday, June 9, 2014.

S.E.E IMPACT STATEMENT

Social Equity – the City encourages enjoyable social amenities and developments, as well as the collaborative participation by business stakeholders in creating a superior quality of life for residents and visitors to the City.

Environmental Stewardship – the applicant has noted that they will comply with the streetscaping and landscaping requirements of the Sustainability Overlay.

Economic Development – Wing Daddy’s would be a new business to Leon Valley and has the potential to increase sales tax generation for the City. In addition to this new business, the development and operation of Wing Daddy’s will encourage other potential developers looking to locate into Leon Valley to move forward with their projects/investments.

APPROVED: _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING COMMENTS: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

LEON VALLEY

SPECIFIC USE PERMIT APPLICATION FORM (please print or type in black)

Personal Information

Name of Applicant: Wing Daddy's Sauce House - Ryan McNellis

Address: 2021 E. Yandell, El Paso, TX 79903

Phone No: Home () Work (915) 241-5172 Fax ()

Status (check one): Owner Agent (if agent, attach notarized Letter of Authorization)

Property Description

Address: 6430 E. Bandera Rd.

Legal Description: Lot 39, Block 2 - Bandera Crossing Subdivision

Current Zoning: B-2

Proposed Use & Description: Restaurant with outdoor dining

Existing Property Use or State None: Previous restaurant

Acreage and/or Square Footage: 5,940 total s.f.

Does owner own adjacent property? Yes No

Structure (check one): Addition to existing building - 435 sf OR New construction

I hereby certify that I have read and examined this application and the attached instruction sheet and know the information I have provided to be true and correct. All provisions of laws and ordinances governing this application will be complied with whether specified herein or not. I agree to be bound by, and to comply with any terms or conditions imposed by such permit. I further acknowledge that the granting of a Specific Use Permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the property.

Signature of Applicant

Date

5/23/14

BEFORE ME, A Notary Public in and for State of Texas, on this date personally appeared Ryan McNellis (Applicant) who duly states that all facts on this application are true to the best of his/her knowledge.

SWORN TO and SUBSCRIBED before me this 23rd day of May, 2014.



Notary Public, Bexar County, Texas
My Commission expires: 1-30-18

att. 1

Wing Daddy's

Interior Finish Out
6430 E. Bandera Rd
Leon Valley, TX 78238

Development Design Statement

To Whom It May Concern:

We are seeking approval to open a new Buffalo Wing themed restaurant with an outdoor dining area at 6430 E. Bandera Rd. The name of the business will be Wing Daddy's Sauce House.

Project Summary

The primary hours of operation will be 11 a.m.- 12 a.m. Sunday-Thursday and 11 a.m. – 1 a.m. Thursday – Saturday. The restaurant services will include sit down table service, indoor and outdoor televisions, and music on an AV system; music will be kept at a tasteful level. There will not be live music inside or out.

The total area of the restaurant will be +/- 4,855 s.f.; including an 830 s.f. outdoor dining patio.

The project is located at the above address, in an existing single story retail shopping center, "Bandera Crossing". The project premises is a previously occupied space of +/- 5,940 s.f. that was also utilized as a restaurant. The proposed premises uses a 4,020 s.f. portion of the previously occupied space, and proposes to utilize 400 s.f. of existing outdoor covered walk and add an additional outdoor dining deck of 435 s.f. for a total of 835 s.f. of outdoor dining.

The proposed project is located in the "B-2" zoning area which allows Restaurant Use, but requires a Specific Use Permit for unenclosed areas only.

The project location is within the 1bCC Bandera Road South Corridor as defined in the Leon Valley 2009 Comprehensive Master Plan. The use is consistent with "Retail" as stated in the plan; and is oriented toward Bandera Road per the stated use goals for this Corridor.

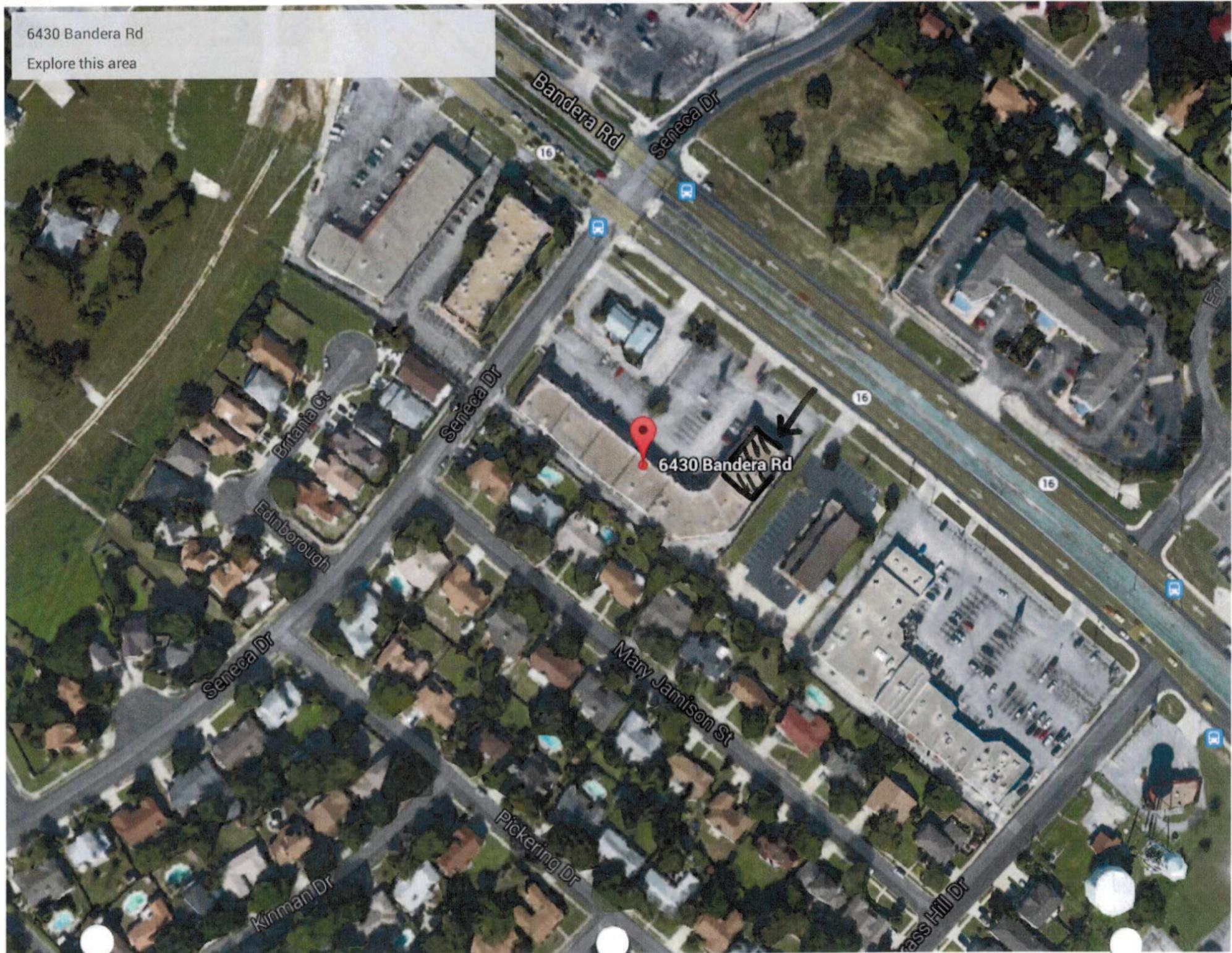
Wing Daddy's Sauce House has numerous locations throughout the region including 2 locations recently opened in the greater San Antonio area. We look forward to the opportunity to provide a quality restaurant experience to Leon Valley.



Ryan McNellis
M&S Group, Inc., D/B/A Wing Daddy's Sauce House
2021 E. Yandell
El Paso, TX 79903

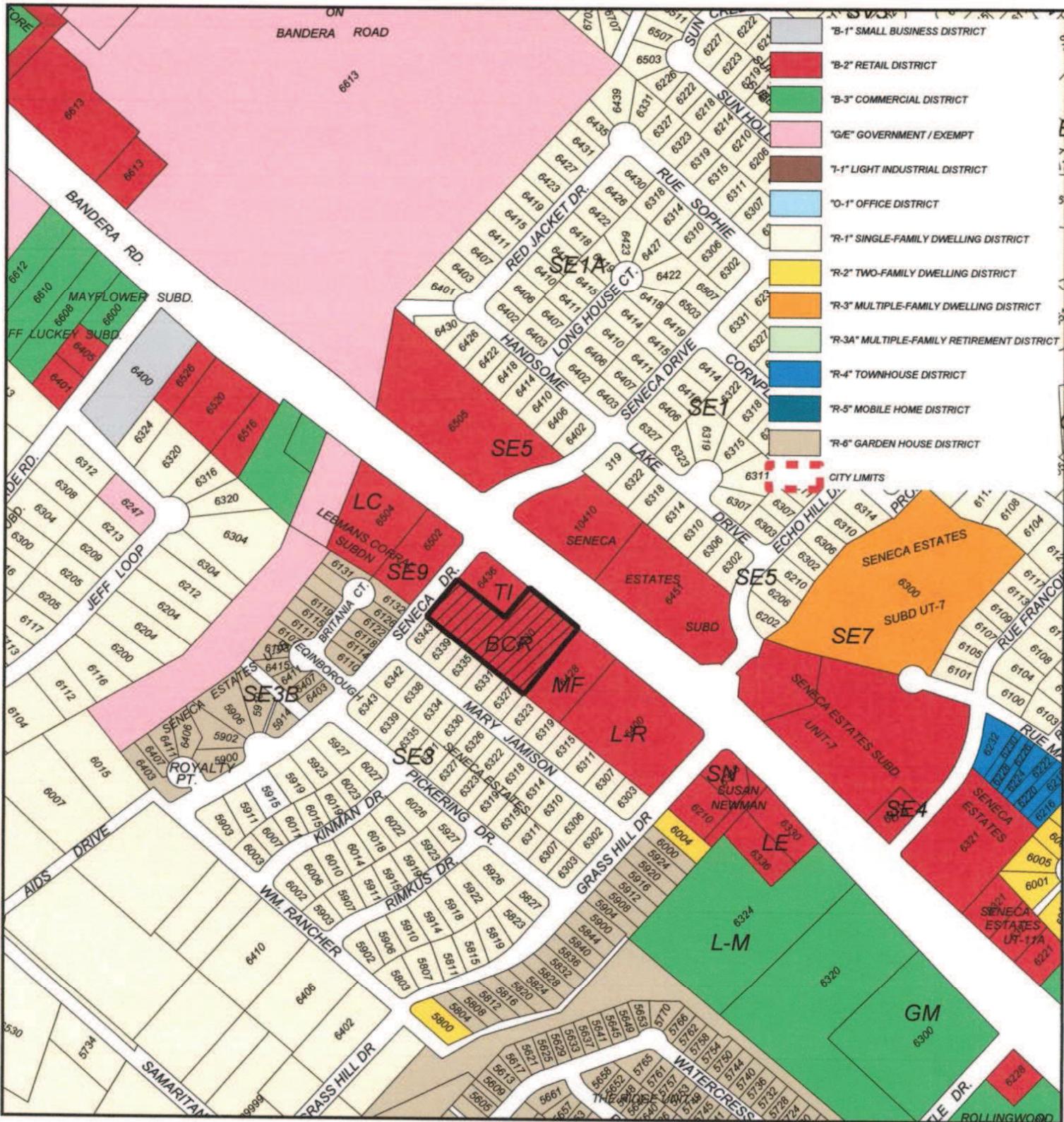
6430 Bandera Rd

Explore this area



est. 3

CITY OF LEON VALLEY



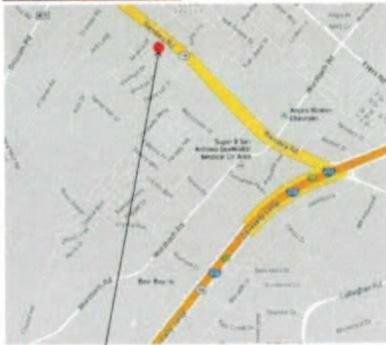
MAP NOT TO SCALE

Specific Use Permit #2014-273
A Request by Wing Daddy's,
for Operation of a "Restaurant
- Not Completely Enclosed,"
at 6430 Bandera Road

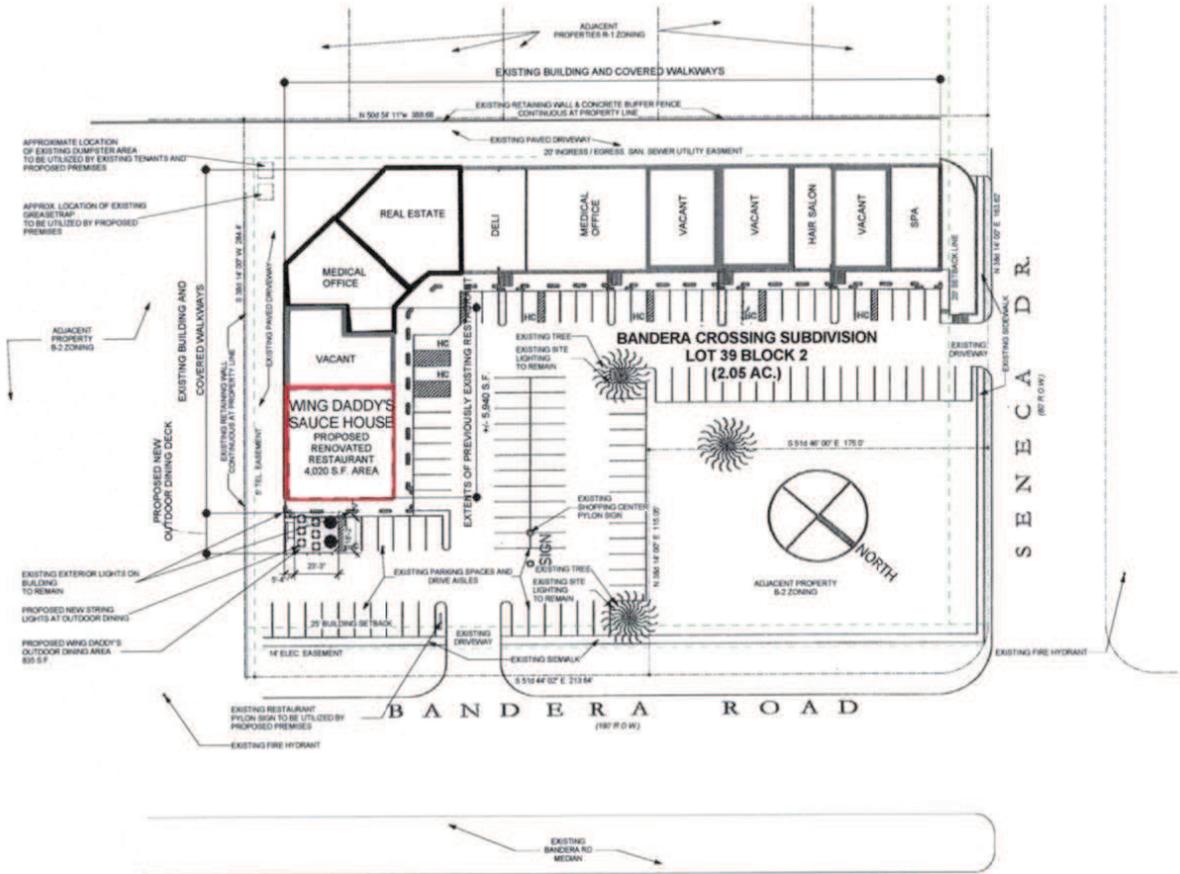
att. 4



Location Plan



SITE



DEVELOPMENT PLAN FOR WING DADDY'S RESTAURANT FOR OUTDOOR DINING
 1" = 30'-0"



CB 4429A BLOCK 2 LOT 39
 BANDERA CROSSING SUBDIVISION
 6430 E. BANDERA RD.
 LEON VALLEY, TX 78238

OWNER
 PBH, INC.
 10924 VANCE JACKSON RD STE 306
 SAN ANTONIO, TX 78230

THIS IS AN APPROXIMATE SITE PLAN BASED ON THE BEST AVAILABLE INFORMATION PROVIDED. IT IS DIAGRAMATIC AND IS NOT PROVIDED FOR OR VERIFIED BY A SURVEYOR.

PROJECT NO
 14005

THIS SET OF DRAWINGS IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY HIMSELF OR HIS FIRM.

Wing Daddy's Interior Finish-Out
 @ Bandera Crossing
 6430 E. BANDERA RD. #000
 LEON VALLEY, TEXAS 78238

REVISIONS

PHASE
 PERMIT SET

DESCRIPTION
 Unnamed



16719 Huebner Rd
 Bldg. 3, Suite 301
 San Antonio, TX 78248
 (210) 406-7555 Voice
 (210) 406-7543 Fax
 www.msasoft.com

MAY 14, 2014

D1.2

5.770

Use	O-1	B-1	B-2	B-3	I-1	SO	CIO	GO	Notes
P - Allowed by right X - Not allowed U - Per Underlying Zoning SUP - Specific use permit SO - Sustainability Overlay CIO - Commercial and Industrial Overlay GO - Gateway Overlay									
Restaurant and/or food establishment Cafeteria, cafe, delicatessen, frozen dessert shop and other similar uses (completely enclosed)	X	X	P	P	P	U	U	U	Drive-thru see section 14.02.441, "Parking regulations," part (8)(D), "Off-street parking [stacking] requirements"
<i>Residential:</i> Townhouse, Loft, Live-Work						P	X	P	Allowed only per standards in the SO or GO District
Restaurant and/or food establishment (not completely enclosed)	X	X	SUP	P	P	U	U	U	Drive-thru see section 14.02.441, "Parking regulations," part (8)(D), "Off-street parking [stacking] requirements"
Repair shop	X	X	X	P	P				
Retail outlet store	X	X	P	P	P	U	U	U	
Salon specialty - tanning, reducing, nail, massage	X	P	P	P	P	U	U	U	
School	P	P	X	P	P	U	U	U	revised ord 11-024
School, vocational	X	X	X	P	P	U	U	U	
Self-storage facility	X	X	P	P	P	X	U	X	SO or GO: Not allowed

att. 6

ERNEST & LINDA KINKLER
6343 MARY JAMISON ST
SAN ANTONIO, TX 78238-2337

within 200ft
Opposed



Strongly OPPOSED

Pls. Contact Stacey Kinkler
at 522-3478 if questions
(Daytime)

NOTICE OF PUBLIC HEARING

Stacey Kinkler Linda Kinkler

The Zoning and Land Use Commission of the City of Leon Valley will hold a public hearing on **Wednesday, June 4, 2014 at 6:30p.m.** at Leon Valley City Hall Council Chambers, 6400 El Verde Road, Leon Valley, Texas, 78238.

The City Council of the City of Leon Valley will hold a public hearing on **Monday, June 9, 2014, at 7:00 p.m.** at the Leon Valley City Hall Council Chambers, 6400 El Verde Road, Leon Valley, Texas, 78238.

The public hearings are scheduled to provide the general public with the opportunity to comment and contribute input regarding the Specific Use Permit case described below. The public hearings will be held in the Council Chambers of Leon Valley City Hall, 6400 El Verde Road.

As a property owner within 200 feet of the property described below, you have received written notice of the scheduled public hearings. As an additional means of providing input, you are invited to furnish your written response, **IN FAVOR** or **OPPOSED**, prior to the scheduled Zoning Commission and/or City Council meetings, regarding this case.

The Zoning Commission makes a recommendation regarding the proposed request to the City Council. The City Council makes the final decision.

If the owners of 20% or more of the property within 200 feet of the described site submit a written protest of a rezoning request, prior to the consideration of the rezoning request by the City Council, a three-fourths vote of the City Council will be required to approve the rezoning.

SPECIFIC USE PERMIT CASE NO. SUP #2014-273

REQUEST: A request by Wing Daddy's Sauce House, applicant, for a Specific Use Permit (SUP) to operate a "Restaurant – not completely enclosed, " (outdoor dining), in a B-2 (Retail) zoned property in the Sustainability Overlay, at 6430 Bandera Road. This use is allowed in the B-2 zoning district with an SUP.

PROPERTY DESCRIPTION: Lot 39, Block 2, CB 4429A, Bandera Crossing Subdivision, located in the City of Leon Valley, Bexar County, Texas, and more particularly described by documents on file at Leon Valley City Hall (see enclosed map).

CITY HALL CONTACT: Kristie M. Flores, Director of Community Development, (210) 684-1391, ext. 227. Responses in favor or in opposition will only be considered if in writing.

Returned Undelivered

LEON VALLEY

T E X A S
SMALL TOWN HOSPITALITY. BIG CITY ADVANTAGES.
6400 EL VERDE ROAD ★ LEON VALLEY, TX 78238-2399

SAN ANTONIO
TX 780
24 MAY '14
PM 3 L



UNITED STATES POSTAGE

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02 1A \$ 00.48⁰
0004324525 MAY 24 2014
MAILED FROM ZIP CODE 78238

EL PECHUGON INC
11470 PERRIN BEITEL RD
SAN ANTONIO, TX 78217 2536

NIXIE 782 5E 1009 0005/30/14

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 78238239999 *2310-00834-24-38

78238 2399
78217 2536



City of Leon Valley City Council

Specific Use Permit Case #2014-273
Request by Wing Daddy's Sauce House for Operation
of a "Restaurant – Not Completely Enclosed,"
at 6430 Bandera Road"

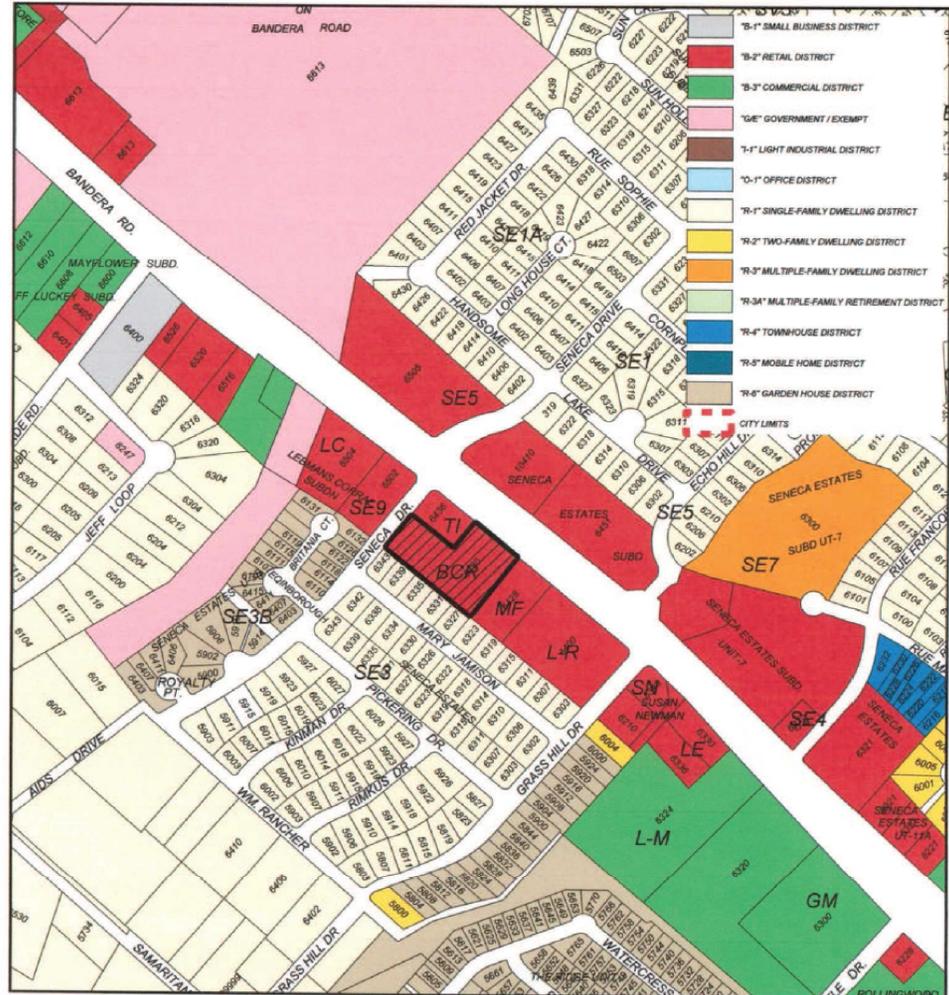
June 9, 2014

Purpose

- Applicant: Wing Daddy's Sauce
- Operate a Restaurant with an unenclosed patio
- 6430 Bandera Road
- Lot 39, Block 2, CB 4429A, Bandera Crossing Subdivision

Zoning Map

CITY OF LEON VALLEY



MAP NOT TO SCALE

Specific Use Permit #2014-273
 A Request by Wing Daddy's,
 for Operation of a "Restaurant
 - Not Completely Enclosed,"
 at 6430 Bandera Road

att. 4



Fiscal Impact

- Wing Daddy's investing \$283,000 in site improvements

Property Owners 200-feet

- 22 Letters Mailed to Property Owners
- 1 Total Responses
- 0 Received in FAVOR
- 1 Received in OPPOSITION
- 1 Returned UNDELIVERABLE

Zoning Recommendation

- On June 4, 2014 the Zoning Commission recommended _____.

City of Leon Valley City Council

Specific Use Permit Case #2014-273
Request by Wing Daddy's Sauce House for Operation
of a "Restaurant – Not Completely Enclosed,"
at 6430 Bandera Road"

June 9, 2014

ORDINANCE No. 14-012

AN ORDINANCE APPROVING A SPECIFIC USE PERMIT (SUP) #2014-273 FOR WING DADDY'S SAUCE HOUSE FOR OPERATION OF A "RESTAURANT - NOT COMPLETELY ENCLOSED" IN A B-2 (RETAIL) ZONING DISTRICT WITHIN THE SUSTAINABILITY OVERLAY.

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

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

WHEREAS, the Leon Valley Code of Ordinances Chapter 14 constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 14 of the Leon Valley Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended approval of the Specific Use Permit zoning instrument for the designated property and has confirmed that the SUP zoning instrument is uniform and conforms to the plan and design of the City of Leon Valley's Zoning regulations and the City of Leon Valley Comprehensive Plan; and

WHEREAS, the City Council of the City of Leon Valley has also held a public hearing regarding the Specific Use application on the affected property and has issued adequate notice to all the affected parties; and

WHEREAS, the City Council of the City of Leon Valley believes the Specific Use Permit will not adversely affect the character of the area of the neighborhood in which it is proposed to be used; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City's Zoning Ordinance; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City of Leon Valley;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF

LEON VALLEY, TEXAS, THAT:

SECTION I.

1. Property being described as Lot 39, Block 2, CB 4429A, Bandera Crossing Subdivision, generally located at 6430 Bandera Road, and more particularly described in case file SUP 2014-273, is hereby approved for operation of a "Restaurant-Not Completely Enclosed," in a B-2 (Retail) zoning district in the Sustainability Overlay (SO) District.
2. That the City's Official Zoning Map is hereby amended to reflect the above approved zoning.
3. The City staff is hereby authorized to issue said zoning when all conditions imposed by the City Council have been addressed and complied with in full.

Comment [CZ1]: The conditions should be listed in the ordinance.

SECTION II.

The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION III

That this ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

SECTION IV

That it is hereby declared to be the intention of the City Council of the City of Leon Valley that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

SECTION V

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

SECTION VI

This ordinance shall be effective upon passage and publication as required by State and Local law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the ____ day of _____, 2014.

APPROVED

CHRIS RILEY
Mayor

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

CHARLES E. ZECH
City Attorney

MAYOR AND COUNCIL COMMUNICATION

M&C# 2014-06-09-14

DATE: JUNE 09, 2014
TO: MAYOR AND CITY COUNCIL
FROM: Sandra Passailaigue, City Secretary
THROUGH: Manuel Longoria, Jr., City Manager
SUBJECT: Discussion and possible action on the creation of a Beautification Committee for the City of Leon Valley.

PURPOSE

This item was placed on the City Council agenda at the request of Mayor Chris Riley pursuant to Resolution No. 2014R-01-13-01..

Attachments:

E-mail requesting the item.

APPROVED: _____ DISAPPROVED: _____

COMMENTS OR DIRECTION GIVEN OR ACTION TAKEN: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Saundra Passailaigue

From: Manny Longoria
Sent: Monday, June 02, 2014 4:14 PM
To: Mayor Riley
Cc: Saundra Passailaigue
Subject: RE: June 9th agenda

Okay

From: Mayor Riley
Sent: Monday, June 02, 2014 4:12 PM
To: Manny Longoria
Subject: June 9th agenda

Mr. Longoria:

The following are a number of issues I would like to be placed on the June 9th agenda, in addition to establishing a Home Rule Charter Commission:

1. Executive Session regarding the Jazz Festival contract with Anthony Tobias;;
2. Discussion and addition of Beautification committee to volunteer committees (from Town Hall);
3. Discussion of Volunteer appointment process
3. Discussion of Rules of conduct for city council business meetings;
4. \$100,000 Park Improvements - prioritized, timeline of completion and formal approval.
4. Update on 4th of July Celebration;
5. Next Door Neighbor - status from April 2014 meeting?
6. Newsletter policy issue - switch from neighborhood news to get swirl (cost and frequency)

Please get me a draft of the June 9th meeting at your earliest convenience. I would like a copy of the amended April revised minutes to review.

Lastly, what occurred in the LVEDC executive session?
Sincerely,

Chris Riley

Mayor, City of Leon Valley
6400 El Verde Rd.
Leon Valley, TX. 78238
(210) 618-2092 - (cell)
(210) 684-1391, Ext. 218

MAYOR AND COUNCIL COMMUNICATION

M&C# 2014-06-09-15

DATE: JUNE 09, 2014
TO: MAYOR AND CITY COUNCIL
FROM: Sandra Passailaigue, City Secretary
THROUGH: Manuel Longoria, Jr., City Manager
SUBJECT: Discussion of the Volunteer Committee appointment process.

PURPOSE

This item was placed on the City Council agenda at the request of Mayor Chris Riley pursuant to Resolution No. 2014R-01-13-01..

Attachments:

E-mail requesting the item.

APPROVED: _____ DISAPPROVED: _____

COMMENTS OR DIRECTION GIVEN OR ACTION TAKEN: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

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Cc: Saundra Passailaigue
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Chris Riley

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6400 El Verde Rd.
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(210) 618-2092 - (cell)
(210) 684-1391, Ext. 218

MAYOR AND COUNCIL COMMUNICATION

M&C# 2014-06-09-16

DATE: JUNE 09, 2014
TO: MAYOR AND CITY COUNCIL
FROM: Sandra Passailaigue, City Secretary
THROUGH: Manuel Longoria, Jr., City Manager
SUBJECT: Discussion of the Rules of Conduct for City Council Business Meetings.

PURPOSE

This item was placed on the City Council agenda at the request of Councilman Sanchez and Councilman Martinez pursuant to Resolution No. 2014R-01-13-01.

Attachments:

E-mail requesting the item.
Resolution No. 2014R-01-13-01

APPROVED: _____ DISAPPROVED: _____

COMMENTS OR DIRECTION GIVEN OR ACTION TAKEN: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Saundra Passailaigue

From: Mayor Riley
Sent: Thursday, June 05, 2014 11:16 PM
To: Manny Longoria
Cc: Saundra Passailaigue
Subject: FW: Agenda item

RECEIVED
CITY OF LEON VALLEY
2014 JUN -6 AM 8:11
CITY SECRETARY

Chris Riley
Mayor, City of Leon Valley
6400 El Verde Rd.
Leon Valley, TX. 78238
(210) 618-2092 - (cell)
(210) 684-1391, Ext. 218

From: Carmen Sanchez [c.sanchez@leonvalleytexas.gov]
Sent: Thursday, June 05, 2014 2:41 PM
To: Manny Longoria; Mayor Riley; Chris Riley
Subject: Agenda item

Sending old e mails.

Dear Mayor,

I am not sure if it is too late to add an item to the agenda.

I continue to hear complaints about the process to speak at city council meetings that it is difficult and confusing.

If possible add to the agenda or for the following meeting.

Thanks,

Carmen

Saundra Passailaigue

From: Mayor Riley
Sent: Thursday, June 05, 2014 11:14 PM
To: Manny Longoria
Cc: Saundra Passailaigue
Subject: FW: couple of issues

RECEIVED
CITY OF LEON VALLEY
2014 JUN -6 AM 8:13
CITY SECRETARY

Chris Riley

Mayor, City of Leon Valley
6400 El Verde Rd.
Leon Valley, TX. 78238
(210) 618-2092 - (cell)
(210) 684-1391, Ext. 218

From: Chris Riley [mayorriley@hotmail.com]
Sent: Thursday, June 05, 2014 11:06 PM
To: Mayor Riley
Subject: FW: couple of issues

From: benny@qualtelcom.com
To: mayorriley@hotmail.com
Subject: couple of issues
Date: Sat, 31 May 2014 09:19:22 -0500

can we get 2 items on the schedule for the next city council meeting

citizens to be heard. repeal this terrible ordinance.

good news, from CM Diaz and Biever want to proceed with Home rule

Executive Session to discuss the Jazz festival.

NEED to find out why city web site is down so much. It is down right now 9:12 am
I wanted to get your official email address for my ipad to start setting up my contacts.

RESOLUTION

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY AMENDING THE RULES OF CONDUCT FOR CITY COUNCIL ESTABLISHED IN RES. NO. 10-016

WHEREAS, the purpose of a City Council meeting is to ensure that the business of government is conducted in a fair, timely, and orderly manner while allowing the citizens to participate effectively; and

WHEREAS, the City Council recognizes the need for rules to allow for an orderly and fair process for its citizens to address the Council and for Council to conduct its business; and

WHEREAS, the City Council will review "Rules of Conduct for Council" and amend the "Rules of Conduct for Council" that were approved on July 6, 2010 regular City Council Meeting.

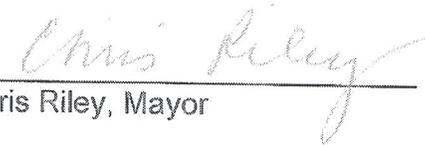
NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

The following rules will apply for citizen participation:

1. A person shall complete a sign-up card, in order to be recognized by the presiding officer to *hold the floor* and provide input.
2. Citizens may address the City Council during the "Citizen-to-be-Heard" portion of the meeting:
 - The "Citizens-to-be-Heard" portion of the agenda will allow citizens to address Council on items that are not on the agenda.
 - Citizens will be allowed a maximum of three (3) minutes to provide comments during the "Citizens-to-be-Heard" portion of the agenda.
 - The "Citizens-to-be-Heard" portion of the meeting will be:
 - i. prior to the beginning of the meeting; and
 - ii. at the end of each meeting.
 - The "Citizens-to-be-Heard" portion will be no longer than thirty (30) minutes at the beginning and end of each meeting.
 - i. The presiding officer may allow an additional thirty (30) minutes when high attendance is present.

3. Citizens will be allowed to address Council on items listed on the agenda, through a completed sign-up card.
 - Citizens who wish to address an item on the agenda will be allowed a maximum of three (3) minutes to comment; and
 - A maximum of twenty-one (21) minutes per agenda item will be allotted during this time.
4. All ceremonial items and informational presentations, if any, will be placed thirty (30) minutes prior to each scheduled business meeting.
5. A Councilmember who has spoken should refrain from speaking again until each Councilmember has had an opportunity to speak.
6. Any item to be placed on the agenda requires the signatures of two (2) Councilmembers or the Mayor; agenda item documentation is needed 72 hours prior to the agenda being posted.
7. Meeting protocol will be posted on the City's website and City Hall bulletin board, where meeting agendas are displayed.
8. Robert's Rules of Order will take precedence for conduct not covered by these Council meeting rules.

PASSED and APPROVED this 13th day of January 2014

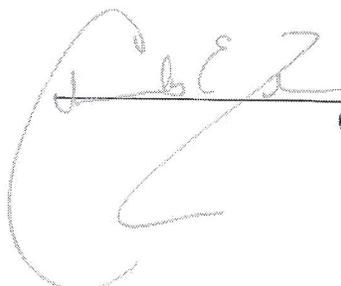

Chris Riley, Mayor

ATTEST:


Leticia Callanen, Interim City Secretary



APPROVED AS TO FORM:


CITY ATTORNEY

Item 22

MAYOR AND COUNCIL COMMUNICATION

M&C# 2014-06-09-17

DATE: JUNE 09, 2014
TO: MAYOR AND CITY COUNCIL
FROM: Sandra Passailaigue, City Secretary
THROUGH: Manuel Longoria, Jr., City Manager
SUBJECT: Discussion of topics of discussion for the Coffee with the Mayor and Council on June 14th; and clarification of what constitutes an “excused vs. unexcused absence” of a Council Member at the Coffee.

PURPOSE

This item was placed on the City Council agenda at the request of Mayor Chris Riley pursuant to Resolution No. 2014R-01-13-01..

Attachments:

E-mail requesting the item.

APPROVED: _____ DISAPPROVED: _____

COMMENTS OR DIRECTION GIVEN OR ACTION TAKEN: _____

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC

Saundra Passailaigue

From: Mayor Riley
Sent: Friday, June 06, 2014 9:19 AM
To: Saundra Passailaigue
Subject: RE: Comments on the Agenda Packet for June 9th

Saundra - Thank you for the explanations given. Regarding the drop box of the applications, I am use to all the supporting documents being attached together. Will these applications be available for citizen review or is this confidential due to the executive session? I will look in the drop box and download these applications.

On the May 20th meeting, what I was commenting was that there was no discussion noted from council on the pool, meetings per month and moratorium issue, which is usually noted in summary fom.

Yes, I would like to add any an agenda item regarding suggested topics for discussion at the coffee the following Saturday. Also, last coffee we had (3) city council members miss due to various reasons and I would like to understand the criteria for what is an excused absence vs. unexcused. We have (2) new city council members and to my recollection I have not seen anything in writing.

Thanks - let me know about the changes and email me back.

Chris Riley

Mayor, City of Leon Valley
6400 El Verde Rd.
Leon Valley, TX. 78238
(210) 618-2092 - (cell)
(210) 684-1391, Ext. 218

City of Leon Valley 2014 Park Rehabilitation Project

City Council Meeting
June 9, 2014

Purpose

- To inform the City Council of the progress of the Raymond Rimkus Park rehabilitation project
 - Improvements made to date
 - Improvements to be purchased and/or installed
 - Reconciliation

Background

- As a part of the 2014 budget process, the City Council allocated \$100,000 towards the complete rehabilitation of Raymond Rimkus Park and \$10,000 to place amenities at the Triangle Park
- The Park Commission is tasked with:
 - Assisting City Council in the development, maintenance and regulation of city parks as the Council may prescribe
 - Preparing and submitting recommendations to the Council concerning items to be purchased for the park

Background

- The Park Commission prepared a list of recommendations for rehabilitation and improvement of Raymond Rimkus Park
- The City Council approved the recommendations as a part of the 2014 Parks, Recreation and Open Space Master Plan
- Staff is in the process of performing the rehabilitation as per the Park Commission's recommendations

Recommendations

- Establish wellness and fitness area for seniors and the handicapped
- Enlarge one basketball court
- Insert gate in rear fence at tennis courts
- Install sun shades over benches at existing playground
- Replace worn signage
- Install new signage
- Repair all fences and nets
- Replace worn equipment
- Plant additional landscaping
- Resurface tennis and basketball courts
- Add picnic table and benches at Triangle area park

Improvements to Date

- Replaced engineered wood fiber in existing playground area (code compliance)
- Ordered new playground equipment to replace metal slide area (removed for code compliance)
 - 3 deck playground system
 - Included free swing set, picnic table and saddle seat – a \$3000 value
- Ordered sun shades for benches at existing playground
- Replaced tops of picnic tables and painted with special paint for wear and tear

Improvements to Date

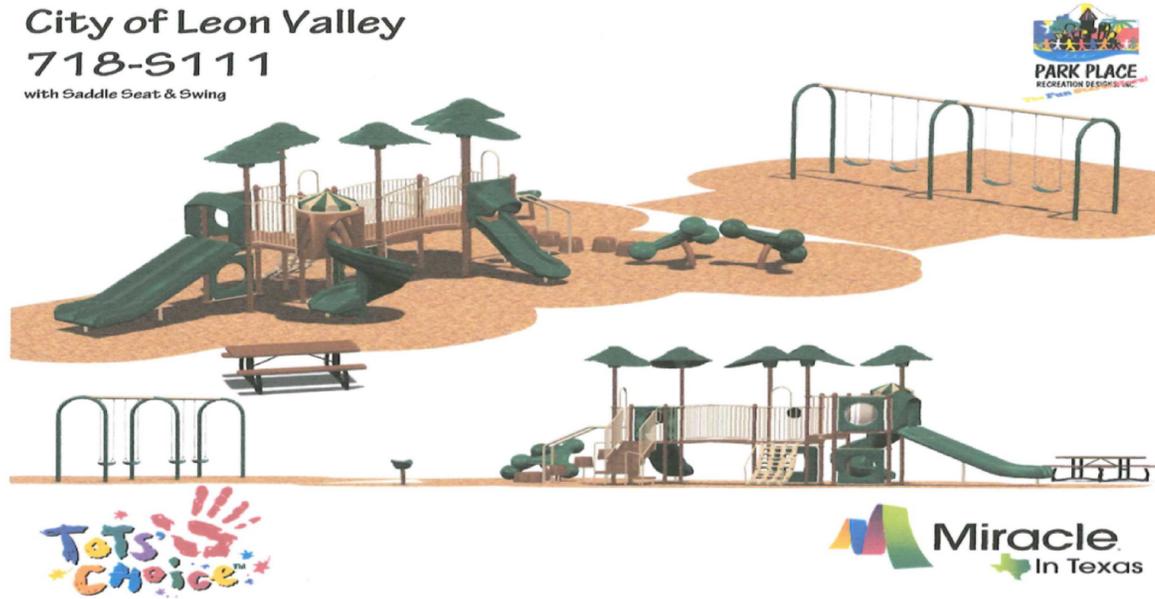
- Purchased 7 new barbecue pits, 10 total to be replaced
- Purchased new signs to replace worn out recycled water line signage
- Received bids for resurfacing tennis & basketball courts
- Replaced fixtures and repaired portions of restrooms
- Treated softball field with herbicide in preparation for new sand
- Purchased and installed picnic table, benches and trash can for new Triangle Park

Improvements to be Completed

- Install remaining barbecue pits
- Replace remaining worn table tops
- Install playground equipment
- Install sun shades
- Purchase and replace court nets
- Resurface courts
- Enlarge basketball court
- Replace remaining worn signage

Playground Equipment

City of Leon Valley
718-5111
with Saddle Seat & Swing



Sun Shades



Rehabilitation Costs

Item	Units	\$ per Unit	Total Est. Cost	Cost to date
Concrete picnic tables & benches at Triangle Park	4	varies	2700	\$2,700.00
Signage			\$1,500.00	\$310.00
Restroom rehab	2	\$250.00	\$500.00	\$610.55
Barbecue grill, small 25 total	7	\$160.00	\$1,120.00	\$1,120.00
Barbecue grill, large	1	\$0.00	\$0.00	n/a
Picnic table, complete	1	\$300.00	\$300.00	
Picnic table, top only	34	\$35.00	\$1,190.00	\$790.84
Picnic table, ADA accessible	1	\$300.00	\$300.00	
Chainlink fence, playground 4 ft	1	\$0.00	\$0.00	n/a
Chainlink fence, tennis court 18 ft h	1	repair only	\$200.00	
Chainlink fence, softball 5 ft, 745 lf	1	repair only	\$200.00	
Chainlink fence, softball, 18 ft h	1	repair only	\$1,200.00	
Chainlink fence, softball field dugouts	2	repair only	\$200.00	
Chainlink fence, Community garden 12 ft h	1	repair only	\$150.00	
Soccer netting	4	\$50.00	\$200.00	
Volleyball netting	2	\$50.00	\$100.00	
Fence netting, tennis	1	\$2,400.00	\$2,400.00	
Tennis court, resurface	1	\$8,875.00	\$8,875.00	
Basketball court, resurface/enlarge	1	\$12,000.00	\$12,000.00	
Basketball hoop net	2	\$35.00	\$70.00	
Sand, horseshoe pit	2	\$20.00	\$40.00	
Sand, softball field (by the ton)	24	\$8.75	\$210.00	
Suncovers, children's area, basketball, tennis	5	\$1,751.00	\$9,705.00	\$9,705.00
Benches, concrete	9		\$0.00	n/a
Benches, wood	4	\$35.00	\$200.00	
Trash cans, recycle	30	\$30.00	\$900.00	
Wood fiber ground surfacing	1	\$11,944.00	\$11,944.00	\$11,944.00
Jog path 15,600 sq ft	1	\$0.19	\$3,000.00	
Electric meter and pole (CPS)	1	\$1,598.46	\$1,598.46	\$1,598.46
Electrical panel for events	1	\$5,613.00	\$5,613.00	\$5,613.00
Park Brochure	500	\$1.02	\$510.00	\$510.00
Subtotal			\$64,225.46	
3 deck playground system	1	varies	\$38,267.00	\$38,267.00
Total			\$102,492.46	\$73,168.85
Total budget			\$110,000	

S.E.E. Statement

- Social Equity – Maintaining & improving park amenities assures recreational opportunities for all citizens
- Economic Development – Maintaining attractive recreational resources provides additional incentive for citizens and businesses to relocate or stay in Leon Valley
- Environmental Stewardship – Effective management of the park system assures prudent use of natural resources and assures the highest and best use of our floodplain/way properties

Strategic Goals Statement

- Item 2 (g) Make Improvements/Investments to Rimkus Park
- Item 2 (h) Triangle Park
 - Rehabilitating Raymond Rimkus Park and the Triangle Park will incorporate improvements to the above goals

City of Leon Valley
2014 Park Rehabilitation Project

City Council Meeting
June 9, 2014

Item 24b



CITY OF LEON VALLEY FINANCIAL STATEMENT MAY 2014



General Fund

	FY 2013-2014 BUDGET		FY 2013-2014 Y-T-D ACTUAL		FY 2012-2013 Y-T-D	
<u>REVENUE</u>						
Ad Valorem	\$ 3,237,200	67.0%	\$ 2,965,318	91.6%	\$ 2,819,726	91.4%
Sales Taxes	1,855,346	67.0%	1,193,101	64.3%	940,393	52.4%
Franchise Taxes	707,181	67.0%	431,089	61.0%	509,382	70.2%
Licenses,Permits,Fees,Fines	1,011,551	67.0%	682,745	67.5%	711,793	69.3%
Miscellaneous	138,390	67.0%	122,041	88.2%	330,697	275.0%
TOTAL REVENUE	\$ 6,949,668	67.0%	\$ 5,394,295	77.6%	\$ 5,311,992	78.7%
<u>EXPENDITURES</u>						
Business Office	\$ 154,139	67.0%	\$ 83,546	54.2%	\$ 108,595	65.3%
Finance	221,690	67.0%	139,270	62.8%	132,973	62.0%
Council & Manager	422,832	67.0%	261,914	61.9%	175,252	57.2%
Police	2,296,157	67.0%	1,411,487	62.0%	1,304,113	61.0%
Fire	2,301,695	67.0%	1,505,452	66.0%	1,476,116	67.0%
Public Works	1,177,784	67.0%	788,354	66.9%	672,513	60.5%
Community Development	205,275	67.0%	123,507	60.2%	191,478	61.7%
Economic Development	161,088	67.0%	111,839	69.4%	77,213	61.9%
Special Events	13,000	67.0%	9,007	69.3%	7,882	44.8%
Parks & Recreation	213,266	67.0%	142,935	67.0%	45,885	41.0%
Library	287,199	67.0%	181,773	63.3%	288,728	34.6%
Other Sources/Uses	13,000	67.0%	-		-	
TOTAL EXPENDITURES	\$ 7,467,125	67.0%	\$ 4,759,083	63.8%	\$ 4,480,749	59.3%



Water and Sewer Fund

	FY 2013-2014 BUDGET		FY 2013-2014 Y-T-D ACTUAL		FY 2012-2013 Y-T-D	
<u>REVENUE</u>						
Water Sales	\$ 1,500,000	59.0%	\$ 856,936	57.1%	\$ 841,866	52.9%
Sewer Sales	1,647,000	59.0%	1,055,593	64.1%	1,080,194	67.0%
Connection & Platting	2,500	59.0%	300	12.0%	375	15.0%
Customer Fees	43,300	59.0%	30,522	70.5%	33,048	76.3%
Tapping Fees	16,000	59.0%	6,026	37.7%	8,936	55.9%
Miscellaneous	48,800	59.0%	90,932	186.3%	62,757	128.6%
TOTAL REVENUE	\$ 3,257,600	59.0%	\$ 2,040,309	62.6%	\$ 2,027,175	61.2%
<u>EXPENDITURES</u>						
Business Office	662,323	59.0%	386,855	58.4%	367,645	58.3%
Water System	1,270,283	59.0%	960,505	75.6%	644,584	55.7%
Sewer System	1,265,754	59.0%	854,935	67.5%	718,091	51.5%
Storm Water	381,581	59.0%	173,729	45.5%	132,875	36.1%
TOTAL EXPENDITURES	\$ 3,579,941	59.0%	\$ 2,376,025	66.4%	\$ 1,863,195	52.5%



Community Center Fund

	FY 2013-2014 BUDGET		FY 2013-2014 Y-T-D ACTUAL		FY 2012-2013 Y-T-D	
<u>REVENUE</u>						
Hotel/Motel Taxes	83,082	59.0%	45,195	54.4%	47,529	62.8%
RENTAL FEES:						
Community Center	48,751	59.0%	31,663	65.0%	33,281	69.9%
Conference Center	34,800	59.0%	18,560	53.3%	25,632	97.0%
Miscellaneous:						
CDBG Grant	-		-		-	
CPS Energy Rebate	-		-		-	
TOTAL REVENUE	\$ 166,633	59.0%	\$ 95,418	57.3%	\$ 106,442	71.1%
TOTAL EXPENDITURES	\$ 173,600	59.0%	\$ 138,701	73.5%	\$ 76,934	53.2%



Street Maintenance Sales Tax

	Actual FY 2012	Actual FY 2013	Budget FY 2014	Actual FY 2014
Revenues	443,738	475,884	457,050	294,587
Transfers In	-			
TOTAL REVENUES	443,738	475,884	457,050	294,587
Expenditures	546,311	10,720	955,799	367,563
TOTAL EXPENDITURES	546,311	10,720	955,799	367,563
FUND BALANCE	401,699	866,863	368,114	793,887

FINANCIAL STATEMENT - UNAUDITED

AS OF: MAY 31ST, 2014

100-General Fund
FINANCIAL SUMMARY

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

AD VALOREM TAXES	3,237,200.00	39,306.04	0.00	2,965,318.41	0.00	271,881.59	91.60
SALES TAXES	1,855,346.00	209,491.71	0.00	1,193,100.79	0.00	662,245.21	64.31
FRANCHISE FEES	707,181.00	62,352.24	0.00	431,089.26	0.00	276,091.74	60.96
LICENSE, PERMITS, FEES, FINE	1,011,551.00	72,625.10	0.00	682,745.30	0.00	328,805.70	67.49
MISCELLANEOUS	<u>138,390.00</u>	<u>21,051.06</u>	<u>0.00</u>	<u>122,041.11</u>	<u>0.00</u>	<u>16,348.89</u>	<u>88.19</u>
TOTAL REVENUE	6,949,668.00	404,826.15	0.00	5,394,294.87	0.00	1,555,373.13	77.62
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Business Office							

PERSONNEL SERVICES	79,009.00	5,439.03	0.00	41,475.63	0.00	37,533.37	52.49
SUPPLIES	8,230.00	146.98	0.00	7,088.57	0.00	1,141.43	86.13
CONTRACTUAL SERVICES	<u>66,900.00</u>	<u>4,889.51</u>	<u>0.00</u>	<u>34,982.20</u>	<u>0.00</u>	<u>31,917.80</u>	<u>52.29</u>
TOTAL Business Office	154,139.00	10,475.52	0.00	83,546.40	0.00	70,592.60	54.20
Finance							

PERSONNEL SERVICES	133,468.00	9,882.10	0.00	87,702.64	0.00	45,765.36	65.71
SUPPLIES	6,800.00	167.87	0.00	4,023.27	0.00	2,776.73	59.17
CONTRACTUAL SERVICES	71,422.00	2,105.62	0.00	46,797.98	0.00	24,624.02	65.52
CAPITAL OUTLAY	<u>10,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>745.89</u>	<u>0.00</u>	<u>9,254.11</u>	<u>7.46</u>
TOTAL Finance	221,690.00	12,155.59	0.00	139,269.78	0.00	82,420.22	62.82
City Manager & Council							

PERSONNEL SERVICES	207,644.00	19,181.55	0.00	127,294.63	0.00	80,349.37	61.30
SUPPLIES	18,640.00	3,800.84	0.00	9,370.16	965.00	8,304.84	55.45
CONTRACTUAL SERVICES	<u>196,548.00</u>	<u>3,577.72</u>	<u>0.00</u>	<u>124,284.09</u>	<u>0.00</u>	<u>72,263.91</u>	<u>63.23</u>
TOTAL City Manager & Council	422,832.00	26,560.11	0.00	260,948.88	965.00	160,918.12	61.94

FINANCIAL STATEMENT - UNAUDITED

AS OF: MAY 31ST, 2014

100-General Fund
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Police Administration							
PERSONNEL SERVICES	319,979.00	26,652.77	0.00	198,400.41	45.19	121,533.40	62.02
SUPPLIES	6,500.00	46.32	0.00	2,741.97	45.00	3,713.03	42.88
CONTRACTUAL SERVICES	<u>56,971.00</u>	<u>5,007.16</u>	<u>0.00</u>	<u>35,952.12</u>	<u>0.00</u>	<u>21,018.88</u>	<u>63.11</u>
TOTAL Police Administration	383,450.00	31,706.25	0.00	237,094.50	90.19	146,265.31	61.86
Police Crime Prevention							
TOTAL Police Crime Prevention	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Police Patrol							
PERSONNEL SERVICES	1,145,721.00	84,304.85	0.00	736,203.31	230.50	409,287.19	64.28
SUPPLIES	83,400.00	4,807.73	0.00	43,611.88	2,830.49	36,957.63	55.69
CONTRACTUAL SERVICES	<u>9,700.00</u>	<u>694.04</u>	<u>0.00</u>	<u>3,787.47</u>	<u>0.00</u>	<u>5,912.53</u>	<u>39.05</u>
TOTAL Police Patrol	1,238,821.00	89,806.62	0.00	783,602.66	3,060.99	452,157.35	63.50
Police Communications							
PERSONNEL SERVICES	276,193.00	17,159.41	0.00	149,320.83	0.00	126,872.17	54.06
SUPPLIES	2,200.00	0.00	0.00	770.57	0.00	1,429.43	35.03
CONTRACTUAL SERVICES	<u>2,900.00</u>	<u>53.75</u>	<u>0.00</u>	<u>1,313.44</u>	<u>0.00</u>	<u>1,586.56</u>	<u>45.29</u>
TOTAL Police Communications	281,293.00	17,213.16	0.00	151,404.84	0.00	129,888.16	53.82
Police Investigations							
PERSONNEL SERVICES	308,883.00	16,990.00	0.00	182,185.51	100.00	126,597.49	59.01
SUPPLIES	2,600.00	0.00	0.00	593.97	0.00	2,006.03	22.85
CONTRACTUAL SERVICES	<u>5,500.00</u>	<u>11.25</u>	<u>0.00</u>	<u>904.40</u>	<u>0.00</u>	<u>4,595.60</u>	<u>16.44</u>
TOTAL Police Investigations	316,983.00	17,001.25	0.00	183,683.88	100.00	133,199.12	57.98
Police Narcotics TF							
PERSONNEL SERVICES	75,474.00	7,008.77	0.00	52,382.72	0.00	23,091.28	69.40
CONTRACTUAL SERVICES	<u>136.00</u>	<u>3.75</u>	<u>0.00</u>	<u>66.75</u>	<u>0.00</u>	<u>69.25</u>	<u>49.08</u>
TOTAL Police Narcotics TF	75,610.00	7,012.52	0.00	52,449.47	0.00	23,160.53	69.37

FINANCIAL STATEMENT - UNAUDITED

AS OF: MAY 31ST, 2014

100-General Fund
FINANCIAL SUMMARY

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

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

PERSONNEL SERVICES	216,827.00	14,649.73	0.00	136,076.48	0.00	80,750.52	62.76
SUPPLIES	4,914.00	554.28	0.00	4,899.82	0.00	14.18	99.71
CONTRACTUAL SERVICES	35,346.00	2,449.76	0.00	21,432.43	0.00	13,913.57	60.64
TOTAL Fire Administration	257,087.00	17,653.77	0.00	162,408.73	0.00	94,678.27	63.17
Fire Reserves							

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

PERSONNEL SERVICES	1,643,875.00	111,134.02	0.00	1,003,085.21	0.00	640,789.79	61.02
SUPPLIES	31,237.00	1,625.42	0.00	13,857.44	740.73	16,638.83	46.73
CONTRACTUAL SERVICES	70,830.00	4,119.01	0.00	63,309.34	0.00	7,520.66	89.38
CAPITAL OUTLAY	190,480.00	0.00	0.00	15,085.94	163,900.00	11,494.06	93.97
TOTAL Fire Operations	1,936,422.00	116,878.45	0.00	1,095,337.93	164,640.73	676,443.34	65.07
Fire Prevention							

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

SUPPLIES	39,610.00	1,342.15	0.00	14,130.43	2,029.62	23,449.95	40.80
CONTRACTUAL SERVICES	68,576.00	4,964.54	0.00	60,223.06	0.00	8,352.94	87.82
CAPITAL OUTLAY	0.00	0.00	0.00	0.00	6,681.48	6,681.48	0.00
TOTAL Fire EMS	108,186.00	6,306.69	0.00	74,353.49	8,711.10	25,121.41	76.78
Public Works M&O							

PERSONNEL SERVICES	671,134.00	48,994.99	0.00	435,240.46	0.00	235,893.54	64.85
SUPPLIES	147,000.00	19,031.89	0.00	102,573.64	67.25	44,359.11	69.82
CONTRACTUAL SERVICES	229,650.00	53,032.44	0.00	168,337.07	0.00	61,312.93	73.30
CAPITAL OUTLAY	130,000.00	0.00	0.00	100,111.04	0.00	29,888.96	77.01
TOTAL Public Works M&O	1,177,784.00	121,059.32	0.00	806,262.21	67.25	371,454.54	68.46

FINANCIAL STATEMENT - UNAUDITED

AS OF: MAY 31ST, 2014

100-General Fund
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
OTHER FINANCING SOURCES (USES)							
=====							
OTHER SOURCES/USES	(13,000.00)	0.00	0.00	0.00	0.00	(13,000.00)	0.00
TOTAL OTHER SOURCES/USES	(13,000.00)	0.00	0.00	0.00	0.00	(13,000.00)	0.00

NET GAIN OR (LOSS)	(517,457.00	(130,376.29)	0.00	842,797.35	(225,560.59	(1,134,693.76)	
	=====	=====	=====	=====	=====	=====	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: MAY 31ST, 2014

200-Water & Sewer
FINANCIAL SUMMARY

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

MISCELLANEOUS	48,800.00	0.00	0.00	90,931.74	0.00	(42,131.74)	186.34
WATER SALES	1,500,000.00	124,600.27	0.00	856,936.05	0.00	643,063.95	57.13
SEWER SALES	1,647,000.00	138,298.07	0.00	1,055,592.58	0.00	591,407.42	64.09
CONNECTION & PLATTING	2,500.00	0.00	0.00	300.00	0.00	2,200.00	12.00
CUSTOMER FEES	43,300.00	3,524.45	0.00	30,522.31	0.00	12,777.69	70.49
TAPPING FEES	<u>16,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>6,025.92</u>	<u>0.00</u>	<u>9,974.08</u>	<u>37.66</u>
TOTAL REVENUE	3,257,600.00	266,422.79	0.00	2,040,308.60	0.00	1,217,291.40	62.63
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Business Office							

PERSONNEL SERVICES	540,221.00	40,029.38	0.00	330,069.14	0.00	210,151.86	61.10
SUPPLIES	33,750.00	2,668.49	0.00	9,610.54	0.00	24,139.46	28.48
CONTRACTUAL SERVICES	<u>88,352.00</u>	<u>3,652.17</u>	<u>0.00</u>	<u>47,175.77</u>	<u>0.00</u>	<u>41,176.23</u>	<u>53.40</u>
TOTAL Business Office	662,323.00	46,350.04	0.00	386,855.45	0.00	275,467.55	58.41
Water System							

PERSONNEL SERVICES	331,189.00	24,450.09	0.00	218,883.97	0.00	112,305.03	66.09
SUPPLIES	82,500.00	3,522.21	0.00	41,446.53	0.00	41,053.47	50.24
CONTRACTUAL SERVICES	476,594.00	12,181.22	0.00	299,666.40	0.00	176,927.60	62.88
CAPITAL OUTLAY	<u>380,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>400,508.31</u>	<u>0.00</u>	<u>(20,508.31)</u>	<u>105.40</u>
TOTAL Water System	1,270,283.00	40,153.52	0.00	960,505.21	0.00	309,777.79	75.61
Sewer System							

PERSONNEL SERVICES	127,604.00	7,833.95	0.00	82,273.66	0.00	45,330.34	64.48
SUPPLIES	4,751.00	0.00	0.00	116.33	0.00	4,634.67	2.45
CONTRACTUAL SERVICES	<u>1,133,399.00</u>	<u>108,170.54</u>	<u>0.00</u>	<u>772,545.28</u>	<u>0.00</u>	<u>360,853.72</u>	<u>68.16</u>
TOTAL Sewer System	1,265,754.00	116,004.49	0.00	854,935.27	0.00	410,818.73	67.54

FINANCIAL STATEMENT - UNAUDITED

AS OF: MAY 31ST, 2014

200-Water & Sewer
FINANCIAL SUMMARY

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

TOTAL Construction	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<hr/>							
Storm Water							

PERSONNEL SERVICES	198,081.00	10,133.08	0.00	89,598.15	0.00	108,482.85	45.23
SUPPLIES	18,500.00	0.00	0.00	3,644.37	0.00	14,855.63	19.70
CONTRACTUAL SERVICES	165,000.00	131.15	0.00	64,142.70	0.00	100,857.30	38.87
CAPITAL OUTLAY	0.00	0.00	0.00	16,343.81	0.00	16,343.81	0.00
TOTAL Storm Water	381,581.00	10,264.23	0.00	173,729.03	0.00	207,851.97	45.53
<hr/>							
*** TOTAL EXPENDITURES ***	3,579,941.00	212,772.28	0.00	2,376,024.96	0.00	1,203,916.04	66.37
	=====	=====	=====	=====	=====	=====	=====
** REVENUE OVER (UNDER) EXPENDITURES *	(322,341.00)	53,650.51	0.00	(335,716.36)	0.00	13,375.36	4.15-
	=====	=====	=====	=====	=====	=====	=====
<hr/>							
OTHER FINANCING SOURCES (USES)							
=====							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<hr/>							
NET GAIN OR (LOSS)	(322,341.00)	53,650.51	0.00	(335,716.36)	0.00	13,375.36	
	=====	=====	=====	=====	=====	=====	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: MAY 31ST, 2014

710-Community Center
FINANCIAL SUMMARY

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

TAXES	83,082.00	4,647.34	0.00	45,194.77	0.00	37,887.23	54.40
FEES	<u>83,551.00</u>	<u>10,284.00</u>	<u>0.00</u>	<u>50,223.00</u>	<u>0.00</u>	<u>33,328.00</u>	<u>60.11</u>
TOTAL REVENUE	166,633.00	14,931.34	0.00	95,417.77	0.00	71,215.23	57.26
	=====	=====	=====	=====	=====	=====	=====
EXPENDITURE SUMMARY							

Community Center Operations							

PERSONNEL SERVICES	86,670.00	6,969.87	0.00	55,351.74	0.00	31,318.26	63.86
SUPPLIES	10,400.00	580.28	0.00	7,963.69	0.00	2,436.31	76.57
CONTRACTUAL SERVICES	66,530.00	3,227.98	0.00	48,501.64	0.00	18,028.36	72.90
CAPITAL OUTLAY	<u>25,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>26,883.96</u>	<u>0.00</u>	<u>1,883.96</u>	<u>107.54</u>
TOTAL Community Center Operations	188,600.00	10,778.13	0.00	138,701.03	0.00	49,898.97	73.54
Visitor Services							

TOTAL Visitor Services	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
*** TOTAL EXPENDITURES ***							
	188,600.00	10,778.13	0.00	138,701.03	0.00	49,898.97	73.54
	=====	=====	=====	=====	=====	=====	=====
** REVENUE OVER (UNDER) EXPENDITURES *	(21,967.00)	4,153.21	0.00	(43,283.26)	0.00	21,316.26	97.04-
	=====	=====	=====	=====	=====	=====	=====
OTHER FINANCING SOURCES (USES)							
=====							
TOTAL OTHER SOURCES/USES	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
NET GAIN OR (LOSS)							
	(21,967.00)	4,153.21	0.00	(43,283.26)	0.00	21,316.26	
	=====	=====	=====	=====	=====	=====	

*** END OF REPORT ***

FINANCIAL STATEMENT - UNAUDITED

AS OF: MAY 31ST, 2014

720-Street Maintenance Tax
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							
Revenues	457,050.00	52,365.73	0.00	294,586.96	0.00	162,463.04	64.45
TOTAL REVENUE	457,050.00	52,365.73	0.00	294,586.96	0.00	162,463.04	64.45
EXPENDITURE SUMMARY							
Street Maintenance Tax							
CONTRACTUAL SERVICES	955,799.00	4,082.98	0.00	367,562.55	0.00	588,236.45	38.46
TOTAL Street Maintenance Tax	955,799.00	4,082.98	0.00	367,562.55	0.00	588,236.45	38.46
*** TOTAL EXPENDITURES ***	955,799.00	4,082.98	0.00	367,562.55	0.00	588,236.45	38.46
** REVENUE OVER (UNDER) EXPENDITURES *	(498,749.00)	48,282.75	0.00	(72,975.59)	0.00	(425,773.41)	85.37
OTHER FINANCING SOURCES (USES)							
TOTAL OTHER SOURCES/USES	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET GAIN OR (LOSS)	(498,749.00)	48,282.75	0.00	(72,975.59)	0.00	(425,773.41)	

*** END OF REPORT ***

Monthly Report

Finance

May 2014

Sales Tax Revenue

- ❖ Sales tax revenue of \$209,492 was received from the State Comptroller's office in May. After consideration of the May sales tax payment, year-to-date sales tax revenues are 14.39% higher than this time last year.

Street Maintenance Sales Tax Revenue

- ❖ Street Maintenance Sales tax revenue of \$52,366 was received from the State Comptroller's office in May.

Ad Valorem Taxes

- ❖ Ad valorem tax collections of \$42,581 were received from the Tax Assessor/Collector's office in May. Collections for May 2013 were \$59,533.

2015 Budget

- ❖ Finance department staff, working through the City Manager, are currently working on the first draft of the new budget.

CPS Energy

- ❖ CPS Energy franchise fees of \$158,837 were received in May. This payment represents franchise fees earned for the period ended April 30, 2014 and includes the increase in franchise fees of 1.5%. Of the \$158,837 received, \$17,649 or .5% of the new fee is the portion that is being deposited in the CIED Fund.

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, April 24, 2014

Chairman Pedro Esquivel called the meeting of the 2012 Bond Program Oversight Committee to order at 5:30 p.m.

In addition to the Chairman, Committee Members Al Uvietta, Mike Davis Jr., Frank Zavala and Kathy Hill were present. John Cerventes and Vice Chairman Yarnell were absent.

A quorum was present.

Councilman Jack Dean, City Manager Manuel Longoria Jr., Police Chief Randall Wallace, and Fire Chief Valdez were also present.

Approval of Minutes

Chairman Esquivel asked for approval of the minutes from the February 27, 2014 meeting. Committee Member Zavala advised that on page 1 near the bottom of the page the word should be assistant. These changes were made.

Financial Report

Chairman Esquivel introduced the City Manager who gave the board members a briefing on the budget for the project. The City Manager gave a handout to the Committee listing the expenditures and revenues for the project. The City Manager pointed out that the expenditures listed under legal were for the contracts for the purchase of the lots, working on the geo-technical contracts, and also for working on the guaranteed maximum pricing documents.

The expenditures for the design fees were for the work done by OCO Architects. With the design completed, the only work OCO is doing is changes and meetings.

The Manager advised that the expenditures listed FD lots were for the purchase and all items associated with this. There were surveys that had to be completed, appraisals, and also closing costs along with the cost of the lots.

Chairman Esquivel asked what is geo-tech and the Manager advised that this was the testing completed on the project. This testing included soil testing, testing for asbestos, and also testing of the foundation of the current building. Chairman Esquivel asked if what was put into any of the Fire Department rooms cause any special testing to which the Manager replied no.

Committee Member Zavala then asked that since the project has been designed what are they testing? Mr. Zavala further stated that for example with concrete you have a ticket and perform a slump test. The City Manager advised that a portion of the foundation would be poured next week and some of the testing is on the compaction of the base material.

Committee Member Zavala stated that when they design a foundation, there is a 33% safety factor put in by the engineers.

The Committee had a discussion about past experiences Committee Members have had dealing with testing.

After this discussion, the City Manager stated that we are working with engineers on our project and are performing any and all test that they recommend along with following the recommendation of

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, April 24, 2014

OCO Architects and Arias and Associates, the engineering firm hired by the City to oversee the work.

The City Manager advised the Committee that he received reports on the testing that has been completed and would share these reports with the Committee to help answer their questions.

Committee Member Zavala asked if the expense report provided was up to date as of April 24, 2014 and also asked when the contractor is submitting their bills. The City Manager advised we have only received one bill from Bartlett Cocke but this will change. The City Manager advised that the rough in for the plumbing and electrical have been completed along with the delivery of some steel for the Fire Station. The Manager advised these items have not been paid for by the City of Leon Valley so the bills will start coming in on a more regular basis.

The City Manager advised the Committee that on the 7.3 million dollar project, we have expended approximately 10%.

Committee Member Zavala asked if anything was coming in higher than expected, to which the Manager advised that no, in fact they were actually lower by approximately \$25,000 so far.

Committee Member Zavala asked about the re-plat of the lots. He asked if the lots were purchased using the legal description and if that was the case you would only need to survey for building or side setbacks to insure these are correct.

The City Manager advised that the City had to perform two surveys; the second was due to the County shifting us over one lot from the original lots discussed. Committee Member Zavala stated that the re-plat is an additional expense over just what is necessary. The City Manager stated that we needed to re-plat and perform a more intense survey so that OCO would have all the boundaries set out.

The City Manager again briefed the Committee on the guaranteed maximum pricing structure. He stated that any savings from the project are returned to the City and any overages are charged to Bartlett Cocke.

Project Update

The City Manager advised the Committee that they are meeting every two weeks and during this time the project is discussed, any issues are addressed, and any changes that need to be approved by the City. The meeting is attended by Bartlett Cocke, OCO, and any other firms that have a need.

The City Manager advised the Committee that with all the talk about stone, Bartlett Cocke gave the City two options, a tumbled and an un-tumbled version. The City Manager checked with OCO and asked for their preference to which they had none. By choosing the un-tumbled version, this saved \$10,000.

Committee Member Hill asked how the timeline was going. The City Manager advised that Bartlett Cocke scheduled 5 rain days for the project and they were already at 7. The Manager stated Bartlett Cocke is trying to make up these days and gave an example of the concrete pour scheduled for May 2nd had been moved to April 30th. The City Manager advised that with a project like this, the contractor will pour the concrete and then have to wait for steel to be delivered, thereby

City of Leon Valley 2012 Bond Program Oversight Committee Meeting, April 24, 2014

loosing days. With our project, the steel has been delivered so once the pour is complete, they can start with the next phase.

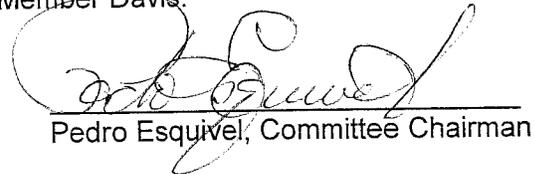
The City Manager advised the Committee that the foundation would be poured in three phases and all El Verde residents have been notified of the first pour, which should start at 3 am.

Committee Member Hill asked how El Verde road was holding up. The City Manager stated that the City is looking into this and once the construction project is complete the road would be replaced with City resources, and this was a project talked about during the push for the street maintenance tax. The City Manager told the Committee that Public Works has a new motor grader and the "zipper" and the only expenses would be for materials and labor.

Committee Member Zavala asked if there would be curbs on both sides to which the Manager advised probably not.

Adjourn

Hearing no further business a motion was made by Committee Member Zavala to adjourn at 6:03p.m. and this was seconded by Committee Member Davis.


Pedro Esquivel, Committee Chairman



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

March 26, 2014

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:36 p.m. on **Wednesday, March 26, 2014**, in the City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Call to Order and Determine if Quorum is Present

Present were Board President Ynostrosa, Board Secretary Gannon, Board Treasurer Mike McCarley, Board Member Rudy Garcia, Board Member Claude Guerra, and Board Member Dr. Georgia Zannaras. Also present were Steven Peña, Board Attorney, Economic Development Director Claudia Mora, acting as staff support and recording secretary, and Economic Development Assistant Rene' Raynes.

Due to scheduled presentations, items were not necessarily taken in chronological order. For the purposes of the minutes, the reporting of the LVEDC Board Meeting and actions taken during the meeting will be in the order of the posted Agenda.

II. Closed Session in Accordance with the Texas Government Code

The City of Leon Valley Economic Development Corporation Board will Convene in Closed Session:

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

Board Attorney Peña reported that there was no need for a closed session.

III. Citizens to be Heard

There were no citizens to be heard.

IV. Consider LVEDC Minutes – February 26, 2014

Board Secretary Gannon moved to accept the minutes of the February 26, 2014 LVEDC Board meeting. Board Member Guerra seconded the motion. The motion carried by voice vote.

V. Financial Report by LVEDC Treasurer and Consideration

Board Treasurer McCarley reported the LVEDC bank balance was \$581,741.58. The funds were \$543,270.86 in the money market account, and \$38,470.72. Mr. McCarley stated he transferred \$20,000 into the checking account to cover any obligations over the current amount in the checking account.

VI. Election of a Board Vice President

Board President Ynostrosa opened the floor for nominations for Board Vice President. Board Member Zannaras nominated Board Member Claude Guerra. Board Member McCarley seconded the nomination. There being no other nominations, the Board elected Mr. Guerra as LVEDC Board Vice President.

VII. Presentation, Discussion and Possible Action Regarding the Final 2013 IRS Form 990

Mr. Jorge Herrera of Jorge Herrera CPA CIA PC presented the draft return (IRS Form 990). Mr. Herrera explained that the correct year for the return was 2012 because the IRS goes by the beginning of the fiscal year. In this

case, the beginning of the fiscal year was 2012. The return was the IRS Form 990 for the Fiscal Year Ending September 2013.

Mr. Herrera informed the Board that the IRS requires the return be reviewed by the governing Board of the entity filing the Form 990. He commented that there were three (3) policies outstanding for the return – conflict of interest, whistle blower, and records retention and destruction. There are questions on the return asking if the LVEDC has the policies. Mr. Herrera stated that his firm did not want to check the “no” box if the Board had the policies or adopted them recently. If needed, his firm could provide boilerplate policies for the Board to tailor to their needs and adopt.

Staff Liaison Mora informed the Board and Mr. Herrera of what the City of Leon Valley had in the way of the three (3) policies. Basically, there are no formal policies for conflict of interest or whistleblower. The City was in the process of updating the records retention and destruction policy.

Board Attorney Peña explained that Chapter 505 of the Local Government Code is the statute which enables economic development corporations. As such, there are certain sections that apply to the LVEDC with regard to conflict of interest. Mr. Peña expressed concern about the Board adopting policies that were not in compliance with the Local Government Code. Discussion ensued on requirements for a policy.

Mr. Herrera recommended the Board obtain a copy of a publication entitled “Am I Liable?” This publication would be useful in assisting the Board with conflict issues. It is not a policy; it is supplemental information.

Mr. Herrera commented that there was no tax due. The Form 990 contained all the information regarding the deposits and expenditures the Board had during the fiscal year.

The Board discussed the 501(c)(6) designation that the LVEDC currently has. With the designation, the Board is required to file annual information returns (IRS Form 990) to the IRS. Board Member McCarley shared his understanding of the designation and why the Board had it – the Board would be able to get revenue or donations in addition to the sales tax. Mr. Herrera commented that the designation does not allow for the donations as a tax deduction for the contributor; only a 501(c)(3) designation enables a contributor to get a tax deduction. Discussion ensued on the designation. Mr. Herrera informed the Board that if the LVEDC wanted to discontinue the designation, they would have to pass a resolution saying that they no longer wanted to be a 501(c)(6) entity. The Board would then need to comply with the 2013 and 2014 IRS Form 990 and send a letter with the form stating that the LVEDC wished to withdraw the designation. Mr. Herrera stated that he and his firm would assist with that.

Mr. Peña and Ms. Mora indicated they wanted to research the conflict of interest policy. Mr. Herrera offered to send a boilerplate policy for review. The Board would receive the final IRS Form 990 at the next Board meeting.

VIII. Presentation by James F. Hoback, Alamo Area Virtual Tours

Mr. Hoback stated that his company hosts links on their website to the videos created by them for various communities. Their videos are designed to play continuously. Some communities have used Alamo Area Virtual Tours to create videos to promote their communities and feature businesses. Part of their work includes adding or deleting businesses from the videos so that the communities have current information playing on their websites. Mr. Hoback showed the current video for the City of Castroville.

Mr. Hoback stated that the cost for a virtual tour video would run between \$2,000 and \$3,000. It takes one (1) to two (2) months to produce a virtual tour video. Alamo Area Virtual Tours approaches all the businesses to be included in the virtual tour video.

IX. 7:00 P.M.: Public Hearing, Discussion and Consideration of Action on a Resolution by the Leon Valley Economic Development Corporation (LVEDC) Regarding the Expenditure of LVEDC Funds under the Façade and Signage Program to:

- A.) Henry A. Daughtry and Uhl's Ltd. (Leon Valley Storage) in the amount of \$10,000**
- B.) Joseph f. Nazaroff and Ideas Unlimited in the amount of \$577**
- C.) Adam Valenzuela and Sunset Plaza in the amount of \$10,000**

The Public Hearing was opened at 7:18 p.m. Staff presented the projects to the Board. Mr. Daughtry, representing Leon Valley Storage, answered questions on his project. Mr. Nazaroff was unable to attend the public hearing. Staff informed the Board that Mr. Nazaroff would need to apply for a variance from the City Council for his proposed LED sign, as LED signs are prohibited in Leon Valley. Mr. Valenzuela was not present. The Board asked staff to have Mr. Valenzuela attend the next public hearing. The Public Hearing was closed at 7:45 p.m.

X. 7:00 P.M.: Public Hearing, discussion and Consideration of Action on a Resolution by the Leon Valley Economic Development Corporation (LVEDC) Regarding the Expenditure of LVEDC Funds to Co-Sponsor the City of Leon Valley 4th of July Celebration and Fall Jazz Festival

The Public Hearing was opened at 7:45 p.m. Staff presented the proposed contribution by the LVEDC for the Co-Sponsorship of the City of Leon Valley 4th of July Celebration and Fall Jazz Festival. Ms. Mora stated that in addition to the original \$10,000 requested by the City at the last Board meeting, they were asking for \$5,000 to take care of advertising for the two events. Ms. Mora informed the Board that \$2,500 would be used to promote the 4th of July Celebration and \$2,500 would be used to promote the Fall Jazz Festival. The Board asked how much the consultants for each event were being paid. Staff did not know the answer. The Board commented that they want to see a budget for each event. The Public Hearing was closed at 7:59 p.m.

XI. Discussion and Possible Action Regarding a Budget Adjustment to the Fiscal Year 2013-2014 LVEDC Budget, Increasing the Advertising Line Item by \$11,834 and Decreasing the EDC Project funding Line Item by \$11,834
Staff presented the proposed budget adjustment for the FY 2013-2014 LVEDC Budget. The adjustment included increasing the Advertising line item by \$11,834, for a total of \$22,092 in Advertising. The EDC Project Funding line item would decrease by \$11,834, bringing the total in that line item to \$90,166.

The purpose for the budget adjustment was for the LVEDC and staff to perform advertising and promotion activities for the year. State law allows economic development corporations to designate 10% of their total annual budget to promotion.

Discussion ensued on the LVEDC budget. Staff reported that the LVEDC's spending for the fiscal year was on target. At this point in the year, the Board should have spent 48% of its budget. For the most part, the Board was below the 48% on several line items. The Membership line item was at 86% due to the membership renewals all being due early in the fiscal year.

Board Treasurer McCarley moved to accept the budget adjustment. Board Vice President Guerra seconded the motion. The motion carried by voice vote.

XII. Discussion and Possible Action Regarding the Surety Bond Coverage with Victor O. Schinnerer & Company, Inc.

Staff presented information on the Surety Bond coverage. Each Board member is covered for \$10,000. Ms. Mora stated that staff (including the City's Finance Director, Human Resources Director who serves in a Risk Manager capacity, and the Economic Development Director) strongly recommended that the LVEDC continue the coverage.

Board Member Gannon moved to continue the surety bond coverage with Victor O. Schinnerer & Company, Inc. Board Member Garcia seconded the motion. The motion carried by voice vote.

XIII. Discussion on Strategic Plan

Board Secretary Gannon, the LVEDC Board lead on the strategic plan, stated that developing the mission statement was the first step in the process. He suggested each Board member review the LVEDC's bylaws and articles of incorporation. He recommended that the Board have a work session to produce the plan or appoint a subcommittee to perform the work and return to the Board with the product. Mr. Gannon volunteered to lead the subcommittee. He asked staff to place on the agenda for the next Board meeting the formation of the subcommittee.

XIV. Staff Report on Economic Development Activity in Leon Valley

Economic Development Administrative Assistant Raynes gave the staff report on economic development activity. She provided a listing of the various businesses that applied for certificates of occupancy.

XV. Future Agenda Items

A.) Work Session(s) on Strategic Plan

B.) ICSC RECon (May 2014) – Staff was asked to place this item on the agenda for a special meeting; perhaps this can be an agenda item for April 8, when the Board will be conducting the second public hearing.

C.) FY2014-2015 Budget – Staff informed the Board that the draft budget for FY 2014-2015 will be presented in May so that the Board had at least two months to review and adopt the budget before August.

D.) TRC Webinar – The Retail Coach was available to demonstrate the use of their website with the Leon Valley demographics and other information at the next meeting.

XVI. Announcements

Staff presented a PowerPoint with all of the announcements for the month, including the dates of the Sales Tax Training put on by the Texas Economic Development Council (TEDC).

The Board was reminded of the Economic Development Course on April 3, Branding Subcommittee meeting on April 3, second public hearing on April 8, deadline for applications for LVEDC Board of Directors on April 10, Coffee with the Mayor and city Council on April 12, City Council meeting on April 14, and tentatively scheduled Special Joint Meeting of City Council and LVEDC on April 14.

XVII. Adjourn

Board Member Gannon moved to adjourn the meeting. Board Member Garcia seconded the motion. The motion passed by voice vote. Board President Ynostrosa adjourned the meeting at 9:24 p.m.



Stephen Ynostrosa, Board President



David J. Gannon, Board Secretary



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

April 8, 2014

The special meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 3:00 p.m. on **Wednesday, April 8, 2014**, in the City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Call to Order and Determine if Quorum is Present

Present were Board President Stephen Ynostrosa, Board Vice President Claude Guerra, Board Secretary Dave Gannon, and Board Member Dr. Georgia Zannaras. Board Treasurer Mike McCarley and Board Member Garcia were excused. Also present were Economic Development Director Claudia Mora, acting as staff support and recording secretary, and Economic Development Assistant Rene' Raynes.

II. 3:00 P.M.: Public Hearing, Discussion and Consideration of Action on a Resolution by the Leon Valley Economic Development Corporation (LVEDC) Regarding the Expenditure of LVEDC Funds under the Façade and Signage Program for:

A.) Henry A. Daughtry and Uhl's Ltd. (Leon Valley Storage) in the amount of \$10,000

B.) Joseph F. Nazaroff and Ideas Unlimited in the amount of \$577

C.) Adam Valenzuela and Sunset Plaza in the amount of \$10,000

The public hearing was opened at 3:01 p.m. Staff Liaison Mora provided a recap of the first public hearing held on March 26. She informed the Board that this was the second public hearing. Ms. Mora presented a summary of the three (3) projects for consideration. She indicated that Mr. Nazaroff was the property owner applying for funding for signage for his tenant. Board Member Guerra asked if the projects generated sales tax. Ms. Mora confirmed that Leon Valley Storage, Ideas Unlimited and three (3) of Mr. Valenzuela's businesses at Sunset Plaza all generated sales tax. Ms. Mora then introduced Mr. Henry A. Daughtry and Mr. Adam Valenzuela. Both Mr. Daughtry and Mr. Valenzuela addressed the Board. Each thanked the LVEDC for the consideration of funding.

Board Vice President Guerra moved to approve funding with the condition that Mr. Nazaroff apply for the sign variance. Board Secretary Gannon seconded the motion. The motion carried by voice vote.

III. 3:00 P.M.: Public Hearing, Discussion and Consideration of Action on a Resolution by the Leon Valley Economic Development Corporation (LVEDC) Regarding the Expenditure of LVEDC Funds to Co-Sponsor the City of Leon Valley 4th of July Celebration and Fall Jazz Festival

Staff Liaison Mora informed the Board that this was the second public hearing; the first one was held on March 26. Ms. Mora summarized the item by providing information on the development of the two (2) events. In addition, Ms. Mora reminded the Board that the request for funding was \$15,000 to co-sponsor the events. She summarized the expenditure by informing the Board that \$5,000 would go to promote the events -- \$2,500 for promotion of each event through Clear Channel Communications and their outlets. In response to a question from Board Treasurer McCarley at the previous public hearing, Ms. Mora stated that the balance of the funds (\$10,000) would go toward the project management of the 4th of July Celebration.

Board Member Zannaras moved to approve the expenditure to co-sponsor the events. Board Secretary Gannon seconded the motion. The motion carried by voice vote.

IV. Discussion and Consideration of Action on a Resolution by the Leon Valley Economic Development Corporation (LVEDC) Regarding the Expenditure of LVEDC Funds for the Registration Fees and Travel Expenses to Send LVEDC Board Members to the ICSC RECon in Las Vegas, NV, May 18-20, 2014

Staff Liaison Mora provided information on the ICSC RECon 2014. She included a cost estimate to send one (1) and two (2) board members. She also informed that Board that she had not heard from any of the Board members that they would like to attend the conference. Board Vice President Guerra stated he could not attend but suggested staff send out an email to all Board members asking who was available to attend. Board Secretary Gannon indicated he was able to attend. Board Member Zannaras indicated she was not sure if she was available. Board President Ynostrosa said he might be able to attend, but agreed with Mr. Guerra that an email should be sent out to all Board members.

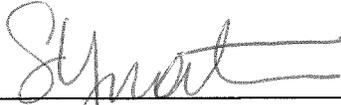
Board Member Zannaras moved that the LVEDC send two (2) Board Members to ICSC RECon 2014 and expend no more than \$4,500 to do so. Board Secretary Gannon seconded the motion. The motion carried by voice vote.

V. Announcements

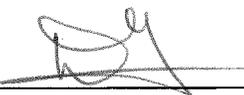
Staff provided the Board a copy of an invitation from the Leon Valley Historical Society to attend their event on Thursday evening. Also, the Finance Committee meeting is April 9. The next Board Meeting is April 23.

VI. Adjourn

Board Secretary Gannon moved to adjourn the meeting. Board Vice President Guerra seconded the motion. The motion passed by voice vote. Board President Ynostrosa adjourned the meeting at 3:28 p.m.



Stephen Ynostrosa, Board President



David J. Gannon, Board Secretary



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

April 23, 2014

The regular meeting of the Leon Valley Economic Development Corporation (LVEDC) convened at 6:34 p.m. on **Wednesday, April 23, 2014**, in the City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Call to Order and Determine if Quorum is Present

Present were Board Treasurer Mike McCarley, Board Member Rudy Garcia, Board President Stephen Ynostrosa, and Board Member Dr. Georgia Zannaras. Board Vice President Guerra and Board Secretary Gannon were excused. Also present were Steven Peña, Board Attorney, Economic Development Director Claudia Mora, acting as staff support and recording secretary, and Economic Development Assistant Rene' Raynes.

Due to scheduled presentations, and citizens and interested parties present at the meeting, items were not necessarily taken in chronological order. For the purposes of the minutes, the reporting of the LVEDC Board Meeting and actions taken during the meeting will be in the order of the posted Agenda.

II. Citizens to be Heard

There were no citizens to be heard.

III. Consider LVEDC Minutes – March 26, 2014

The minutes of the LVEDC Board of Directors meeting for March 26 were not complete; and, therefore, not considered.

IV. Financial Report by LVEDC Treasurer and Consideration

Board Treasurer McCarley reported that as of 3:00 p.m., the LVEDC bank balance was \$593,613.40. The funds were \$578,721.64 in the money market account and \$14,891.76 in the checking account. Mr. McCarley also reported that he would transfer \$15,000 into the checking account to cover any obligations over the current amount in the checking account.

Board Member Garcia inquired as to the status of the banking and financial investment assistance services for the LVEDC. Staff Liaison Mora informed the Board that she would contact Patterson & Associates to begin the process.

Board Member Garcia moved to accept the treasurer's report and transfer of \$15,000 to the checking account. Board Member Zannaras seconded the motion. The motion carried by voice vote.

V. The Retail Coach Webinar

Due to the fact that two (2) of the Board members would not be in attendance at the Board meeting and the uncertainty that there would be a quorum present, the webinar was postponed.

VI. Presentation, Discussion and Possible Action Regarding Adoption of a Conflict of Interest Policy

Board Attorney Peña led the discussion on the conflict of interest policy. He expressed concern that the template policy provided by the accounting firm hired to complete the LVEDC's IRS Form 990 for 2012, in general, contained language that was in violation of certain elements contained in Chapters 171 and 176 of the Local Government Code, as they pertained to economic development corporations. Mr. Peña recommended

that the Board consider adopting a resolution naming Chapters 171 and 176 of the Local Government Code as the ethics policy of the LVEDC.

Board discussion ensued on this subject. Mr. Peña mentioned that he could set up an ethics training session for the Board to take place at the next Board meeting. Afterward, each member could sign a form or statement indicating that they had participated in an ethics training session.

Board Member Garcia moved that the LVEDC adopt Chapters 171 and 176 of the Local Government Code as the ethics policy for the LVEDC. Board Member McCarley seconded the motion.

VII. Presentation, Discussion and Possible Action Regarding the Final Tax Return (IRS Form 990 – 2012) for the Fiscal Year Ending September 30, 2013

Staff Liaison Mora reported to the Board that the draft copy of the final return was provided to the Board as part of their meeting packets. In addition, Ms. Mora reported that Jorge Herrera of Jorge Herrera CPA CIA PC had met with the Finance Committee and reviewed the final IRS Form 990 with the committee. Representatives of the firm were expected to deliver the final return for signature during the meeting. At that point, Ms. Lily Villarreal with the firm arrived with three (3) copies for signature. She indicated that upon the firm's receipt of the signed copies, they would send one to the IRS via certified mail and return one to the LVEDC for the files.

Board Treasurer McCarley informed the Board that he was present at the Finance Committee meeting along with Board Vice President Guerra. He commented that at least five (5) of the six (6) Board members had an opportunity to review the final return. Mr. McCarley then moved that the LVEDC accept the final IRS Form 990 – 2012 for the fiscal year ending September 30, 2013. The motion was seconded by Board Member Garcia. The motion passed by voice vote.

VIII. Presentation on First Completed Façade and Signage Program Project

Staff Liaison Mora presented information to the Board on the first business to apply for and receive approval for a grant under the Façade and Signage Program. The Busted Knuckle and owner, Tim Hough, were approved for funding at the February 26 meeting after a public hearing was held. Staff reported that April 23 marked the 60th day since the posting of the meeting agenda announcing the consideration of funding for the project. Also, Ms. Mora reported that The Busted Knuckle and Mr. Hough had completed the improvements to the building as outlined in their application and installed new signage for the business. Pictures of the building, before and after the improvements, were shown to the Board. A picture of the business's sign was also provided. Mr. Hough had submitted the receipts for the improvements. The receipts indicated that Mr. Hough had paid for all the improvements. Having met the requirements of the program, Mr. Hough was eligible for reimbursement of \$2,500, as applied for and approved.

The Board congratulated Mr. Hough and thanked him for being the first completed project under the Façade and Signage Program. They complimented him on the improvements and sign.

Mr. Hough thanked the LVEDC and staff for their support of his business and project. He indicated that the business was doing well.

Board Member Zannaras moved to approve the reimbursement of \$2,500 to The Busted Knuckle and Mr. Hough. Board Member Garcia seconded the motion. The motion passed by voice vote.

IX. Discussion on "Buy Local" for Façade and Signage Program

Staff Liaison Mora informed the Board that with the success of the first project, the Board may want to consider adding other elements to the program. For example, she mentioned that she and Board President Ynostrosa had discussed encouraging applicants to use local businesses to do the improvements and/or signage for them.

Board President Ynostrosa commented that the LVEDC should encourage businesses to buy local. He recommended that the Board include a "buy local" policy or criteria as part of the Façade and Signage Program.

There was brief discussion on this item. No consensus was reached. The Board could not take action on this item as the agenda only provided for a discussion. Staff stated that the agenda for the next Board meeting would include an item for action on a "buy local" policy or criteria for the Façade and Signage Program.

X. Discussion and Possible Action on the Appointment of a Strategic Plan Committee

Staff Liaison reported that at the last meeting it was recommended that Board members volunteer to serve on a strategic plan committee. Board President Ynostrosa asked for a motion to create a strategic plan committee. Board Member McCarley moved to create a strategic plan committee. Board Member Garcia seconded the motion. The motion carried by voice vote.

XI. Staff Report on Economic Development Activity in Leon Valley

Economic Development Administrative Assistant Raynes gave the staff report on economic development activity. She provided a listing of the various businesses that applied for certificates of occupancy. Of the 11 businesses, nine (9) would be collecting sales tax. The dates of the businesses openings are not known.

Staff was asked about the Bank of America building on Bandera Road. Staff reported that the bank was scheduled to close that location on June 28, according to a letter sent out to area members. Reasons for the closure were cited as being a low trafficked branch and being part of the consolidation project Bank of America was conducting nationwide. When asked about a future use of the property, staff commented that Bank of America owned the property and no new use or tenant had been identified. Staff informed the Board that they had contacted a retailer about the property. Staff has been pursuing this retailer for two (years) but could not reveal the name due to the retailer wishing to remain anonymous and its current plans remain confidential.

XII. Future Agenda Items

A.) Work Session(s) on Strategic Plan – The Board voted to form a strategic plan committee. Volunteers would be taken at the next Board meeting.

B.) FY2014-2015 Budget – Staff informed the Board that a draft budget would be presented at the next Board meeting.

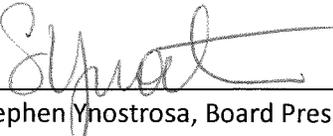
Board Member Garcia asked that at a future Board meeting the Board discuss big project like a downtown Leon Valley or a town center project. It was asked if the City Council had provided any feedback on a town center project. Staff suggested that perhaps that subject be an item for a future Special Joint Meeting of the City Council and the LVEDC. Once that was discussed between the two entities, the LVEDC could put it on a meeting agenda.

XIII. Announcements

Staff informed the Board that the appointments for 2013 would take place in June and not May. The Board was reminded that the next Coffee with the Mayor and City Council had been moved to May 17.

XVIII. Adjourn

Board Member McCarley moved to adjourn the meeting. Board Member Garcia seconded the motion. The motion passed by voice vote. Board President Ynostrosa adjourned the meeting at 7:51 p.m.



Stephen Ynostrosa, Board President



David J. Gannon, Board Secretary



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

May 29, 2014

The meeting of the Leon Valley Zoning Commission convened at 6:30 p.m. on Thursday, May 29, 2014, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Roll Call

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

II. Approval of the Minutes – March 25, 2014

Commissioner Pedro Esquivel made a motion to approve the minutes of March 25, 2014 as written. Commissioner Hal Burnside seconded the motion, and the motion passed unanimously by voice vote.

Ila. Ceremonial Items

- Presentation to Mike K. Davis, Jr., 4-years' service to the Zoning Commission**
- Presentation to Wendy Phelps 14-years' service to the Zoning Commission**

Chairman Claude Guerra III opened the ceremony at 6:35 p.m. presenting Commissioner Mike K. Davis Jr., with a certificate of appreciation for Mr. Davis' dedication and service of 4-years to the Zoning Commission. Chairman Guerra III noted that he was disappointed to hear that Mr. Davis had resigned and noted that he appreciated that Mr. Davis was a man of principal and stuck to his convictions.

Chairman Guerra III noted that former Vice-Chair Wendy Phelps was not in attendance to accept her certificate and noted that he wanted to schedule another opportunity to present her with it. He did mention that Ms. Phelps had completed 14-years of service to the Commission despite continual health issues and often attended Zoning meetings even when she was not feeling well. He noted she would be missed.

Chairman Claude Guerra III noted that there was also a certificate of service for former Commissioner Carmen Sanchez for her service of 3-years. He explained that Ms. Sanchez had been elected to serve on City Council.

III. Specific Use Permit #2014-272 – A Request by Carlos Trujillo to operate a "Playroom/birthday party room, kids only," at 6835 Bandera Road.

Chairman Claude Guerra III opened the discussion at 6:45 p.m. noting that Specific Use Permit Case #2014-272 was withdrawn. He explained that a dated Permitted Use Table (PUT) had been referenced and the current PUT did not require a Specific Use Permit. He noted the use was allowed by right in the B-2 (Retail) zoning district.

IV. Zoning Case #2014-393 – A Request by Henry Daughtry, Jr., applicant and property owner and agent for Leatrice Hans, Eddie Miller and Susana Guzman, to Rezone approximately 14.07 acres of land, being Lots 7, 8, 9, 10, 11 12A, Lot 15, Lot 23 or A, generally located at 6016, 6200, 6312, 6360 and 6400 Grissom Road.

Chairman Claude Guerra III opened the discussion at 6:47 p.m. Staff presented the case details noting that Zoning Case #2014-393 was a request by said owners to rezone approximately 14.07 acres of land from the Sustainability Overlay to the Commercial/Industrial Overlay at said lots and addresses. Staff noted the surrounding zoning and further explained that the history of the area indicated that it was gradually rezoned from R-1 (Single-Family) and B-2 (Retail) to B-3 (Commercial) beginning in 1969. Staff also noted

that these properties began to be rezoned from R-1 (Single-Family) and B-2 (Retail) to B-3 (Commercial) in 1967 and the rezoning continued in 1975, 1983, and 1984. Staff explained that the zoning trend in the Grissom Road Corridor had become commercial and commercial type developments resulted. Staff stated that the underlying zoning in the area is B-3 (Commercial). Staff further noted that the only change that occurred was the creation and implementation of the Sustainability Overlay for the Grissom Corridor in 2010. Staff stated that the 2009 Master Plan 4CC, Grissom Road Corridor, described this area as a B-3 (Commercial) area with some R-3 (Multiple Family), R-4 (Townhouse) and R-6 (Garden Homes). Staff noted the Plan also encouraged land uses in this area to be B-3 (Commercial). Staff comments included: that 1) if the properties are moved from the Sustainability Overlay (SO) to the Commercial/Industrial Overlay (CIO) they would still be protected by the overlay requirements for landscaping, streetscaping and building design; noting the primary difference between the overlays was the use types allowed within each of the overlay districts, and 2) as noted in previous hearings, upon general observation and discussion with Halff consultants a zoning trend was emerging in the utilization of the Zoning Overlays between 2010 and the present, which indicated that properties zoned B-3 (Commercial) were suited to the Commercial/Industrial Overlay. Staff noted examples of properties like Reindeer Trail which was removed from the Sustainability Overlay (SO) to the Commercial/ Industrial Overlay (CIO), as was the B-3 (Commercial) Fiesta Dodge properties, and the newly rezoned B-3 (commercial) Ancira-Winton properties. Staff noted that Manuel Rubio of Miracle Paint and Body was also approved for an overlay change from Sustainability Overlay to the Commercial Overlay in 2013.

Staff noted that Mr. Daughtry Jr., wanted to expand into the vacant lot on Grissom Road noting that he would construct a retail/ office storefront but he wanted to construct storage units in the rear and per the Sustainability Overlay table he would not be allowed to have storage. Staff also noted that the applicants/property owners were nonconforming and significant improvements to the properties trigger conformance to the Sustainability Overlay standards, which do not allow storage or automotive uses. Staff showed exhibits of the proposed façade for the retail/office storefront and also a magazine cover which demonstrated Mr. Daughtry's Camp Bullis site and design that was featured in an exclusive storage magazine.

Staff stated that 30 letters were mailed to property owners within 200-feet and as of that evening eight (8) letters were received in favor of the request, one (1) of which was a duplicate. Staff concluded the presentation and remained available for questions.

Commissioner Mike K. Davis, Jr. asked if there were any businesses in Leon Valley that conformed to the Sustainability Overlay. Staff noted three (3) examples: Bush's Chicken, Raising Cane, and Brass Knuckle Customs for building color. Staff further noted that there were also other examples of areas that have benefited from the overlay standards.

Commissioner Phyllis McMillian asked if the storage units would be indoor or outdoor. Mr. Daughtry Jr., noted that the storage units would be a combination of both with the enclosed units closer to the storefront and the outdoor units after, much like his new facility at Camp Bullis.

Mr. Daughtry Jr., addressed the Commission and noted the history of the Leon Valley Storage property noting that it used to be an airplane hangar circa 1945. He noted that he believed that this business was one of the oldest continuously operating businesses in Leon Valley. He further explained that the expansion project on the vacant lot (Ms. Hans's property) was estimated at \$1.2 million which would support the City's ad valorem tax. He also noted that sales tax is paid for the storage of vehicles.

Commissioner Hal Burnside asked if there would be some sort of separation of the business from the residential in the rear. Mr. Daughtry Jr., noted that there would be an 8-foot privacy fence. Staff noted an 8-foot privacy fence is required between commercial and resident by City Code.

Mr. Daughtry Jr., continued to address the Commission noting that in looking into development of the vacant property he and his engineers have closely looked at proper Stormwater management for both conventional detention ponding and even innovative processes such as permeable pavers. He explained that addressing drainage was very serious to him and by Federal law he could not put out more water from

the property than is already generated. He noted that he hoped whatever means was used would create less runoff.

As an aside, 2nd Vice-Chair Olen Yarnell asked if perhaps there could be some sort of official historical significance given to this area. Mr. Daughtry, Jr., noted that he would like that and would see what could be done.

Chairman Claude Guerra III, opened the public hearing at 7:00p.m.

Matthew Hodde, resident at 5813 El Verde, addressed the Commission and noted that he was pleased to hear Mr. Daughtry Jr., talking about drainage specifically detention ponds and/or permeable pavers. He noted that his property backed up to these properties and there was presently no catchment to keep rain water from going into his and other resident's back yards. He noted that he wanted to bring attention to the drainage matter because it was an important concern for him.

Being no further speakers, Chairman Claude Guerra III, closed the public hearing at 7:02 p.m.

2nd Vice-Chair Olen Yarnell asked if the LC-17 project would address some of the drainage concerns. Staff noted that LC-17 would address the areas of El Verde closest to Shadow Mist and then those up near the doctor's office. Staff explained that the middle section between these northern and southern points was the portion with uncompleted drainage. Staff noted that the County could be asked for possible assistance.

2nd Vice-Chair Olen Yarnell asked if the City could get involved to help. Staff noted that between Staff, Mr. Daughtry Jr., Mr. Hodde, Public Works and the County we could see if something could be done to assist with drainage in this area. 2nd Vice-Chair Olen Yarnell noted that he wanted to see that it is especially since it is a matter presently at hand.

Commissioner Pedro Esquivel, made a motion recommending approval of Zoning Case #2014-393 with direction to the City Council regarding careful attention to drainage in this area as a special project with the City and affected property owners. He noted that rezoning from the Sustainability Overlay to the Commercial/Industrial Overlay was consistent and compatible with the surrounding area and Master Plan, and protected property owners of all real property affected by the zoning request. Commissioner Phyllis McMillan seconded the motion, and the motion passed unanimously, by voice vote, 7-0.

IN FAVOR OF THE MOTION
Chairman Claude Guerra II
2nd Vice-Chair Olen Yarnell
Commissioner Hal Burnside
Commissioner Pedro Esquivel
Commissioner Mike K. Davis, Jr.
Commissioner Phyllis McMillan
Commissioner Carlos Fernandez

IV. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE

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

VI. ADJOURN

Commissioner Pedro Esquivel made a motion to adjourn, seconded by 2nd Vice-Chair Olen Yarnell. The motion carried by voice vote and the meeting was adjourned at 7:11 p.m.

CHAIR

STAFF



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

June 4, 2014

The meeting of the Leon Valley Zoning Commission convened at 7:05 p.m. on Wednesday, June 4, 2014, in City Council Chambers at 6400 El Verde Road, Leon Valley, Texas.

I. Roll Call

Present were Chairman Claude Guerra III, 2nd Vice-Chair Olen Yarnell, and Members Phyllis McMillan and Pedro Esquivel. Absent and properly excused were Members Hal Burnside, Nicole Monsibais and Carlos Fernandez. Also present was Kristie Flores, Director of Community Development, acting as recording secretary.

II. Approval of the Minutes – Thursday, May 29, 2014

Staff explained that the minutes were not presently completed and would be presented for consideration at the next Zoning meeting.

III. Specific Use Permit #2014-273 – A Request by Wing Daddy’s Sauce House, applicant, to operate a “Restaurant – Not Completely Enclosed,” in a B-2 (Retail) zoning district in the Sustainability Overlay, being Lot 39, Block 2, CB 4429A, generally located at 6430 Bandera Road.

Chairman Claude Guerra III opened the discussion at 7:07 p.m. Staff presented the case details noting that Specific Use Permit (SUP) Case #2014-273 was a request by Wing Daddy’s to operate a “Restaurant – Not Completely Enclosed,” in a B-2 (Retail) zoning district at 6430 Bandera Road. Staff noted that the use was allowed in a B-2 zoning district with an SUP. Staff noted the surrounding zoning and the site history which indicated that the shopping center was constructed in 1983. Staff stated that the 2009 Master Plan, Section 1bCC Bandera Road South Corridor addressed this area in general encouraging B-2 (Retail) development. Staff noted that operation of a “Restaurant – not completely enclosed,” appeared to be consistent and compatible with the area. Staff explained that the SUP was a zoning tool that could be utilized to further regulate noise and/or screening. Staff explained that the B-2 district is suitable for furnishing retail goods and services and limits outdoor storage. Staff stated that per Chapter 14, Section 14.02.551b, of the 2009 Leon Valley Code of Ordinances, the applicant submitted a Traffic Impact Analysis Worksheet which indicated that the proposed use would generate less than 100 peak hour trips. Staff further stated that 22 letters were mailed to property owners within 200-feet and as of that evening one (1) letter was received opposed to the request and one (1) was returned undelivered. Staff concluded the presentation and remained available for questions.

Commissioner Pedro Esquivel asked staff if the City had a noise ordinance. Staff noted that the City did have an ordinance. Commissioner Pedro Esquivel noted that he had concerns with the terms stated in the applicant’s Design Statement which noted that music would be played at “tasteful levels.” He explained that there could be different interpretation into “tasteful levels.”

Sung Song, Wing Daddy’s Representative and Partner, addressed the Commission and noted that all Wing Daddy’s restaurants have patios with music. He explained that the tasteful level was their efforts at creating ambiance. He further explained that they did not do loud parties or juke boxes. He noted that at their existing locations they had not had complaints. He also noted that Wing Daddy’s was a family restaurant with children. He explained that they were a neighborhood restaurant first and foremost. He further explained that they strived for consistency with all of their restaurants.

2nd Vice-Chair Olen Yarnell asked about parking. Mr. Song indicated that they had parking available throughout the shopping center.

2nd Vice-Chair Olen Yarnell asked if there would be a fence around the patio. Mr. Song noted that there would be a fence as required by the Texas Alcoholic Beverage Commission.

2nd Vice-Chair Olen Yarnell asked about elevations or examples of other restaurants with patios. Mr. Song noted that there were two (2) in San Antonio. Mr. Song showed the Commission elevation renderings. It was noted that the patio was fenced and approximately 400 square feet.

Chairman Claude Guerra III noted concern with the hours of operation because of late hours noted in the Design Statement and the fact that they would have an open patio and music. Mr. Song noted that their locations were all consistent with hours of operation Sunday through Wednesday of 11 a.m. to midnight and Thursday through Saturday until 1 a.m. with food served until close. Chairman Guerra III asked if the music was until 1 a.m. Mr. Song noted that the music was concurrent with their hours but would not be audible to the houses. He noted that the noise from Bandera Road was probably more audible to residents.

Commissioner Phyllis McMillan asked if there were televisions on the patio. Mr. Song noted there would be 2 to 3 enclosed in a casing and the sound would be muted.

Commissioner Phyllis McMillan asked if this would be an area used for large sports or groups which could potentially generate significant noise. Mr. Song mentioned the occasional Spurs game and the example of a celebration for a soldier deploying, but further explained that they have not had an issue.

Jason Wightman, agent for Wing Daddy's, noted that the patio faces away from the neighborhood and is approximately 190-feet from residents. He also noted that the existing retaining wall and the 6-foot privacy fence limit light and noise. He further explained that the building was 20-feet tall and so for noise or light to get to residents would be difficult.

Chairman Claude Guerra III noted one letter in opposition and asked if staff had spoken to the opposed resident. Staff noted that she had not spoken to the opposed resident and was uncertain of the exact concern but estimated that it was what the Commission was already discussing.

Chairman Claude Guerra III opened the public hearing at 7:18p.m. Being no speakers, Chairman Claude Guerra III, closed the public hearing at 7:19 p.m.

2nd Vice-Chair Olen Yarnell noted that with the height of the building and the distance the restaurant was away from the neighborhood and it would be a challenge to hear noise from the restaurant.

2nd Vice-Chair Olen Yarnell made a motion recommending approval of Specific Use Permit (SUP) Case #2014-273, noting it was consistent and compatible and Commissioner Pedro Esquivel, seconded the motion, and the motion passed unanimously, by voice vote, 4-0.

IN FAVOR OF THE MOTION

Chairman Claude Guerra III

2nd Vice-Chair Olen Yarnell

Commissioner Pedro Esquivel

Commissioner Phyllis McMillan

IV. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE

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

VI. ADJOURN

Commissioner Phyllis McMillan made a motion to adjourn, seconded by 2nd Vice-Chair Olen Yarnell. The motion carried by voice vote and the meeting was adjourned at 7:23 p.m.

CHAIR

STAFF

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