



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, April 04, 2023 at 6:30 PM

**AGENDA**

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**The City of Leon Valley City Council Shall Hold an In-Person Meeting with A Quorum of Members of City Council to Be Physically Present in The Leon Valley City Council Chambers, 6400 El Verde Road, Leon Valley, Texas 78238. Some Members of City Council May Appear and Participate in The Meeting by Videoconference Pursuant to The Requirements Set Forth in The Texas Open Meetings Act.**

**Citizens May E-Mail Public Comments To [citizenstobeheard@leonvalleytexas.gov](mailto:citizenstobeheard@leonvalleytexas.gov). All Other Citizen Participation May Be Provided In-Person at City Council Chambers.**

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- 1. Call to Order; Determine a Quorum is Present, Pledge of Allegiance**
- 2. Citizens to be Heard**
- 3. Presentations**
  1. Presentation, Discussion, and Possible Action to Authorize the City Manager to Enter into an Agreement with a selected Towing Company to provide Towing and Impound Services for Leon Valley - D. Gonzalez, Police Chief
  2. Presentation, Discussion, and Direction to Consider Allocating Funds from the American Rescue Plan for the Purchase of Certain Park Amenities - M. Moritz, Public Works Director
- 4. 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.
- 5. City Manager's Report**
  - 1. Upcoming Important Events:**

**Regular City Council Meeting, Tuesday, April 18, 2023, at 6:30 PM, in Council Chambers.**

**Last day to register to vote in the May 06, 2023 Elections is April 06, 2023.**

**Volunteer Appreciation Dinner, April 12, 2023, at 6:00 PM, at the Leon Valley Conference Center.**

**Library Volunteer Appreciation Party, Wednesday, April 26, 2023, from 5:00 PM to 7:00 PM, at the Library.**

**Picnic with the Mayor & City Council, Saturday, April 22, 2023, from 11:00 AM to 1:00 PM, in the “grassy” area at the Conference Center.**

**Early Voting at the Leon Valley Conference Center, 6421 Evers Road, Texas, 78238, Monday, April 24, 2023 through Thursday, April 27, 2023 from 8:00 AM to 6:00 PM; Friday, April 28, 2023 – Closed; Saturday, April 29, 2023 from 8:00 AM to 8:00 PM; Sunday, April 30, 2023 - Closed; and Monday, May 01, 2023 and Tuesday, May 02, 2023 from 8:00 AM to 8:00 PM.**

**Annual City-Wide Garage Sale, Saturday, May 20, 2023, from 8:00 AM to 6:00 PM.**

**Big Rig Petting Zoo, Monday, June 05, 2023, from 10:30 AM - 12:00 PM, at Raymond Rimkus Park.**

**Miscellaneous other events and announcements.**

**6. Consent Agenda**

1. Discussion and Possible Action Approving of the Following City Council Minutes:
  - a. 03-21-2023 Regular City Council Meeting Minutes
  
2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:
  - a. 02-09-2023 Library Board of Trustees Meeting Minutes
  - b. 02-22-2023 Earthwise Living Committee Meeting Minutes
  
3. Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 1 General Provisions, Article 1.09 – Parks and Recreation, Division 1 Generally, Sec. 1.09.036 - Pets and Other Animals, (e), to prohibit the feeding of deer in city-owned parks and drainageways (1st Read was Held on 03-21-2023) - M. Moritz, Public Works Director
  
4. Discussion and Possible Action on a Resolution Appointing Members to the Bandera Road Site-Community Advisory Group, Board of Adjustment, Earthwise Living Committee, and Park Commission- Mayor Chris Riley

**7. Regular Agenda**

1. Presentation, Discussion, and Possible Action to Expend Economic and Community Development Funds in the amount not to exceed \$10,000 to Purchase a 15 Barrel Tank to Increase Operations to LongTab Brewing Company - R. Salinas, Director of Economic Development

2. Presentation, Public Hearing, and Discussion to Consider Approval of an Ordinance Authorizing a Zoning Change From R-2 Two Family Dwelling to R-1 Single Family Dwelling District on Two Lots, Being Lots 19 and 20, Blk 8, CB 4432C, Being 0.266 and 0.2204 Acres of Land, in the Grass Valley Subdivision Unit #1, Located at 6602 & 6608 Peachtree (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director
3. Discussion and Possible Action on An Ordinance to Amend the Leon Valley Code of Ordinances, Article 1.06 Boards, Commissions, and Committees and Add Sec. 1.06.009 City of Leon Valley Economic and Community Development Policies and Guidelines for Funding (1st Read was Held 03-21-2023) – R. Salinas, Director of Economic Development
4. Presentation, Discussion and Direction on a Possible Ordinance Prescribing Advisory Committee Procedures under the Open Meetings Act and providing a provision for committee member removal (1st Read as Required by City Charter) - Dr. Caldera, City Manager

## 8. Citizens to be Heard

9. **Requests from Members of City Council to Add Items to Future Agendas – Per Section 3.10 (A) of the City of Leon Valley’s Code of Ordinances, at a meeting of City Council, a member of City Council may place an item on an agenda by making a motion to place the item on a future agenda and receiving a second. No discussion shall occur at the meeting regarding the placement of the item on a future agenda.**

## 10. 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).

**Sec. 551.0411. MEETING NOTICE REQUIREMENTS IN CERTAIN CIRCUMSTANCES:** (a) Section does not require a governmental body that recesses an open meeting to the following regular business day to post notice of the continued meeting if the action is taken in good faith and not to circumvent this chapter. If an open meeting is continued to the following regular business day and, on that following day, the governmental body continues the meeting to another day, the governmental body must give written notice as required by this subchapter of the meeting continued to that other day.

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other City boards, commissions and/or committees may attend the open 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 act 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 at the Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at <https://www.leonvalleytexas.gov/meetings> This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To plan, call (210) 684-1391, Extension 216.

*Saundra Passailaigue*

SAUNDRA PASSAILAIGUE, TRMC  
City Secretary  
March 30, 2023 at 11:40 AM



## MAYOR AND COUNCIL COMMUNICATION

**DATE:** April 4, 2023  
**TO:** Mayor and Council  
**FROM:** David Gonzalez, Police Chief  
**THROUGH:** Crystal Caldera, City Manager  
**SUBJECT:** Presentation, Discussion and Possible Action on the result of a Request for Proposals for Towing and Impound Services for Leon Valley.  
**SPONSOR(S):** N/A

### **PURPOSE**

The purpose of this presentation is to inform the Leon Valley City Council about the responses to the Request for Proposals for Towing and Impound Services for Leon Valley, the review of proposals by the committee, and the possible execution of a contract for Towing and Impound Services.

### **SEE LEON VALLEY**

Social – Having a contractor for Towing and Impound Services ensures that residents, visitors, and staff in Leon Valley enjoy on-time, professional and responsive services provided by the selected contractor.

Economic – Having a contractor provide services ensures the best service and value for Leon Valley residents, visitors, and staff.

Environmental – N/A

### **FISCAL IMPACT**

N/A

### **RECOMMENDATION**

City Council's Discretion

# Towing and Impound Services

David Gonzalez  
Police Chief  
City Council Meeting  
April 4, 2023

# Background

- Leon Valley renewed its Municipal Wrecker Services Agreement with Banis Towing on May 16, 2017
- The Agreement will expire on April 30, 2023
- A Request for Proposals for Towing and Impound Services was announced on February 24, 2023
- The deadline for RFPs was March 20, 2023
- A five-member committee selected for RFP review

# Background

- Committee members:
  1. Mike Tacquard, LVPD Assistant Chief
  2. Kasey Burleson, LVPD Patrol Lieutenant
  3. Eric Burnside, LVFD Assistant Chief
  4. Justin Garcia, LVFD Deputy Fire Marshall
  5. Sandra Passailaigue, City Secretary
- The committee reviewed the RFPs and ranked the proposals on March 23, 2023
- The results are as follows:

## BID TABULATION FORM

RFP 23-02

TOWING AND IMPOUND SERVICES

3/20/2023 at 2:00  
City of Leon Valley Council  
Chambers

(Section).31.

<b>Bidder's Name</b> Banis Towing	<b>Bidder's Tax ID Number</b> 74-2315272	<b>Bid Price</b> \$285.00
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Criteria for Evaluation and Selection
Towing Services
Vehicle Storage Facility Services
Work History
Reporting Services
Security Services
Fee Schedule
Fee Collection Services

Possible Max Score
25%
25%
15%
10%
10%
10%
5%

Score Given
24%
25%
15%
10%
10%
9%
5%
<b>Total Score: 98%</b>

<b>Bidder's Name</b> TxTow Corp. DBA Texas Towing	<b>Bidder's Tax ID Number</b> 04-3648509	<b>Bid Price</b> \$260.00
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Criteria for Evaluation and Selection
Towing Services
Vehicle Storage Facility Services
Work History
Reporting Services
Security Services
Fee Schedule
Fee Collection Services

Possible Max Score
25%
25%
15%
10%
10%
10%
5%

Score Given
18%
16%
7%
10%
6%
9%
4%
<b>Total Score: 70%</b>

<b>Bidder's Name</b> Ridgeway Towing	<b>Bidder's Tax ID Number</b> 45-5298645	<b>Bid Price</b> \$145.00
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Criteria for Evaluation and Selection
Towing Services
Vehicle Storage Facility Services
Work History
Reporting Services
Security Services
Fee Schedule
Fee Collection Services

Possible Max Score
25%
25%
15%
10%
10%
10%
5%

Score Given
25%
25%
10%
10%
10%
9%
5%
<b>Total Score: 94%</b>





# Recommendation

- City Council's Discretion

# S.E.E. Statement

Social Equity – Having a contractor for Towing and Impound Services ensures that residents, visitors, and staff in Leon Valley enjoy on-time, professional and responsive services provided by the selected contractor

Economic Development- Having a contractor provide services ensures the best service and value for Leon Valley residents, visitors, and staff

Environmental Stewardship –N/A

# Consider Allocating ARP Funds FY 2023-24 Budget Recreational Amenities

Melinda Moritz, Director of Public Works  
City Council Meeting  
April 4, 2023

# Estimated Cost Per Item

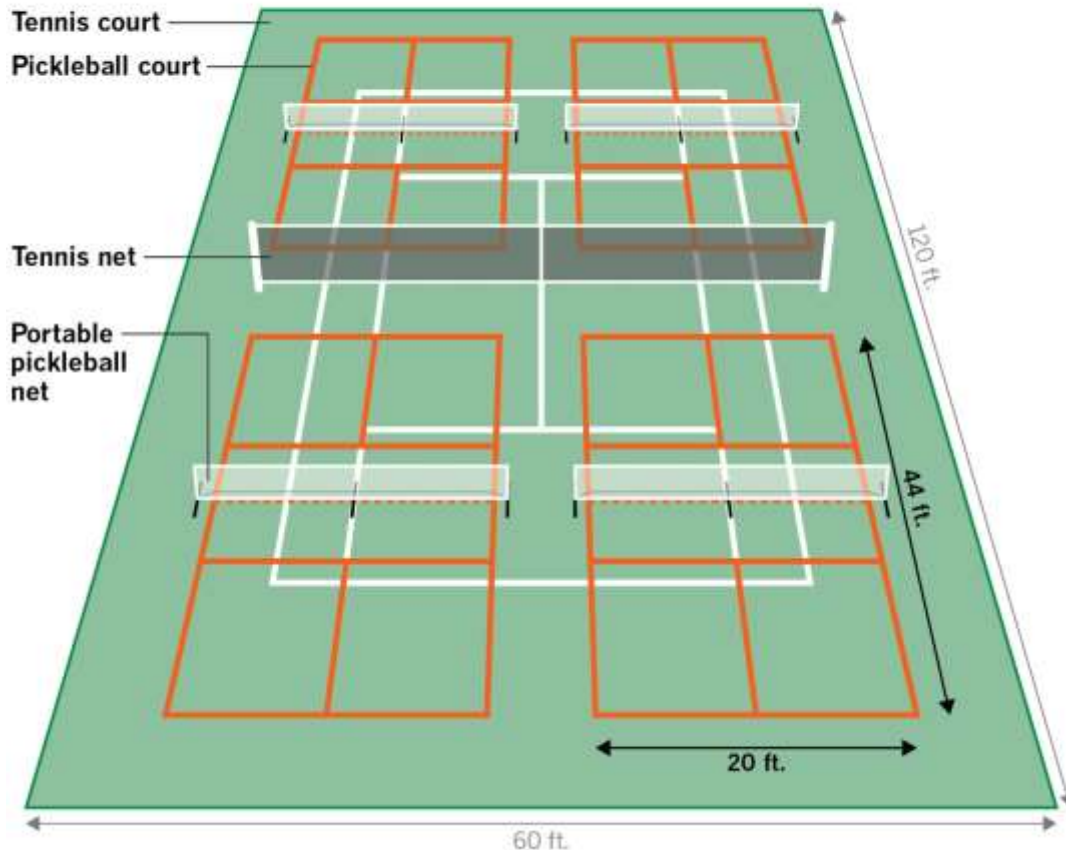
# Pool Replastering



# Tennis Court and Pickle Ball

## Making room for pickleball

San Diego is restriping many tennis courts across the city to make them suitable for both tennis and the increasingly popular sport of pickleball. This diagram shows how four pickleball courts fit on one tennis court.



Source: USA Pickleball

MICHELLE GUERRERO U-T

# Dog Park





**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, March 21, 2023 at 6:00 PM

**MINUTES**

The City of Leon Valley City Council Shall Hold an In-Person Meeting with A Quorum of Members of City Council to Be Physically Present in The Leon Valley City Council Chambers, 6400 El Verde Road, Leon Valley, Texas 78238. Some Members of City Council May Appear and Participate in The Meeting by Videoconference Pursuant to The Requirements Set Forth in The Texas Open Meetings Act.

Citizens May E-Mail Public Comments To [citizenstobeheard@leonvalleytexas.gov](mailto:citizenstobeheard@leonvalleytexas.gov). All Other Citizen Participation May Be Provided In-Person at City Council Chambers.

**1. Call to Order; Determine a Quorum is Present, Pledge of Allegiance**

**PRESENT**

- Mayor Chris Riley
- Council Place 1 Benny Martinez
- Council Place 2 Josh Stevens
- Council Place 3 Jed Hefner
- Mayor Pro Tem, Council Place 4 Rey Orozco
- Council Place 5 Will Bradshaw

Mayor Chris Riley called the meeting to order at 6:00 PM and announced that a quorum of City Council was present in Council Chambers.

Mayor Riley asked Councilor Rey Orozco to lead the Pledge of Allegiance.

**2. The City Council Shall Meet in Executive Session to Discuss the Following:**

Mayor Riley read aloud the agenda caption for Item 2.1 and Item 2.2.

The City Council went into Executive Session at 6:02 PM

**1. Pursuant to Texas Government Code, Chapter 551, Section 551.071 Consultation with Counsel on Legal Matters: To Receive Legal Advice Regarding the Lease Agreement between Ms. Bania Artiaga and the City of Leon Valley**



**2. Section 551.071: Consultation with the Attorney Regarding Pending or Contemplated Litigation, or Settlement Offer; or on a Matter in which the Duty of the Attorney to the Governmental Body Under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly Conflicts with the Texas Open Meetings Act, Re: City of Leon Valley v. 5622 Equity DE LLC, a Delaware Limited Liability Company D/B/A Vista Del Rey Apartments Located at 5622 Evers Road**

**3. Reconvene into Regular Session**

The City Council reconvened into Open Session at 6:47 PM

**4. Citizens to be Heard**

Those who spoke at this time were: Randy Gonzalez (Leon Valley); and Dave Shippy (Vista Del Rey)

**5. Possible Action on Issues Discussed in Executive Session If Necessary**

No action was taken.

**6. Presentations**

**1. Presentation of the 2022 Texas Municipal Library Director's Achievement of Excellence in Libraries Award - R. Reed, Library Director**

Regina Reed, Library Director gave a brief presentation regarding the 2022 Texas Municipal Library Director's Achievement of Excellence in Libraries Award.

Mayor Chris Riley presented the 2022 Texas Municipal Library Director's Achievement of Excellence in Libraries Award to Regina Reed, Library Director and Theresa Brader, Assistant Library Director.

**2. Presentation of a Proclamation for Local Library Day - R. Reed, Library Director**

Mayor Chris Riley presented a proclamation to Regina Reed, Library Director and Theresa Brader, Assistant Library Director proclaiming as Local Library Day in the City of Leon Valley.

**3. Presentation, Discussion, and Possible Action to Enter into an Agreement with a Call Center Company to Provide 24/7 Call Operations Services- R. Salinas, Director of Economic Development**

Roque Salinas, Economic Development Director presented an agreement with a call center company to provide 24/7 call operation services.

**4. Presentation, Discussion, and Direction - Homeless Camp Cleanup Actions - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director gave a presentation on possible actions to cleanup homeless camps.

Crystal Caldera, City Manager will bring back cost estimates at the next meeting.

- 7. 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.

Announcements were made by Mayor Riley and members of City Council.

## **8. City Manager's Report**

Crystal Caldera, City Manager reminded everyone that the City Manager's Report was printed and available on the table in the foyer, as well as posted on the website.

### **1. Upcoming Important Events:**

**Regular City Council Meeting, Tuesday, April 18, 2023, at 6:30 PM, in Council Chambers.**

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**Volunteer Appreciation Dinner, April 12, 2023, at 6:00 PM, at the Leon Valley Conference Center.**

**Library Volunteer Appreciation Party, Wednesday, April 19, 2023, from 5:00 PM to 7:00 PM, at the Library.**

**Picnic with the Mayor & City Council, Saturday, April 22, 2023, from 11:00 AM to 1:00 PM, in the "grassy" area at the Conference Center.**

**Early Voting at the Leon Valley Conference Center, 6421 Evers Road, Texas, 78238, Monday, April 24, 2023 through Thursday, April 27, 2023 from 8:00 AM to 6:00 PM; Friday, April 28, 2023 – Closed; Saturday, April 29, 2023 from 8:00 AM to 8:00 PM; Sunday, April 30, 2023 - Closed; and Monday, May 01, 2023 and Tuesday, May 02, 2023 from 8:00 AM to 8:00 PM.**

**Annual City-Wide Garage Sale, Saturday, May 20, 2023, from 8:00 AM to 6:00 PM.**

**Big Rig Petting Zoo, Monday, June 05, 2023, from 10:30 AM - 12:00 PM, at Raymond Rimkus Park.**

**Miscellaneous other events and announcements.**

## 9. Consent Agenda

A motion was made by Councilor Jed Hefner to approve the Consent Agenda as presented. The motion was seconded by Councilor Benny Martinez.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco, Council Place 5 Bradshaw

1. **Discussion and Possible Action Approving of the Following City Council Minutes:**
  - a. **03-07-2023 Regular City Council Meeting Minutes**
2. **Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
  - a. **02-09-2023 Park Commission Meeting Minutes**
3. **Presentation and Discussion on the Leon Valley Police Department Racial Profiling Report for 2022 - D. Gonzalez, Police Chief**
4. **Discussion and Possible Action on an Ordinance Authorizing the City Manager to enter into an Agreement between the City of Leon Valley and Lift Fund to Administer a 0% Interest Loan Program to Local Businesses (1st Read was Held 03-07-2023) – R. Salinas, Director of Economic Development**
5. **Discussion and Possible Action to Consider Approval of an Ordinance Amending Chapter 15 Zoning, Article 15.01 Zoning Ordinance, Division 13. Organization and Enforcement, Section 15.02.722 General Statutes, Ordinances, and Rules Applying to the Board of Adjustment, as Mandated by the Texas Local Government Code (1st Read was held on 3/7/23) M. Teague, Planning and Zoning Director**
6. **Presentation Discussion and Possible Action on City Council Affirming the City Manager's Hire for Finance Director, Carol Goering - C. Caldera, City Manager**
7. **Presentation Discussion and Possible Action on City Council Affirming the City Manager's Hire for IT Director, Daniel Blystone - C. Caldera, City Manager**
8. **Presentation and Discussion on acceptance of OOG Ballistic Shield Grant - D. Gonzalez, Police Chief**
9. **Discussion and Possible Action to Consider Approval of an Ordinance Amending LVCC, Chapter 1 General Provisions, Article 1.06 Boards, Commissions, and Committees, Sec. 1.06.002 Tree Advisory Board, (e) Duties (1st Read Held on March 7, 2023) - M. Moritz, Public Works Director**

## 10. Regular Agenda

- 1. Presentation, Discussion and Possible Action on a Public Hearing in Accordance with the COLV COO 3.12.006, Regarding the Property and the Two Structures Located at 5616 Bandera rd., Leon Valley, TX 78238. An Inspection of the Property by the City has Deemed this Property as Substandard, Unsecured, and Dangerous Building as Defined by the COLV COO 3.12.002 - Assistant Chief Burnside, Fire Department**

Michael Naughton, LVFD Chief gave this presentation seeking direction from City Council.

Mayor Chris Riley opened the Public Hearing at 8:24 PM

There being no public comment; Mayor Riley closed the Public Hearing at 8:24 PM

A motion was made by Councilor Will Bradshaw to approve the demolition of this property. The motion was seconded by Councilor Rey Orozco.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco, Council Place 5 Bradshaw

- 2. Presentation, Discussion, and Possible Action on the Leon Valley Public Library Board of Trustees Bylaws - R. Reed, Library Director**

Regina Reed, Library Director presented the draft Bylaws for City Council consideration.

A motion was made by Councilor Josh Stevens to approve the Bylaws and name change as presented. The motion was seconded by Councilor Jed Hefner.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco, Council Place 5 Bradshaw

- 3. Presentation, Discussion, and Possible Action on the Leon Valley Public Library Policy Article 11: Archives - R. Reed, Library Director**

Regina Reed, Library Director presented this item.

A motion was made by Councilor Jed Hefner to approve as presented. The motion was seconded by Councilor Josh Stevens.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco, Council Place 5 Bradshaw

- 4. Discussion and Possible Action on An Ordinance to Amend the Leon Valley Code of Ordinances, Article 1.06 Boards, Commissions, and Committees and Add Sec. 1.06.009 City of Leon Valley Economic and Community Development Policies and Guidelines for Funding (1st Reading as Required by City Charter) – R. Salinas, Director of Economic Development)**

Roque Salinas, Economic Development Director presented this item.

Councilor Josh Stevens requested a copy of all denial letters be shared with City Council Members. Also that the documents be exempt from any public information requests by mandating this through an amendment to the Code of Ordinances keeping these proprietary documents private.

**5. Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 1 General Provisions, Article 1.09 Parks and Recreation, Division 1 Generally, Section 1.09.036 Pets and Other Animals, (e), to Prohibit the Feeding of Deer in City-owned Parks and Drainageways (1st Read as Required by City Charter) - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director presented this item.

This item will be brought back to the April 04, 2023 Consent Agenda for a second read.

**11. Citizens to be Heard**

None

**12. Requests from Members of City Council to Add Items to Future Agendas – Per Section 3.10 (A) of the City of Leon Valley’s Code of Ordinances, at a meeting of City Council, a member of City Council may place an item on an agenda by making a motion to place the item on a future agenda and receiving a second. No discussion shall occur at the meeting regarding the placement of the item on a future agenda.**

None

**13. Adjournment**

Mayor Riley announced that the meeting adjourned at 9:30 PM

**These minutes approved by the Leon Valley City Council on the 4th of April, 2023.**

**APPROVED**

\_\_\_\_\_  
**CHRIS RILEY  
MAYOR**

**ATTEST:** \_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC  
CITY SECRETARY**



**CITY OF LEON VALLEY**  
**LEON VALLEY PUBLIC LIBRARY BOARD OF TRUSTEES**  
Leon Valley Public Library  
6425 Evers Road, Leon Valley, TX 78238  
Thursday, February 09, 2023 at 5:30 PM

**MEETING MINUTES**

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**1. CALL TO ORDER**

5:35 by Clare Brown, Board Chair; Quorum present

**2. CITIZENS TO BE HEARD**

No Citizens to be heard.

**3. DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING MINUTES**

- a. 01-12-2023 Library Board of Trustees Minutes

Motion made by Maryanna Christensen, Second by Linda Crews; Minutes approved

**4. PRESENTATION AND DISCUSSION ON LIBRARY VOLUNTEER APPRECIATION PARTY**

Regina Reed, Library Director, presented information on the Library Volunteer Appreciation Party, and the Board held a discussion

**5. LIBRARY DIRECTOR'S REPORT**

- a. Current Statistics

Regina provided current statistics

- b. Upcoming Programs

Regina & Theresa presented Upcoming Programs

- c. Summer Reading

Regina & Theresa presented plans for Summer Reading

- d. Grants

No updates to grants.

**6. FRIENDS OF THE LIBRARY UPDATES**

Spring Book Sale in March

**7. ADJOURNMENT**

Motion made by Maryanna Christensen at 6:56pm


Second by Patricia Birkhead, Board Member

APPROVED



CLARE BROWN, CHAIR

ATTEST



REGINA REED, LIBRARY DIRECTOR  
STAFF LIASION

**EARTHWISE LIVING COMMITTEE MEETING MINUTES  
CITY OF LEON VALLEY, TEXAS  
FEBRUARY 22, 2023**

*The Earthwise Living Committee of the City of Leon Valley, Texas met on the 22nd day of February at 5:30 pm in the Large Conference Room at City Hall, located 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 EARTHWISE LIVING COMMITTEE,  
5:30 PM**

- 1. Call the City of Leon Valley Regular Earthwise Living Committee Meeting to Order and Determine a Quorum is Present.**

*The meeting was called to order and a quorum was established at 5:35 pm. Members present were Ryan, Valdez, Key, Castillo, Bacon, and Co-chairs Burnside and Meffert. Also present were Staff liaison Miranda and Council liaison Mayor Riley. Absent was member Bohl.*

- 2. Review and Consider Approval of the February 16, 2023 Regular Earthwise Living Committee Meeting minutes.**

*The meeting minutes from February 16 were reviewed and a change of date was needed to reflect that the meeting was held on 2/16 not on 2/22. The committee secretary will update the meeting minutes with the 2/16 date and add it to the file.*

- 3. Discussion and Possible Action on Earthwise Living Day Event 2023 Event.**

*A general discussion on updates on Sponsor/Vendor/Entertainment for the EWL Event was had. The committee reviewed and accepted the EWL Event flyer and will begin distribution for advertising the EWL Event. The committee reviewed the EWL budget confirming monies received and expenditures needed to date. The committee members confirmed event participation and reviewed the event layout chart confirming location placement for all participants. The committee discussed needed logistics before, during and after the event.*

- 4. Discussion and Possible Action on Planning of Picnic with Mayor and City Council.**

*A general discussion on possible action on the Picnic with the Mayor and City Council was had. "Pack It In, Pack It Out" as an Event theme was discussed. Having an open mic format for questions for the Mayor and City Council was also discussed. The members agreed they will have further discussion on the "Coffee with the Mayor and City Council" event during the next committee meeting.*

- 5. Announcements, updates, and Other Business.**



The committee scheduled a regular EWL Committee meeting for March 8, 2023 at 5:30 pm.

6. **Adjournment**

Co-chair Burnside motioned to adjourn the meeting and the motion was seconded by member Bacon. The meeting was adjourned without objection at 7:00 pm.

Rita Burnside  
Chair

3-8-23  
Date

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** April 4, 2023  
**TO:** Mayor and Council  
**FROM:** Melinda Moritz, Public Works Director  
**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 1 General Provisions, Article 1.09 – Parks and Recreation, Division 1 Generally, Sec. 1.09.036 - Pets and Other Animals, (e), to prohibit the feeding of deer in city-owned parks and drainageways (1st Read Held on March 21, 2023)

**SPONSOR(S):** Mayor Chris Riley

**PURPOSE**

This item is to consider amending Chapter 1 General Provisions, Article 1.09 – Parks and Recreation, Division 1 Generally, Sec. 1.09.036 - Pets and Other Animals, (e), to prohibit the feeding of deer in city-owned parks and drainageways.

Several residents whose property abuts Raymond Rimkus Park routinely feed the deer that congregate at the park and in the Huebner-Onion Natural Area Park. This activity makes the deer less afraid of humans and may have contributed harm to deer, persons, vehicles, and other property. Deer biologists discourage it for numerous reasons. Decades of research have shown that supplemental feeding leads to increased risk of disease, long-term habitat destruction, habituation to humans, alteration of other deer behavioral patterns, and a decline in the value of deer-related recreation (Please Don't Feed the Deer, PA Game Commission 2012). With chronic wasting disease now present in the state, the increased risk of disease transmission from feeding in a concentrated area is one of the most significant reasons not to feed.

Deer are extremely well-adapted animals and in general, don't need supplemental food. The most used supplement is commercially processed corn, along with breads, tortillas, cakes, cookies, etc., which have no nutritional value to the deer. Commercially available corn was created to be used as bait by hunters and not as a supplemental food source contributing to the health of a herd. It may also contain a fungus known as Aflatoxin, which is harmful to other wildlife. This code does not prohibit the feeding of deer on privately owned property.

**SEE LEON VALLEY**

Social Equity – Prohibiting the feeding of deer on publicly-owned land protects the health,

safety, and welfare of deer, persons, and property in these areas.

Economic Development – The feeding of deer in concentrated areas may contribute to habitat destruction, as evidenced by the damage to city-planted trees and other vegetation in our parks and recreational areas.

Environmental Stewardship – Prohibiting the feeding of deer in our parks and recreational areas encourages natural feeding and other normal behaviors, which contribute to the regrowth of forbes and other native plantings.

**FISCAL IMPACT**

Signs have already been placed in the park discouraging persons from feeding the deer. These signs cost the City \$780.00.

**STRATEGIC GOALS**

N/A.

**RECOMMENDATION**

Staff recommends approval of the amendment to this code.

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

APPROVED WITH THE FOLLOWING AMENDMENTS :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS; AMENDING THE LEON VALLEY CODE OF ORDINANCES CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.09 PARKS AND RECREATION, DIVISION 1 GENERALLY, PETS AND OTHER ANIMALS SEC. 1.09.036(e); TO PROHIBIT THE FEEDING OF DEER IN CITY PARKS AND DRAINAGE WAYS; PROVIDING A REPEALER; SEVERABILITY; SAVINGS; AN EFFECTIVE DATE; NOTICE OF MEETING; AND A PENALTY CLAUSE.**

---

**WHEREAS**, the City has a large white-tail and Axis deer population that travel throughout the city, but congregate primarily in city-owned parks and drainageways; and

**WHEREAS**, numerous citizens feed the deer that are located on public lands, which causes the deer to be unafraid of humans by learned behavior, potentially leading to injuries to persons and damage to vehicles and property; and

**WHEREAS**, supplemental feeding of deer is of little or no benefit to the deer, as the most popular feed used is corn, which is low in protein and high in carbohydrates and does not provide adequate protein levels needed for development of bone and muscle; and

**WHEREAS**, commercially available corn may contain Aflatoxin, a fungi produced toxin, which is usually produced when corn or peanuts are grown under stress such as drought conditions (high temperatures and low soil moisture), and this toxin can pose a serious problem when wildlife species have access to contaminated fields (primarily waterfowl);

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

**SECTION 1.** Chapter 1 General Provisions, Article 1.09 – Parks and Recreation, Division 1 Generally, Pets and Other Animals Sec. 1.09.036(e), is here by revised as follows:

“Sec. 1.09.036 (e) It shall be unlawful to **feed**, harm, disturb, trap, confine, catch, possess, or remove any wildlife from city parkland, natural area, trails or city-owned Huebner Creek or related drainage areas except as specifically authorized by the city.”

**SECTION 2. REPEALER CLAUSE.** The provisions of the Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.

**SECTION 3. SEVERABILITY CLAUSE.** If any provision, section, sentence, clause, or phrase of this ordinance or application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of

circumstances shall not be affected thereby, it being the intent of the City Council in adopting, and the Mayor in approving this Ordinance, that no portion thereof or provisions or regulation contained herein shall become inoperative or fall by reason of any unconstitutionally or invalidity of any portion, provision, or regulation.

**SECTION 4. SAVINGS CLAUSE.** 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 City under any section or provisions of any ordinances at the time of passage of this ordinance.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall become effective on and after its passage, approval and the meeting of all publication requirements as provided by law.

**SECTION 6. NOTICE OF MEETING CLAUSE.** 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.

**SECTION 7. PENALTY.** Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Chapter 1. General Provisions, Article 1.01 Code of Ordinances, Section 1.01.009 General penalty for violations of code: continuing violations of the City of Leon Valley Code, and/or applicable state law.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 4th day of April, 2023.

**APPROVED**

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

\_\_\_\_\_  
**NICOLE WARREN**  
City Attorney

# Amending Leon Valley Code of Ordinances

## Article 1.09 Parks and Recreation

### Prohibiting Deer Feeding in Public Parks

City Council Meeting

Public Works Director Melinda Moritz

April 4, 2023



# Purpose

- To consider amending the Leon Valley Code of Ordinances, Chapter 1 General Provisions, Article 1.09 Parks and Recreation, Division 1 Generally, Sec. 1.09.036 Pets and Other Animals, (e), to prohibit the feeding of deer in parks
- Options
  - Approve
  - Approve with other amendments
  - Deny
- Declaration
  - Recommend approval of this amendment

# Background

- Several residents whose property abuts Raymond Rimkus Park routinely feed the deer that congregate at the park & in the Huebner-Onion Natural Area Park
- This activity makes the deer less afraid of humans and may have contributed harm to deer, persons, vehicles, and other property
- Decades of research have shown that supplemental feeding leads to increased risk of disease, long-term habitat destruction, habituation to humans, alteration of other deer behavioral patterns



# Background

- With chronic wasting disease now present in the state, the increased risk of disease transmission from feeding in a concentrated area is one of the most significant reasons not to feed
- Deer are extremely well-adapted animals and in general, don't need supplemental food
- The most used supplement is commercially processed corn, along with breads, tortillas, cakes, cookies, etc., which have no nutritional value to the deer

# Background

- Commercially available corn was created to be used as bait by hunters and not as a supplemental food source contributing to the health of a herd
- Corn may also contain a fungus known as Aflatoxin, which is harmful to other wildlife
- This code does not prohibit the feeding of deer on privately owned property

# Code Amendment

- Section (e) currently states:
  - It shall be unlawful to harm, disturb, trap, confine, catch, possess, or remove any wildlife from city parkland, natural area, trails or city-owned Huebner Creek or related drainage areas except as specifically authorized by the city.
- Amendment adds the word “feed” to the Section:
  - It shall be unlawful to **feed**, harm, disturb, trap, confine, catch, possess, or remove any wildlife from city parkland, natural areas, trails or city-owned Huebner Creek or related drainage areas except as specifically authorized by the city.

# Fiscal Impact

- Signs have already been placed in the park discouraging persons from feeding the deer
- These signs cost the City \$780.00

# Recommendation

- It is recommended the City Council approve the amendment to the code to prohibit the feeding of deer at city-owned parks

# S.E.E. Statement

- *Social Equity* – Prohibiting the feeding of deer on publicly-owned land protects the health, safety, and welfare of deer, persons, and property in these areas
- *Economic Development* – The feeding of deer in concentrated areas may contribute to habitat destruction, as evidenced by the damage to city-planted trees and other vegetation in our parks and recreational areas
- *Environmental Stewardship* – Prohibiting the feeding of deer in our parks and recreational areas encourages natural feeding and other normal behaviors, which contribute to the regrowth of forbes and other native plantings

**A RESOLUTION OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL APPOINTING MEMBERS TO THE BANDERA ROAD SITE-COMMUNITY ADVISORY GROUP, BOARD OF ADJUSTMENT, EARTHWISE LIVING COMMITTEE, AND PARK COMMISSION**

---

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

The following individuals are hereby appointed as members to the **Bandera Road Site – Community Advisory Group:**

Veronica Cantu                      Ann Sawyer

The following individuals are hereby appointed as members to the **Board of Adjustment:**

Stephen Parker                      Brian Sawyer

The following individuals are hereby appointed as members to the **Earthwise Living Committee:**

Aurelie Beaumel                      Thomas Dillig

The following individuals are hereby appointed as members to the **Park Commission:**

Margaret Tovar

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

That the appointment of the aforementioned individual(s) to perspective committee is effective immediately.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 4th day of April 2023.

**APPROVED**

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest: \_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

\_\_\_\_\_  
**NICOLE WARREN**  
City Attorney

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 22, 2023  
**TO:** Mayor and Council  
**FROM:** Roque Salinas, Director of Economic Development  
**THROUGH:** Dr. Crystal Caldera, City Manager  
**SUBJECT:** Presentation, Discussion, and Possible Action to Expend Economic and Community Development Funds in the amount not to exceed \$10,000 to Purchase a 15 Barrel Tank to Increase Operations to LongTab Brewing Company

**PURPOSE**

LongTab Brewing Company is seeking a grant in the amount of \$10,000 from Economic and Community Development Funds to purchase a 15-barrel tank to expand production.

**FISCAL IMPACT**

\$10,000 to the project funding budgeted line item

**SEE LEON VALLEY**

*Social Equity* – N/A

*Economic Development* – Economic and Community Development projects encourage collaborative engagement with residents.

*Environmental Stewardship* – N/A

**STRATEGIC GOALS**

This partnership is in line with the city’s goal of economic development to recruit and retain businesses in the city.

**RECOMMENDATION**

EDC advisory board has recommended that the application be approved on 3/20/2023.

City Council ‘s Discretion

ATTEST :

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary



STATE OF TEXAS

§  
§  
§  
§

**GRANT AGREEMENT  
BETWEEN CITY OF LEON VALLEY  
AND LONGTAB BREWING COMPANY**

COUNTY OF BEXAR

This Grant Agreement (hereinafter referred to as the "Agreement") is made and entered into by and between the CITY OF LEON VALLEY ("CoLV") and LONGTAB BREWING COMPANY, acting by and through its representative ("Grantee") (CoLV and Grantee collectively referred to herein as the "Parties").

**WHEREAS**, the Grantee's property is located at 4700 Timco West #104 & 105, Leon Valley, Texas 78238. (the "Property") in the exclusive manner specified herein; and

**WHEREAS**, Article III, Section 52-a of the Texas Constitution gives the Texas Legislature the authority to provide for Grants of public money for the development and diversification of the State's economy and the elimination of unemployment or underemployment; and

**WHEREAS**, the CoLV's mission is to provide a diverse and versatile business environment that supports a healthy economy. The City will exhibit a distinctive and welcoming identity at its boundaries and throughout the community. The City will attract, expand and retain viable businesses to promote development and redevelopment, including a town-centered design, pedestrian-friendly connections and world-class public transit.

**WHEREAS**, the CoLV intends, and in connection with such intention, has approved the proposed Small Business Encouragement Grant, which has been described in an application from the Grantee, attached and incorporated herein by reference as Exhibit A (the "Project"); and

**WHEREAS**, has agreed to provide up to Ten Thousand Dollars (\$10,000.00) "Grant" to the Grantee for the purchase and delivery of a 15-barrel tank to expand production, as defined herein, associated with the Grant for the purpose of encouraging and supporting small businesses in the City;

**NOW THEREFORE**, the Parties hereto severally and collectively agree, and by the execution hereof are bound, to the mutual obligations herein contained and to the performance and accomplishment of the tasks hereinafter described:

**SECTION 1. AGREEMENT PURPOSE**

- A. **Recitals.** The recitals to this Agreement are incorporated herein for all purposes.
- B. **Purpose.** The specific purpose of this Agreement is to provide grant funds to Grantee for the purchase and delivery of a 15-barrel tank to expand production through a one-time reimbursement payment in the amount not to exceed Ten Thousand Dollars (\$10,000.00). This action will be a significant contribution toward a broader purpose to promote, encourage, and protect local businesses, the expansion and protection of the local tax base, and the quality of life for Leon Valley’s residents.
- C. **Term.** The term of this Agreement shall begin on the Effective Date and automatically expire upon the date the Grant is provided or unless sooner terminated as provided herein.

**SECTION 2. CONDITIONS TO GRANTS**

- A. **Conditions.** The obligation for CoLV to pay any and all of the Grants hereunder shall be conditioned upon compliance with and satisfaction of each of the conditions set forth below:
  - 1. To receive the Grant, Grantee must submit to CoLV documentation substantiating Grantee’s Eligible Costs used for the purchase and delivery of a 15-barrel tank to expand production. Such documentation must include receipts of purchase, delivery, and proof of installation at the Property.
  - 2. To receive Grant consideration, Grantee must submit legible copies of the Certificate of Occupancy and Texas Sales Tax Certificate, where applicable.
  - 3. CoLV will issue the Grant monies to Grantee within 10 days of its review and approval of the Grantee’s documentation of Eligible Costs.
  - 4. Grantee shall submit a completed application and all documentation to CoLV on or before October 4, 2023. CoLV City Council shall have sole authority and discretion to grant an extension.
  - 5. **Prohibition on Default.** The Grantee shall not receive any Grant funds in the event of Grantee’s uncured breach or default of this Agreement.

**SECTION 3. USE OF GRANT FUNDS**

- A. The Grantee understands that this Grant was designed to be used solely for the purchase and delivery of a 15-barrel tank to expand production.
- B. Eligible Costs for reimbursement by the Grant are to purchase and delivery of a 15-barrel tank to expand production, not to exceed the established maximum disbursement per business.

- C. The funds to be awarded to Grantee under this Agreement are in the amount not to exceed Ten Thousand Dollars (\$10,000.00) “Grant”. Grantee acknowledges and agrees that CoLV’s obligation and agreement to pay the Grant under this Agreement is subject to the approval and appropriation of funds by the City of Leon Valley City Council.
- D. CoLV shall not be obligated to pay any monies beyond the amount of the Grant and is only obligated to make Grants from approved sources budgeted and approved by the City Council. Grantee represents that it understands that any expenditures by the Grantee in anticipation of reimbursement from Grant funds shall never be obligations of any CoLV fund and is subject to the extent and availability of actual grant funds to reimburse.

**SECTION 4 TERMINATION**

- A. **Termination.** This Agreement shall terminate upon the occurrence of anyone or more of the following:
  - 1. Sixty (60-days) after Eligible Costs have been reviewed, approved and disbursed by CoLV up to the amount of the Grant;

In addition, CoLV will have the sole discretion and option to terminate this Agreement in the event:

- 1. Grantee breaches any of the terms or conditions of this Agreement and such breach is not cured within thirty (30) days after written notice thereof;
- 2. Grantee has ceased its business operations at the Property;
- 3. Grantee is a party to voluntary or involuntary bankruptcy proceeding;

- B. **Repayment of the Grant.** In the event the Agreement is terminated, then Grantee shall immediately refund to CoLV an amount equal to the sum of the Grant monies paid by CoLV to Grantee pursuant to this Agreement. Notwithstanding the foregoing, Grantee will not be required to repay the Grant if the Agreement is terminated under Section 4A(1).

**SECTION 5 INDEMNIFICATION**

**THE GRANTEE COVENANTS AND AGREES TO FULLY INDEMNIFY AND HOLD HARMLESS THE COLV AND THE OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS, VOLUNTEERS AND REPRESENTATIVES OF THE COLV, INDIVIDUALLY OR COLLECTIVELY, FROM AND AGAINST ANY AND ALL COSTS CLAIMS, LIENS, DAMAGES, LOSSES, EXPENSES, FEES, FINES, PENALTIES, PROCEEDINGS, ACTIONS, DEMANDS, CAUSES OF ACTION, LIABILITY AND SUITS OF ANY KIND AND NATURE, INCLUDING BUT NOT LIMITED TO, PERSONAL OR BODILY INJURY, DEATH AND PROPERTY DAMAGE, MADE UPON THE COLV, DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM OR RELATED TO THE GRANTEE’S ACTIVITIES UNDER THIS CONTRACT, INCLUDING ANY ACTS OR OMISSIONS OF THE GRANTEE, ANY AGENT, OFFICER, DIRECTOR, REPRESENTATIVE, EMPLOYEE, CONSULTANT,**

**CONTRACTOR OR SUBCONTRACTOR OF THE GRANTEE, AND THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, DIRECTORS AND REPRESENTATIVES WHILE IN THE EXERCISE OR PERFORMANCE OF THE RIGHTS OR DUTIES UNDER THIS CONTRACT, ALL WITHOUT, HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE COLV UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW. THE PROVISIONS OF THIS INDEMNIFICATION ARE SOLELY FOR THE BENEFIT OF THE COLV AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY. THE GRANTEE SHALL PROMPTLY ADVISE THE COLV IN WRITING OF ANY CLAIM OR DEMAND AGAINST THE COLV OR THE GRANTEE KNOWN TO THE GRANTEE RELATED TO OR ARISING OUT OF THE GRANTEE'S ACTIVITIES UNDER THIS AGREEMENT AND SHALL SEE TO THE INVESTIGATION AND DEFENSE OF SUCH CLAIM OR DEMAND AT THE GRANTEE'S COST. THE COLV SHALL HAVE THE RIGHT, AT ITS OPTION AND AT ITS OWN EXPENSE, TO PARTICIPATE IN SUCH DEFENSE WITHOUT RELIEVING THE GRANTEE OF ANY OF ITS OBLIGATIONS UNDER THIS PARAGRAPH.**

**IT IS THE EXPRESS INTENT OF THE PARTIES TO THIS AGREEMENT, THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH, IS AN INDEMNITY EXTENDED BY GRANTEE TO INDEMNIFY, PROTECT AND HOLD HARMLESS COLV FROM THE CONSEQUENCES OF ITS OWN NEGLIGENCE; PROVIDED HOWEVER, THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL APPLY ONLY WHEN THE NEGLIGENT ACT OF COLV IS A CONTRIBUTORY CAUSE OF THE RESULTANT INJURY, DEATH, OR DAMAGE, AND IT SHALL HAVE NO APPLICATION WHEN THE NEGLIGENT ACT OF COLV IS THE SOLE CAUSE OF THE RESULTANT INJURY, DEATH, OR DAMAGE. GRANTEE FURTHER AGREES TO DEFEND, AT ITS OWN EXPENSE AND ON BEHALF OF AND IN THE NAME OF COLV ANY CLAIM OR LITIGATION BROUGHT AGAINST COLV AND ITS OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS AND REPRESENTATIVES, IN CONNECTION WITH ANY SUCH INJURY, DEATH, OR PROPERTY DAMAGE FOR WHICH THIS INDEMNITY SHALL APPLY, AS SET FORTH ABOVE.**

**IT IS THE EXPRESS INTENT OF THIS SECTION THAT THE INDEMNITY PROVIDED TO THE COLV SHALL SURVIVE THE TERMINATION AND/OR EXPIRATION OF THIS AGREEMENT FOR THE APPLICABLE PERIOD OF LIMITATION AND SHALL BE BROADLY INTERPRETED AT ALL TIMES TO PROVIDE THE MAXIMUM INDEMNIFICATION OF THE COLV PERMITTED BY LAW.**

## **SECTION 5 MISCELLANEOUS**

A. Grantee shall comply with all applicable federal, state and City laws and regulations, as amended. Grantee agrees to obtain and maintain, all necessary permits and approvals from City and/or all other governmental agencies having jurisdiction over the business. At its sole cost and expense, Grantee shall be responsible for paying, or causing to be paid, to City and all other governmental agencies the cost of all applicable permit fees and licenses required.

B. Grantee represents, warrants, assures and guarantees that it possesses the legal authority, pursuant to any proper, appropriate and official motion, resolution or action passed or taken, to enter into this Agreement and to perform the responsibilities herein required.

C. In no event shall the CoLV be liable for any expenses of Grantee not eligible or allowable for reimbursement by the Grant.

D. Grantee represents and warrants that the documentation verifying the Eligible Costs submitted to the CoLV for reimbursement by Grant funds are true and correct. Grantee's submission of falsified information or the failure to timely submit all information by Grantee as requested by CoLV is breach of this Agreement and grounds for termination of this Agreement.

E. Grantee shall use generally accepted accounting principles and establish and use internal administrative controls to preclude theft, embezzlement, improper inducement and obstruction of investigation or other criminal action and to prevent fraud and program abuse.

F. CoLV will not be liable to Grantee or any other entity for any additional costs incurred by Grantee.

G. It is expressly understood and agreed by the Parties hereto that CoLV is contracting with Grantee as an Independent Contractor, and that Grantee, its employees and subcontractors are not employees of the CoLV.

H. Except as specifically provided in this Agreement, any alterations, additions, or deletions to the terms of this Agreement shall be by amendment hereto in writing and executed by both Parties to this Agreement upon CoLV approval and authorization of Grantee.

I. This Agreement is not assignable. Notwithstanding any attempt to assign the Agreement, Grantee shall remain fully liable on this Agreement and shall not be released from performing any of the terms, covenants and conditions herein. Grantee shall be held responsible for all funds received under this Agreement.

J. If any clause or provision of this Agreement is held invalid, illegal or unenforceable under present or future federal, state or local laws, then and in that event it is the intention of the Parties hereto that such invalidity, illegality or unenforceability shall not affect any other clause or provision hereof and that the remainder of this Agreement shall be construed as if such invalid, illegal or unenforceable clause or provision was never contained herein; it is also the intention of the Parties hereto that in lieu of each clause or provision of this Agreement that is invalid, illegal or unenforceable, there be added as a part of the Agreement a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

K. This Agreement shall be construed under the laws of the State of Texas and all obligations of the parties created hereunder are performable in Bexar County, Texas.

**\*\*REMAINDER OF PAGE INTENTIONALLY LEFT BLANK\*\***

**SIGNATURE ON NEXT PAGE**

WITNESS OUR HANDS, EFFECTIVE as of \_\_\_\_\_, 2023 (the “Effective Date”).

**GRANTOR:**  
**CITY OF**  
**LEON VALLEY**

**GRANTEE:**  
**DAVID HOLLAND**  
**LONGTAB BREWING COMPANY**

\_\_\_\_\_  
**Crystal Caldera**  
Leon Valley City Manager

\_\_\_\_\_  
**David Holland**  
Owner

\_\_\_\_\_  
**Roque Salinas**  
Director of Economic Development

**EXHIBIT A**

[ATTACH GRANT APPLICATION HERE]



APPLICATION FOR ECONOMIC AND COMMUNITY DEVELOPMENT FUNDS  
CITY OF LEON VALLEY ECONOMIC DEVELOPMENT DEPARTMENT

STATE OF TEXAS         §

KNOW ALL BY THESE PRESENTS:

COUNTY OF BEXAR      §

PART 1 – APPLICATION INFORMATION

Date of Application:	22FEB2023
Company Name:	LONGTAB BREWING COMPANY
Address:	[REDACTED]
Representative Submitting Application:	DAVID HOLLAND
Local Address:	SAME
Phone Number:	[REDACTED]
State of Incorporation:	TX
Years in City:	3
Total Employees in City:	15-18

PART 2 – PROJECT INFORMATION

Location Address:	SAME AS ABOVE
Legal Description:	

Project Description							
New Construction	<input type="checkbox"/>	Expansion	<input checked="" type="checkbox"/>	Community	<input type="checkbox"/>	Modernization	<input type="checkbox"/>

Type of Facility							
Retail Sales	<input type="checkbox"/>	Manufacturing	<input type="checkbox"/>	Distribution	<input type="checkbox"/>	Service	<input type="checkbox"/>
Restaurant	<input checked="" type="checkbox"/>	Office	<input type="checkbox"/>	Other	<input type="checkbox"/>	Not Applicable	<input type="checkbox"/>

PART 3 – ECONOMIC INFORMATION

Project Cost Estimate:	\$10000
Amount Requested:	\$10000
Start Date:	Upon receipt of funds
Permanent Job Creation:	2-3 potential additionl jobs as a result of this expansion.

**PART 4 – NARRATIVE**

**Introduction of Business / Business Model:**

Longtab Brewing is a service-disabled Veteran and woman owned small business dedicated to honoring the history and culture of US Army Special Forces, or Green Berets. We also brew beers for fallen Green Berets in order to raise money for Green Beret supporting charities.

Chief Officers or Owners:	Title:	Phone number:
David Holland	Owner	[REDACTED]
Natalie Holland	Co-owner	[REDACTED]

**Reasons for Seeking Economic and Community Development Funds:**

Longtab opened early 2020, and suffered severe setbacks due to COVID shutdowns. Since that time, we have lagged somewhat in our growth as compared to other brewpubs of similar scope. Although we have seen growth, we lack the resources to invest in our infrastructure to meet current and future demands. Although there are several areas which need addressing - the most pressing is our brewhouse capacity. Production capacity is key to keeping up with demand, and we've currently reached a ceiling on how much and how fast we can produce product. By investing in another 15 barrel tank, we can expand production and turn product in a much shorter amount of time.

**State How the Project will Benefit the City of Leon Valley:**

Longtab was the first and remains the only brewpub in the city of Leon Valley. We consider it our home. As long as we can continue to grow we will remain in Leon Valley. By expanding to meet demand, we will be able to hire more employees, and generate revenue which benefits Longtab and the City of Leon Valley. If our expansion projects are funded, we anticipate the need to hire 1-2 additional employees. This growth will ensure that veteran-owned Longtab Brewing will continue to call Leon Valley home.

**Describe the Project:**

If funded, Longtab will purchase one 15 barrel "brite" tank which is a key component in conditioning beer and preparing it for packaging or kegging

Currently, Longtab conditions beer in the same tank it is fermented in, which is not ideal, because it adds a significant amount of time to the beer production cycle. The addition of a brite tank will not only speed up the process,

but also improve the quality of the finished product. This tank will be installed in our brewing area alongside other equipment.

**Describe the types and numbers of jobs to be generated and provide information on current level of employment including: (a) current payroll; and (b) breakdown by zip code. Attach a copy of the businesses most recent filing with the Texas Workforce Commission or other supporting documentation that can be used to determine actual employment level at the time of application:**

Once funded, the immediate hires would be in our brew area to assist with cellaring and packaging to help manage the growth opportunities created by the new tank. Expanded capacity translates into expanded availability in both our taproom and sales team, so the next hires would likely be an additional bartender and delivery driver.

All current jobs are employed at our only location in 78238

**List any other governmental assistance/incentives being requested or already approved for the project from sources other than the City of Leon Valley:**

None.

**List any competition or similar businesses in the area:**

There are no other brewpubs in Leon Valley.

**UNDOCUMENTED WORKER CERTIFICATION**

Chapter 2264, Subchapter A, Texas Government Code requires that any public agency or economic development corporation shall require a business that submits an application to receive a public subsidy to include a statement certifying that the business does not and will not knowingly employ an undocumented worker. The Company certifies that its operation within Leon Valley, Texas does not and will not knowingly employ an undocumented worker, as defined in Chapter 2264, Subchapter A, Texas Government Code, as amended (the "Act").

Pursuant to the Act, if the Company is convicted of a violation under 8 U.S.C. Section 1324a(f), after receiving any public subsidy, the Company shall promptly give the City written notice of such violation and the Company shall repay the amount of the payment with interest, at a rate of 6.75% per annum not later than the 120<sup>th</sup> day after the date the Company notifies the City of this violation.

**AUTHORIZATION AND CERTIFICATION**

I am the authorized representative for the Company for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application is true and correct to the best of my knowledge and belief. I hereby certify and affirm that the Company I represent is in good standing under the laws of the state in which the company, partnership, or sole proprietorship was organized and or operates and that no delinquent taxes are owed to the State of Texas or any political subdivision or entity thereof.

Authorized Official

Authorized Signature: \_\_\_\_\_

Name: David Holland

Title: Owner

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Sworn to and subscribed before me this the 9 day of MARCH, 2023, by  
(day) (month) (year)

[Signature]  
Signature of Notary

Notary Public, State of: TEXAS

My commission expires: 04/21/2025



# LongTab Brewing Company Grant Application

Roque Salinas

Economic Development Director

4/4/2023

# Summary

## Summary

LongTab Brewing Company is seeking a grant in the amount of \$10,000 from Economic and Community Development Funds to purchase a 15-barrel tank to expand production.

## Options:

1. Approval
2. Denial

# Background

- LongTab has been in the Leon Valley Community since early 2020 and has remained in business during covid and has provided a welcoming and enjoyable atmosphere for residents.
- They employ 18 staff members as of December an increase from 15 in October.
- The business is also a sales tax generator for the city.
- The Business is eligible to secure a loan from a private financial institution for the requested amount.

# Recommendation

- EDC advisory board has recommended that the application be approved on 3/20/2023.
- At council discretion



# S.E.E. Statement

## Social Equity:

- N/A

## Economic Development:

- Economic and Community Development projects encourage collaborative engagement with residents.

## Environmental Stewardship:

- N/A

# Strategic Goals

**Economic Development** is a strategic goal outlined in Leon Valley's Strategic Plan.

This partnership is in line with the city's goal of economic development to recruit and retain businesses in the city.

## MAYOR AND COUNCIL COMMUNICATION

**DATE:** April 4, 2023  
**TO:** Mayor and Council  
**FROM:** Mindy Teague, Planning and Zoning Director  
**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** Presentation, Public Hearing, and Possible Action regarding a zoning change from R-2 Two Family Dwelling to R-1 Single Family Dwelling District on two lots, being Lots 19 and 20, Blk 8, CB 4432C, being 0.2066 and 0.2204 acres of land, in the Grass Valley Subdivision Unit #1, located at 6602 and 6608 Peachtree

### **PURPOSE**

A request has been received to rezone two lots, being Lots 19 and 20, Blk 8, CB 4432C, being 0.2066 and 0.2204 acres of land, in the Grass Valley Subdivision Unit #1, located at 6602 and 6608 Peachtree

### **REQUEST:**

- Staff initiated zoning request
- Cleaning up Zoning Map
- To rezone approximately 0.427 acres of land on two lots in the Grass Valley Subdivision
- From R-2 Two Family Dwelling to R-1 Single Family Dwelling
- One developed lot located at 6602 and one vacant lot located at 6608 Peach Tree

### **Notification**

Twelve (12) letters were sent to surrounding property owners. As of this writing, Staff has not received any letters either in favor or in opposition, and one has been returned undeliverable. Both property owners are in agreement with this request.

### **SEE LEON VALLEY**

*Social Equity* - Approval of this request allows for the single-family dwelling use, which is consistent and compatible with existing surrounding uses.

*Economic Development* – Rezoning will encourage the development of a single-family home on the undeveloped lot, which will increase ad valorem taxes.

*Environmental Stewardship* – Any structures built on this property would have to conform

to the 2021 International Energy Code.

**FISCAL IMPACT:**

None

**STRATEGIC GOALS**

None – housekeeping item.

**RECOMMENDATION**

At the March 28, 2023 Planning & Zoning Commission meeting, the Commission recommended approval of this request.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL GRANTING A ZONE CHANGE FROM R-2 TWO FAMILY DWELLING DISTRICT TO R-1 SINGLE FAMILY DWELLING DISTRICT ON TWO LOTS, BEING LOTS 19 AND 20, BLK 8, CB 4432C, BEING 0.2066 AND 0.2204 ACRES OF LAND, IN THE GRASS VALLEY SUBDIVISION UNIT #1, LOCATED AT 6602 AND 6608 PEACH TREE; PROVIDING A REPEALER CLAUSE; SEVERABILITY CLAUSE; NOTICE OF MEETING; SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.**

---

**WHEREAS** Chapter 211 of the Vernon’s Local Government Code empowers cities 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, to promote the public health, safety, and welfare of the residents of the City; and

**WHEREAS** the Leon Valley Code of Ordinances Chapter 15 Zoning constitutes the City’s Zoning regulations and requires the 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 15 of the Leon Valley Code of Ordinances; and

**WHEREAS**, the Planning and Zoning Commission of the City of Leon Valley has recommended granting a zone change from R-2 Two Family Dwelling District to R-1 Single Family Dwelling District, and

**WHEREAS**, the City Council, after proper notice and public hearing determined that the request is consistent and compatible with the surrounding zoning and with the City’s Future Land Use Plan, and

**WHEREAS** the City Council of the City of Leon Valley now desires to grant the zone change, as requested at the subject location.

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

**SECTION 1.** That lots 19 and 20, BLK 8, CB 4432C, being 0.2066 and 0.2204 acres of land, in the Grass Valley Subdivision unit #1, located at 6602 and 6608 Peachtree Street, are hereby rezoned from R-2 Two Family Dwelling District to R-1 Single Family Dwelling District.

**SECTION 2. REPEALER CLAUSE.** The provisions of the Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of

ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.

**SECTION 3. SEVERABILITY CLAUSE.** If any provision, section, sentence, clause, or phrase of this ordinance or application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Leon Valley City Council in adopting, and the Mayor in approving this Ordinance, that no portion thereof or provisions or regulation contained herein shall become inoperative or fall by reason of any unconstitutionally or invalidity of any portion, provision, or regulation.

**SECTION 4. SAVINGS CLAUSE.** 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 City under any section or provisions of any ordinances at the time of passage of this ordinance.

**SECTION 5. NOTICE OF MEETING CLAUSE.** 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.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall become effective on and after its passage, approval and publication as required by law.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 18th day of April 2023.

**APPROVED**

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest: \_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form: \_\_\_\_\_  
**NICOLE WARREN**  
City Attorney

# Rezoning Request PZ-2023-8 6602 & 6608 Peach Tree

Mindy Teague  
Planning & Zoning Director  
City Council Meeting  
April 4, 2023

# Summary

- Question
  - Consider approving a zone change from R-2 Two-Family Dwelling to R-1 Single Family Dwelling District on two lots, being Lots 19 and 20, Blk 8, CB 4432C, being 0.2066 and 0.2204 acres of land, in the Grass Valley Subdivision Unit #1
  - Located at 6602 & 6608 Peachtree Street
- Options
  1. Approval as requested
  2. Denial



# Request

- Staff initiated rezoning request
  - Cleaning up Zoning Map
- To rezone approximately 0.427 acres of land on two lots in Grass Valley Subdivision
- From R-2 Two Family Dwelling to R-1 Single Family Dwelling
- One developed lot located at 6602 and one vacant lot located at 6608 Peach Tree

# Zoning Map

Sites



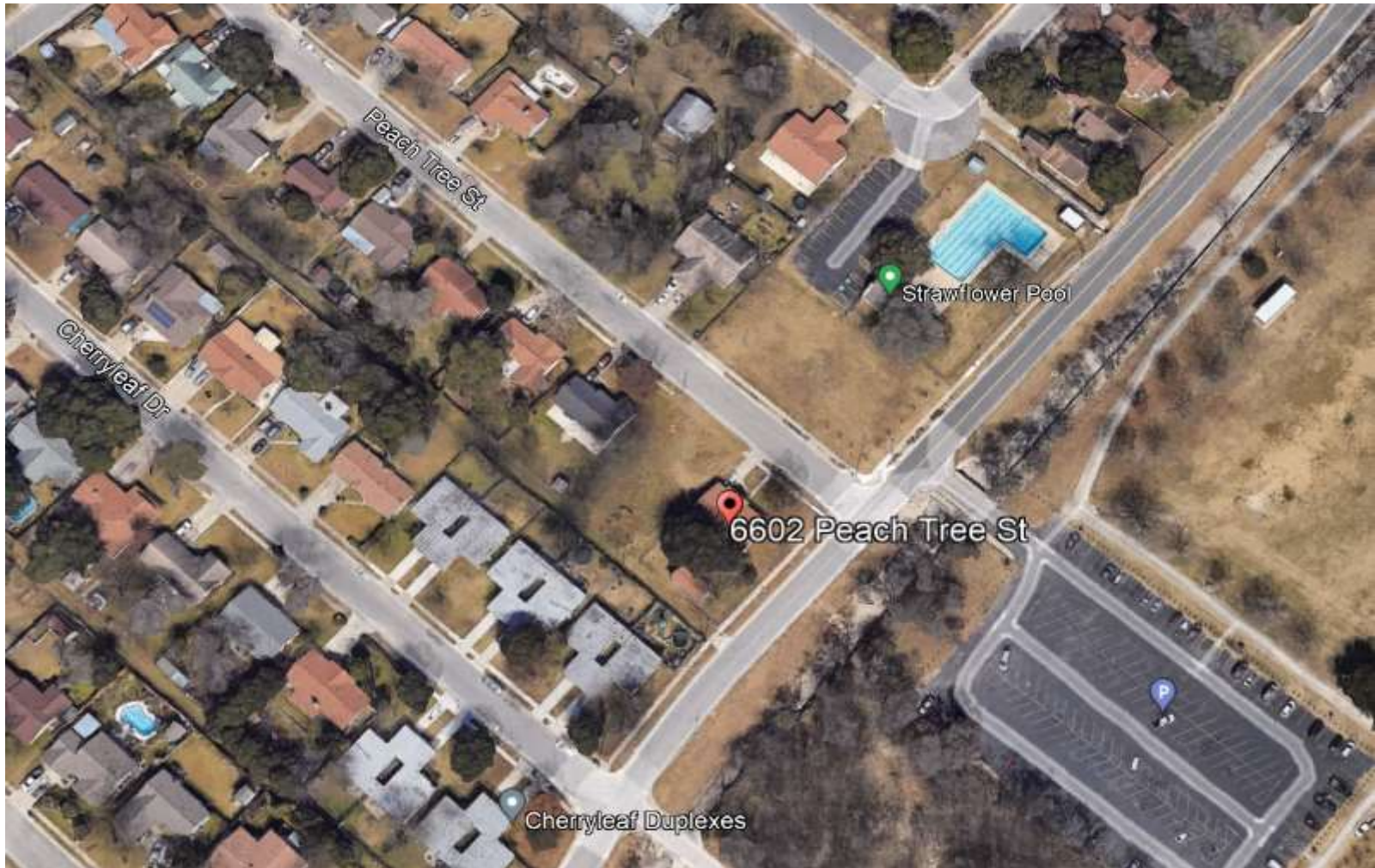
# BCAD Map

{Section}.72.



Properties

# Aerial View



# Background

{Section}.72.

- The lots are not large enough to accommodate a duplex, but do fit in the R-1 Single Family Dwelling District
- Existing conditions:
  - Lot 19 has 81.24' of frontage along a public road, is 120' in depth, and has an area of 9,748.8 square feet
  - Lot 20 has 75' of frontage along a public road, is 120' in depth, and has an area of 9,000 square feet
- Per the Zoning Code:
  - R-2 Two Family Dwelling requires minimum frontage of 85' along a public road, a depth of 120', and a minimum area of 10,200 square feet
  - R-1 Single Family Dwelling requires minimum frontage of 70' along a public road, a depth of 120', and a minimum area of 8400 square feet

# Master Plan

- Grass Valley area was annexed 1969 and platted during the late 1960's and early 1970's
- This area is substantially developed and contains paved streets, curbs, sidewalks, and street lighting
- Vacant areas are zoned R-1 Single Family (inaccurate)
- The land use for the Grass Valley Subdivision is an established neighborhood and should be maintained as a residential area
- (Single-Family) and R-2 (Two-Family) should be developed to maintain the existing neighborhood characteristics

# Notification Process

- 12 Letters Sent
- 0 In Favor
- 0 In Opposition
- 0 Undeliverable
- Both property owners agree with this zone change

# Fiscal Impact

- None



# Recommendation

- At the March 28, 2023 Planning and Zoning meeting, the Commission recommended approval of this request

# S.E.E. Statement

Social Equity: Approval of this request allows for the single-family dwelling use, which is consistent and compatible with existing surrounding uses

Economic Development: Rezoning will allow for the development of the vacant lot, which will increase ad valorem taxes

Environmental Stewardship: Any structures built on this property would have to conform to the 2021 International Energy Code

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 24, 2023  
**TO:** Mayor and Council  
**FROM:** Roque Salinas, Director of Economic Development  
**THROUGH:** Dr. Crystal Caldera, City Manager  
**SUBJECT:** Discussion and Possible Action on An Ordinance to Amend the Leon Valley Code of Ordinances, Article 1.06 Boards, Commissions, and Committees and Add Sec. 1.06.009 City of Leon Valley Economic and Community Development Policies and Guidelines for Funding (1st Read was Held 03-21-2023) – R. Salinas, Director of Economic Development

**PURPOSE**

Staff is recommending updating policy language to the economic and community development policies and guidelines for funding.

Removing the reasonability of the Economic and Community Development Advisory Committee to make recommendation to council on applications.

**FISCAL IMPACT**

No fiscal impact

**SEE LEON VALLEY**

***Social Equity*** – N/A

***Economic Development*** – Economic and Community Development projects encourage collaborative engagement with residents.

***Environmental Stewardship*** – N/A

**STRATEGIC GOALS**

This partnership is in line with the city’s goal of economic development to recruit and retain businesses in the city.

**RECOMMENDATION**

Staff recommends the new policy to be adopted. This will allow staff to vet applications. Allowing the most efficient use of city funds to businesses.

City Council Discretion.

ATTEST :

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**CITY OF LEON VALLEY ECONOMIC AND COMMUNITY DEVELOPMENT  
POLICIES AND GUIDELINES FOR FUNDING**

**STATEMENT:** The City of Leon Valley (the City) will consider providing funds in accordance with the policies, procedures, and criteria outlined in these guidelines. The City will consider funding agreements for new facilities, expansion of existing facilities, modernization of existing facilities, and community projects.

**NOTHING IN THESE POLICIES AND GUIDELINES OR THE PROJECT APPLICATION SHALL EVER BE CONSTRUED TO IMPLY OR SUGGEST THAT THE CITY IS UNDER ANY OBLIGATION TO PROVIDE ANY FUNDING TO ANY APPLICANT.**

**PRIOR TO ANY PUBLIC EXPRESSION OF A DECISION OR ANY COMMITMENT (LEGAL OR FINANCIAL) TO THE PROPOSAL BY THE APPLICANT, A COMPLETED ORIGINAL OF THIS APPLICATION, INCLUDING ALL SUPPORTING DOCUMENTATION OF COMPETITIVE SITING, AND NARRATIVE IMPACT STATEMENT MUST BE SUBMITTED TO THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT DEPARTMENT, 6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238.**

Applications submitted for funding consideration will be determined on a case-by-case basis. All copies of applications submitted shall become the property of the City and may be subject to public disclosure under Texas Public Information laws and applicable exceptions under Sec.552.101

**APPLICABILITY:** The Policies and Guidelines establish that State statutes and adopted City policies relating to economic development shall govern all funding options, programs, and agreements.

**PROCESS:** The Economic Development Director, City Manager or their designee, as needed depending on the project, (Staff) must first review and evaluate any request for economic and community development funds. Staff will look at different factors when approving or denying an application, including but not limited to:

- a) sales tax generation by recipient, be direct or indirect;
- b) number of potential new jobs generated;
- c) type of new job generated;
- d) increase in ad valorem value in proportionate to the size of the award;
- e) decrease the vacancy rate within the city limits;
- f) capital improvements to the property;
- g) Business financials documents provided in the application;
- h) appropriate business for the location;
- i) is within zoning requirements;
- j) increases the quality of life in the community.

Staff will have 14 business days to review and approve or deny the application. If an application is NOT approved by Staff, Staff must provide written notice as to why. The business can resubmit the application with updates within 30 days of written notice. If the business resubmits an updated application, Staff will still provide a final written approval or denial notice to the applicant.

Staff will place approved applications on the agenda for the next available council meeting. The council will review and discuss approving or deny the application for funding.

Staff will provide final written denial notices and report of application within 14 days to the council.

In the event that the applicant does not resubmit an updated application after the first denial, Staff will submit the denial notice and report of application within 14 days after the 30 day resubmission period.

The council has the ability to request that a denied application be heard and voted on by the body, if two (2) members elect to place it on the agenda. In the event of the council exercising their right to hear a denied application, Staff will present the application before council on the next available council meeting.

The application process is as follows:

1. Completed application submitted to the Economic Development Director;
2. Review the completed application by the Staff. Staff will provide approval of the application or denial with written notice to the applicant. Denial of application by the Economic Development Director will end the request and the application will not proceed.
  - a. The business can resubmit the application with updates within 30 days of written notice.
  - b. Staff will provide final written denial notices and report of application within 14 days to the council.
  - c. The council has the ability to request that a denied application be heard and voted on by the body, if two (2) members elect to place it on the agenda. In the event of the council exercising their right to hear a denied application, Staff will present the application before council on the next available council meeting.
- 3.
4. Approval/Disapproval by City Council;
5. If approved for funding; completion of the project;
6. Business presents supporting documents for final review by Economic Development Director;
7. Economic Development Director submits a request for funding from the finance department.

**ELIGIBILITY:**

1. Any new business planning to locate within Leon Valley, or any business currently located within the city limits, shall be eligible for this program, provided the improvements to the property will promote new or expanded business development, ad valorem, sales tax revenue, provide new jobs, and/or have other significant economic impact to the community.
2. All buildings and facilities located within the city limits at the time of application shall be eligible for this program.
3. Funding proposals for routine maintenance or to remedy ordinance violations will not be accepted.
4. Funding for marketing campaigns will not be accepted. Large, individual, and/or removable, business specific advertisement items like a monument, pylon, post channel letter, dimensional

letter, wayfinding, electronic message and/or blade signage for an individual business will not be accepted. Large, general, interchangeable, signage for multi-tenant properties will be considered.

5. "Business" - defined as an occupation, profession, or trade in the purchase and sale of goods or services.

Business must be in good financial health and business must not be insolvent.

**GUIDELINES:**

1. Proof of applicant's ownership of the subject facility or facilities, or proof that the owner of such facility has approved the submission of the application for economic and community development funding, is required.
2. The owner of an operated business within a leased facility must provide a letter or statement from the property owner, or representative, attesting to the owner's knowledge of the business's application for economic and community development funding. Copies of the lease agreement of the leased facility shall be required.
3. A letter from a commercial bank, savings and loan institution, credit union, mortgage company, insurance company, or pension fund attesting to the business's eligibility to secure a loan from their institution shall be required.
4. Business financials must be included with the application. Business financial documents must include the following:
  - a. Profit and loss statement for the previous 12 months.
  - b. Balance sheet for the previous end of year or end of quarter.
  - c. A copy of the previous year's tax return for the business, if applicable.
  - d. New businesses, without any financial documents, must provide their business plan as part of the application.
  - e. New businesses should demonstrate how they plan to be successful in the area.
  - f. New businesses must provide lease contract or property ownership documents with their application.
5. Unless otherwise specified or agreed to, the funding available to any one application, business establishment, or property owner at one physical location (address) shall be no more frequent than a one (1) year period. The application time-period is determined by the project completion date.
6. Unless otherwise specified or agreed to, funding disbursements approved the City Council shall be provided on a reimbursement basis. Upon completion of improvements and provision of paid receipt, funds are dispersed to the applicant, and are not to exceed the limits set forth in the funding agreement. In-kind contributions are not acceptable as any part of the applicant's match. Only cash matches of the applicant's expenditures may be used. Copies of the inspection reports are required for reimbursement. Photographs of the completed work may be required for reimbursement.
7. The applicant must submit, at minimum, two (2) bids for construction work, if possible. The bid amount must be competitive and/or reasonable for the type of work being completed. Staff has

right to request additional bid if price is non-competitive and/or unreasonable. Failure to provide competitive and reasonable bid can result in denial of application.

8. The applicant shall be obligated to make the improvements in accordance with the application submitted to and approved by the City Council. Thereafter, any modifications must first receive the written approval of the City Council. Failure to obtain such written approval prior to making any such modifications shall render the applicant ineligible to receive funding.
9. The applicant shall be responsible for obtaining all applicable permits related to the improvement project, and failure to do so will render the applicant ineligible to receive funding.
10. All application improvements presented must be completed in their entirety. Failure to do so shall render the applicant ineligible to receive funding.
11. The applicant shall not begin any improvements submitted for funding prior to receiving written approval of funding from the City Council. Applications for started or completed projects will not be accepted, nor will they be eligible to retroactively receive any funds.
12. The applicant must agree to complete the improvement project within six (6) months of receiving written approval of funding from the City Council. Failure to complete the improvements within the required time period shall result in the loss of funds allocated for the project. If extenuating circumstances are present, the applicant may apply for an extension prior to the end of the six-month period. A copy of the Certificate of Occupancy (CO) issued by the City of Leon Valley must be submitted to the Economic Development Director.
13. The applicant must agree to remain in business and to not sell or assign such business to another person or entity for a period of twelve (12) months from the date of approval of his/her application.
14. In accordance with the requirements of the funding agreement, applicant is in default of its obligations under the funding and is required to reimburse the City funds received if the business (applicant) fails to remain open, or the business or property is sold or transferred, within twelve (12) months after the provision of economic and community development funds.
15. Applicant must agree that in the event of default of its obligations, the City has the right to reimbursement for all economic and community development funding received, and any attorney's fees or costs incurred while seeking reimbursement.
16. The applicant must certify that the applicant does not employ, nor will it employ any undocumented workers (an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under law to be employed in that manner in the United States).
17. A Leon Valley Economic & Community Development Grant sign must be displayed at the subject property for a minimum of three (3) months to publicly recognize the grant program



18. If the owner has a grand re-opening, the owner must invite city officials to the official ribbon cutting.

**APPLICATION:**

1. Application forms are available at Leon Valley City Hall and online at the City of Leon Valley website: <https://www.leonvalleytexas.gov/economicdevelopment/page/leon-valley-ecd-funds> Applications submitted must be on the form provided by the City.
2. Businesses applying for funds must submit one original application with attached supporting application documents.
3. Only complete applications will be considered for funding. Please review the application carefully Before completion prior to submittal. The Economic Development Director and/or staff will review for completion within 14 days of submission. Incomplete items, if any, will be identified, and the applicant will be given an opportunity to complete and re-submit. Only completed applications will be given an written notice of approval or denial.
4. All applications, attachments, and copies submitted shall become the property of the City.
5. Applications submitted for funding consideration will be determined on a case-by-case basis.
6. Applicants must agree that in the event of default of its obligations, the City has the right to reimbursement for all economic and community development funding received, and any attorney's fees or costs incurred while seeking reimbursement.
7. .

**APPROVAL:**

1. The Economic Development Director must approve the application. Denial of application will be given with written notice to applicant. Denial of application by Economic Development Director will end the request process for the applicant.
  - a. Staff will provide final written denial notices and report of application within 14 days to the council.
  - b. The council has the ability to request that a denied application be heard and voted on by the body, if two (2) members elect to place it on the agenda. In the event of the council exercising their right to hear a denied application, Staff will present the application before council on the next available council meeting.
- 2.
3. The City Council may award funds to an applicant, with certain provisions, conditions, or other requirements the City deems necessary or appropriate.
4. If the Staff or the council does not approve an application, re-application by the business may not take place for a period of six (6) months from the date of the written notice informing the applicant.

**PERFORMANCE AGREEMENT:**

Projects exceeding \$10,000; The City of Leon Valley and awarded business enterprise that it funds directly or makes expenditures that benefit an eligible project must enter into a written performance agreement. At a minimum, the performance agreement will contain:

1. A schedule of additional payroll or jobs to be created or retained;
2. The capital investment to be made by the business enterprise; and
3. The terms for repayment of the economic and community development funds investment if the business fails to meet the performance requirements specified in the agreement.

**FUNDING:**

1. Upon notification of project completion by the applicant to the economic development director, an inspection is required by a City staff representative or representatives to confirm that such project has been completed in accordance with the application, or any approved modifications thereto. Such notification shall include, but not be limited to, documentation of paid receipts for materials, labor, permits, inspection reports, and/or any other item that the City may reasonably deem necessary for determining the project's completion.
  - a. Inspection - Compliance with Proposed Project
    - i. Within thirty (30) days following the inspection required (paragraph 1), and confirmation of completion of the project in accordance with the application, or any approved modifications, the City shall issue a letter of approval. The applicant will receive a copy of such letter. Funding shall take place following the date of the approval letter.
  - b. Inspection– Non-Compliance with Agreement
    - i. The economic development director will issue a letter to the applicant indicating all areas of non-compliance within fourteen (14) days following the inspection, presentation of receipts as provided, and after a determination is made that the project has not been completed in accordance with the application, or any approved modifications. The applicant shall then have sixty (60) days from the date of such letter to make the modifications necessary to bring the project into compliance. Failure to complete such modifications within said sixty (60) day period shall be deemed a default of applicant's obligations under the economic and community development funding agreement.
2. The City Council retains discretion to accept or reject applications received.

**FAILURE TO MEET PERFORMANCE AGREEMENT REQUIREMENTS:**

1. If the subject business is closed, abandoned, sold, or transferred within a six (6) month period after the funding amount is paid to the recipient or the opening of the business, whichever is later, the applicant shall be required to reimburse the City for 50% of the funding amount received. Thereafter,

until the twelve (12) month anniversary date of such approval, the applicant shall be required to reimburse the City for 25% of the fund amount received.

2. Payments due pursuant to paragraph one (1) hereof, must be made in full to the City within thirty (30) days after the date of written notification by the City that the applicant/owner is in default of any of the funding requirements set forth herein. The form of such payment shall be a cashier's check or money order, payable to the City of Leon Valley – Economic and Community Development Fund.

**NOTICE:**

1. The Economic Development Director shall deliver a copy of these guidelines to any applicant for his/her review. Delivery hereof does not constitute an offer of a grant or loan to the applicant.
2. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this funding program. If any provision of this program is invalid or unenforceable, the validity and enforceability of the remaining provisions are not affected.

Sec. 552.101. EXCEPTION: CONFIDENTIAL INFORMATION. Information is excepted from the requirements of Section 552.021 if it is information considered to be confidential by law, either constitutional, statutory, or by judicial decision.

Sec. 552.110. EXCEPTION: CONFIDENTIALITY OF TRADE SECRETS; CONFIDENTIALITY OF CERTAIN COMMERCIAL OR FINANCIAL INFORMATION. (a) In this section, "trade secret" means all forms and types of information, including business, scientific, technical, economic, or engineering information, and any formula, design, prototype, pattern, plan, compilation, program device, program, code, device, method, technique, process, procedure, financial data, or list of actual or potential customers or suppliers, whether tangible or intangible and whether or however stored, compiled, or memorialized physically, electronically, graphically, photographically, or in writing if:

(1) the owner of the trade secret has taken reasonable measures under the circumstances to keep the information secret; and

(2) the information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable through proper means by, another person who can obtain economic value from the disclosure or use of the information.

(b) Except as provided by Section 552.0222, information is excepted from the requirements of Section 552.021 if it is demonstrated based on specific factual evidence that the information is a trade secret.

(c) Except as provided by Section 552.0222, commercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained is excepted from the requirements of Section 552.021.

**CITY OF LEON VALLEY ECONOMIC AND COMMUNITY DEVELOPMENT  
POLICIES AND GUIDELINES FOR FUNDING**

**ACKNOWLEDGEMENT OF RECEIPT**

APPLICANT:  
BUSINESS NAME:  
ADDRESS:  
PHONE NUMBER:

Signature: \_\_\_\_\_

CO-APPLICANT:  
BUSINESS NAME:  
ADDRESS:

PHONE NUMBER:

Signature: \_\_\_\_\_

PROPERTY OWNER/LANDLORD:

ADDRESS:

PHONE NUMBER:

Signature: \_\_\_\_\_

Sign, date, and return this acknowledgment page to the City of Leon Valley. Please retain the guidelines and criteria for your records

**ORDINANCE No.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TX., AMENDING THE LEON VALLEY ECONOMIC AND COMMUNITY DEVELOPMENT POLICIES AND PROCEDURES FOR FUNDING REFERENCED IN CHAPTER 1, ARTICLE 1.06, SEC. 1.06.009 (e) ECONOMIC AND COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (ECDAC) OF THE CITY OF LEON VALLEY CODE OF ORDINANCES; PROVIDING REPEALER; SEVERABILITY; SAVINGS; OPEN MEETING CLAUSE AND AN EFFECTIVE DATE.**

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**WHEREAS**, adding policy and guidelines to vet, approve and/or decline projects by City Staff for specific economic and community development project(s) prior to be being placed before the City Council; and

**WHEREAS**, City Council now desires to amend The Leon Valley Economic and Community Development Policies and Procedures for funding referenced in Article 1.06, Sec. 1.06.009 (e) Economic and Community Development Advisory Committee (ECDAC) of the City of Leon Valley Code of Ordinances (exhibit A) as recommended by staff.

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

**SECTION 1.** The Leon Valley Economic and Community Development Policies and Procedures for Funding referenced in Chapter 1, Article 1.06, Sec. 1.06.009(e) of the Leon Valley Code of Ordinances is amended as attached in Exhibit A.

**SECTION 2. REPEALER CLAUSE.** The provisions of the Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.

**SECTION 3. SEVERABILITY CLAUSE.** If any provision, section, sentence, clause, or phrase of this ordinance or application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting, and the Mayor in approving this Ordinance, that no portion thereof or provisions or regulation contained herein shall become inoperative or fall by reason of any unconstitutionally or invalidity of any portion, provision, or regulation.

**SECTION 4. SAVINGS CLAUSE.** 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

City under any section or provisions of any ordinances at the time of passage of this ordinance.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall become effective on and after its passage, approval and the meeting of all publication requirements as provided by law.

**SECTION 6. NOTICE OF MEETING CLAUSE.** 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.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 4<sup>th</sup> day of April 2023.

**APPROVED**

---

**CHRIS RILEY**  
MAYOR

Attest:

---

**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

---

**NICOLE WARREN**  
City Attorney

## Exhibit A

**STATEMENT:** The City of Leon Valley (the City) will consider providing funds in accordance with the policies, procedures, and criteria outlined in these guidelines. The City will consider funding agreements for new facilities, expansion of existing facilities, modernization of existing facilities, and community projects.

**NOTHING IN THESE POLICIES AND GUIDELINES OR THE PROJECT APPLICATION SHALL EVER BE CONSTRUED TO IMPLY OR SUGGEST THAT THE CITY IS UNDER ANY OBLIGATION TO PROVIDE ANY FUNDING TO ANY APPLICANT.**

**PRIOR TO ANY PUBLIC EXPRESSION OF A DECISION OR ANY COMMITMENT (LEGAL OR FINANCIAL) TO THE PROPOSAL BY THE APPLICANT, A COMPLETED ORIGINAL OF THIS APPLICATION, INCLUDING ALL SUPPORTING DOCUMENTATION OF COMPETITIVE SITING, AND NARRATIVE IMPACT STATEMENT MUST BE SUBMITTED TO THE CITY OF LEON VALLEY ECONOMIC DEVELOPMENT DEPARTMENT, 6400 EL VERDE ROAD, LEON VALLEY, TEXAS 78238.**

*Applications submitted for funding consideration will be determined on a case-by-case basis. All copies of applications submitted shall become the property of the City and may be subject to public disclosure under Texas Public Information laws and applicable exceptions under Sec.552.101, Sec 552.109, 552.110, 552.111 will apply and requests will be made to the Attorney General prior to release.*

**APPLICABILITY:** The Policies and Guidelines establish that State statutes and adopted City policies relating to economic development shall govern all funding options, programs, and agreements.

**PROCESS:** The Economic Development Director, City Manager, or their designee, as needed depending on the project, (Staff) must first review and evaluate any request for economic and community development funds. Staff will look at different factors when approving or denying an application, including but not limited to:

- a) sales tax generation by recipient, be direct or indirect;
- b) number of potential new jobs generated;
- c) type of new job generated;
- d) increase in ad valorem value in proportionate to the size of the award;
- e) decrease the vacancy rate within the city limits;
- f) capital improvements to the property;
- g) Business financials documents provided in the application;
- h) appropriate business for the location;
- i) is within zoning requirements;
- j) increases the quality of life in the community.

Staff will have 14 business days to review and approve or deny the application. If an application is NOT approved by Staff, Staff must provide written notice as to why. The business can resubmit the application with updates within 30 days of written notice. If the business resubmits an updated application, Staff will still provide a final written approval or denial notice to the applicant.

Staff will place approved applications on the agenda for the next available council meeting. The council will review and discuss approving or denying the application for funding.



Staff will provide final written denial notices and report of application within 14 days to the council.

In the event that the applicant does not resubmit an updated application after the first denial, Staff will submit the denial notice and report of the application within 14 days after the 30-day resubmission period.

The council has the ability to request that a denied application be heard and voted on by the body if two (2) members elect to place it on the agenda. In the event of the council exercising their right to hear a denied application, Staff will present the application before the council at the next available council meeting.

The application process is as follows:

1. Completed application submitted to the Economic Development Director;
2. Review the completed application by the Staff. Staff will provide approval of the application or denial with written notice to the applicant. Denial of application by the Economic Development Director will end the request and the application will not proceed.
  - a. The business can resubmit the application with updates within 30 days of written notice.
  - b. Staff will provide final written denial notices and report of application within 14 days to the council.
  - c. The council has the ability to request that a denied application be heard and voted on by the body, if two (2) members elect to place it on the agenda. In the event of the council exercising their right to hear a denied application, Staff will present the application before council at the next available council meeting.
3. Approval/Disapproval by City Council;
4. If approved for funding; completion of the project;
5. Business presents supporting documents for final review by Economic Development Director;
6. Economic Development Director submits a request for funding from the finance department.

**ELIGIBILITY:**

1. Any new business planning to locate within Leon Valley, or any business currently located within the city limits, shall be eligible for this program, provided the improvements to the property will promote new or expanded business development, ad valorem, sales tax revenue, provide new jobs, and/or have other significant economic impacts to the community.
2. All buildings and facilities located within the city limits at the time of application shall be eligible for this program.
3. Funding proposals for routine maintenance or to remedy ordinance violations will not be accepted.
4. Funding for marketing campaigns will not be accepted. Large, individual, and/or removable, business-specific advertisement items like a monument, pylon, post channel letter, dimensional letter, wayfinding, electronic message and/or blade signage for an individual business will not be accepted. Large, general, interchangeable, signage for multi-tenant properties will be considered.
5. "Business" - defined as an occupation, profession, or trade-in the purchase and sale of goods or services. Businesses must be in good financial health and business must not be insolvent.

**GUIDELINES:**

1. Proof of the applicant's ownership of the subject facility or facilities, or proof that the owner of such facility has approved the submission of the application for economic and community development funding, is required.
2. The owner of an operated business within a leased facility must provide a letter or statement from the property owner, or representative, attesting to the owner's knowledge of the business's application for economic and community development funding. Copies of the lease agreement of the leased facility shall be required.
3. A letter from a commercial bank, savings and loan institution, credit union, mortgage company, insurance company, or pension fund attesting to the business's eligibility to secure a loan from their institution shall be required.
4. Business financials must be included with the application. Business financial documents must include the following:
  - a. Profit and loss statement for the previous 12 months.
  - b. Balance sheet for the previous end of the year or end of the quarter.
  - c. A copy of the previous year's tax return for the business, if applicable.
  - d. New businesses, without any financial documents, must provide their business plan as part of the application.
  - e. New businesses should demonstrate how they plan to be successful in the area.
  - f. New businesses must provide lease contract or property ownership documents with their application.
5. Unless otherwise specified or agreed to, the funding available to any one application, business establishment, or property owner at one physical location (address) shall be no more frequent than a one (1) year period. The application time period is determined by the project completion date.
6. Unless otherwise specified or agreed to, funding disbursements approved by the City Council shall be provided on a reimbursement basis. Upon completion of improvements and provision of paid receipt, funds are dispersed to the applicant, and are not to exceed the limits set forth in the funding agreement. In-kind contributions are not acceptable as any part of the applicant's match. Only cash matches of the applicant's expenditures may be used. Copies of the inspection reports are required for reimbursement. Photographs of the completed work may be required for reimbursement.
7. The applicant must submit, at minimum, two (2) bids for construction work, if possible. The bid amount must be competitive and/or reasonable for the type of work being completed. Staff has the right to request additional bids if prices are non-competitive and/or unreasonable. Failure to provide a competitive and reasonable bid can result in the denial of the application.
8. The applicant shall be obligated to make the improvements in accordance with the application submitted to and approved by the City Council. Thereafter, any modifications must first receive the written approval of the City Council. Failure to obtain such written approval prior to making any such modifications shall render the applicant ineligible to receive funding.
9. The applicant shall be responsible for obtaining all applicable permits related to the improvement project, and failure to do so will render the applicant ineligible to receive funding.
10. All application improvements presented must be completed in their entirety. Failure to do so shall render the applicant ineligible to receive funding.
11. The applicant shall not begin any improvements submitted for funding prior to receiving written approval of funding from the City Council. Applications for started or completed projects will not be accepted, nor will they be eligible to retroactively receive any funds.

12. The applicant must agree to complete the improvement project within six (6) months of receiving written approval of funding from the City Council. Failure to complete the improvements within the required time period shall result in the loss of funds allocated for the project. If extenuating circumstances are present, the applicant may apply for an extension prior to the end of the six-month period. A copy of the Certificate of Occupancy (CO) issued by the City of Leon Valley must be submitted to the Economic Development Director.
13. The applicant must agree to remain in business and not sell or assign such business to another person or entity for a period of twelve (12) months from the date of approval of his/her application.
14. In accordance with the requirements of the funding agreement, the applicant is in default of its obligations under the funding and is required to reimburse the City funds received if the business (applicant) fails to remain open, or the business or property is sold or transferred, within twelve (12) months after the provision of economic and community development funds.
15. Applicant must agree that in the event of default on its obligations, the City has the right to reimbursement for all economic and community development funding received, and any attorney's fees or costs incurred while seeking reimbursement.
16. The applicant must certify that the applicant does not employ, nor will it employ any undocumented workers (an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under law to be employed in that manner in the United States).
17. A Leon Valley Economic & Community Development Grant sign must be displayed at the subject property for a minimum of three (3) months to publicly recognize the grant program.
18. If the owner has a grand re-opening, the owner must invite city officials to the official ribbon cutting.

**APPLICATION:**

1. Application forms are available at Leon Valley City Hall and online at the City of Leon Valley website: <https://www.leonvalleytexas.gov/economicdevelopment/page/leon-valley-ecd-funds> Applications submitted must be on the form provided by the City.
2. Businesses applying for funds must submit one original application with attached supporting application documents.
3. Only complete applications will be considered for funding. Please review the application carefully Before completion prior to submittal. The Economic Development Director and/or staff will review for completion within 14 days of submission. Incomplete items, if any, will be identified, and the applicant will be given an opportunity to complete and re-submit. Only completed applications will be given a written notice of approval or denial.
4. All applications, attachments, and copies submitted shall become the property of the City.
5. Applications submitted for funding consideration will be determined on a case-by-case basis.
6. Applicants must agree that in the event of default on its obligations, the City has the right to reimbursement for all economic and community development funding received, and any attorney's fees or costs incurred while seeking reimbursement.

**APPROVAL:**

1. The Economic Development Director must approve the application. Denial of application will be given with written notice to applicant. Denial of application by Economic Development Director will end the request process for the applicant.
  - a. Staff will provide final written denial notices and report of application within 14 days to the council.

- b. The council has the ability to request that a denied application be heard and voted on by the body, if two (2) members elect to place it on the agenda. In the event of the council exercising their right to hear a denied application, Staff will present the application before council on the next available council meeting.
2. The City Council may award funds to an applicant with certain provisions, conditions, or other requirements the City deems necessary or appropriate.
3. If the Staff or the council does not approve an application, re-application by the business may not take place for a period of six (6) months from the date of the written notice informing the applicant.

**PERFORMANCE AGREEMENT:**

Projects exceeding \$10,000; The City of Leon Valley and awarded business enterprise that it funds directly or makes expenditures that benefit an eligible project must enter into a written performance agreement. At a minimum, the performance agreement will contain:

1. A schedule of additional payroll or jobs to be created or retained;
2. The capital investment to be made by the business enterprise; and
3. The terms for repayment of the economic and community development funds investment if the business fails to meet the performance requirements specified in the agreement.

**FUNDING:**

1. Upon notification of project completion by the applicant to the economic development director, an inspection is required by a City staff representative or representatives to confirm that such project has been completed in accordance with the application, or any approved modifications thereto. Such notification shall include, but not be limited to, documentation of paid receipts for materials, labor, permits, inspection reports, and/or any other item that the City may reasonably deem necessary for determining the project's completion.
  - a. Inspection - Compliance with Proposed Project
    - i. Within thirty (30) days following the inspection required (paragraph 1), and confirmation of completion of the project in accordance with the application, or any approved modifications, the City shall issue a letter of approval. The applicant will receive a copy of such letter. Funding shall take place following the date of the approval letter.
  - b. Inspection– Non-Compliance with Agreement
    - i. The economic development director will issue a letter to the applicant indicating all areas of non-compliance within fourteen (14) days following the inspection, presentation of receipts as provided, and after a determination is made that the project has not been completed in accordance with the application, or any approved modifications. The applicant shall then have sixty (60) days from the date of such letter to make the modifications necessary to bring the project into compliance. Failure to complete such modifications within said sixty (60) day period shall be deemed a default of applicant's obligations under the economic and community development funding agreement.
2. The City Council retains discretion to accept or reject applications received.

**FAILURE TO MEET PERFORMANCE AGREEMENT REQUIREMENTS:**

1. If the subject business is closed, abandoned, sold, or transferred within a six (6) month period after the funding amount is paid to the recipient or the opening of the business, whichever is later, the applicant shall be required to reimburse the City for 50% of the funding amount received. Thereafter, until the twelve (12) month anniversary date of such approval, the applicant shall be required to reimburse the City for 25% of the fund amount received.
2. Payments due pursuant to paragraph one (1) hereof, must be made in full to the City within thirty (30) days after the date of written notification by the City that the applicant/owner is in default of any of the funding requirements set forth herein. The form of such payment shall be a cashier's check or money order, payable to the City of Leon Valley – Economic and Community Development Fund.

**NOTICE:**

1. The Economic Development Director shall deliver a copy of these guidelines to any applicant for his/her review. Delivery hereof does not constitute an offer of a grant or loan to the applicant.
2. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this funding program. If any provision of this program is invalid or unenforceable, the validity and enforceability of the remaining provisions are not affected.
3. Applications submitted shall become the property of the City and may be subject to public disclosure under Texas Public Information laws and applicable exceptions under Sec.552.101, Sec 552.109, 552.110, 552.111 will apply and requests will be made to the Attorney General prior to release.

**CITY OF LEON VALLEY ECONOMIC AND COMMUNITY DEVELOPMENT  
POLICIES AND GUIDELINES FOR FUNDING**

**ACKNOWLEDGEMENT OF RECEIPT**

APPLICANT:  
BUSINESS NAME:  
ADDRESS:  
PHONE NUMBER:

Signature: \_\_\_\_\_

CO-APPLICANT:  
BUSINESS NAME:  
ADDRESS:  
PHONE NUMBER:

Signature: \_\_\_\_\_

PROPERTY OWNER/LANDLORD:  
ADDRESS:  
PHONE NUMBER:

Signature: \_\_\_\_\_

Sign, date, and return this acknowledgment page to the City of Leon Valley. Please retain the guidelines and criteria for your records

# CITY OF LEON VALLEY ECONOMIC AND COMMUNITY DEVELOPMENT POLICIES AND GUIDELINES FOR FUNDING UPDATE

Roque Salinas  
Economic Development Director  
04/4/2023

# Summary

## Summary

Staff is recommending to update policy language to the economic and community development policies and guidelines for funding.

Removing the reasonability of the Economic and Community Development Advisory Committee to make recommendation to council on applications.

## Options:

1. Approve (1st Read was Held 03-21-2023)
2. Denial of changes



# Current policy

- Applicant submits application.
- Economic development director forwards all applications to EDC board.
  - No vetting is done by staff
  - Limited business documents required
  - No limits on what funding can be used for
- EDC board will review and make recommendation to council.
- Application will be place on agenda for review. Council will approve or deny application.

# Changes

{Section}.73.

- Applicant submits application. New business documents required to be part of application.
  - Profit and loss statement for the previous 12 months.
  - Balance sheet for the previous end of year or end of quarter.
  - A copy of the previous year's tax return for the business, if applicable.
  - New businesses, without any financial documents, must provide their business plan as part of the application.
  - New businesses should demonstrate how they plan to be successful in the area.
  - New businesses must provide lease contract or property ownership documents with their application.
- Funding for marketing campaigns will not be accepted. Large, individual, and/or removable, business specific advertisement items like a monument, pylon, post channel letter, dimensional letter, wayfinding, electronic message and/or blade signage for an individual business will not be accepted. Large, general, interchangeable, signage for multi-tenant properties will be considered.

# Changes

{Section}.73.

- Economic development director review and provide an approval or denial of application based, but not limited to, the following factors.
  - sales tax generated by the recipient, be direct or indirect;
  - number of potential new jobs generated;
  - type of new job generated;
  - increase in ad valorem value in proportionate to the size of the award;
  - decrease the vacancy rate within the city limits;
  - capital improvements to the property;
  - Business financial documents provided in the application;
  - appropriate business for the location;
  - is within zoning requirements;
  - increases the quality of life in the community.
- Removed the Economic and Community Development Advisory board from the process.
- Will forward City Council all denial letters. If two councilmembers feel a review is needed, they can place the item on the agenda for review.

# Changes

{Section}.73.

- The policy will have clear provisions in regard to Open Records Requests:
  - Sec. 552.101. Exception: confidential information. information is excepted from the requirements of section 552.021 if it is information considered to be confidential by law, either constitutional, statutory, or by judicial decision.
  - Sec. 552.110. Exception: confidentiality of trade secrets; confidentiality of certain commercial or financial information.
  - Sec. 552.111. Exception: certain information related to the regulation of financial institutions or securities.

# S.E.E. Statement

## Social Equity:

- N/A

## Economic Development:

- Economic and Community Development projects encourage collaborative engagement with residents.

## Environmental Stewardship:

- N/A

# Strategic Goals

**Economic Development** is a strategic goal outlined in Leon Valley's Strategic Plan.

This update to the policy is in line with the city's goal of economic development to recruit and retain businesses in the city.

# Staff recommendation

- City Council's Discretion

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** April 4, 2023  
**TO:** Mayor and Council  
**FROM:** Dr. Crystal Caldera, City Manager  
**SUBJECT:** Presentation, Discussion and Direction on a Possible Ordinance Prescribing Advisory Committee Procedures under the Open Meetings Act and providing a provision for committee member removal

**PURPOSE**

To provide guidance to the advisory committees regarding the open meetings act requirements and to provide a provision to remove committee members for missing meetings.

**FISCAL IMPACT**

None

**SEE LEON VALLEY**

*Social Equity* – N/A

*Economic Development* – N/A

*Environmental Stewardship* – N/A

**STRATEGIC GOALS**

N/A

**RECOMMENDATION**

City Council 's Discretion

ATTEST :

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary



**ORDINANCE No.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TX.,  
PRESCRIBING ADVISORY COMMITTEE PROCEDURES UNDER THE OPEN  
MEETINGS ACT AND PROVIDING A PROVISION FOR COMMITTEE MEMBER  
REMOVAL**

---

**WHEREAS**, the ordinance provides guidance to the advisory committees regarding the open meetings act requirements; and

**WHEREAS**, it provides a provision to remove committee members for missing meetings; and

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

**SECTION 1.** That this Ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except where provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event, conflicting provisions of such Ordinance are hereby repealed.

**SECTION 1.** That it is hereby declared to be the intention of the City Council of the City of Leon Valley that this Ordinance is not severable.

**SECTION 3.** The Ordinance shall be effective upon passage and publication as required by law.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 4th day of April 2023.

**APPROVED**

\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

Attest :

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary



Approved as to Form: City Attorney

---

City Attorney

Ordinance Chapter 1, Sec. 1.04.003 Powers of the committee, adding a subsection prescribing committee procedures under the Open meetings act.

*Definitions*

- 1) *Advisory Committee*-The advisory committee has no executive or administrative powers or duties with respect to the operation of the Council, and all such powers and duties rest solely with the City Council. The following committees are listed as advisory committees: Bandera Road Ground Water Plume Superfund Site Community Advisory Ground, Citizens Police Advisory Committee, Earthwise Living Committee, Economic Community Development Advisory Committee, Library Board of Trustees, Park Commission, and Tree Advisory Board.
- 2) *Quorum* – The majority of the appointed members.
- 3) *Walking Quorum* - discussion about an item of public business among a quorum of a governmental body through a series of communications.
- 4) *Minutes* – State the subject of each deliberation and indicate each vote, order, decision, or other action taken.

*Purpose* - The purpose of an advisory committee is to make recommendations to the Council on programs, rules, and/or policies affecting their area of expertise.

*Procedure*

- 1) All meetings of governmental bodies must be open to the public.
- 2) An advisory Committee shall give written notice of the date, time, place, and subject of each meeting.
- 3) The notice of a meeting of a governmental body must be posted in a place readily accessible to the general public at all times for at least 72 hours before the scheduled time of the meeting.
- 4) A municipal governmental body shall post notice of each meeting on a bulletin board at a place convenient to the public in the city hall.
- 5) Any action taken by the committee must be done at a meeting and voted on by a quorum of the members. Walking Quorums are prohibited.
- 6) All committees are required to take minutes and make them available to the public as soon as practicable.
- 7) It is recommended but not a requirement for members that participate on an advisory committee to take open meetings act training.

*Absences*

If a committee member is absent for (3) consecutive meetings, the Mayor or two councilmembers have the privilege to add the member to a City Council agenda for possible removal.





# Advisory Committee Procedures under the Open Meetings Act

Crystal Caldera, PhD  
City Manager  
City Council Meeting  
April 4, 2023

# Summary

- Question
  - Does the City Council want to adopt an ordinance prescribing advisory committee procedures under the Open meetings act and a rule for absentee members?
- Options
  - Adopt an ordinance
  - Allow advisory committees not to follow the open meeting act requirements
  - Continue with long-standing practice
- Declaration
  - The City Council's Discretion

# Purpose

- Is to provide guidance to the advisory committees regarding the open meetings act requirements and to provide a provision to remove committee members for missing meetings.

# Background

- It has been a long-standing practice that all committees, boards, or commissions follow the open meetings requirements
- At the December 6, 2022, City Council meeting the council voted to not require the members of advisory committees to take open meetings act training.
- As part of the discussion staff needed clarification as to what parts of the Act the Council wanted the advisory committees to participate in



# Policy

## Definitions

**Advisory Committee** - The advisory committee has no executive or administrative powers or duties with respect to the operation of the Council, and all such powers and duties rest solely with the City Council. The following committees are listed as advisory committees: Bandera Road Ground Water Plume Superfund Site Community Advisory Ground, Citizens Police Advisory Committee, Earthwise Living Committee, Economic Community Development Advisory Committee, Library Board of Trustees, Park Commission, and Tree Advisory Board.

**Quorum** – The majority of the appointed members.

**Walking Quorum** - discussion about an item of public business among a quorum of a governmental body through a series of communications.

**Minutes** – State the subject of each deliberation and indicate each vote, order, decision, or other action taken.

# Policy

## ***Procedures***

- 1) All meetings of governmental bodies must be open to the public.
- 2) An advisory Committee shall give written notice of the date, time, place, and subject of each meeting.
- 3) The notice of a meeting of a governmental body must be posted in a place readily accessible to the general public at all times for at least 72 hours before the scheduled time of the meeting.
- 4) A municipal governmental body shall post notice of each meeting on a bulletin board at a place convenient to the public in the city hall.
- 5) Any action taken by the committee must be done at a meeting and voted on by a quorum of the members. Walking Quorums are prohibited.
- 6) All committees are required to take minutes and make them available to the public as soon as practicable.
- 7) It is recommended but not a requirement for members that participate on an advisory committee to take open meetings act training.

# Policy

- If a committee member is absent for (3) consecutive meetings, the Mayor and or two councilmembers have the privilege to add the member to a City Council agenda for possible removal.

# Fiscal Impact

- none

# Recommendation

- City Council's Discretion

## **OUTSTANDING CITY COUNCIL ITEMS**

- **A policy on open meetings act in regards to how it applies to advisory committees**
  - 1/17/2023 – Moved by Mayor
  - 2/7/2023 – Moved by Mayor
  - 2/21/2023 – Moved by Mayor
  - 3/7/2023- The meeting agenda too full moved by City Manager
  - 3/21/2023- The meeting agenda too full moved by City Manager
  - 4-4-2023 – Placed on the agenda
- **Presentation on VIA ridership and MTA .005 of sales tax**
  - 2/7/2023 – Mayor would like VIA present moved to 2/21/2023
  - 2/21/2023 – Placed on the agenda – The council requested more information to return to the council by April
- **Sustainability Overlay**
  - 4/16/2023
- **Stray Animal Ordinance**
  - Currently being reviewed by City Attorney – we can not require private industry to take in and adopt our stray animals
  - Looking at a possible interlocal agreement.
- **Public Private Partnership with local petshops for pet adoption options**
  - 2/21/2023 City Council wished to proceed with the Partnership
  - 3/21/2023 will return with an official MOU – postponed due to being held up with Petland legal
- **Establish Neighborhood boundaries**
  - Council has opted not to Update Master Plan
  - P & Z Director investigating a university conducting the plan
- **Neighborhood/citizen survey**
- **Review of the personnel manual**
- **Capital Plans**
  - 5/16/2023
- **Review of the Water rates**
  - 5/9/2023
- **Legal review of the Sign Code**
  - Councilor Orozco and Bradshaw will work on this item
- **Looking at an amendment to Section 15.02 Appendix C (I), D Structural Nonconformity to add a matching percentage from Economic Community Development funds**
  - After the sustainability review
- **Four-way stop at Forest Meadow and Evers**
  - To be evaluated upon the development of the Evers property
- **LVHS request for ARP funds**
  - Reviewing MOU on 11/1/2022, 12/6/2022

- **Short Term Rental**
  - 3/7/2023
  - Short Term rentals have appeared on the following agendas:
    - 1/12/2021- Tabled
    - 1/19/2021-Discussed
    - 4/6/2021-Discussed
    - 4/20/2021- Discussed
    - 8/3/2021-Tabled
    - 8/17/2021-Discussed
    - 8/16/2022-Tabled
    - 9/6/2022- Discussed
    - 1/17/2023- Discussed
    - 3/7/2023 – Item added by Councilor Stevens and Orozco
      - Council decided to have the city attorney draft an ordinance based on the information provided by Councilor Stevens
- **Seneca West R6 Zone change**
  - 3/7/2023
    - Council requested some prices to replat as larger lots, not in favor of R6
    - Staff will be getting prices to plat larger lots and bring them back to the council
- **5616 Bandera road, also known as Comfort Cafe**
  - 3/21/2023 Public Hearing to remedy
    - Council decided to demo the property. Scheduled for May 1, 2023 demo
- **Towing Contract**
  - 04/04/2023
- **Regulations regarding front yard fences**
  - Date to be determined
- **Health Inspector contract**
  - Date to be determined
- **Building Official contract**
  - Date to be determined

**ITEMS ARE STILL IN THE PIPELINE BUT HAVE BEEN ADDRESSED**

- **John Marshall Traffic Plan – CR, JH**
  - Discussed at the following Council meeting
  - 12/14/2022 Next steps
  - NISD engineers are still working on the plan, collecting traffic counts, and coordinating with CoSA Traffic Department
  - Once complete, additional meetings will be held with the City to determine the feasibility and appropriateness

- Once plans are final, the proposal will be presented to City Council for approval
- John Marshal Update on 3/15 based on 2/14 meeting
- The City received feedback on possible neighborhood suggestions on 5/09/2022. Joint meeting to be determined.
- Heard by City Council to possible street closures on 8/23/20 Engineers will develop a report and PD and Fire will review
- Taking to Council on 10/3/2022
- 2/7/2023 council will review speed pads and school zone
  - Council decided to move forward with the speed pads and wait on the school zone. The Delinators will also be left alone
- **Flooding**
  - Was addressed at the following Council Meetings
    - 08/03/2021 – Flood Damage Prevention Ord. # 21-034
    - 11/2/2021 – To discuss Flood Mitigation Strategies
    - 12/07/2021 – Short Term options to address flooding
  - Budget Adjustment – For Funding floodway Monitoring and Software Upgrades
    - Upcoming Council presentation 1/18/2022
  - Budget Adjustment – for Creek Cleanup
    - Staff is proposing \$150,000 in ARP funds. Upcoming Council meeting TBD
  - Segment one of Huebner creek will be presented to the council on 4/19/2022
    - Council decided to look at the 50 ‘ wide, protected little league, the study will be brought back to the council before we agree to do it.
  - Budget adjustment for creek cleanup
    - 6/7/2022
  - Budget adjustment for flood gates and notification system
    - 6/7/2022 postponed
- Huebner Creek Channel improvement presentation 9/20/2022
  - Council direction to bring back budget adjustment on \$633,000
    - First Read 10/3/2022
    - Second Read 10/18/2022
- **Fourth of July Presentation**
  - City Council 3/15
  - Council provided direction
  - The next update will be on 6/7/2022
  - Recap August 2, 2022, and August 16, 2022
  - Recap and Direction October 4, 2022
  - Review 11/15/2022
    - Time will remain the same and have a headliner that is well known



- **Presentation and discussion on the status of implementation of TPCA best practices for law enforcement policies, including the mandatory provision of mental health PTO in accordance with Texas legislative changes - JS, RO**
  - Discussed at the following Council meeting
    - 6/1/2021
  - Update in the CM report 10/26/2021:
    - We released the initial 6 policies (6.1 - Use of Force, 6.3 - Non-lethal, Less than lethal weapons, 6.4 - Officer Involved Shooting, 7.15 - Vehicle Pursuits, 7.40 Investigations, 8.6 Active Shooter) in July and August. With the distribution, we included a record of receipt and pertinent training.
    - Since the initial release, we have now distributed 4 more policies (3.2 - Field Training Program, 3.2.1 - Field Training Program Operations Manual, 4.6 - Off-duty Employment, 5.4 - Body Worn Camera) and again, with the distribution, we have included a record of receipt and pertinent training.
    - Currently in the process of the last review before we release 8 other policies.
  - Mental Health quarantine Policies Section 614.015 of the Tx Gov't Code have been updated and can be found here:  
[https://cms3.revize.com/revize/leonvalleynew/departments/human\\_resources/procedural\\_directives.php#revize\\_document\\_center\\_rz4176](https://cms3.revize.com/revize/leonvalleynew/departments/human_resources/procedural_directives.php#revize_document_center_rz4176)
  - Distributed a Property and Evidence packaging manual that is used along with 12.1 Property and Evidence Management. 10.1 Prisoner Processing and 11.1 Municipal Court are in the final draft and edit stage and will be distributed both in the near future.
  - Citizens or Media Recording of Police Incidents 2/1/2022
  - Evidence and Property 2/1/2022
  - Body Worn Cameras 9/3/2022
  - Differential Police Response (CFS Report Program) 9/6/2022
  - Rules of Conduct 9/15/2022
  - Mission, Values, Written Directives 12/27/2022
  - Law Enforcement Role and Authority 12/27/2022
  - Field Interviews, Stop and Frisk 12/27/2022
  - Arrests With and Without Warrants 12/27/2022
  - Eyewitness Identifications 12/27/2022
- **Red-light cameras First Available Contract end term is May 2037**
  - City Council adopted a Resolution declaring the intent to phase out redlight cameras 4/6/2021 – Resolution # 21-009R
  - The RLC Contract would be difficult to terminate without financial obligation from the City

- City Council supports HB 1209 and physically delivers letters in support to Cortez, Biederman, Canales, Menendez
- Funds – Eligible projects – CR
  - Will be discussed at the Town Hall Meeting on January 22, 2022
- Discussed at the retreat council has decided not to spend funds until we know what the legislature is doing
- Resolution supporting SB 446-2/21/2023
- **Tiger brush and bulk issues- Contract ends January 1, 2025**
  - Discussed at the following City Council Meetings
    - 02/22/2021
      - Council addressed complaints and Tiger sanitation responded
    - 09/7/2021
      - Considered a resolution on how to handle bulk pick-up. Resolution # 21-031-R, the direction was given to CM to come back with a plan.
      - Considered and Ordinance Amending the Ord 14.02 Solid Waste First reading.
    - 11/2/2021
    - Considered and Ordinance Amending the Ord 14.02 Solid Waste Second Reading Passes Ord. # 21-053.
    - 1/11/2022
    - Council considered two options to handle the overflow of Brush. The Council decided to have PW pick up the overage after Tiger sanitation picked up their 8 CY.
    - There were 11 homes with oversized brush the City had the item picked on 3/4/22-3/8/22
  - 05/17/2022 Council meeting discussing rate increase.
    - Council allowed the 2.5% increase for July and another in January but did not approve the 7.5 % increase
    - Council was willing to renegotiate terms
      - On 8/23/2022 council decided to leave terms as is
- **Opioid Litigation**
  - Item Was Addressed in Executives session on:
    - 6/15/2021
    - 09/7/2021
    - 9/21/2021
  - Council Addressed this item at the following Council meeting
    - 11/16/2021
      - Council Passed a resolution # 21-04 agreeing to participate in a settlement agreement with opioid manufacturer Johnson & Johnson. The other is three major pharmaceutical

distributors: AmerisourceBergen, Cardinal Health, and McKesson and is estimated to receive \$28,389

- The City still has an Agreement with Phipps, Ortiz and Talafuse for any remaining ongoing litigation
- **Comprehensive Master Plan**
  - Was addressed at the following Council meetings:
    - 2/2/2021
    - 3/23/2021
    - 06/1/2021
  - This item was discussed during the budget process and ultimately, the Council decided not to expend the funds on this project at this time.
  - Will be discussed under the Townhall meeting update to the council on 4/19/2022
    - Council would like us to use our future land use map
- **Sewer Service Charge Adjustments**
  - Council meeting 2/15/22
  - Impact Fees Removed
  - Sewer Charges will be brought back at a later time.
- **Over 65 Tax Exemption**
  - Council Mtg. 3/1/22
    - Councilor Orozco will get with the Finance Director to see if this item will come back on a later date
    - 2/21/2023 The Council looked at a 5% exemption for everyone. This will come back in April
- **Apartments Finley And Sierra Royale, Forest Oaks, Vista Del Rey- BM**
  - Update on one of the Apartment Complexes at the CC mtg 3/15
    - Presentation was given on Vista Del Rey
    - Next apartment review is on 5/3/2022
      - Staff received legal advice in the executive session
    - Executive session 8/2/2022
      - Council decided to file a Chapter 54 lawsuit against Vista del Rey, filed on 8/5/2022
      - TRO was granted on 8/8/2022
      - Administrative warrant executed on 8/17/2022
      - Temporary Injunction was granted on 8/22/2022
        - They have 6 months to comply.
      - 8/31/2022 Vista got new attorneys
      - 9/9/2022 Vista filed a motion to dissolve the temporary injunction
      - C of Os issued Shed, Maintenance Shop, Laundry 1-3, Vista, Gym
      - 9/19/2022 hearing set and canceled

- Executive Session 9/20/2022
- **Presentation, discussion, and possible action on fluoride survey results – JS**
  - CC Mtg. 3/1/2022 Postponed
  - Moved to 4/5/22
  - Presentation on given to the council and the community on the benefits, no direction was provided to staff
- **American Rescue Plan funds**
  - 8/17/2021 City Council meeting. Council agreed to budget in FY 2022 for the following
    - 911 Mass text - \$5,900
    - PPE and Decontamination Supplies -\$10,000
    - Disposal Supplies and Medication - \$45,000
    - 2 power stretchers – \$60,000
    - 12 LEAD Cardiac monitor - \$70,000
    - Library Hot Spots – \$5,220
    - Huebner Well Generator -\$230,000
  - 11/16/2021 Budget Adjustment ord. # 21-060
    - AV equipment – Council Chambers -\$41,000
    - PD AC Repair - \$10,000
    - Website upgrades - \$40,000
    - Premium Pay for Essential Workers -\$150,000
    - Citizen Utility Asst. -\$50,000
    - Library AC repair -\$25,000
  - For FY 23 Budget
    - Fire Truck-\$400,000
    - Shadow Mist Skate Park -\$70,000
  - This item was heard at the Town Hall Meeting on 3/26/2022
    - Citizen input will be presented at the 4/19/22 CC Mtg
  - At the 4/19/2022 council Meeting council decided to use \$400,000 to purchase a fire truck
  - Finance Director gave a presentation on 10/18/2022 council meeting
- **AV equipment for the Conference Center -Budget Adjustment from ARP Funds**
  - Council meeting 2/1/22 first read
  - Item amended to get the direction of the scope of work
  - Will bring the item back after the BID process
  - Discuss alternatives 5/3/2022

**COMPLETED**

- **Presentation and discussion on the hiring process for Directors**
  - 1/17/2022 presented and passed unanimously
- **Substandard Building Regulations**

- 1/17/2023 first read
- 2/7/2023 second read passed unanimously
- **City Manager Evaluation**
  - 2/7/2023
- **A scope of duties for the Earthwise living committee**
  - 1/17/2023 -The committee had additional comments moved to the next meeting
  - 2/7/2023 – The next Earthwise meeting is on 2/1. It was to close to the agenda preparation process being postponed until 2/21/2023
  - 2/23/2023- Placed on the Agenda – Passed on consent unanimously
- **Blood Drive and PTO Policy**
  - 3/7/2023 – Passed unanimously
- **Lyft Program**
  - 2/21/2023 – City Council wished to proceed with the partnership
  - 3/7/2023 – Will be on the agenda with an ordinance for a first read.
  - 3/21/2023 - Will be on the agenda with an ordinance for a second read.
    - Approved unaniously
- **Discussion and possible action on amending BOA variance criterion by Texas Legislative changes**
  - 2/28/2023 – Went to the planning and zoning commission, which recommended approval
  - 3/7/2023 – Will be on for the first read
  - 3/21/2023 – Will be on for the second read
    - Passed unanimously
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