

# NOTICE OF PUBLIC MEETING

## AGENDA

### LEON VALLEY CITY COUNCIL MEETING

MARCH 5, 2013, 7:00 P.M.

LEON VALLEY CITY HALL, CITY COUNCIL CHAMBERS

6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238

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

1. **Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance. (Mayor Riley)**
2. **Proclamation Honoring Resident Iris Sawyer who is Celebrating her 105<sup>th</sup> Birthday March 1, 2013.**
3. **Citizens to be Heard and Time for Objections to the Consent Agenda.**  
"Citizens to be Heard" is for the City Council to receive information on issues that may be of concern to the public. The purpose of this provision of the Open Meetings Act is to ensure that the public is always given appropriate notice of the items that will be discussed by the Council. Should a member of the public bring an item to the Council for which the subject was not posted on the agenda of that meeting, the Council may receive the information, but cannot act upon it at that meeting. They may direct staff to contact the requestor or request that the issue be placed on a future agenda for discussion by the Council.

**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

4. **Consider Approval of the Regular City Council Meeting Minutes of February 19, 2013. (Willman)**

#### Regular Agenda

5. **Consider Action on M&C # 03-01-13 an Ordinance Authorizing the City Manager to Enter into an Advance Funding Agreement with the Texas Department of Transportation for the Bandera and Grissom Road Traffic Signalization Improvement Project (City Manager, Longoria).**

## Discussion Agenda

6. **Update on City of Leon Valley Economic Development Activities- M&C # 03-02-13 (Economic Development Director, Claudia Mora).**
7. **Update on City of Leon Valley Special Projects- M&C # 03-03-13 (Special Projects Manager, Melinda Smith)**
8. **City Manager's Report. (Longoria)**
  - A. **Report on the Implementation Plan for the Recycling Pilot Program at the Ridge Subdivision.**
  - B. **Report on Progress of Branding, Communications, and Festivals Subcommittees' Work.**
  - C. **Report on Invitation of CPS Energy Suburban City Summit.**
  - D. **Approved Minutes of the City-Affiliated Boards, Committees, and Commissions.**
  - E. **Future Agenda Items.**
    - (1) Presentation of Annual Report by the Leon Valley Historical Society, April 16.
    - (2) Candidates Forum, if there are contested races in the May 11 City Council Election, April 30, 7 p.m., Leon Valley Conference Center.
    - (3) Next Quarterly Update and Dialogue Between the City Council and the Leon Valley Economic Development Board of Directors, April, date to be determined.
    - (4) Canvass Results of the May 11, 2013 General Election, May 14-22.
    - (5) Consider Action on an Ordinance Authorizing the City Manager to Execute a Contract with a Service Provider for Construction Manager at Risk for the Municipal Facilities Improvement Project, May, 2013.
    - (6) Update on the Texas Department of Motor Vehicles Drivers License Location at Huebner and Evers Roads, March- April.
9. **Citizens to be Heard.**
10. **Announcements by the Mayor and Council Members.**

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

## Executive Session

11. 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).

**12. Adjourn.**

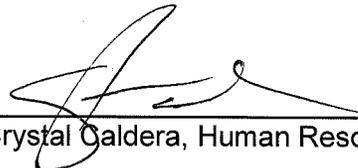
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**Attendance by Other Elected or Appointed Officials:**

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of other boards, commissions and/or committees of the City, whose members may be in attendance. The members of other city boards, commissions and/or committees may not participate in discussions on the items listed on the agenda, which occur at the meeting, and no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city board, commission or committee subject to the Texas Open Meetings Act. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL were posted on the Bulletin Board at City Hall, 6400 El Verde Road, Leon Valley, Texas, on Friday, March 1, 2013, by 5:30 p.m. and remained posted until after the meeting(s) hereby posted concluded. This notice was likewise posted on the City website at [www.leonvalleytexas.gov](http://www.leonvalleytexas.gov). This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours ahead of the meeting. To make arrangements call (210) 684-1391, Ext. 216.



  
Crystal Galdera, Human Resources Director



### Proclamation

**Whereas**, Iris Sawyer is being honored by family and friends in celebrating her 105<sup>th</sup> birthday; and

**Whereas**, in 1908 the Grand Canyon National Monument was designated as a National Park, Women entered the Olympics, Mother's Day was first celebrated in the United States, the first Model T was built, and Iris Sawyer was born; and

**Whereas**, for the last 76 years Iris Sawyer has been a proud resident of Leon Valley; and

**Whereas**, in 1962 she graduated from Our Lady of the Lake University with a degree in Speech Therapy working for many of the surrounding school districts; and

**Whereas**, Iris Sawyer has lived a long and distinguished life these last 105 years as a loving wife, mother, grandmother; and

**Now, Therefore**, On behalf of the citizens and the City Council, I, Chris Riley, Mayor of the City of Leon Valley, Texas, do hereby congratulate Iris Sawyer on March 1, 2013, the date of her 105<sup>th</sup> birthday, and I extend my very best wishes for your continued happiness and health!

Signed by my hand on this 2<sup>nd</sup> day of March 2013.



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

**Agenda Item 4**

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
FEBRUARY 19, 2013**

The City Council of the City of Leon Valley, Texas, met on the 19<sup>th</sup> of February, 2013, at 7:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

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

- 1. Call the City of Leon Valley Regular City Council Meeting to Order, Determine a Quorum is Present, and Pledge of Allegiance.** Mayor Riley called the Regular Meeting to order at 7:00 p.m. with the following City Council Members present: Hill, Reyna, Baldrige, and Bieber. Excused and absent: Councilman Bieber. Mayor Riley announced that Councilwoman Baldrige was at the airport picking up family members. She asked for the City Council's indulgence in Agenda Item 2, Tribute to Former Councilman Al Baldrige.

City Staff in attendance: City Manager Longoria, City Attorney Zech, City Secretary Willman, Economic Development Director Mora, Finance Director Wallace, Interim Fire Chief Valdez, Human Resources Director Caldera, Police Chief Wallace, Assistant to the Public Works Director Flores, and Special Projects Manager Smith.

Mayor Pro Tem Hill led the assembly in the Pledge of Allegiance.

- 3. Introduction of Interim Fire Chief Luis Valdez.** City Manager Longoria introduced Interim Fire Chief Luis Valdez detailing his credentials and professional career progression. Interim Fire Chief Luis Valdez stated it was his honor to protect the City that is his home.
- 4. Citizens to be Heard and Time for Objections to the Consent Agenda.** There were no citizens to be heard. Councilwoman Hill asked for Consent Agenda Item 8 to be removed from the Consent Agenda for separate consideration.

**Consent Agenda**

Motion by Councilman Reyna and second by Councilwoman Hill to adopt Consent Agenda Items 5, 6, and 7. Voting Aye: Hill, Reyna, and Dean. Voting Nay: None. Absent and excused: Baldrige and Dean. Mayor Riley announced the motion carried.

- 5. Consider Approval of the Meeting Minutes of the Regular City Council Meeting of February 5, 2013.** Approved the February 5, 2013 Meeting Minutes.
- 6. Consider Action on a Resolution Ordering a General Election in the City of Leon Valley, Texas, to be Held Jointly with Bexar County for the Joint, General and Special Elections on the 11<sup>th</sup> Day of May, 2013, for the Purpose of Electing Three Members of the City Council, Places 1, 3, and 5, by the Qualified Voters of the City of Leon Valley and Providing Details to the Conduct of Holding the Election, M&C # 02-07-13.**

Adopted Resolution No. 13-002 – Ordering a General Election in the City of Leon Valley,

Agenda Item 4

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
FEBRUARY 19, 2013**

Texas, to be Held Jointly with Bexar County for the Joint, General and Special Elections on the 11th Day of May, 2013, for the Purpose of Electing Three Members of the City Council, Places 1, 3, and 5, by the Qualified Voters of the City of Leon Valley and Providing Details to the Conduct of Holding the Election.

7. **Consider Action on an Ordinance Authorizing the City Manager to Enter into a Master Advance Funding Agreement (MAFA) with the Texas Department of Transportation (TXDOT) for the Purpose of Obtaining Future Transportation Related Grant Funds from TXDOT, M&C # 02-08-13.**

Adopted Ordinance No. 13-006 – Authorizing the City Manager to Enter into a Master Advance Funding Agreement (MAFA) with the Texas Department of Transportation (TXDOT) for the Purpose of Obtaining Future Transportation-Related Grant Funds from TXDOT.

8. **Consider Action on a Resolution Authorizing the Submission of an Application to the Bexar County Community Development Block Grant Program for the Construction of ADA-Compliant Curb Ramps and Sidewalks on Hodges and Althea Drives at an Estimated Project Cost of \$230,275, and Authorizing the City Manager to Act on Behalf of the City of Leon Valley in All Matters Related to the Application; and Pledging that if a Grant is Received, the City of Leon Valley Will Comply with the Grant Requirements, M&C # 02-09-13.**

Marisa Flores, Assistant to the Public Works Director, made a brief presentation before the City Council. Councilwoman Hill asked if the residents on Hodges and Althea Drives approved the installation of sidewalks on these two streets. Ms. Flores indicated that she had checked with Community Development Director Kristie Flores as to whether there was interest and support for sidewalk amenities in this addition. Staff confirmed that is the case. It was noted that as the Zoning Commission goes about the Master Plan Review, in some segments of the City, sidewalks are preferred and some areas sidewalks are not preferred. There was some discussion about a grant matching amount. Staff noted that although CDBG grants normally do not require matching funding, that the City has some money set aside that could be used to offset a matching amount required.

Motion by Councilman Reyna and second by Councilwoman Hill to adopt the Resolution. Voting Aye: Hill, Reyna, and Dean. Voting Nay: None. Absent and excused: Biever. Present in the City Council Chambers and not voting: Baldrige. Mayor Riley announced the motion carried.

Adopted Resolution No. 13-003 – Authorizing the Submission of An Application to the Bexar County Community Development Block Grant Program for the Construction of ADA-Compliant Curb Ramps and Sidewalks on Hodges and Althea Drives at an Estimated Project Cost of \$230,275, and Authorizing the City Manager to Act on Behalf of the City of Leon Valley in All Matters Related to the Application; and Pledging that if a Grant is Received, the City of Leon Valley Will Comply with the Grant Requirements.

**Agenda Item 4**

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
FEBRUARY 19, 2013**

- 2. Tribute to Former City Councilman Al Baldrige.** Mrs. Baldrige, her daughter, Kim, and granddaughter, Ambur, arrived at approximately 7:12 p.m. Mayor Riley, the City Council, and Mrs. Baldrige stood in the dais well to hear the Proclamation read from the beautifully-framed proclamation designating Saturday, February 23 as Al Baldrige Day in the City of Leon Valley. The assembly was invited to attend the planting of a tree at the Leon Valley Conference Center on Saturday, February 23, in former Councilman Al Baldrige's honor. Mrs. Baldrige acknowledged the support of the City Council and community. Following the presentation, Mrs. Baldrige joined the Mayor and City Council at the dais.

**Regular Agenda**

- 9. Consider Action on an Ordinance Authorizing the City Manager to Enter into a Contract with Crownhill Builders, Inc. For the Leon Valley Public Library Children's Wing Expansion at a Not to Exceed Amount of \$533,000 with a \$10,000 Contingency for a Total of \$543,000 and Approval of Budget Adjustments for Administrative Purposes and to Fully Fund the Project in the Correct Fund, M&C # 02-10-13.**

City Manager Longoria made a brief presentation on this agenda item. In the Chambers and introduced were Crownhill Builders, Inc. Owner and staff, Carol Poss, Friends of the Library, and Richard Mogas, Architect and Jeremy Kreusel, Associate Architect. It was announced that there will be a groundbreaking ceremony on Saturday, February 23 at 2:15 p.m. There were questions about the continuation of service during a 3 to 6 week period involving interior modifications. Mr. Longoria stated that he would be working with City Librarian Joyce Trent on making that determination. He noted that Ms. Trent was absent due to a family emergency.

Motion by Councilman Reyna and second by Councilwoman Hill to adopt the Ordinance presented authorizing the contract. Voting Aye: Hill, Reyna, Baldrige, and Dean. Voting Nay: None. Absent and excused: Biever. Mayor Riley announced the motion carried.

- 10. Consider Action Approving an Increase to the Committed Fund Balance in the General Fund for Natural/Man-Made Disasters By \$100,000., M&C # 02-11-13.**

Finance Director Vickie Wallace made a brief presentation on this agenda item.

Motion by Councilman Reyna and second by Councilwoman Baldrige to approve the \$100,000 Increase as recommended by staff. Voting Aye: Hill, Reyna, Baldrige, and Dean. Voting Nay: None. Absent and excused: Biever. Mayor Riley announced the motion carried.

- 11. Consider Action on an Ordinance, Repealing And Replacing Appendix A Fee Schedule Article A11.000 Water And Sewer Fees Section A11.001 And Providing A Conflicts Provision, A Request To Approve Sanitary Sewer Rate Increases For Fiscal Year 2013 (FY13) by 4.75 Percent Effective With the April 2013 Billings, M&C # 02-12-13.**

**Agenda Item 4**

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
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Marisa Flores, Assistant to the Public Works Director, made a brief presentation to the City Council. It was noted that the wrong information was in the agenda packet. Ms. Flores noted that several changes were made as the agenda item was put together. Ms. Flores clarified that the increase was actually 9 percent with a 30 cent increase per average residential user based on 5,359 gallons. It was noted that because the City has adopted the 3 percent increases as they are billed by San Antonio Water System, that the City will only be ½ month behind on collecting the increase.

Motion by Councilman Reyna and second by Councilman Dean to approve the Ordinance on the appropriate rates stipulated by the San Antonio Water System. Voting Aye: Hill, Reyna, Baldrige, and Dean. Voting Nay: None. Absent and excused: Biever. Mayor Riley announced the motion carried.

Adopted Ordinance No. 13-008 – Repealing and Replacing Appendix A Fee Schedule Article A11.000 Water and Sewer Fees Section A11.001 and Providing a Conflicts Provision, a Request to Approve Sanitary Sewer Rate Increases for Fiscal Year 2013 (FY13) by 9 Percent Effective with the April 2013 Billings.

**12. Consider Action on an Ordinance Establishing the Authority and Rights, Structure and Membership, Including City Council Liaison Assignments, Duties and Responsibilities, and Sunset Provision for the Recommended Committees; Communication, Branding, and Festival, Arising January 26, 2013 Town Hall Meeting, M&C # 02-13-13.**

Mayor Riley announced the form sent out by the City Secretary had some errors that appear on being downloaded. She asked for the City Secretary to send out paper forms.

City Manager Longoria briefed the City Council on this agenda item.

Motion by Councilman Reyna and second by Councilman Dean to approve the Ordinance, as amended, to reflect the City Council designations for the sub-committees: Branding – Mayor Riley and Councilman Reyna; Communications – Councilwoman Baldrige and Councilman Dean; and Festivals – Councilwoman Hill and Councilman Biever, and to remove the termination clause for the sub-committees, which are to be reflected as ad-hoc committees. Voting Aye: Hill, Reyna, Baldrige, and Dean. Voting Nay: None. Absent and Excused: Biever. Mayor Riley announced the motion carried.

Adopted Ordinance No. 13-009 – Establishing the Authority and Rights, Structure and Membership, Including City Council Liaison Assignments, Duties and Responsibilities, and Sunset Provision for the Recommended Committees; Communication, Branding, and Festival, Arising January 26, 2013 Town Hall Meeting.

**Discussion Agenda**

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

**Agenda Item 4**

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
FEBRUARY 19, 2013**

- A. Defensive Space at the Natural Area.** Mr. Longoria introduced this report on the work being done by the Texas Forest Service. A plan was submitted to the Texas Forest Services. The plan identifies properties with lots of brush that are adjacent to residential areas. Interim Fire Chief Valdez working with a committee did the ground work that forms the basis of the plan. The City's plan has been approved. The City is waiting to hear when the Texas Forest Service can come back and put the plan into action. Interim Fire Chief Valdez noted that the City's Fire code is met and to improve the protection standards followed in establishing a defensive boundary of the Natural Area. Mr. Valdez emphasized that the ten areas identified can be controlled by Code Enforcement. He indicated City staff would notify the affected property-owners by doing a door-to-door campaign.
- B. Low Impact Development Project for Evers Road.** Mr. Longoria reported at the event on February 6, the City was represented by Mayor Riley, Marisa Flores, and the City Manager. It is a design competition in which in the City's case, taking suburban road that can use low impact initiatives. He indicated there could be three design teams to design a project for Evers Road. The benefit to the City could be a design to evaluate during the City's future re-work of the roadway.
- C. Monthly Departmental Reports.** There were no questions raised or comments made during the Monthly Departmental Reports.
- D. Financial Statement for the Month of January, 2013.** Finance Director Vickie Wallace presented the Financial Statement January 2013.
- E. Future Agenda Items.**
- (1) Consider Action on a Resolution Authorizing the City Manager to Execute a Lease with Mauricio Romero for the Kinman House at 6417 Evers Road, Leon Valley, TX, March.
  - (2) Consider Action on an Ordinance Authorizing the City Manager to Execute a Contract with a Service Provider for Construction Manager at Risk for the Municipal Facilities Improvement Project, May, 2013.
  - (3) Texas Department of Transportation Presentation on Super Street Model.
- 14. Citizens to be Heard.** **Lyn Joseph**, addressed the City Council, asking if the computers at the Public Library can be moved to another location to continue service during the summer period. Mr. Longoria indicated he would have work through service continuation with Library Director Joyce Trent. She asked for a copy of the sewer usage fee chart. The City Manager indicated the chart would have to be updated on the City's website and invited the speaker to check back tomorrow.
- 15. Announcements by the Mayor and Council Members.**
- ***Earthwise Living Day, Saturday, February 23, 2013.***
  - ***Leon Valley Public Library Children's Wing Groundbreaking Ceremony, February 23, 2013, 2:15 p.m.***

**Agenda Item 4**

**CITY COUNCIL MEETING OF THE CITY OF LEON VALLEY, TEXAS  
FEBRUARY 19, 2013**

Councilwoman Hill indicated that the Secretary of Agriculture's Program was very interesting with topics ranging from agricultural issues to water subsidies.

Councilwoman Baldrige thanked everyone for helping her during her trying time.

Mayor Riley made the following announcements:

- City of Greyforest sent an invitation to the Frank L. Madla Jr. Natural Area
- VIA sent an invitation to the Bus Rodeo on March 14
- Earthwise Living Day on Saturday will feature a VIA Primo Bus, lots of speakers, and food vendors
- 1:30 p.m. with Tree Planting in Honor of Former Councilman Al Baldrige
- 2:15 p.m. Groundbreaking for the Library Children's Wing Expansion

**Executive Session**

- 16.** The City Council convened in Executive Session at 8:28 p.m., pursuant to Section 551.072, as authorized by the Texas Government Code, Deliberations about Real Property, To Deliberate the Purchase, Exchange, Lease, or Value of Real Property, and Reconvene into Open Session to Take Any Necessary Action Arising from the Executive Session, M&C # 02-14-13.

The City Council reconvened into Open Session at 9:10 p.m. with no action taken arising out of the Executive Session.

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

There was no Executive Session conducted under this Agenda Item.

- 18. Adjourn.** Motion for adjournment by Councilman Reyna at 9:10 p.m. Mayor Riley adjourned the meeting without objection at 9:10 p.m.

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Mayor Chris Riley

ATTEST:

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Janie Willman, City Secretary

**MAYOR AND COUNCIL COMMUNICATION**

**DATE: March 5, 2013  
M&C # 03-01-2013**

**TO: MAYOR AND CITY COUNCIL**

**SUBJECT: CONSIDER AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO FACILITATE THE CONVERSION OF EXISTING TRAFFIC SIGNAL CONTROLLERS AND COMMUNICATION EQUIPMENT ALONG BANDERA AND GRISSOM ROADS INSIDE THE LEON VALLEY CITY LIMITS**

**PURPOSE**

Currently, the synchronization of traffic signals along Bandera and Grissom Roads in the city limits is performed by the Texas Department of Transportation (TxDOT) in coordination with the City of San Antonio on the outskirts of the city.

Converting the traffic signal controllers and corresponding communications devices will facilitate better coordination of signal operation at the specified locations, resulting in less vehicle delay and a more efficient flow of traffic.

The City would be asked to contribute a fixed amount of \$20,000 towards this project to convert the ten (10) signalized intersections. TxDOT has agreed to effectuate the requested work and to provide the balance of the necessary funding required to fully accomplish the work.

The conversions would take place at:

- Bandera - at Timco, Loop 410, Wurzbach, Seneca, El Verde, Grissom, Poss, Huebner, and Reindeer Trail
- Grissom - at Shadow Mist

**FISCAL IMPACT**

Funding will be allocated as follows:

Public Works General Fund 2013 Budget	\$20,000 (budgeted)
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**RECOMMENDATION**

It is recommended that the City Council adopt an ordinance authorizing the City Manager to enter into an Advance Funding Agreement with TxDOT to facilitate the conversion of

the existing traffic signal controllers and communications equipment along Bandera and Grissom roads.

**S.E.E. IMPACT STATEMENT**

**Social Equity** – Will provide for a more efficient flow of traffic along Bandera and Grissom roads for all citizens.

**Economic Development** – Will provide for a more efficient flow of traffic along Bandera and Grissom Roads, which may attract potential patrons for area businesses.

**Environmental Stewardship** – Reduces pollutants in stormwater runoff and generates less exhaust, as vehicles are not idling as much.

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

APPROVED WITH THE FOLLOWING

AMENDMENTS: \_\_\_\_\_

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ATTEST:

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

**AN ORDINANCE**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO FACILITATE THE CONVERSION OF EXISTING TRAFFIC SIGNAL CONTROLLERS AND COMMUNICATION EQUIPMENT ALONG BANDERA AND GRISSOM ROADS INSIDE THE LEON VALLEY CITY LIMITS**

**WHEREAS** the City of Leon Valley endeavors to improve the citizen's quality of life by assuring a smooth and efficient flow of traffic along its major corridors; and

**WHEREAS** the City of Leon Valley routinely partners with the Texas Department of Transportation for the purpose of funding such transportation enhancement projects;

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

1. That the City Council of the City of Leon Valley authorize the City Manager to enter into an agreement with the Texas Department of Transportation to facilitate the conversion of existing traffic signal controllers and communications devices along Bandera and Grissom roads and provide for the funding thereof.

This ordinance shall take effect immediately upon its approval, passage, and the meeting of all publication requirements under law.

**PASSED** and **APPROVED** this the 5<sup>th</sup> day of March, 2013.

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

ATTEST:

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

APPROVED AS TO FORM:  
\_\_\_\_\_  
, City Attorney

The background features a large, faded circular seal. The outer ring of the seal contains the text "CITY OF LEON VALLEY" at the top and "OF THE LIONS" at the bottom. Inside this ring, there is a central emblem depicting a lion rampant on a shield, with a banner above it that reads "IN THE NAME OF THE STATE".

**City of Leon Valley  
Advance Funding Agreement  
Traffic Signal Controllers  
March 5, 2013**



# Project

- Enter into agreement with Texas Department of Transportation (TxDOT)
- To convert existing traffic signal controllers & communication devices at signal controlled intersections along Grissom & Bandera roads
- Texas Department of Transportation (TxDOT) funded project, with fixed amount City participation



# Purpose

- Traffic signals along Bandera & Grissom roads inside city limits currently synchronized by TxDOT, in coordination with City of San Antonio outside city limits
- Converting traffic signal controllers & communications equipment will facilitate better coordination of signal operations, resulting in less vehicle delay & more efficient flow of traffic
- City of LV to provide \$20,000, TxDOT to fund balance



# AFA Basics

- Agreement mandates:
  - Time period covered
  - Project funding & work responsibilities
  - Maintenance by State
  - Payment provisions
  - Areas of work
    - 10 intersections, located along Bandera & Grissom roads



# Fiscal Impact

- General Fund/Public Works \$20,000 (budgeted)
- TxDOT provides balance of funding for project



# S.E.E. Impact Statement

- **Social Equity**
  - Provides less vehicle delay and more efficient flow of traffic for all citizens
- **Economic Development**
  - Will provide for better traffic flow along Bandera and Grissom Roads, which may attract potential patrons for area businesses.
- **Environmental Stewardship**
  - Reduces pollutants in stormwater runoff and generates less exhaust, as vehicles are not idling as much



# Recommendation

- Authorize City Manager to enter into Advance Funding Agreement with TxDOT
- To facilitate conversion of existing traffic signal controllers & communications equipment along Bandera & Grissom roads

The logo of the City of Leon Valley is a circular seal. The outer ring contains the text "CITY OF LEON VALLEY" at the top and "VALLEY OF THE LIONS" at the bottom. The inner circle features a central emblem of a lion standing on a pedestal, with a five-pointed star above it. The text "IN THE LONE STAR STATE" is written in a smaller font across the middle of the inner circle.

**City of Leon Valley  
Advance Funding Agreement  
Traffic Signal Controllers  
February 19, 2013**

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT FOR VOLUNTARY  
LOCAL GOVERNMENT CONTRIBUTIONS  
TO TRANSPORTATION IMPROVEMENT  
PROJECTS WITH NO REQUIRED MATCH**

**THIS AGREEMENT** is made by and between the State of Texas, acting by and through the Texas Department of Transportation, called the “State”, and the City of Leon Valley, acting by and through its duly authorized officials, called the “Local Government.”

**WITNESSETH**

**WHEREAS**, Transportation Code, Chapters 201, 221, and 361, authorize the State to lay out, construct, maintain, and operate a system of streets, roads, and highways that comprise the State Highway System; and,

**WHEREAS**, Government Code, Chapter 791, and Transportation Code, §201.209 and Chapter 221, authorize the State to contract with municipalities and political subdivisions; and,

**WHEREAS**, Commission Minute Order Number 113250 authorizes the State to undertake and complete a highway improvement generally described as traffic signal modifications; and,

**WHEREAS**, the Local Government has requested that the State allow the Local Government to participate in said improvement by funding that portion of the improvement described as converting the traffic signal controllers and communication equipment in the City of Leon Valley, called the “Project”; and,

**WHEREAS**, the State has determined that such participation is in the best interest of the citizens of the State;

**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, the State and the Local Government do agree as follows:

**AGREEMENT**

**1. Time Period Covered**

This agreement becomes effective when signed by the last party whose signing makes the agreement fully executed, and the State and the Local Government will consider it to be in full force and effect until the Project described in this agreement has been completed and accepted by all parties or unless terminated, as provided for by this agreement.

**2. Project Funding and Work Responsibilities**

**A.** The State will authorize the performance of only those Project items of work which the Local Government has requested and has agreed to pay for as described in Attachment A, Payment Provision and Work Responsibilities which is attached to and made a part of this contract. In addition to identifying those items of work paid for by payments to the State,

Attachment A, Payment Provision and Work Responsibilities, also specifies those Project items of work that are the responsibility of the Local Government and will be carried out and completed by the Local Government, at no cost to the State.

- B.** At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction costs.
- C.** In the event that the State determines that additional funding by the Local Government is required at any time during the Project, the State will notify the Local Government in writing. The Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification.
- D.** Whenever funds are paid by the Local Government to the State under this agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation Trust Fund." The check or warrant shall be deposited by the State in an escrow account to be managed by the State. Funds in the escrow account may only be applied by the State to the Project. If, after final Project accounting, excess funds remain in the escrow account, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.

### **3. Right of Access**

If the Local Government is the owner of any part of the Project site, the Local Government shall permit the State or its authorized representative access to the site to perform any activities required to execute the work.

### **4. Adjustments Outside the Project Site**

The Local Government will provide for all necessary right of way and utility adjustments needed for performance of the work on sites not owned or to be acquired by the State.

### **5. Responsibilities of the Parties**

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

### **6. Document and Information Exchange**

The Local Government agrees to electronically deliver to the State all general notes, specifications, contract provision requirements and related documentation in a Microsoft® Word or similar document. If requested by the State, the Local Government will use the State's document template. The Local Government shall also provide a detailed construction time estimate including types of activities and month in the format required by the State. This requirement applies whether the local government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

**7. Interest**

The State will not pay interest on funds provided by the Local Government. Funds provided by the Local Government will be deposited into, and retained in, the State Treasury.

**8. Inspection and Conduct of Work**

Unless otherwise specifically stated in Attachment A, Payment Provision and Work Responsibilities, to this contract, the State will supervise and inspect all work performed hereunder and provide such engineering inspection and testing services as may be required to ensure that the Project is accomplished in accordance with the approved plans and specifications. All correspondence and instructions to the contractor performing the work will be the sole responsibility of the State. Unless otherwise specifically stated in Attachment A to this contract, all work will be performed in accordance with the Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges adopted by the State and incorporated in this agreement by reference, or special specifications approved by the State.

**9. Increased Costs**

- A.** In the event it is determined that the funding provided by the Local Government will be insufficient to cover the State's cost for performance of the Local Government's requested work, the Local Government will pay to the State the additional funds necessary to cover the anticipated additional cost. The State shall send the Local Government a written notification stating the amount of additional funding needed and stating the reasons for the needed additional funds. The Local Government shall pay the funds to the State within thirty (30) days of the written notification, unless otherwise agreed to by all parties to this agreement. If the Local Government cannot pay the additional funds, this contract shall be mutually terminated in accordance with Article 11 – Termination. If this is a fixed price agreement as specified in Attachment A, Payment Provision and Work Responsibilities, this provision shall only apply in the event changed site conditions are discovered or as mutually agreed upon by the State and the Local Government.
- B.** If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than State or Federal Regulations, or if any other locally proposed changes, including but not limited to plats or replats, result in increased costs, then any increased costs associated with the ordinances or changes will be paid by the Local Government. The cost of providing right of way acquired by the State shall mean the total expenses in acquiring the property interests either through negotiations or eminent domain proceedings, including but not limited to expenses related to relocation, removal, and adjustment of eligible utilities.

**10. Maintenance**

Upon completion of the Project, the State will assume responsibility for the maintenance of the completed Project unless otherwise specified in Attachment A to this agreement.

**11. Termination**

- A.** This agreement may be terminated in the following manner:
  - 1. By mutual written agreement and consent of both parties;
  - 2. By either party upon the failure of the other party to fulfill the obligations set forth in this agreement; or

- 3. By the State if it determines that the performance of the Project is not in the best interest of the State.
- B. If the agreement is terminated in accordance with the above provisions, the Local Government will be responsible for the payment of Project costs incurred by the State on behalf of the Local Government up to the time of termination.
- C. Upon completion of the Project, the State will perform an audit of the Project costs. Any funds due to the Local Government, the State, or the Federal Government will be promptly paid by the owing party.

**12. Notices**

All notices to either party by the other required under this agreement shall be delivered personally or sent by certified or U.S. mail, postage prepaid or sent by electronic mail, (electronic notice being permitted to the extent permitted by law but only after a separate written consent of the parties), addressed to such party at the following addresses:

<b>Local Government:</b>	<b>State:</b>
City of Leon Valley	Director of Contract Services Office
6400 El Verde	Texas Department of Transportation
Leon Valley, Texas 78238	125 E. 11 <sup>th</sup> Street
Attn: City Manager	Austin, Texas 78701

All notices shall be deemed given on the date so delivered or so deposited in the mail, unless otherwise provided in this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that such notices shall be delivered personally or by certified U.S. mail and such request shall be honored and carried out by the other party.

**13. Sole Agreement**

In the event the terms of the agreement are in conflict with the provisions of any other existing agreements between the Local Government and the State, the latest agreement shall take precedence over the other agreements in matters related to the Project.

**14. Successors and Assigns**

The State and the Local Government each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of such other party in respect to all covenants of this agreement.

**15. Amendments**

By mutual written consent of the parties, this agreement may be amended prior to its expiration.

**16. State Auditor**

The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under the contract or indirectly through a subcontract under the contract.

Acceptance of funds directly under the contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

**17. Insurance**

If this agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately and the State may recover damages and all costs of completing the work.

**18. Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

\_\_\_\_\_  
District Engineer

\_\_\_\_\_  
Date

**ATTACHMENT A**  
**PAYMENT PROVISION AND WORK RESPONSIBILITIES**

The City of Leon Valley has agreed to provide a fixed amount of \$20,000 to convert the existing traffic signal controllers and communication equipment at ten (10) signalized intersections on Spur 421 (Culebra Rd), SH 16 (Bandera Rd) and FM 471 (Grissom Rd) that are within the city limits of Leon Valley. The Texas Department of Transportation has agreed to effectuate the requested work and to provide the balance of the necessary funding required to fully accomplish the work. The intersections include:

Spur 421 (Bandera Rd) at Timco

SH 16 (Bandera Rd) at IH 410

SH 16 (Bandera Rd) at Wurzbach

SH 16 (Bandera Rd) at Seneca

SH 16 (Bandera Rd) at El Verde

SH 16 (Bandera Rd) at FM 471 (Grissom Rd)

FM 471(Grissom Rd) at Shadow Mist

SH 16 (Bandera Rd) at Poss

SH 16 (Bandera Rd) at Huebner

SH 16 (Bandera Rd) at Reindeer Trail

**Agenda Item 6**

**MAYOR AND COUNCIL COMMUNICATION**

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

**TO: MAYOR AND CITY COUNCIL**  
**SUBJECT: PROVIDE AN UPDATE ON ECONOMIC DEVELOPMENT  
ACTIVITY IN LEON VALLEY**

**PURPOSE**

This agenda item will allow staff to provide information to the City Council on the economic development activity in Leon Valley.

Updates will be provided on the El Sol Bakery project, Bandera Road Holdings (SRS Real Estate Partners) property, LVEDC economic development strategic planning, Branding Committee activity, and general economic development activity throughout Leon Valley. A preliminary plan on the ICSC trip will be presented.

**FISCAL IMPACT**

N/A

**S.E.E. IMPACT**

**Social** – Economic development promotes a superior quality of life.

**Economic** – Economic development provides a diverse and versatile business environment that supports a healthy economy by attracting viable businesses.

**Environmental** – N/A

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

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

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ATTEST:

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City Secretary



# **Economic Development:**

## **UPDATE**

March 5, 2013  
City Council Meeting



## **Economic Development: UPDATE**

- **Organization**
  - Administration
  - Policies and Procedures
- **Inventory**
  - Business Listing
  - Vacant Commercial Properties Listing
- **Partners**
  - LVEDC
  - State – Office of the Governor Economic Development & Tourism; UTSA SBDC
  - CPS
  - Leon Valley Area Chamber of Commerce
  - Internal – City Departments



## **Economic Development: UPDATE**

- **El Sol Bakery Project**
  - LVEDC approved \$10,000 grant and \$37,500 loan
  - City Council concurred with funding
  - LVEDC negotiating Performance Agreement
  - City negotiating Lease Agreement



## **Economic Development: UPDATE**

- **Bandera Road Holdings Property (formerly Fiesta Dodge property)**
  - Executed Development Agreement on 02/01/13
  - Property being marketed
  - Plans still in place to attract dealership and restaurant
  - Ideas being generated for other businesses to pursue
  - Marketing information to be shared with City and LVEDC to promote at ICSC RECon May 19-23, 2013



## **Economic Development: UPDATE**

- **Strategic Planning**
  - LVEDC beginning process to develop an economic development strategic plan
  - Reviewing City's Master Plan Economic Development Goals and Objectives
  - Reviewing LVEDC Articles of Incorporation and Bylaws
  - Updates online, Lion's Roar, E-news



## **Economic Development: UPDATE**

- **Branding**
  - Committee organizational meeting 02/27/13
  - Process to include survey of various groups and volunteers
  - 8 to 10 week process
  - Identity
  - Logo
  - Slogan
  - Materials
  - Promotional plan



## **Economic Development: UPDATE**

- **ICSC**
  - May 19-23, 2013
  - Presentation on Leon Valley
    - Animated slide presentation on Leon Valley using community profile, business examples, photos of area, information on vacant commercial properties like Bandera Road Holdings property
  - Team to include City Council, LVEDC and Staff
  - Target 10 business appointments
  - Target retail and health-related businesses



## **Economic Development: UPDATE**

- **Business as Usual**
  - Update Website
  - Post and periodically update listings
  - Feature businesses
  - Organize business seminar
  - Develop guidelines for incentives
  - Support LVEDC
  - Implement strategic plan
  - Support City Manager and staff



# **Economic Development:**

## **UPDATE**

March 5, 2013  
City Council Meeting

Agenda Item 7

**MAYOR AND COUNCIL COMMUNICATION**

**DATE: March 5, 2013  
M&C # 03-03-2013**

**TO: MAYOR AND CITY COUNCIL**

**SUBJECT: SPECIAL PROJECTS STATUS REPORT – LEON VALLEY CHILDREN’S WING EXPANSION, MUNICIPAL FACILITIES, BANDERA ROAD MONUMENTS, HIKE AND BIKE TRAIL**

**PURPOSE**

To continuously inform the City Council of the status of the special projects. Currently, special projects consist of the Leon Valley Children’s Wing Expansion, the Municipal Facilities Bond, the Hike and Bike Trail, Bandera Road Monuments, and Rebranding.

*Leon Valley Library Children’s Wing Expansion:*

Actions to date: Building plans have been submitted and approved, and the contract with the builder has been signed. Groundbreaking was held on Saturday, February 23, 2013, and actual groundbreaking began March 4, 2013.

Next steps: Initial construction will consist of site preparation and foundation, with actual building construction to begin in mid-April. Library staff are in the process of planning for the expected 3-6 week closure.

*Municipal Facilities Bond project:*

Actions to date: Staff met with the architect for the project to discuss staff, meeting room and facilities placement. The architect has begun working on a preliminary interior design and fire department building design. Requests for Qualifications of a Construction Manager at Risk were received on March 1, 2013 and are being reviewed.

Next Steps: Council will select a Construction Manager at Risk for the project. Once this is accomplished the CMAR may begin design-build plans and submit for City review. Site work for the fire station is scheduled to begin this summer.

*Bandera Road Monuments:*

Actions to date: The preliminary design was presented at the Town Hall meeting in January. City Public Service has been contacted to provide addressing for the necessary electrical connections and approval is being sought from TxDOT for boring at the site to begin.

Next steps: Once the boring has been performed, a geotechnical report will be submitted for approval and the City may request project approval from TxDOT. The final design and plans are expected mid-March for review and approval.

*Hike & Bike Trail:*

Actions to date: The preliminary conceptual plan was prepared and presented at the January Town Hall meeting. The Master Advance Funding Agreement has been signed and submitted to TxDOT. The Special Projects Manager is in the process of attending the required training. A Local Project Advance Funding Agreement (LPAFA), a Memorandum of Understanding (MOU), and other related documents are being prepared for submission to TxDOT.

Next Steps: All documents must be submitted to TxDOT for their approval.

**FISCAL IMPACT**

The Children’s Wing was funded by the City Council at their previous meeting, the Municipal Facilities project is being funded by a voter approved bond, the Bandera Road monuments have been funded through the CIED fund, and the Hike and Bike Trail will be funded by TxDOT. There are no new funding issues to report at this time.

**RECOMMENDATION**

None – for informational purposes only.

**S.E.E. IMPACT STATEMENT**

**Social Equity** – The Children’s Wing will provide all children greater learning opportunities, the Municipal Facilities will assure ADA accessibility, the Hike & Bike Trail will provide enhanced outdoor activities for all citizens.

**Economic Development** – the Municipal Facilities will provide better and more modern facilities for potential businesses to meet with City Economic Development staff and will provide faster services from the Community Development Department.

**Environmental Stewardship** – Each project is being monitored to assure responsible environmental stewardship.

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

APPROVED WITH THE FOLLOWING

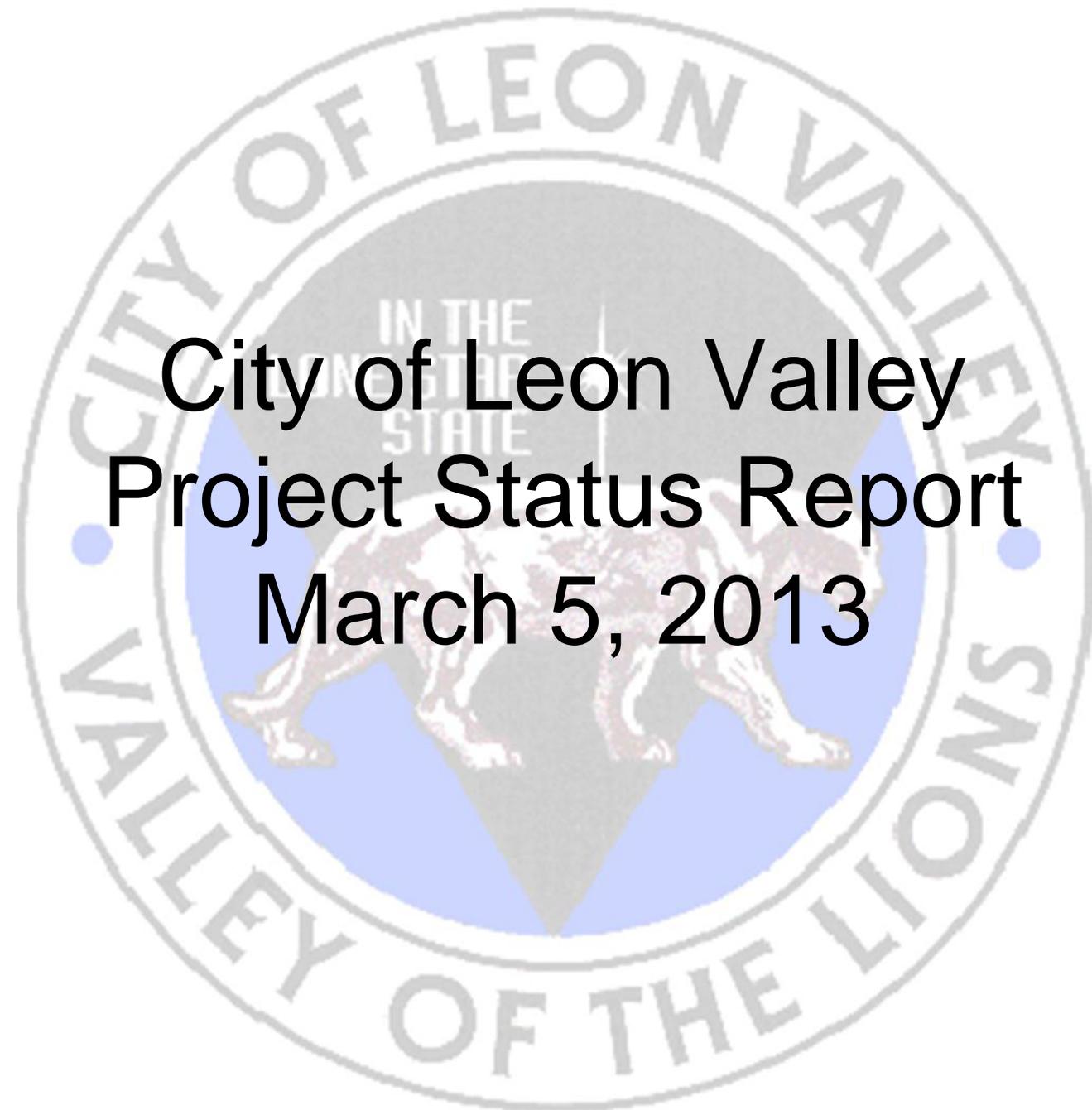
AMENDMENTS: \_\_\_\_\_

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ATTEST:

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Janie Willman, City Secretary



**City of Leon Valley  
Project Status Report  
March 5, 2013**



# Library Expansion Children's Wing

- Actions to date:
  - Plans reviewed & approved
  - Contract with builder signed
  - Groundbreaking begun
  - Site preparation for next 2 to 4 weeks
  - Planning in progress for future library closure





# Library Expansion Children's Wing

- Next steps:
  - Actual building construction to begin early April
  - Inspections performed during each phase of construction
  - Act on library closure planning strategies



# Municipal Facilities Project

- Actions to date:
  - Preliminary needs assessment performed
  - Preliminary meeting with project Architect completed
  - Design phase begun
  - Requests for Qualifications for Construction Manager at Risk Services received 3-1-13
    - Currently being reviewed



# Municipal Facilities Project

- Next steps:
  - Select Construction Manager at Risk
  - Finalize design and plans
  - Submit plans for review



# Bandera Road Monuments

- Actions to date:
  - Preliminary design
  - CPS contacted to provide addressing for electrical connections
  - Approval sought from TxDOT to bore for geotechnical report



# Bandera Road Monuments

- Next steps:
  - Perform boring at each site
  - Final design & plans approved
  - Plan submission to TxDOT and to City
  - Obtain Notice to Proceed from both



# Hike & Bike

- Actions to date:
  - Preliminary concept begun
  - MAFA with TxDOT signed
  - Local Government (LG) required training in process
- Next steps:
  - LPAFA approved & signed (Council action)
  - LG Management Procedures approved
  - MOU approved & signed (Council action)



# S.E.E. Impact Statement

- **Social Equity**

- Children's Wing will provide all children greater learning opportunities, municipal facilities will assure ADA access, hike & bike trail will provide enhanced outdoor activities for all

- **Economic Development**

- Municipal facilities will provide better facilities for potential businesses to meet with city staff & faster development services

- **Environmental Stewardship**

- Each project is being monitored to assure responsible environmental stewardship



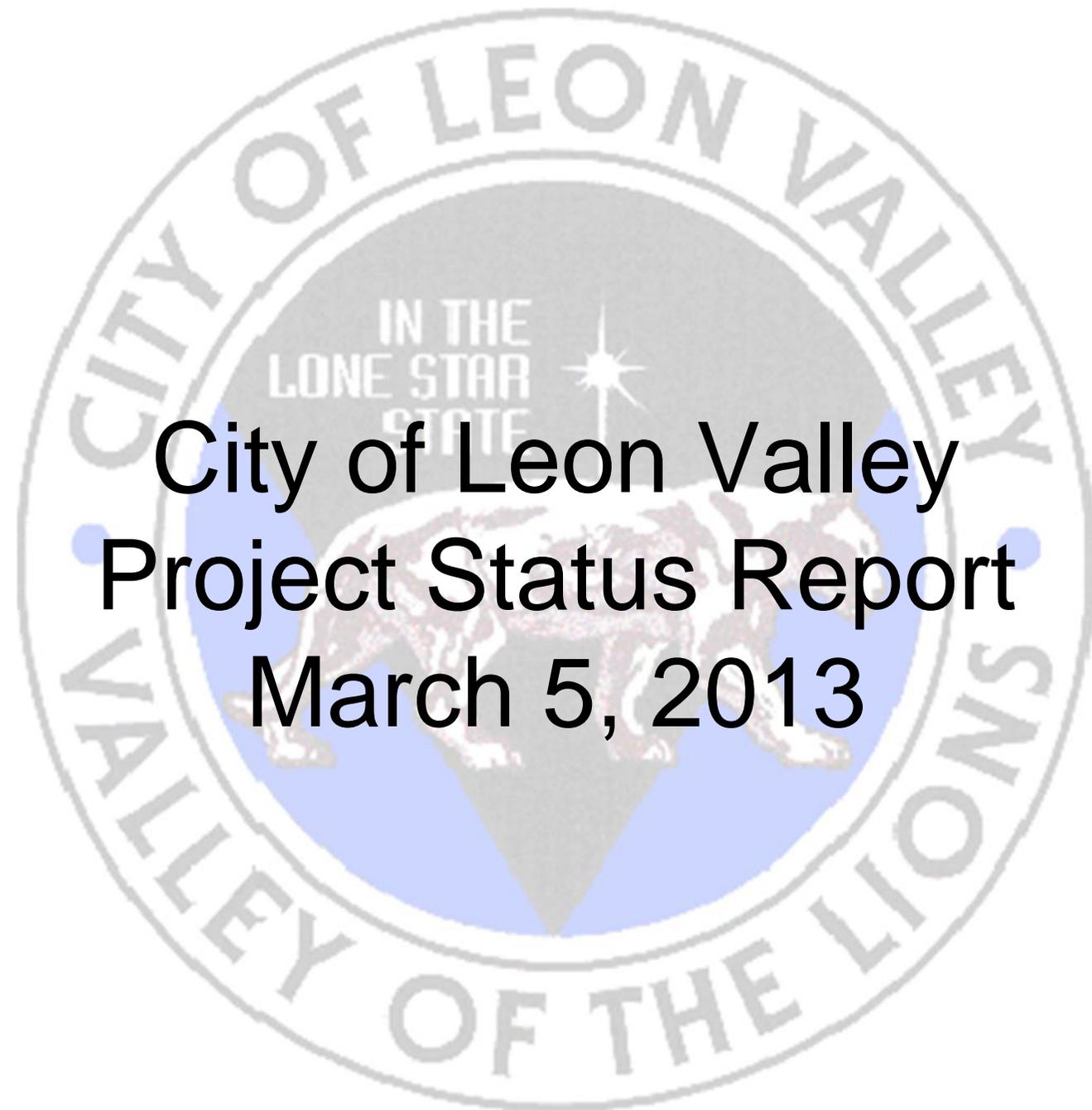
# Fiscal Impact

- Library Children's Wing expansion:
  - funded at previous City Council meeting
- Municipal Facilities:
  - funded through voter approved bond
- Bandera Road monuments:
  - funded through the CPS CIED fund
- Hike & Bike Trail
  - funded through TxDOT
- No new funding issues to report at this time



# Recommendation

- Continue the progress of the City by the eventual completion of these projects
- Consider future planning sessions for next round of improvements



**City of Leon Valley  
Project Status Report  
March 5, 2013**

# Invitation

## **CPS Energy Suburban City Summit**

A briefing organized by CPS Energy – Local Government Relations

**Friday, March 8, 2013, 8:30 a.m. to 12:00 p.m.**

(light lunch will be provided)

**CPS Energy EMC & Training Center**

(see back of sheet for directions)

**4515 Frank Bryant Lane**

**San Antonio, TX**

Please join us Friday, March 8, 2013 for a Strategic Update on CPS Energy presented by Mr. Doyle Beneby, CPS Energy President & CEO.

Registration at 8:30 a.m./presentation at 9:00 a.m.

Round Table discussion with members of the CPS Energy Senior Leadership Team will follow

Space is limited – Please register to attend this briefing via email or telephone:

Roland Hinojosa, 353-2747 – RHinojosa@CPSEnergy.com

Jim McAden, 353-3706 - JRMcaden@CPSEnergy.com

Velma Corona, 210-353-5952 – Vcorona@CPSEnergy.com

Please RSVP by Friday, March 1, 2013.

Thanks! We look forward to seeing you there.

