



## CITY OF LEON VALLEY

Office of the City Secretary

March 30, 2020

It is our mission to respond to every Open Record Request submitted to the City of Leon Valley and to do so as accurately and promptly as we can.

As part of the response to coronavirus in Texas, and in light of the Governor's recent disaster declaration, the Texas Attorney General's Office has received inquiries regarding the calculation of business days under the Public Information Act (the "Act") and related use of the new temporary suspension process under section 552.233 of the Local Government Code.

Pursuant to section 552.233(b) of the Local Government Code, a governmental body may suspend the applicability of the requirements of the Public Information Act (the "PIA") if the governmental body is currently impacted by a catastrophe and provides proper notice in accordance with this section.

Section 552.233 of the Local Government Code permits a governmental body impacted by a catastrophe or disaster to suspend the applicability of the Act for up to 14 calendar days. Use of the section 552.233 suspension process is appropriate where a governmental body is open for business but determines that a catastrophe has interfered with its ability to comply with the Act. A section 552.233 suspension is not necessary if the governmental body is not open for business or if the applicable suspension period does not otherwise encompass a business day, as described below.

In order to provide additional clarification regarding the calculation of business days during the state's response to the coronavirus, governmental bodies should consider the following guidelines when calculating business days:

- Holidays observed by the governmental body are not business days.
- Weekends are not business days.
- Skeleton crew days are not business days.
- A day on which a governmental body's administrative offices are closed is not a business day.
- If a governmental body has closed its physical offices for purposes of a public health or epidemic response or if a governmental body is unable to access its records on a calendar day, then such day is not a business day, even if staff continues to work remotely or staff is present but involved directly in the public health or epidemic response.

Due to the COVID-19 Pandemic, the Leon Valley City Manager enacted the Skeleton Crew Plan which went into effect March 18, 2020, which was to be in effect until April 17, 2020.

On March 25, 2020, the Leon Valley City Council adopted Ordinance No. 2020-18 which read as follows:

***“To ensure the health and safety of the public and staff, with regards to Leon Valley municipal buildings it is ordered as follows: (i) the physical facilities of the City of Leon Valley are hereby ordered closed to the public. This includes City Administration, City Hall, Planning and Zoning, Municipal Court, City Cashiers, City Library and the Senior Center...”***

This ordinance went into effect at 9:00 p.m. on Friday, March 27, 2020, and will continue to be in effect until April 17, 2020, unless extended, rescinded, superseded, or amended consistent with requirements of state law.

**UPDATE:** On April 13, 2020, the Leon Valley City Council adopted Ordinance No. 2020-19 which states ***“that the local state of disaster and public health emergency as declared by Mayor Chris Riley for the City of Leon Valley pursuant to §418.108(a) of the Texas Government Code is hereby superseded, amended, and extended until rescinded with consent of the Leon Valley City Council pursuant to §418.108(b) of the Government Code, including all rules and regulations...”***

To view all of the declarations in order of adoption, please visit <https://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leonvalleyset>

Rest assured that we are doing everything we can to get the documents you have requested to you just as soon as we can. We appreciate your patience and understanding during these times.

Wishing you and yours good health and safety.



A handwritten signature in blue ink that reads "Sandra Passailaigue". The signature is written in a cursive style and is positioned above a horizontal line.

Sandra Passailaigue, TRMC, City Secretary  
City of Leon Valley, Texas