

AN ORDINANCE

APPROVING AMENDMENTS TO THE ORIGINAL BUDGETS OF THE CITY OF LEON VALLEY, TEXAS, FOR THE FISCAL YEAR OF 2010

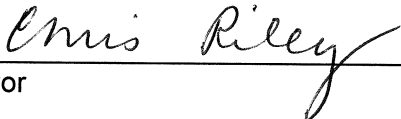
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:

1. The attached and incorporated Mayor and Council Communication **M&C #10-09-09**, as approved on October 12, 2009 contains amendments to the original Budget for the City of Leon Valley, Texas for the Fiscal Year 2010, as approved by the Leon Valley City Council on August 18, 2009 under Ordinance 09-040. A true copy of said documents are on file in the office of the City Secretary and made a part hereof by reference, are hereby amended and approved and are ordered filed in the office of the City Secretary.

GENERAL FUND

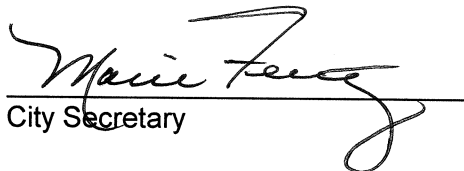
2. This ordinance shall become effective on and after it's passage, approval and any publication, as provided by law.

PASSED and APPROVED this the 12th day of October 2009.



Mayor

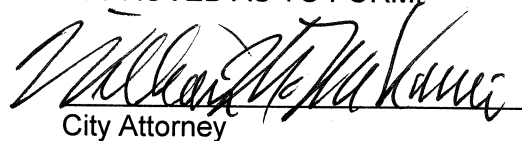
ATTEST:



City Secretary



APPROVED AS TO FORM:



City Attorney

MAYOR AND COUNCIL COMMUNICATION

DATE: October 12, 2009
M&C: #10-09-09

TO: MAYOR AND CITY COUNCIL

SUBJECT: AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LOCAL GOVERNMENT SERVICES, LLC FOR A CABLE TELEVISION FRANCHISE FEE PAYMENT COMPLIANCE AUDIT AND APPROVAL OF ASSOCIATED BUDGET ADJUSTMENT

PURPOSE

To authorize the City Manager to enter into an agreement with Local Government Services (LGS) to conduct a franchise fee payment compliance audit.

The scope of the work includes reviewing Time Warner's (TWC) payments to the City over the last four years to determine compliance and a jurisdictional test to determine if TWC has correctly coded all the city streets in their customer billing records. In addition, they will also assist the City in determining if TWC has complied with the franchise fee payment provisions of the State Law.

Local Government Services is endorsed by the Texas Municipal League (TML) for this service. They have completed three audits for cities served by TWC in the San Antonio area and have recovered the following amounts:

Helotes	\$75,000
Schertz	\$92,050
Windcrest	\$60,650

The Cities of Alamo Heights, Castle Hills, Cibolo and Selma have authorized LGS to go forward with a cable franchise fee payment compliance audit, which is scheduled for the end of November. If the City Leon Valley elects to authorize the City Manger to enter into an agreement with LGS, our compliance audit would be done at the same time as these Cities. The benefit to the City would be savings for the out of pocket travel expenses as these costs would be divided with the other four Cities.

There are three payment options available to the City. All three would be in addition to any pre-approved out of pocket expenses if applicable.

Initial payment of \$2,000.00 plus 50% of any amount recovered for the City that exceeds \$2,000.00.

Initial payment of \$5,000.00 plus 25% of any amount recovered by the City that exceeds \$5,000.00.

Initial payment of \$5,000.00 and final payment of \$5,000.00 upon completion of work without any contingency fee assessed.

If approved and depending on the payment option the Council chooses, a budget adjustment for the General Fund would be needed to fund the audit.

