

ORDINANCE 2013-08-20-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) FOR ELECTION SERVICES WITH THE BEXAR COUNTY ELECTIONS ADMINISTRATOR TO SHARE THE COSTS OF SAID ELECTION SERVICES ON A FAIR AND EQUITABLE BASIS, FOR THE CONDUCT OF THE NOVEMBER 5, 2013 AMENDMENT, GENERAL, SPECIAL AND BOND ELECTION.

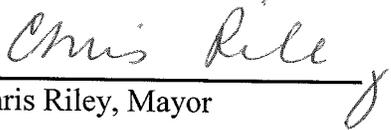
WHEREAS, the City Council of the City of Leon Valley deems it to be in the best interest of the citizens of the City of Leon Valley to order a Special Election to be held on November 5, 2013, for purposes of voting for or against two Propositions; (I) for the purpose of voting for or against the reauthorization of local sales and use tax at the rate of one-quarter (1/4) of one percent (0.0025000) to continue providing revenue for maintenance and repair of municipal streets; the tax to expire on the 10th anniversary of the date of this election unless the imposition of the tax is reauthorized, pursuant to Chapter 327.007(b) of the Texas Tax Code, as amended; and (II) for the purpose of submitting to the voters a proposition relating to the creation of the Leon Valley Crime Control and Prevention District and the adoption of a local sales and use tax at a rate of one-eighth of one percent pursuant to Chapter 363 of the Texas Local Government Code;

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

1. The City of Leon Valley will hold a Special Election to be held jointly with Bexar County for the Joint, General, and Other Elections on the 5th day of November 2013 for the Amendment, General, Special and Bond Election, for the purpose of voting for or against the reauthorization of the local sales and use tax in the City of Leon Valley at the rate of one-quarter (1/4) of one percent (0.0025000) to continue providing revenue for maintenance and repair of municipal streets, and pursuant to Chapter 327.007 (b) as amended, the tax expires on the 10th anniversary of the date of this election unless the imposition of the tax is reauthorized.
2. The Temporary Crime Control and Prevention District Board, will hold a Special Election to be held on November 5, 2013 in the City of Leon Valley for the purpose of submitting to the voters a proposition relating to the creation of the Leon Valley Crime Control and Prevention District and the adoption of a local sales and use tax at a rate of one-eighth of one percent pursuant to Chapter 363 of the Texas Local Government Code.

3. The said election will be held jointly with Bexar County on the 5th day of November 2013 pursuant to Section 271 of the Texas Election Code. The costs of said election are to be shared and the City Manager is authorized to sign a Memorandum of Understanding for election services with the Bexar County Elections Administrator to share the costs of said election services on a fair and equitable basis.

PASSED and **APPROVED** this 20th day of August, 2013.

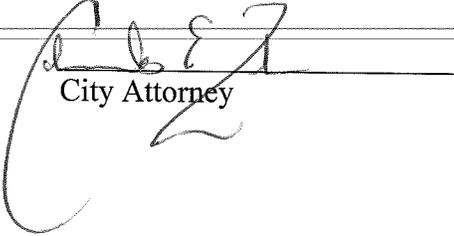

Chris Riley, Mayor

ATTEST:


Leticia Callanen, Interim City Secretary



APPROVED AS TO FORM:


City Attorney

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between Bexar County Elections Administrator (“ADMINISTRATOR”), acting on behalf of Bexar County and any and all political subdivisions that are holding a Tuesday, November 5, 2013 Amendment, General, Special and Bond Election. This MOU is the planning document necessary for the preparation and implementation of the Joint Agreement as required pursuant to Texas Election Code Section 271.002(a). The following entities have made a verbal confirmation to the Joint Election: Bexar County, (“County”); San Antonio River Authority (“SARA”); the City of Converse (“COC”); the City of Leon Valley (“COLV”) and the City of Schertz (“COS”); the City of Windcrest (“COW”); the Cibolo Creek Municipal Authority (“CCMA”); the Green Valley Special Utility District (“GVSUD”); the Schertz Cibolo Universal City ISD (“SCUCISD”) they may also be joined by other entities acting by and through their duly appointed and qualified representatives, for the November 5, 2013 election. Any entity that is able to cancel their election will assume no cost for the planning of this election upon receipt of the proper paperwork. All costs will then be divided according to the pre determined pro rata share agreed upon. Contracts will be executed following the deadline to cancel an election and distributed for signatures and deposits.

WHEREAS, County will conduct an amendment election on Tuesday, November 5, 2013; and

WHEREAS, SARA will conduct a general election on Tuesday, November 5, 2013; and

WHEREAS, COC will conduct a general election on Tuesday, November 5, 2013; and

WHEREAS, COLV will conduct a special election on Tuesday, November 5, 2013; and

WHEREAS, COS will conduct a general election on Tuesday, November 5, 2013; and

WHEREAS, COW will conduct a general and special election on Tuesday, November 5, 2013; and

WHEREAS, CCMA will conduct a general election on Tuesday, November 5, 2013; and

WHEREAS, GVSUD will conduct a general election on Tuesday, November 5, 2013; and

WHEREAS, SCUCISD will conduct a general election on Tuesday, November 5, 2013; and

NOW THEREFORE, it is understood that the Entities will hold a joint election on November 5, 2013 (the “Joint Election”).

The undersigned Entities are the duly authorized representatives of their governing bodies, and their signatures represent acceptance of the terms and conditions of this Memorandum of Understanding for planning purposes.

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

MAYOR AND COUNCIL COMMUNICATION

M&C 2013-08-20-10

DATE: AUGUST 20, 2013

TO: MAYOR AND CITY COUNCIL

SUBJECT: AUTHORIZING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) FOR ELECTION SERVICES WITH THE BEXAR COUNTY ELECTIONS ADMINISTRATOR

PURPOSE

The City Council of the City of Leon Valley deems it to be in the best interest of the citizens of the City of Leon Valley to order a Special Election to be held on November 5, 2013, for purposes of voting for or against two Propositions;

- (I) for the purpose of voting for or against the reauthorization of local sales and use tax at the rate of one-quarter (1/4) of one percent (0.0025000) to continue providing revenue for maintenance and repair of municipal streets; the tax to expire on the 10th anniversary of the date of this election unless the imposition of the tax is reauthorized, pursuant to Chapter 327.007(b) of the Texas Tax Code, as amended; and
- (II) ~~for the purpose of submitting to the voters a proposition relating to the creation of the Leon Valley Crime Control and Prevention District and the adoption of a local sales and use tax at a rate of one-eighth (1/8) of one percent (0.00125) pursuant to Chapter 363 of the Texas Local Government Code.~~

The election will be held jointly with Bexar County on the 5th day of November 2013 pursuant to Section 271 of the Texas Election Code. This Ordinance authorizes the City Manager to sign a Memorandum of Understanding (MOU) for election services with the Bexar County Elections Administrator to share the costs of said election services on a fair and equitable basis. The MOU is a planning document necessary for the preparation and implementation of the Joint Agreement between all entities conducting an election on November 5, 2013.

A Contract will be executed with the City of Leon Valley, and all other participating entities, following the deadline to cancel an election and distributed for signatures and deposits at that time.

POLICY STATEMENT

This action by City Council coincides with the Calling of an Election for both the Reauthorization of the Street Maintenance Sales and Use Tax, and the Creation of a Crime Control and Prevention District, addressing the approved Strategic Goals for 2013-2014; number 7, "Pursue Revenue Enhancements to Enhance City Operations".

