



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, July 18, 2023 at 6:30 PM

AGENDA

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. 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**
- 2. Citizens to be Heard**
- 3. Presentations**
 1. Presentation and Discussion to Consider Approval of Publicization for Request Formal Proposal (RFP) for the Kinman House - R. Salinas, Director of Economic Development
 2. Presentation and Discussion of the Monthly Financial Report Ending June 30, 2023 - C. Goering, Finance Director
 3. Presentation, Discussion and Possible Direction on the Adopt a Spot program, R. Salinas, Director of Economic Development
- 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, August 01, 2023, at 6:30 PM, in Council

Chambers.

Coffee with the Mayor & City Council, Saturday, July 22, 2023, 9:00 AM to 11:00 AM, at the Leon Valley Conference Center.

Miscellaneous other events and announcements.

6. Consent Agenda

1. Discussion and Possible Action Approving of the Following City Council Minutes:
 - a. June 20, 2023 Regular City Council Meeting Minutes
2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:
 - a. May 23, 2023 Planning Zoning Commission Meeting Minutes
3. Discussion and Possible Action of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12.02 Operation of Vehicles, Division 8 School Crossing Zones, Section 12.02.231 Designated, 2., To Move a School Zone from Hoofs Lane on Huebner Road to Redbird Lane on Huebner Road, to Facilitate a Safe Crossing for John Marshall High School Students (1st Read was Held on 06-20-2023) - M. Moritz, Public Works Director
4. Presentation and Discussion on an Ordinance Authorizing the City Manager to Execute the Contract with Banis Towing (1st Read was held on 06-20-2023) - Dr. Caldera, City Manager
5. Presentation, Discussion, and Possible Action on an In-Kind Grant for September 11 Ceremony - C. Miranda, Community Relations Director

7. Regular Agenda

1. Presentation and Discussion of an Ordinance Amending Ordinance 2022-51, Which Approved Various Budget Adjustments for FY 2022-23 Carry Over Projects, To Reallocate FY2022 Unused American Rescue Plan Funds Back to the ARP Fund and Budget for Additional Capital Expenditures (1st Read as Required by City Charter) - C. Goering, Finance Director
2. Presentation and Discussion of an Ordinance Authorizing a Fiscal Year 2022-23 General Fund Budget Adjustment in the Amount of \$30,000.00 for the Purpose of Cleanup and Removal of Homeless Encampments within the City of Leon Valley (1st Read as Required by City Charter) - M. Moritz, Public Works Director
3. Presentation Discussion and Possible Action to Award the Request for Proposals for Building Inspector - Dr. Caldera, City Manager
4. Presentation, Discussion and Possible Action on Awarding the Request for Proposal for Health Inspector - Dr. Caldera, City Manager.

- [5.](#) Presentation and Discussion of an Ordinance Authorizing a Fiscal Year 2022-2023 General Fund Budget Adjustment in the amount of \$150,000 to the Economic Development Department to Provide Funding for the 0% Interest Business Loan Program (1st Read as Required by City Charter) - R. Salinas, Director Of Economic Development
- [6.](#) Presentation and Discussion on a Ordinance Amending Chapter 4, Business Regulations, Section 4.03 Alcoholic Beverages, by Adding 4.03.050 - Bring Your Own Beer (BYOB) Establishments (1st Read as Required by City Charter) - R. Salinas, Director of Economic Development
- [7.](#) Presentation and Discussion Authorizing the City of Leon Valley, City Council to Amend the Leon Valley Code of Ordinances, Chapter 4 Business Regulations, by Adding Section 4.13 Hours Of Operations (1st Read as Required by City Charter) - R. Salinas, Director Of Economic Development
- [8.](#) Presentation and Discussion on an Ordinance Amending Article 1.06 Boards, Commissions and Committees Subsection 1.06.009 Economic and Community Development Advisory Committee (First Read as required by City Charter) - Dr. Caldera, City Manager
- [9.](#) Discussion and Possible Action on a Resolution Appointing Members to the Citizens Police Advisory Committee - S. Passailaigue, City Secretary
- [10.](#) Discussion and Possible Action of a Resolution Appointing a Council Liaison to the Board of Adjustment for a Term of One-Year - S. Passailaigue, City Secretary
- [11.](#) Discussion and Possible Action on a Resolution Appointing Members to the Economic and Community Development Advisory Committee - S. Passailaigue, City Secretary
- [12.](#) Discussion and Possible Action on a Resolution Appointing Members to the Library Advisory Board - S. Passailaigue, City Secretary
- [13.](#) Discussion and Possible Action on a Resolution Appointing Members to the Planning & Zoning Commission - S. Passailaigue, City Secretary

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, TRMC
City Secretary
July 13, 2023 at 1:30 PM



MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023
TO: Mayor and Council
FROM: Roque Salinas, Director of Economic Development
THROUGH: Dr. Crystal Caldera, City Manager
SUBJECT: Presentation -RFP for Kinman House

PURPOSE

To present the RFP staff has created for the Kinman House

FISCAL IMPACT

The presentation of the RFP does not have a fiscal impact.

SEE LEON VALLEY

Social Equity – N/A

Economic Development – The City will 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 and including a town-centered design.

Environmental Stewardship – N/A

STRATEGIC GOALS

Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development and Promote Leon Valley

RECOMMENDATION

City Council Discretion.

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary



June 23, 2023

The City of Leon Valley is seeking submissions for a proposal for the operation of The Kinman House located at 6417 Evers Road in Leon Valley, Texas. We are seeking a dedicated and experienced business entity to develop, manage, and operate, a business to serve the local community. The space is currently used as a small restaurant; however, all businesses are welcome to submit their proposal.

We appreciate your interest in replying to the City of Leon Valley's request for proposals. Enclosed is the Request for Proposals packet, which outlines the following:

1. Background information
2. Objectives
3. Scope of Work
4. Proposal Submission
5. Evaluation Criteria
6. Important Dates

To ensure the proper processing of your proposal please submit a *complete* proposal to the Economic Development Office at 6400 El Verde Rd, Leon Valley, TX 78238 by **4:00 p.m. on Monday, July 24, 2023**. The City of Leon Valley reserves the right to reject any and all responses.

Sincerely,

Roque Salinas, MPA
Director of Economic Development
City of Leon Valley, Texas
Office: (210) 684-1391 ext. 232
Cell: (210) 461-9321
Email: r.salinas@leonvalleytexas.gov

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**CITY OF LEON VALLEY
REQUEST FOR PROPOSALS (RFP)
The Kinman House**

Background information

The Kinman House is located at 6417 Evers Road. This 2,100 square foot facility was an iconic old home that was converted into a restaurant, complete with a detached office/fridge/freezer building, outdoor patio, and all appliances and equipment needed for a small restaurant or bakery. The facility will seat up to 120 people.

The City of Leon Valley will make available a full kitchen, if required, to the new tenant. All equipment is property of the City of Leon Valley and cannot be removed from the property. The kitchen has the following items available for use:

- A. contained worktop refrigerator;
- B. countertop griddle and char broiler;
- C. beverage merchandiser;
- D. worktables and equipment stand;
- E. full pot fryer;
- F. sandwich/salad prep refrigerator;
- G. commercial 10 burner gas range;
- H. double deck convection oven;
- I. ice machine;
- J. commercial dishwasher;
- K. planetary floor mixer;
- L. water softener;
- M. and security and fire alarm systems.
- N. Serving equipment includes all the pans, containers, plates, glasses, bowls, and cutlery.

Additional equipment needed for operations must be provided by the tenant.

Objective

The primary objective of this Request for Proposal (RFP) is to identify a business entity capable of:

- A. Managing and operating the space efficiently and effectively.
- B. Offering a high-quality experience with a focus on customer satisfaction.
- C. Developing a sustainable business model and profitability.
- D. Contributing to the local economy and fostering community engagement.

Scope of Work:

The selected business entity will be responsible for the following:

- A. Tracking financial performance, preparing periodic reports, and ensuring compliance with all applicable laws and regulations.
- B. Hiring and managing qualified staff, ensuring exceptional customer service.
- C. Establishing partnerships with local suppliers and vendors whenever possible.
- D. Interior design and layout optimization, as needed.

- E. Procuring all necessary supplies and licenses.
- F. Implementing effective marketing and promotional strategies to attract customers.

Proposal Submission:

Interested businesses are requested to submit a comprehensive proposal that includes the following:

- A. Executive Summary: An overview of the proposed concept, highlighting key strengths and differentiators.
- B. Business Plan: A detailed outline of the proposed business model, including marketing strategies, staffing plans, financial projections, and sustainability initiatives.
- C. Experience and Qualifications: A summary of the business entity's relevant experience, including previous successful business operations, certifications, and awards.
- D. Business financials: if applicable, a profit and loss statement, cash flow statement, balance sheet for the last two years (2).
- E. Timeline: A proposed timeline for the commencement of operations, including any necessary renovations or installations.
- F. Optional References: Contact information for property managers of other locations where you have leased.

Evaluation Criteria:

The City of Leon Valley will evaluate on a 100-point scale. The proposals will be scored based on the following criteria:

A. Experience and Qualifications of the business entity	20 points
B. Strength and Feasibility of the proposed business plan	30 Points
C. Financial Viability, Capacity, and Sustainability of the proposed operations	40 Points
D. Demonstrated Commitment to customer satisfaction and community engagement	10 Points

Important Dates:

RFP Release Date: June 23, 2023

Deadline for Submission of Proposals: July 24, 2023, 4PM.

Evaluation Period: TBD

Council meeting: TBD. Submission of requests, recommendation of selection and possible section and approval by council.

ADDITIONAL INFORMATION

A copy of this RFP is available online at: <https://www.leonvalleytexas.gov/rfps>. All questions shall be directed to Roque Salinas, Director of Economic Development, by email: r.salinas@leonvalleytexas.gov or phone: (210) 461-9321.

DELIVERABLES

For consideration, one (1) original proposal, five (5) physical copies, and one (1) digital copy of your proposal must be provided in a **sealed envelope or container**, clearly marked " **The Kinman House**", and submitted to:

Roque Salinas, Director of Economic Development
City of Leon Valley
6400 El Verde Road
Leon Valley, TX 78238

Submissions are due no later than **4:00 p.m. on July 24, 2023**, and shall remain valid for a minimum of sixty (60) days. Submissions received after this time will be returned unopened.

The City of Leon Valley reserves the right to reject any and all responses.

CITY COUNCIL and CITY OFFICIALS

CITY COUNCIL MEMBERS

Chris Riley	Mayor
Benny Martinez	Council Place 1
Josh Stevens	Council Place 2
Philp Campos	Council Place 3
Rey Orozco	Council Place 4
Will Bradshaw	Council Place 5

STAFF MEMBERS

Dr. Crystal Caldera	City Manager
Saundra Passailaigue	City Secretary
Vickie Wallace	Finance Director
David Gonzalez	Chief of Police
Michael Naughton	Fire Chief
Melinda Moritz	Public Works Director
Mindy Teague	Community Development Director
Regina Reed	Library Director
Crystal Miranda	Community Relations Director
Roque Salinas	Economic Development Director
Lisa Hernandez	Human Resources Director

Request For Proposal Kinman House

Roque Salinas, MPA

Director of Economic Development

7/18/2023

Summary

- The City of Leon Valley is seeking submissions for a proposal for the operation of The Kinman House located at 6417 Evers Road in Leon Valley, Texas. We are seeking a dedicated and experienced business entity to develop, manage, and operate, a business to serve the local community.

Options:

1. Approve moving forward
2. Denial moving forward

ELIGIBILITY CRITERIA

- Enclosed is the Request for Proposals packet, which outlines the following:
 - 1. Background information
 - 2. Objectives
 - 3. Scope of Work
 - 4. Proposal Submission
 - 5. Evaluation Criteria
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Background

- The City of Leon Valley will make available a full kitchen, if required, to the new tenant. All equipment is property of the City of Leon Valley and cannot be removed from the property. The kitchen has the following items available for use:
 1. contained worktop refrigerator;
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 10. commercial dishwasher;
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 13. and security and fire alarm systems.
 14. Serving equipment includes all the pans, containers, plates, glasses, bowls, and cutlery.

Objective

- A. Managing and operating the space efficiently and effectively.
- B. Offering a high-quality experience with a focus on customer satisfaction.
- C. Developing a sustainable business model and profitability.
- D. Contributing to the local economy and fostering community engagement.

Scope of Work

- The selected business entity will be responsible for the following:
 - A. Tracking financial performance, preparing periodic reports, and ensuring compliance with all applicable laws and regulations.
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Proposal Submission

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- RFP Release Date: June 23, 2023
- Deadline for Submission of Proposals: July 24, 2023, 4PM.
- Evaluation Period: TBD
- Council meeting: TBD. Submission of requests, recommendation of selection and possible section and approval by council.

Other City uses

- The city could also use the building to be the new library annex. The building can be used for record storage and allow the city to demolish the current building on the corner of Poss and Evers Road.



S.E.E. Statement

Social Equity:

- N/A

Economic Development:

- The City will 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 and including a town-centered design.

Environmental Stewardship:

- N/A



Strategic Goals

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

- Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development
- Promote Leon Valley

Recommendation

- At council discretion

City of Leon Valley June 2023 Financial Report

Carol Goering
Finance Director

City Council Meeting
July 18, 2023

City of Leon Valley Monthly Financial June 2023

{Section}.32.

General Fund

Target Percentage 75%

REVENUE	FY 2023 BUDGET	FY 2023 Y-T-D ACTUAL		FY 2022 Y-T-D ACTUAL	
Ad Valorem	\$ 5,476,000	\$ 5,231,916	95.5%	\$ 5,114,492	92.4%
Sales Taxes	3,719,631	2,217,758	59.6%	2,060,837	68.7%
Franchise Taxes	911,798	698,532	76.6%	601,186	66.7%
Licenses, Permits, Fees & Fines	1,576,080	789,590	50.1%	1,184,978	-364.4%
Miscellaneous	650,516	1,199,341	184.4%	381,872	24.7%
Transfers In	2,080,594	1,511,235	72.6%	512,420	19.8%
Total Revenue	\$ 14,414,619	\$ 11,648,372	80.8%	\$ 9,855,784	70.1%

EXPENDITURES					
Municipal Court	\$ 419,050	\$ 278,313	66.4%	\$ 125,299	29.9%
Finance	407,845	304,329	74.6%	111,336	27.3%
Council & Manager	1,329,819	978,296	73.6%	692,268	43.0%
Information Technology	315,183	175,361	55.6%	-	-
Police	3,311,063	2,401,534	72.5%	1,889,669	56.4%
Traffic Safety Program	-	-	-	302,449	-109.6%
Red Light Cameras	-	-	-	929,802	-64.1%
Impound Lot	113,594	92,383	81.3%	97,763	-85.1%
Fire	3,623,269	2,482,658	68.5%	2,466,256	67.8%
Public Works	2,232,693	1,450,224	65.0%	1,056,398	45.4%
Planning and Zoning	515,533	265,401	51.5%	241,022	46.8%
Economic Development	292,549	118,575	40.5%	244,326	-76.7%
Special Events	140,350	81,266	57.9%	60,291	34.8%
Parks & Recreation	281,400	132,312	47.0%	202,279	12.2%
Library	572,648	317,773	55.5%	321,698	49.9%
Transfers Out	1,200,569	659,000	54.9%	-	-
Total Expenditures	\$ 14,755,565	\$ 9,737,422	66.0%	\$ 8,740,856	54.2%

City of Leon Valley

Monthly Financial

June 2023

Water/Sewer/Storm Water Fund

Target Percentage 75%

REVENUE	FY 2023 BUDGET	FY 2023 Y-T-D ACTUAL		FY 2022 Y-T-D ACTUAL	
Water Sales	\$ 2,007,300	\$ 1,355,263	64.9%	\$ 1,398,041	69.0%
Sewer Sales	2,486,600	1,793,551	72.1%	1,776,833	72.0%
Storm Water	589,288	329,907	56.0%	286,798	55.0%
Connection & Platting	-	-	-	-	-
Customer Fees	71,983	55,396	77.0%	54,156	95.5%
Tapping Fees	-	-	-	-	-
Miscellaneous	6,200	91,442	474.9%	8,111	30.6%
Total Revenue	\$ 5,161,371	\$ 3,625,558	70.2%	\$ 3,523,940	52.9%

EXPENDITURES

Business Office	\$ -	\$ -	-	\$ 638,320	277.3%
Water System	1,002,017	660,505	65.9%	1,961,198	90.1%
Sewer System	2,204,520	1,084,312	49.2%	1,491,602	53.1%
Storm Water	822,246	46,688	5.7%	254,175	14.3%
Other Sources/Uses	2,125,406	2,269,467	106.8%	-	-
Total Expenditures	\$ 6,154,189	\$ 4,060,972	66.0%	\$ 4,345,295	56.7%

City of Leon Valley Monthly Financial June 2023

Community Center Fund

Target Percentage 75%

REVENUE	FY 2023 BUDGET	FY 2023 Y-T-D ACTUAL		FY 2022 Y-T-D ACTUAL	
Hotel/Motel Taxes	\$ 70,000	\$ 31,526	45.0%	\$ 42,648	48.6%
RENTAL FEES					
Community Center	50,000	37,963	75.9%	35,419	34.1%
Conference Center	-	12,176	-	8,619	-
Miscellaneous Revenue	100	6,281	280.7%	341	341.4%
Transfers in	24,567	-	-	-	-
Total Revenue	\$ 144,667	\$ 87,946	60.8%	\$ 87,027	31.9%

EXPENDITURES

Personnel	\$ 73,610	\$ 57,487	78.1%	\$ 42,400	53.8%
Supplies	7,500	475	6.3%	492	6.6%
Contractual	51,557	16,397	31.8%	33,306	64.6%
Capital Outlay	12,000	-	-	-	-
Total Expenditures	\$ 144,667	\$ 74,359	51.4%	\$ 76,197	46.8%

City of Leon Valley Monthly Financial June 2023

Economic/Community Development

Target Percentage 75%

REVENUE	FY 2023 Budget	FY 2023 Y-T-D ACTUAL		FY 2022 Y-T-D Actual	
Sales Tax Revenues	\$ 399,000	\$ 244,238	61.2%	\$ 228,299	71.5%
Miscellaneous	5,500	11,969	217.6%	-	-
Total Revenues	\$ 404,500	\$ 256,207	63.3%	\$ 228,299	35.4%
EXPENDITURES					
Personnel	\$ 151,392	\$ 81,427	53.8%	\$ 129,367	61.5%
Supplies	13,275	4,762	35.9%	3,273	30.6%
Contractual	127,882	32,385	25.3%	90,568	92.7%
Total Expenditures	\$ 292,549	\$ 118,575	40.5%	\$ 223,208	60.9%

City of Leon Valley Monthly Financial June 2023

Impound Lot

Target Percentage 75%

REVENUE	FY 2023 Budget	FY 2023 Y-T-D ACTUAL		FY 2022 Y-T-D Actual	
Impound Lot Fees	\$ 60,000	\$ 74,770	124.6%	\$ 53,935	107.9%
Auctions	71,080	24,574	34.6%	39,571	95.2%
Total Revenues	\$ 131,080	\$ 99,344	75.8%	\$ 93,506	16.1%

EXPENDITURES

Personnel	\$ 102,194	\$ 85,613	83.8%	\$ 93,033	89.1%
Supplies	1,900	2,090	110.0%	1,500	79.0%
Contractual	9,500	4,680	49.3%	3,230	38.0%
Capital	-	-	-	-	-
Total Expenditures	\$ 113,594	\$ 92,383	81.3%	\$ 97,763	79.5%

City of Leon Valley

Monthly Financial

June 2023

Red Light Cameras (RLC)

Target Percentage 75%

REVENUE	FY 2023 Budget	FY 2023 Y-T-D ACTUAL		FY 2022 Y-T-D Actual	
Red Light Camera Fines	\$ 2,234,341	\$ 1,787,156	80.0%	\$ 137,135	28.4%
Late Fees/Court Costs	200,000	141,688	70.8%	140,404	70.2%
Miscellaneous	3,000	36,260	68.1%		-
Transfers in	3,007	-	-		-
Total Revenues	\$ 2,440,348	\$ 1,965,104	80.5%	\$ 277,538	98.6%

EXPENDITURES

Red Light Cameras

Personnel	\$ 611,108	\$ 448,438	73.4%	\$ 364,971	66.0%
Supplies	4,000	3,221	80.5%	-	
Contractual	901,000	579,230	64.3%	564,831	63.0%
Transfers	326,574.00	326,574	100.0%	-	-
Total Tier One	\$ 1,842,682	\$ 1,357,463	73.7%	\$ 929,802	47.1%

Traffic Safety

Personnel	\$ 275,892	\$ 168,684	61.1%	\$ 285,678	103.6%
Supplies	-	1,455	-	6,099	-
Contractual	-	-	-	10,672	-
Transfers	126,000	126,000	100.0%	-	-
Total Tier Two	\$ 401,892	\$ 296,138	73.7%	\$ 302,449	82.0%

City of Leon Valley June 2023 Financial Report

Carol Goering
Finance Director

City Council Meeting
July 18, 2023

Adopt a spot

Roque Salinas, MPA

Director of Economic Development

7/18/2023

Summary

The City of Leon Valley is seeking volunteers to lend a hand in keeping public spaces clean. Any portion of the City's right-of-way is eligible for adoption including parks, streets, community pools, parking lots, creeks and trails. Volunteers are required to agree to maintain the adopted space for up to one year, six (6) clean-ups minimum. Adopted spaces may be renewed upon request. The City of Leon Valley reserves the right to approve or disapprove a location.

Program requirements

- *Select a public area that needs litter reduction*
- *Submit an application*
- *Sign our Waiver of Liability Form Wait for membership approval Maintain your adopted spot for one year-6 clean-ups minimum*
- Note: Volunteers under the age of 17 require adult supervision during clean-up. Volunteers under the age of 18, parent/guardian signature is required.

YOU WILL RECEIVE

- Safety Vest & Gloves
- Garbage Bags
- City Council Recognition Certificate of Appreciation
- Community service credits for individuals, youth groups and other organizations
- The City of Leon Valley will install a sign with the names of program participants or organization at the adopted area (sign will remain posted throughout the duration of membership)

Contact information

- Adopt A Spot applications are available at:

- www.leonvalleytexas.gov

OR

- Pick one up at Leon Valley City Hall:
6400 El Verde Road, Leon Valley, TX 78238



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, June 20, 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. 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
Mayor Pro Tem, Council Place 2 Josh Stevens
Council Place 3 Philip Campos
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.

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

Mayor Riley read aloud the agenda caption for Item 2.1

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

1. Section 551.071: Consultation with the Attorney Regarding the Possible Repeal of Ordinance No. 2-23-15, an Exemption Increase Equal to 20 Percent of the Appraised Value of the Residence Homestead or the Statutorily Mandated Minimum of \$5,000 for an Individual and a Homestead Property Tax Exemption Increase for Disabled Persons and Persons 65 Years of Age or Older to \$50,000, Effective for the 2023 Tax Year - Councilor J. Stevens and Councilor W. Bradshaw

3. Reconvene into Regular Session

The City Council reconvened into Open Session at 6:19 PM

Mayor Chris Riley introduced Boy Scout Troop 405 and asked them to lead the Pledge of Allegiance.

4. Citizens to be Heard

Those who spoke at this time were: Avery Zepeda with Ridgeway Towing.

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

No action taken at this time.

6. Presentations

1. **Presentation and Discussion to Repeal Ordinance No. 2023-15, an Exemption Increase Equal to 20 Percent of the Appraised Value of the Residence Homestead or the Statutorily Mandated Minimum of \$5,000 for an Individual and a Homestead Property Tax Exemption Increase for Disabled Persons and Persons 65 Years of Age or Older to \$50,000, Effective for the 2023 Tax Year - Councilor B. Martinez and Councilor R. Orozco**

Councilor Benny Martinez led this presentation seeking City Council support to repeal Ordinance No. 2023-15, an exemption increase equal to 20 percent of the appraised value of the residence homestead or the statutorily mandated minimum of \$5,000 for an individual and a homestead property tax exemption increase for disabled persons and persons 65 years of age or older to \$50,000, effective for the 2023 tax year.

Those who spoke at this time were: JR Haseloff (Leon Valley); Lynn Joseph (Leon Valley); Erick Matta (Leon Valley)

Councilor Josh Stevens called a Point of Order; Mayor Riley acknowledged Councilor Stevens.

Those who spoke continued with; John Saenz (Leon Valley)

Email that was submitted through citizenstobeheard@leonvalleytexas.gov were not read but City Council expressed appreciation for time taken by: Elizabeth Dalton (Leon Valley); Baron Franklin (Leon Valley); Leticia Teniente (Leon Valley); Alexander Rodriguez (Leon Valley); Olen Yarnell (Leon Valley); Tina Chasan (Leon Valley); Ann Sawyer (Leon Valley); Bryan Sawyer (Leon Valley); Pablo Gonzales (Leon Valley); and JR Haseloff (Leon Valley)

Councilor Will Bradshaw motioned to table this item. Councilor Rey Orozco seconded the motion.

Mayor Riley asked City Secretary Sandra Passailaigue to take a roll call vote.

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied: Councilor Benny Martinez - Yea; Councilor Josh Stevens - Yea; Councilor Philip Campos - Yea; Councilor Rey Orozco - Yea; and Councilor Will Bradshaw - Yea.

Mayor Riley announced the motion passed.

2. Presentation, Discussion and Workshop on an Ordinance Approving and Adopting Fiscal Year 2023-2024 Proposed Budget (1st Reading as Required by City Charter) - Dr. Caldera, City Manager

Crystal Caldera, City Manager presented the proposed Fiscal Year 2023-2024 Budget for a first read.

Councilor Josh Stevens requested that an item be added to the City Manager/City Council Retreat Agenda to discuss the City's facility rental fees.

Mayor Chris Riley requested an itemized breakdown of all purchases that were made with the American Rescue Plan (ARP) Funds.

There was a consensus to add a condensed presentation of the Proposed Fiscal Year 2023-2024 Budget during the July 22, 2023 Coffee with the Mayor & Council.

Councilor Josh Stevens requested items addressing stray animals, the homeless, and water rights be added to the July 22, 2023 City Manager/City Council Retreat.

3. Presentation, Discussion and Possible Action on Authorizing the City Manager to enter into a contract with a Firm to conduct a Standards of Cover Assessment and Utilization Study for the Police, Fire/EMS, and Public Works Departments. - L. Hernandez, HR Director

Lisa Hernandez, Human Resources presented this item seeking City Council authorization to allow the city manager to enter into a contract with a firm to conduct a Standards of Cover Assessment and Utilization Study for the Police, Fire/EMS, and Public Works departments.

Fitch & Associates ranked the highest of three firms, having an 11+ point variance. The City's fiscal impact for the selection of Fitch & Associates to conduct the staffing assessment and utilization study for all three (3) departments is a combined not to exceed fee of \$75,000.

Councilor Benny Martinez motioned to approve as presented. Councilor Will Bradshaw seconded the motion.

Mayor Riley asked City Secretary Sandra Passailaigue to take a roll call vote.

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied: Councilor Benny Martinez - Yea; Councilor Josh Stevens - Yea; Councilor

Philip Campos - Yea; Councilor Rey Orozco - Yea; and Councilor Will Bradshaw - Nay.

Mayor Riley announced the motion passed.

Due to the late hour and in accordance with the City Council's Rules of Decorum, Councilor Will Bradshaw motioned to move Agenda Items 6.4, 10.5, 10.6, 10.7, 10.8, 10.9, and 10.10 to the July 18, 2023 Regular City Council Meeting. Councilor Philip Campos seconded the motion.

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

The motion passed.

4. Presentation and Discussion to Consider Approval of Publicization for Request Formal Proposal (RFP) for the Kinman House. -R. Salinas, Director of Economic Development.

This item was moved to the July 18, 2023 Regular City Council Meeting.

7. Regula Agenda

1. Presentation and Discussion on an Ordinance Authorizing the City Manager to execute the contract with Banis Towing (1st Read as Required by City Charter) - Dr. Caldera, City Manager

Crystal Caldera, City Manager presented an ordinance seeking City Council approval to allow her to execute the contract with Banis Towing.

This item will be brought back for a second read in the Consent Agenda.

2. Presentation, Discussion, and Possible Action to Amend Resolution No. 22-031R, a Tree Variance Request, at the Property Located in the 6300 Block of Evers Road at Seneca Drive, Being Parcel 4A, Abstract 530, CB 4432, on Approximately 9.174 Acres of Land, to Reduce the Required Number of New Trees and the Tree Mitigation Fees - M. Moritz, Public Works Director

Mindy Teague, Planning and Zoning Director presented a resolution to amend Resolution No. 22-031R to reduce the required number of new trees and the tree mitigation fees as requested by the applicant of the variance.

Mr. Chehade, applicant, also gave a presentation and answered questions.

Those who spoke on this item were: Erick Matta (Leon Valley)

Councilor Will Bradshaw motioned to approve with the \$25,000 flat fee. Councilor Rey Orozco seconded the motion.

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

The motion passed.

3. Presentation, Discussion, and Possible Action to Consider Requests for Proposals and Awarding a Contract for Building and Health Plan Review/Inspection Services - M. Teague, Planning and Zoning Director

Mindy Teague, Planning and Zoning Director presented this item making a staff recommendation for building and health plan review and inspection services for the City of Leon Valley.

Councilor Philip Campos motioned to direct staff to negotiate with both providers and bring back to the next City Council meeting for review. Councilor Benny Martinez seconded the motion.

Mayor Riley asked City Secretary Sandra Passailaigue to take a roll call vote.

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied: Councilor Benny Martinez - Yea; Councilor Josh Stevens - Nay; Councilor Philip Campos - Yea; Councilor Rey Orozco - Yea; and Councilor Will Bradshaw - Nay.

Mayor Riley announced the motion passed.

4. Presentation and Discussion of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12.02 Operation of Vehicles, Division 8 School Crossing Zones, Section 12.02.231 Designated, 2., To Move a School Zone from Hoofs Lane on Huebner Road to Redbird Lane on Huebner Road, to Facilitate a Safe Crossing for John Marshall High School Students (1st Read as Required by City Charter) - M. Moritz, Public Works Director

Melinda Moritz, Public Works Director presented this item amending the Code of Ordinances to facilitate a safe crossing for John Marshall High School students.

This item will be placed on the July 18, 2023 Regular City Council Consent Agenda for a second reading.

8. Presentations Continued

1. Presentation, Discussion and Possible Action on 2023 Fourth of July - C. Miranda, Community Relations Director

Crystal Miranda, Community Relations Director presented an update for the upcoming July 4th celebration and asked City Council for a recommendation for Grand Marshall.

9. Consent Agenda

Councilor Rey Orozco motioned to approve the Consent Agenda as amended. Councilor Josh Stevens seconded the motion.

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

The motion passed.

- 1. Discussion and Possible Action Approving of the Following City Council Minutes:**
 - a. June 06, 2023 Regular City Council Meeting Minutes**
- 2. Presentation and Discussion of the Monthly Financial Report Ending May 31, 2023 - C. Goering, Finance Director**
- 3. Discussion and Possible Action on an Ordinance Amending Appendix A Fee Schedule, Article A2 Administrative Fees, Section A2.006 Library Fees (1st Read was Held on 06-06-2023) - R. Reed, Library Director**

10. Citizens to be Heard

Those who spoke at this time were: Frank Gonzalez (Leon Valley); Erick Matta (Leon Valley); and Pat Martinez (Leon Valley)

- 11. 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.**

City Manager Caldera stated that the item regarding the building and health inspector contract as well as the Adopt-a-Spot items would be brought back to the next meeting.

Mayor Chris Riley requested an item to discuss a name change to the Community Center to honor Mayor Irene Baldrige be added to the retreat agenda.

Councilor Josh Stevens reiterated that he would like items regarding stray animals, the homeless, and water rights be added to the retreat agenda.

- 12. 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.

13. City Manager's Report

- 1. Upcoming Important Events:**

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

Movie-in-the-Park, Featuring: Super Mario Bros Movie, Friday, June 23, 2023, at dusk, at Raymond Rimkus Park.

"Land That I Love" July 4th Celebration, Tuesday, July 04, 2023, at Raymond Rimkus Park. Complete day's schedule of events may be found on the City's website, ENews, as well as on the City's Facebook and Twitter pages.

Coffee with the Mayor & City Council, Saturday, July 22, 2023, 9:00 AM to 11:00 AM, at the Leon Valley Conference Center.

Miscellaneous other events and announcements.

14. Regular Agenda Continued

- 1. Presentation and Discussion of an Ordinance Amending Ordinance 2022-51, Which Approved Various Budget Adjustments for FY 2022-23 Carry Over Projects, To Reallocate FY2022 Unused American Rescue Plan Funds Back to the ARP Fund and Budget for Additional Capital Expenditures (1st Read as Required by City Charter) - C. Goering, Finance Director**

This item was moved to the July 18, 2023 Regular City Council Meeting.

- 2. Discussion and Possible Action on a Resolution Appointing Members to the Citizens Police Advisory Committee - S. Passailaigue, City Secretary**

This item was moved to the July 18, 2023 Regular City Council Meeting.

- 3. Discussion and Possible Action of a Resolution Appointing a Council Liaison to the Board of Adjustment for a Term of One-Year - S. Passailaigue, City Secretary**

This item was moved to the July 18, 2023 Regular City Council Meeting.

- 4. Discussion and Possible Action on a Resolution Appointing Members to the Economic and Community Development Advisory Committee - S. Passailaigue, City Secretary**

This item was moved to the July 18, 2023 Regular City Council Meeting.

- 5. Discussion and Possible Action on a Resolution Appointing Members to the Library Advisory Board - S. Passailaigue, City Secretary**

This item was moved to the July 18, 2023 Regular City Council Meeting.

- 6. Discussion and Possible Action on a Resolution Appointing Members to the Planning & Zoning Commission - S. Passailaigue, City Secretary**

This item was moved to the July 18, 2023 Regular City Council Meeting.

15. Adjournment

Mayor Riley announced that the meeting adjourned at 11:34 PM

These minutes approved by the Leon Valley City Council on the 18th of July, 2023.

APPROVED

CHRIS RILEY
MAYOR

ATTEST: _____
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY



City of Leon Valley
PLANNING AND ZONING COMMISSION
MEETING MINUTES
6:30 PM – MAY 23, 2023
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238

1. CALL TO ORDER AND ROLL CALL

1st Vice Chair Edward Alonzo called the Planning and Zoning Commission meeting to order at 6:31 PM.

PRESENT

1st Vice Chair	Edward Alonzo	Place 1
Commissioner	Andrea Roofe	Place 2
Commissioner	Philip Campos	Place 3
Commissioner	Pat Martinez	Place 4
Commissioner	Richard Blackmore	Place 7
3rd Alternate	David Perry	Seated to Vote

ABSENT

Chair	Cassie Rowse	Place 5	Excused
2nd Vice Chair	Erick Matta	Place 6	Unexcused
1st Alternate	Kimberly Bohl		Unexcused
2nd Alternate	Hilda Gomez		Unexcused

Also in attendance were Planning and Zoning Director Mindy Teague and Permit Technicians Elizabeth Aguilar and Carolyn Valdez.

2. APPROVAL OF ZONING COMMISSION MINUTES

1. Planning & Zoning Commission - Regular Meeting – April 25, 2023

Commissioner Philip Campos made a motion to approve the minutes, which was seconded by Commissioner Andrea Roofe. The motion carried unanimously.

3. NEW BUSINESS

1. Presentation, Public Hearing, and Discussion to Consider a Recommendation on a Replat, with Variance Requests, of 0.3342-acre Tract of Land, Being Lot 4, Block 3, CB 9903, Brisa Estates at Leon Valley Subdivision, Located at 5301 Brisa Estates - M. Teague, Planning and Zoning Director

Planning and Zoning Director Mindy Teague presented the case information, and a brief discussion was held between Commissioners and Planning and Zoning Director Mindy Teague regarding the location of the property.

1st Vice Chair Edward Alonzo opened the public hearing at 6:37 PM.

Residents from the area spoke, noting their concerns regarding flooding, easement, upkeep of the property, flooding of the street, HOA, drainage, and the possible need for underground drainage.

The following residents spoke in favor but had concerns: Ryan Brill, Monica Alexander, Charles Heaton, Carlos Alexander and Christian Laurentiu.

Claudia Davalos with MF Investments and Construction, Inc. spoke about the confusion regarding the upkeep of the property when they first purchased the property but understands that it is their full responsibility to keep up with the property.

1st Vice Chair Edward Alonzo closed the public hearing at 7:13 PM.

Commissioner Philip Campos made a motion to recommend approval with variances, which was seconded by Commissioner Richard Blackmore. The motion carried unanimously.

Voting Yea: 1st Vice Chair Alonzo and Commissioners Campos, Blackmore, Roofe, Martinez and 3rd Alternate Perry

Voting Nay: None

4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF

Planning and Zoning Director Mindy Teague introduced Permit Technician Carolyn Valdez to the Commissioners. She also wanted to congratulate Commissioner Philip Campos on his election to the City Council.

Commissioner Richard Blackmore wanted to acknowledge the Fire Department, Chief Naughton, and all the firefighters for helping him when he needed it last week. He explained that they responded quickly, efficiently, and professionally. He also wanted to remind everyone about Memorial Day weekend and remember those not with us today.

Commissioner Philip Campos wanted to thank all the Commissioners for the time they worked together.

1st Vice Chair Edward Alonzo congratulated Councilor Benny Martinez, Commissioner Philip Campos, and Councilor Will Bradshaw.

5. ADJOURNMENT

1st Vice Chair Edward Alonzo announced the meeting adjourned at 7:20 PM.

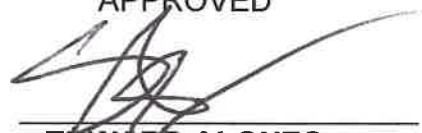
These minutes were approved by the Leon Valley Planning & Zoning Commission on the 27th of June 2023.

ATTEST:



ELIZABETH AGUILAR
PERMIT TECHNICIAN

APPROVED



EDWARD ALONZO
1ST VICE CHAIR



MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Melinda Moritz, Public Works Director

THROUGH: Crystal Caldera, City Manager

SPONSOR(S): None

SUBJECT: Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12.02 Operation of Vehicles, Division 8 School Crossing Zones, Section 12.02.231 Designated, 2. To Move a School Zone from Hoofs Lane on Huebner Road to Redbird Lane on Huebner Road, to Facilitate a Safe Crossing for John Marshall High School Students

PURPOSE

This item is to consider amending the Traffic and Vehicles portion of the Code to move a school crossing zone from Huebner Road at Hoofs Lane to an area along Huebner Road, approximately 200 feet northeast of Redbird Lane and continuing south on Huebner to approximately 200 feet southwest of Chapparral Lane. This action will more safely allow students using the new crosswalk on Huebner Road to cross the street to get to John Marshall High School.

SEE LEON VALLEY

Social Equity – Slowing traffic near crosswalks protects the safety of all children while crossing the street.

Economic Development – Slowing down traffic in this area may encourage people to discover the area and elect to move here.

Environmental Stewardship – Slowing traffic in this area may reduce the number of deer hit by vehicles in this area.

FISCAL IMPACT

The cost for a mast arm, signage, and striping would be approximately \$80,380. Funding would come from the Traffic Safety fund.

RECOMMENDATION

Staff recommends approving the Ordinance.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS, CITY COUNCIL, AMENDING THE LEON VALLEY CODE OF ORDINANCES CHAPTER 12 TRAFFIC AND VEHICLES, ARTICLE 12.02 OPERATION OF VEHICLES, DIVISION 8 SCHOOL CROSSING ZONES, SECTION 12.02.231 DESIGNATED, (2) TO MOVE A SCHOOL ZONE FROM HUEBNER AT HOOFS LANE TO HUEBNER AT REDBIRD LANE, TO FACILITATE A SAFE ROAD CROSSING FOR JOHN MARSHALL HIGH SCHOOL STUDENTS; PROVIDING FOR REPEAL; SEVERABILITY; SAVINGS; AN EFFECTIVE DATE; NOTICE OF MEETING AND A PENALTY CLAUSE

WHEREAS, the Code of Ordinances Chapter 12 Traffic and Vehicles currently provides for a school crossing zone on Huebner Road at Hoofs Lane, but a new crosswalk was installed on Huebner at Redbird Lane outside of that area; and

WHEREAS, it is the wish of the City Council to provide a safer road crossing at the newly installed crosswalk on Huebner Road for students traveling to John Marshall High School who must cross in that portion of roadway; and

WHEREAS, moving the school zone to the area encompassing the new crosswalk will slow traffic to allow for such safe crossing;

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

SECTION 1. Chapter 12 Traffic and Vehicles, Article 12.02 Operation of Vehicles, Division 8 School Crossing Zones, Section 12.02.231 Designated, (2) is hereby revised to read:

“(2) Huebner Road from a point two-hundred feet (200') northwest of a point where Redbird Lane joins the right-of-way of Huebner Road, to a point southeasterly to two-hundred feet (200') south of Chapparral Lane where it adjoins the intersection of Huebner Road, when signed as a school zone, shall have a maximum prima facie reasonable and prudent speed limit of twenty (20) miles per hour.”

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 18th day of July 2023.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

NICOLE WARREN
City Attorney

Amending Chapter 12 Traffic and Vehicles

Move School Crossing Zone on Huebner, from Chapparral to Redbird Lane

City Council Meeting

Public Works Director Melinda Moritz

July 18, 2023



Purpose

- To consider amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12., Division 8 school Crossing Zones, Section 1.09.032 to move a school zone from Huebner at Hoofs Lane to Redbird and just south of Chapparral on Huebner
- Options
 - Approve
 - Approve with modifications
 - Deny
- Recommendation
 - Recommend approval as presented

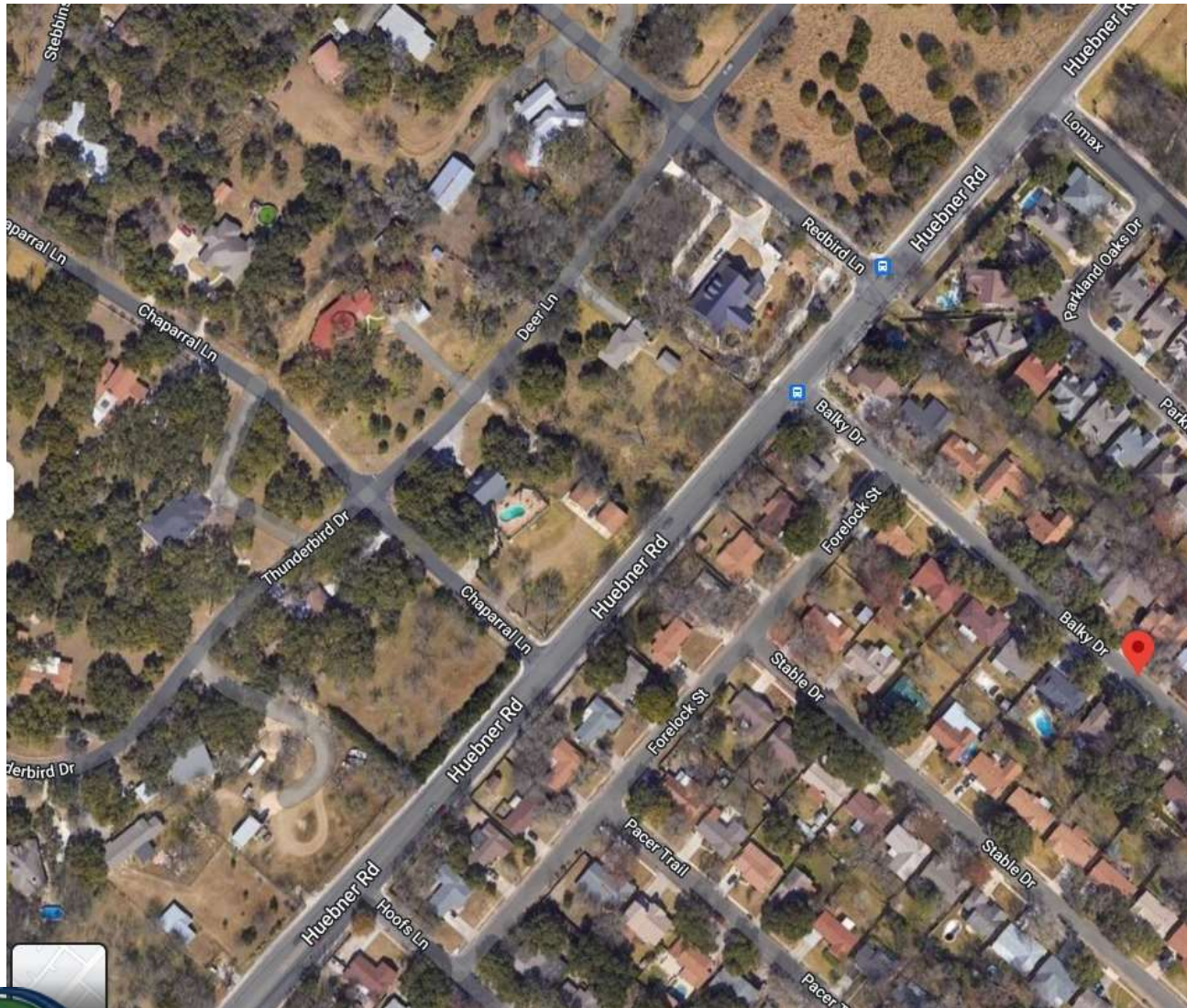
Background

- The current code section states:
 - “(2) Huebner Road from a point fifty feet (50') east of a point on the east right-of-way of Hoofs Lane where it joins the south right-of-way of Huebner Road, five hundred eighty feet (580') easterly therefrom along Huebner Road, when signed as a school zone, shall have a maximum prima facie reasonable and prudent speed limit of twenty (20) miles per hour.
- The proposed revision will state:
 - “(2) Huebner Road from a point one hundred and sixty feet (160') east of a point on the right-of-way of Redbird Lane where it joins the right-of-way of Huebner Road, two hundred feet (200') easterly therefrom along Huebner Road past Chaparral Lane, when signed as a school zone, shall have a maximum prima facie reasonable and prudent speed limit of twenty (20) miles per hour.

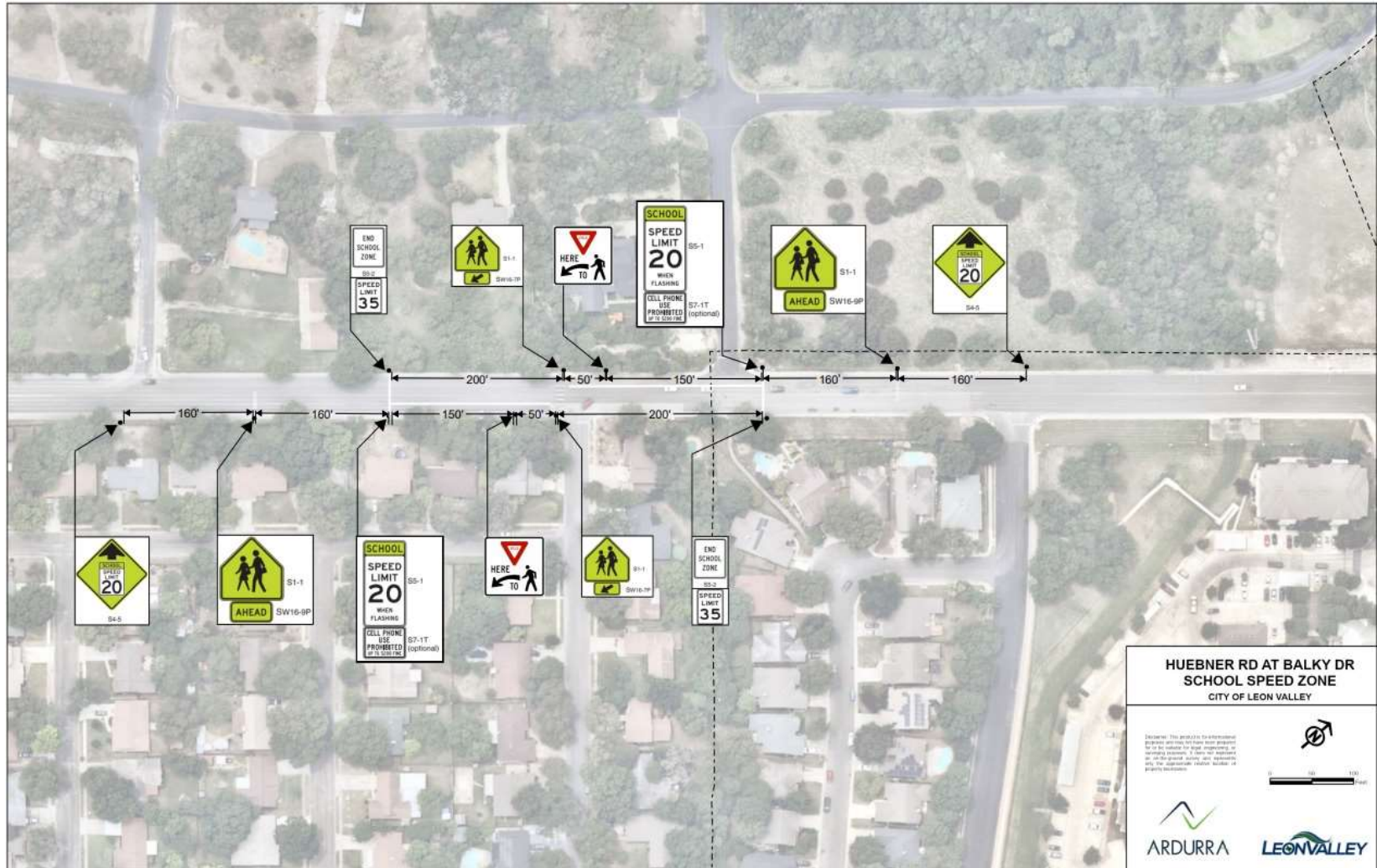
Background

- The City had a school zone on Huebner at Hoofs Lane, but it was discontinued, as school aged children were no longer using the crossing
- The neighborhood demographic in Canterfield changed and, due to an increase in school aged children, the City installed a crosswalk at Balky & Huebner
- The crosswalk is not in the old school zone area

Aerial View



Proposed School Zone



Mast Arm



Fiscal Impact

- The project is expected to cost approximately \$80,380
- Funding could come from Traffic Safety Fund
- The project will be advertised for bids and Staff will request a budget adjustment at time of award

Recommendation

- Staff recommends approval of this Ordinance

S.E.E. Statement

- *Social Equity* – Reducing the speed of traffic in areas where children cross the road increases the safety of all children crossing
- *Economic Development* – Slowing down traffic in this area may encourage persons to discover the area and elect to move here
- *Environmental Stewardship* – Slowing traffic in this area may reduce the number of deer hit by vehicles in this area

STATE OF TEXAS	§	MUNICIPAL WRECKER
	§	SERVICES AGREEMENT
COUNTY OF BEXAR	§	BANIS TOWING

This agreement is entered into by and between the City of Leon Valley, a Texas municipal corporation (hereinafter referred to as “the City of Leon Valley” or “City”) acting by and through its City Manager, pursuant to Ordinance No. _____, passed and approved July 18, 2023 and Banis Towing, a Texas corporation, acting by and through its President (hereinafter referred to as “Contractor”), both of which may be referred to herein collectively as the “Parties”.

City hereby grants to Contractor the right to provide, and Contractor hereby commits to provide Wrecker Services at City’s direction to the City of Leon Valley. The granting of this right by City does not guarantee Contractor any quantity of work or monetary gain.

The Parties hereto severally and collectively agree, and by the execution here of are bound, to the mutual obligations herein contained and to the performance and accomplishment of the tasks hereinafter described in this Agreement.

I. DEFINITIONS

As used in this Agreement, the following terms shall have the meanings as set out below.

Certified Letter Fee: A fee for sending out certified letters detailing the location and status of a vehicle.

Chief: Shall mean the Leon Valley Police Department Chief of Police.

City: Is defined in the preamble of the Agreement as the City of Leon Valley, Texas, a municipal corporation, a Home Rule governmental entity, incorporated in accordance with the laws of the State of Texas.

City-Owned Vehicles: Shall mean a vehicle owned or leased by the City of Leon Valley and operated as part of the normal course of business of the City. Such vehicles may be operated during all times of the day or night.

Consent Tow: Shall mean any tow of a motor vehicle initiated by the owner or operator of the vehicle or by a person who has possession, custody, or control of the vehicle.

Contractor: Is defined in the preamble of this Agreement as Banis Towing and includes its successors.

Courtesy Tow: Shall mean the towing of legally parked vehicles, at no charge to the vehicle owner and at the direction of the City, for the purpose of clearing an area for city sponsored special events, construction or other occasions as determined by the City.

Dispatched Location: Shall mean the location provided by the City to the Contractor where wrecker services are to be undertaken under this Agreement.

Equipment: Shall mean vehicles and associated tools and materials needed to perform wrecker services in accordance with this Agreement.

Event of Default: Shall mean either party's failure to comply with any one or more of the provisions of this Agreement, is provided a time to cure the non-compliance and at the end of the time to cure said non-compliance remains uncured.

Impound Lot: Shall mean a location operated by the City of Leon Valley to store operable apprehended persons' vehicles, abandoned vehicles or any other motor vehicle requested by the City of Leon Valley.

Non-consent Tow: Shall mean a tow of a motor vehicle requested by Public Safety officials.

Personnel: Shall mean employees and sub-contractors of Contractor who are performing services under this Agreement.

Public Safety: Shall mean any peace officer employed by the City of Leon Valley or persons authorized by the City of Leon Valley to maintain the public health, safety and welfare of the citizens of the City of Leon Valley.

Required Response Time: Shall mean the maximum amount of time allowed for a wrecker to arrive ready to perform wrecker services at a specific location after the request has been made by the City.

Response Time Performance Rating: Shall mean the monthly percentage of dispatched wrecker calls arriving at the directed location within the Required Response Time. A satisfactory Response Time Performance Rating is ninety-eight percent (98%) and is calculated by dividing the number of wreckers arriving within the Required Response Time in the month by the number of requests by the City for wrecker services in that month.

Response Time Violation: Shall mean instances in which City requests "Wrecker Services" as defined below to a specific location, and Contractor fails to arrive at the location prepared to perform "Wrecker Services" within the Required Response Time. Response Time Violations are subject to liquidation damages.

Towing Operations: Shall mean the detailed manner in which Contractor performs "Wrecker Services" as defined below, including towing and recovery services, heavy-duty

recovery, impounding and storage of vehicles. In all cases, Contractor shall ensure that it abides by standards of procedure accepted within the towing industry and that no damage occurs to property of the City or a third-party.

Wrecker Services: Shall mean all labor, equipment (including tools) and material necessary for the prompt, reliable and efficient removal of motor vehicles from public streets, ways or other public property which are, including but not limited to: 1) abandoned; 2) involved in a collision; 3) parked in violation of law; and/or 4) are to be inspected for evidence (including recovered stolen vehicles and vehicles owned or operated by individuals in the custody of law enforcement). "Wrecker Services" includes but is not limited to all associated administrative services and the associated clean-up and/or containment of debris and materials, with the exception of hazardous materials, from accident scenes, public Right-of-Ways and private property.

II. TERM

- 2.1 **Term.** The term of this Agreement shall be five (5) years commencing on June 16, 2023 and terminating on June 30, 2028.
- 2.2 **Renewal Term.** There will be no renewal term for this Agreement.

III. SCOPE OF SERVICES

3.1. **Contractor's Responsibility.** In addition to those services that may encompass "Wrecker Services" as defined in this Agreement, Contractor is specifically responsible for the services described herein.

3.2. **Towing Management.** Contractor shall manage all Non-consent towing services and operations for the City of Leon Valley and ensure that Wrecker Services are performed to industry standard procedures that achieve safe and reliable towing service, and to preserve personal property in possession or care or care of Contractor. City may direct, amend or alter Contractor's Towing Operations utilized in the performance of this Agreement.

- a) **Towing to Leon Valley Impound Lot.** Contractor shall manage all Non-wrecked vehicles directed by the Leon Valley Police Department to the Leon Valley Impound Lot.
- b) **Towing to Banis Towing Yard.** Contractor will tow all wrecked vehicles or any other vehicle to its impound lot as directed by the Leon Valley Police Department.
- c) **Staffing Plan.** Contractor shall be responsible for implementing a staffing plan to adequately serve the City of Leon Valley, and meet the response Time as defined in this Agreement. Such staffing plan must include

adequate labor to undertake the management, operation and administration of Wrecker Services for the City of Leon Valley.

- d) Uniforms. All employees or subcontractors of Contractor performing services under this Agreement shall be uniformed including identification badges, well-groomed, clean, prompt and courteous in order to provide service under this Agreement.
- e) Safety Plan. Contractor shall establish a Safety Plan which provides a safe and healthy workplace, and minimize on-the-job injuries by implementing safety standards based on applicable legal codes, rules and industry standards
- f) OSHA, Training, Certifications, Registrations and Continuing Education. In addition to the Safety Plan implemented by Contractor in accordance with this Agreement, Contractor shall comply with the Occupational Safety and Health Act (OSHA), and ensure that all wrecker operators/drivers are permitted and licensed to perform Wrecker Services by the Texas Department of Licensing and Regulations (TDLR).
- g) Incident Management Towing Operator's License. All such drivers shall possess an Incident Management Towing Operator's License in accordance with Texas Occupational Code, Title 14, Section 2308.103, and shall maintain the required level of Continuing Education in order to renew such Incident Management Towing Operator's License. Evidence of such license shall be available to City upon request.
- h) Labor Relations. Contractor shall be responsible for labor relations with any trade or union represented among Contractor's Personnel, and shall negotiate and be responsible for adjusting all disputes between itself and Contractor's Personnel, contractors or any union representing such Personnel or sub-contractors. Contractor shall ensure that in any agreement that Contractor has with any of its sub-contractors that there be a similar provision whereby the sub-contractors will indemnify and hold City harmless for any damages or losses, including attorney's fees resulting from any and all labor relation disputes.
- i) Acquiring Uncollected Towing Fees. All fees owed to Contractor in relation to the performance of Wrecker Services for vehicles towed to Banis Towing yard under this Agreement shall be the responsibility of and be collected by Contractor. Regardless of the collection of towing fees, Contractor shall be responsible for paying City its commission as required under Section 7.1 of this Agreement. All fees collected by the City in relation to the vehicles towed to the City of Leon Valley Impound Lot shall be collected by the City and will be paid to the contractor within

ten (10) days of receipt of invoice presented to Contractor. The invoice will be submitted monthly and shall include a monthly log that providing the following information to the City:

1. Location vehicle towed from;
2. Date and time vehicle towed;
3. Make, model and color of vehicle towed;
4. License plate number; and
5. Vehicle Identification Number (VIN).

j) Complaint Resolution Process. Contractor shall have in place and make available to City prior to the commencement of this Agreement a Complaint Resolution Process. Such Process shall be used to address third-party complaints against the manner in which Contractor has provided services hereunder. Contractor shall provide a copy of any written complaints and any information and/or documentation relating to any individual complaint. Contractor shall use its best efforts to minimize complaints and resolve disputes with third-parties.

k) Contractor's Reporting Requirements. Contractor shall report to City, monthly activity of Wrecker Services performed hereunder to include, but not be limited to, the number of requests for Wrecker Services made by City, location the vehicle was towed to, the number of dispatched vehicle responses by Contractor to City's requests, Response Times to City's request, the number of Response Time Violations by Contractor and any additional information as requested by City. Additionally, Contractor shall promptly inform City of any vehicle accident involving a towing vehicle operated by Contractor. City may consider the accident, and surrounding circumstances, in reviewing Contractor's performance hereunder.

1. City's Performance Review. At any time, including monthly, quarterly or annually, City may conduct a performance review of this Agreement. The information used in assessing Contractor's performance may include the information submitted by Contractor and any other information deemed pertinent by City.

3.3. Equipment. Contractor shall provide all Equipment necessary to perform Wrecker Services in the City of Leon Valley. All Equipment shall be in good working order for the duration of this Agreement. Contractor shall supply, upon request by City, a list of Contractor Equipment inventory dedicated to performance of this Agreement. In addition, Contractor shall ensure that Contractor's Equipment meets the following minimum criteria:

a) Vehicles. Contractor shall have immediate access to a sufficient number of light duty tow trucks, medium duty tow trucks and heavy duty tow trucks necessary to perform under this Agreement. No vehicles used to perform Wrecker Services hereunder shall be older than ten (10) years, and Contractor shall allow City access to inspect Contractor's vehicles or other Equipment upon request. All vehicles shall be equipped, at a minimum, with the following:

1. Permanent labeling on each side door of the vehicle with the Tow Contractor's name;
2. A four-way emergency flashing system and at least one flashing amber light (or other color permitted by State law) at least five (5) inches in diameter, mounted high on the tow truck;
3. A light mounted behind the cab of the tow truck capable of illuminating the area of the tow scene under dark or foggy conditions;
4. Portable auxiliary brake lights, emergency flasher, turn signal, and taillight with protective pads/covers on the bottom, for use on towed vehicle;
5. A warning alarm, clearly audible above the surrounding noise in the vicinity and designed to sound when the tow vehicle is shifted into reverse to signify that the vehicle is backing;
6. A fire extinguisher with an Underwriter's Laboratory rating of at least 58:C. Class B and C trucks shall carry fire extinguishers with a cumulative UL rating of at least 1 OB:C;
7. A broom, shovel, container for accident debris, ten (10) pounds of grease and fluid absorbent material, and any other equipment necessary to clean up an accident scene in accordance with State and local law;
8. At least six (6) flares or other emergence reflective devices;
9. Tires, adequate in size and rating for the size and weight of the tow truck, with not less than 3/32nds inch of tread and mounted on rims secured with the manufacturer's recommended number of lug nuts;
10. Two-way radio equipment or cellular telephone capable of communicating with the Tow Contractor's dispatcher at all

times. Such equipment shall be approved and licensed in accordance with Federal law; and

11. Any other equipment required by State law.

- b) Maintenance. Contractor shall ensure that all of Contractor's Equipment is subject to a Maintenance Plan that includes daily, weekly, monthly and annual maintenance to support the safe and reliable operation of such Equipment.

3.4. Contractor's Personnel. Contractor shall supply Personnel as may be necessary to perform the required services of this Agreement. All Personnel working under this Agreement shall be fully qualified and legally capable of performing their individual job duties, including possessing any necessary licenses or specialized training mandated by Federal, State, local laws or regulations.

- a) TDLR. Contractor shall ensure that all wrecker drivers meet the criteria set forth by the Texas Department of Licensing and Regulations (TDLR), and shall provide proof of such compliance to City upon request by City.
- b) Employee Criminal Background Check Plan. Contractor shall ensure that all Personnel performing under this Agreement are subject to criminal background checks and history checks. Any costs associated with the performance of a criminal background check or issuance of a permit in accordance with Section 2308.201(d) of the Texas Occupational Code, Title 14, shall be paid by Contractor.
- c) Permission to Operate. Additionally, Contractor shall not allow an employee or applicant for employment to operate under this Agreement, and any application or permit for such operation shall be denied or withdraw when applicant or employee:
 - 1. Is under indictment or has been convicted or granted deferred adjudication that has not resulted in a dismissal for the offense of criminal homicide including murder, capital murder, manslaughter, but excluding criminally negligent homicide;
 - 2. During the seven (7) years immediately preceding the application for employment, the applicant was convicted or granted deferred adjudication that has not resulted in a dismissal for the offense of criminal homicide, including murder, involuntary manslaughter, criminally negligent homicide, rape, sexual assault, sale or possession of illegal drugs robbery or felony theft;
 - 3. Is under indictment or charged by information or complaint or convicted or granted deferred adjudication that did not result in dismissal for any offense involving fraud or theft the

unauthorized use of a vehicle, violation of any State or Federal laws regulating firearms, violence to any person except conduct classified as no greater than a Class C misdemeanor offense under State law prostitution or the promotion of prostitution, sexual assault, sexual abuse, lewdness or indecency, for use, sale or possession of drugs, driving while intoxicated, or any job related offense;

4. Is on probation, parole, or mandatory supervision for an offense noted herein;
 5. Has falsified or materially altered or omitted pertinent information in any governmental record, including an application for employment as a driver; and
 6. Has been convicted of four (4) or more moving violations of the traffic laws of this or any other state within the twelve (12) month period immediately preceding the date of the application of employment.
- d) Twelve Hour Work Rule. Contractor shall establish a twelve (12) hour work rule requiring that no wrecker driver is on-duty for more than twelve (12) hours within any eighteen (18) hour period. Contractor shall document the implementation and compliance of such rule, and upon the request of City, provide such documentation to City.

3.5. Contractor's Towing Operations. Contractor shall operate and be capable of providing Wrecker Services in accordance with this Agreement twenty-four (24) hours a day, three-hundred-sixty-five (365) days a year including weekends and holidays. Contractor shall perform Wrecker Services under the laws, regulations, orders, ordinances and guidelines of the State of Texas, Bexar County and the City.

- a) Dispatching. Contractor shall be capable of receiving requests for Wrecker Services from the City on a twenty-four (24) hour basis, three-hundred-sixty-five (365) days a year and immediately dispatch the appropriate Equipment and Personnel to the directional location to perform Wrecker Services within the Response Time of thirty (30) minutes.
 1. Backup Dispatch. Contractor shall have in place a dispatch system or procedure approved by City in writing that will act as a backup system for such circumstances as when Contractor's primary dispatch system is inoperable by no fault of the Contractor.
- b) Response Time and Response Time Performance Rating. City and Contractor agree that the Required Response Time for Wrecker Services performed under

this Agreement is **thirty (30) minutes**. Contractor shall maintain a monthly Response Time Performance Rating of at least ninety eight percent (98%) throughout the Term of this Agreement. Contractor shall report all Response Times, Response Time Performance Ratings and Response Time Violations to City on a monthly basis. Contractor shall submit documentation along with Response Time Violations indicating the reasons for the violation and any preventative measures that have been taken to correct Response Time Violations.

1. Traffic Laws. Contractor shall arrive at the tow scene with suitable Personnel and equipment and shall obey all traffic laws.
2. Multiple Towing Vehicles Required. When multiple towing vehicles are required to perform Wrecker Services, the Response Time of the second vehicle shall be no later than thirty (30) minutes from the time a second vehicle is requested.
3. Courtesy Tows. Upon direction of City through its police officers or authorized staff, Contractor shall tow vehicles for accommodations of public utility work, parades or street closures, street construction, for actual or threatened riot or civil disorder and/or emergency situations. Courtesy Tows are exempted from the City's compensation under Article VII.
4. Police Directed Tows. At the direction of any City police officer, Contractor shall perform a Non-consent Tow and shall obey police officers in performing such tows. Contractor shall ensure that such service is performed with all due care to avoid interference with police information.

3.6. Emergency Contingency Plan. In the event of an emergency such as declared disasters, evacuations, severe inclement weather or any other event deemed by the City, the City's Emergency Operations Coordinator, or the City Manager, Contractor shall ensure continued operations by coordinating with one (1) or more backup Wrecker Service provider whose purpose is to assist Contractor in meeting the requirements of this Agreement. Such backup Wrecker Service provider shall be named by the City through its Chief of Police at the time of the declared or deemed emergency. Contractor shall ensure that the backup Wrecker Service provider is utilized to appropriately cover a high volume of calls generated by any emergency.

- a) Wrecker Services performed under this Section 3.6 shall not be calculated in Contractors Response Time Performance Ratings, and shall not subject the Contractor to any fees under Article IV of this Agreement. However, such instances must be documented and reported to City by Contractor's monthly reporting in order to be exempted

3.7. Contractors Prohibitions. In the performance of this Agreement, Contractor shall be prohibited from the following:

- a) Causing damage to persons or property of others;
- b) Acting or inferring that Contractor's vehicles are emergency vehicles;
- c) Operating overhead emergency lights while en route to or from a tow scene;
- d) Disobeying traffic control devices (traffic lights, STOP signs, etc.);
- e) Using any type of siren;
- f) Soliciting those at the scene of an accident or disabled vehicles;
- g) Requiring the performance of repair work on a vehicle involvement in an accident or breakdown in connection with providing towing service for such vehicle or limiting, in any way, a vehicle owner/operator's ability to have the vehicle towed to a destination of their choice, unless otherwise directed by authorized City personnel;
- h) Making any repairs or alterations to a vehicle without first being authorized by the owner, an authorized insurance company, or other authorized agent of the vehicle owner;
- i) Towing any vehicle which is occupied by any person except as specifically directed by a police officer;
- j) Charging for service not performed or making duplicate charges for the same service or charge any fee in excess of those permitted under this Agreement;
- k) Using profane or obscene language which offends a customer or any other person;
- l) Being verbally or physically offensive, abusive, disrespectful or discourteous to any customer, motorist, City employee or any other person;
- m) Touching any customer, motorist, City employee or any other person;
- n) Performing services under this Agreement while consuming, or while under the influence of alcohol or drugs, whether legal or illegal, (if using prescription drugs, must be of the type where driving or operating machinery is not prohibited on the prescription label);

- o) Any vehicle or other equipment in performance of this Agreement in a careless, reckless, or negligent manner; and
- p) Requiring any vehicle owner/owner's agent to make any statement or sign any document relieving the Contractor from responsibility for the condition of the vehicle or its personal effects prior to the owner/owner's agent's inspection of vehicle or personal effects.

3.8 Contractor's Performance. All work performed by Contractor hereunder shall be performed to the satisfaction of the City. The determination made by the City shall be final, binding and conclusive on all Parties hereto.

IV. FEE SCHEDULE

4.1 Fees to City. Contractor acknowledges and agrees that complying with the duties and responsibilities hereunder is material to the performance of this Agreement. Contractor further acknowledges and agrees that any non-compliance may be harmful to the public health, safety and welfare of the citizens of Leon Valley, Contractor or its Personnel. Thus, Contractor agrees that non-compliance with certain duties and responsibilities hereunder shall be assessed a fee. Contractor further agrees that these fees do not constitute a waiver by City of a breach of any of the terms, conditions, covenants or guarantees of this Agreement and shall not be construed or held to be a waiver of any succeeding or preceding breach of the same or any other term, condition, covenant or guarantee herein contained. Thus Contractor agrees that the following fees shall be paid to City for non-compliance with the following duties and responsibilities hereunder:

- a) Response Time Performance Rating. Failure to maintain a monthly Response Time Performance Rating of ninety-eight percent (98%) shall result in Contractor being assessed a fee in the amount of twenty-five and no/100 dollars (\$25.00) per month for each month failing below a ninety-eight percent (98%) Response Time Performance Rating. Additionally, Contractor shall be assessed an additional ten and no/100 dollars (\$10.00) for each percentage point below ninety-eight percent (98%). Fractions of a percent shall be rounded to the nearest whole percent. The Response Time Performance Rating shall be measured by the response time required in section b) below;
- b) Thirty (30) Minute Response Time. Failing to respond within thirty (30) minutes of a request shall result in a fee of five and no/100 dollars (\$5.00) being assessed to Contractor per occurrence;
- c) Use of Safety Chains. The improper use of safety chains and/or wheel straps shall result in a fee of fifty and no/100 dollars (\$50.00) being assessed to Contractor per occurrence.

1. Safety chains and wheel straps should be used to secure vehicles in tow. When using wheel lifts, two safety chains connected from the rear of the wrecker to the vehicle being towed along with two-wheel straps should be used.
 2. Rollback/Flatbed Wreckers should use two safety chains on the rear of their bed and two safety chains on the front of their bed securing the vehicle to prevent movement in any direction should the driver be involved in an accident. The loading device does not count as or take place of the safety chains as the wench may fail.
 3. Dollies should be secured to the towed vehicle using wheel straps to secure the wheels being carried to the dollies.
- d) Reflective Vests or Jackets. Failure to wear Reflective/Safety Vest shall result in a fee of fifty and no/100 dollars (\$50.00) being assessed to Contractor per occurrence.
1. Wrecker drivers should wear a reflective vest or reflective jacket at all times while working outside of the tow vehicle. Reflective vests or jackets must meet the ANSI/ISEA 107-2015 requirements for high visibility safety apparel. During daylight hours, a fluorescent shirt may be worn instead of the reflective vest or jacket; however, the fluorescent shirt must meet the ANSI/ISEA 107-2015 requirements for high visibility safety apparel.
- e) Improper Use of Tow Lights. The improper use of tow lights shall result in a fee of twenty-five and no/100 dollars (\$25.00) being assessed to Contractor per occurrence.
1. Tow lights should be placed on top of and at the outer edges of the end of the vehicle being towed which is the furthest from the wrecker, no more than four (4) feet from the trailing edge. Should the vehicle be made of a material that will not hold the magnetic light, the vehicle should be towed using a rollback wrecker.
- f) Failure to Clean Debris. Failure to properly clean and clear debris from roadways and pedestrian ways shall result in a fee of fifty and no/100 dollars (\$50.00) being assessed to Contractor per occurrence.
- g) Twelve (12) Hour Limit. Failure to adhere to the twelve (12) hour limit shall result in a fee of twenty-five and no/100 dollars (\$25.00) being assessed to Contractor per occurrence.

1. No wrecker driver shall work beyond his/her scheduled twelve hour shift unless deemed an emergency by the Chief of Police or his/her designee.
- h) TDLR. Any violation of State towing laws and/or rules as posted by the Texas Department of License and Regulations shall result in a fee of twenty-five and no/100 dollars (\$25.00) being assessed to Contractor per occurrence.

4.2 Submission of Fees. Once notified in writing by City of violations by Contractor and fees assessed to Contractor for such violations under this Article VIII hereunder for the month immediately following the month in which the fee was assessed.

V. VEHICLE STORAGE FACILITIES

5.1 Inspection of Facility. Contractor's Vehicle Storage Facility is subject to inspection by State, City and County authorized health department officials, fire department, and police department and other agencies relative to safety requirements.

5.1.1 Contractor shall immediately notify the Chief of Police, in writing, of any notices of violations which are received during or in connection with inspections performed under Section 5.1 above. A copy of any such report received by Contractor shall be immediately sent to the Chief of Police, unless the notice or report was generated by the Leon Valley Police Department.

5.1.2 City shall have the option to be present at all inspections and shall be given prior notice of inspections whenever possible within two (2) business days of inspection days.

5.2 City's Access to Facility. In addition to any rights of access granted to City in this Agreement, City may at any time during the term of this Agreement, have access to Contractor's Storage Facility for the purposes of inspection and to ensure compliance with the terms of this Agreement.

VI. RATES FOR SERVICE

6.1 City-Owned Vehicles. Wrecker Services shall be provided by Contractor to City at no cost for all City-Owned Vehicles, as defined in this Agreement. Such services include tows, jump starts and tire changes. Any vehicle that is towed from outside of Bexar County will be charged per mile from the point of pickup to the Bexar County line via the most expeditious route.

6.2 Seizure Vehicle. The Contractor will tow, at no cost, any vehicle subject to or under seizure by the Leon Valley Police Department. If a vehicle is subject to seizure, towed by the Contractor and it is later determined that the vehicle will not be seized, the Contractor will be notified to retrieve the vehicle. The responsible party for the vehicle will be liable

for all charges from the tow to the Contractors facility and all other charges associated with the tow and storage.

6.3 Types of Payment. Contractor shall accept cash, credit card and debit card but shall not trade or barter for service.

VII. CHARGES AND FEES

7.1 City's Commission. As consideration for the right to provide Wrecker Services in accordance with the terms and conditions of this Agreement, Contractor shall pay to City **Twenty and no/100 dollars (\$20.00)** per non-consent tow to the Banis Vehicle Storage Facility, including instances when an owner or operator of a vehicle arrives prior to a vehicle being removed and Contractor receives a fee for releasing the vehicle. Such payment shall be due to City in accordance with Article VIII of this Agreement and shall be due regardless of Contractor's actual receipt of payment from a third-party. The fee paid to the City will increase by the Consumer Price Index unadjusted twelve (12) month period ending in March of each year. If there is a decrease in Consumer Price Index unadjusted twelve (12) month period, the amount due the City will not decrease from previous year.

7.2 Collection of fees by City. The City will collect a ninety-five and no/100 (\$95.00) rate charge to be paid to Contractor for all vehicles towed by Contractor to the City of Leon Valley Impound Lot. Such payment shall be due to Contractor in accordance with Article VIII of this Agreement and shall be due regardless of City's actual receipt of payment from a third-party.

7.3 Certified Letter Fee. Contractor may assess a certified letter fee of twenty-five and no/100 dollars (\$25.00) per certified letter sent to a vehicle owner as required by State law.

7.4 Fee Schedule.

ITEM	DESCRIPTION	UNIT PRICE
1	Rate charge for towing vehicles up to and including twenty-five feet (25') in length (light duty) within the City. Indicate hourly or flat rate.	\$95.00
2	Rate charge for towing vehicles greater than twenty-five feet (25') in length (medium duty) within the City. Indicate hourly or flat rate.	\$285.00
3	Rate charge for towing heavy duty vehicles (i.e. commercial trailers, tractors, etc.) within the City. Indicate hourly or flat rate. 10,000 lbs to 26,000lbs	\$425.00
4	Per mile charge for towing vehicles located outside the City's ETJ up to the corporate City limits. Rate charge identified under Items 1 or 2 would apply upon reaching City's ETJ.	\$3.00

5	Rate charge, if applicable, for towing recreational vehicles, such as motorcycles, within the City. Indicate hourly rate.	\$125.00
6	Rate charge for towing vehicles on a tilt bed. Indicate hourly rate.	\$95.00
7	Rate charge for off-road and/or winch-out recovery. Indicate hourly rate.	\$225.00
8	Vehicles towed to auction for the City of Leon Valley. (Per Vehicle)	\$75.00
9	Vehicles weight over \$26,000 lbs GVW	\$690.00
10	Daily Impound Fee	\$20.00
11	Daily storage fee	\$20.00
21	Storage Fee for Leon Valley on hold vehicles	\$0

VIII. PAYMENT TERMS

8.1 Within ten (10) calendar days following the close of each month, Contractor shall submit to City the commission fees as specified in Article VII. In the event Contractor does not submit the commission fees by the tenth (10th) calendar day following the close of the month, City shall give Contractor two (2) calendar days from the receipt of notice to submit the required commission fees unless the time period is extended in writing at the sole discretion of the City. Failure by Contractor to submit commission fees within two (2) calendar days' notice shall subject Contractor to a fee of an additional ten percent (10%) of the amount due and owing by Contractor to City and shall be an Event of Default.

8.2 Within ten (10) calendar days following the close of each month, Contractor will submit to the City an invoice that includes log of each vehicle towed by Contractor to the City Impound Lot. The log will include the following information:

- a) Location vehicle towed from;
- b) Date and time vehicle towed;
- c) Make, model and color of vehicle towed;
- d) License plate number of vehicle towed; and
- e) Vehicle Identification Number (VIN) of vehicle towed.

8.3 The City will pay Contractor the rate charged for vehicles towed to the City Impound Lot in accordance with the charges and fees listed in Article VII. City agrees to pay the charges and fees within ten (10) calendar days of receipt of the invoice and log submitted by Contractor.

IX. RECORDS RETENTION

9.1 Records Retention Period. Contractor shall retain any and all documents produced as a result of services provided hereunder for a period of four (4) years (hereafter referred to as "retention period") from the date of termination of this Agreement. If, at the end of the retention period, there is litigation or other questions arising from, involving or concerning this documentation or the services provided hereunder, Contractor shall retain the records until the resolution of such litigation or other such questions. Contractor acknowledges and agrees that City shall have access to any and all such documents at any and all times, as deemed necessary by City, during said retention period. City may,

at its election, require Contractor to return said documents to City prior to or at the conclusion of said retention period.

9.2 Specified Records. Contractor shall retain all records, including but not limited to, tow invoice copies, inventory and condition reports for Contractor's Equipment and may facility inspection records. Within twenty-four (24) hours of the City's request, Contractor shall make available such records for inspection, audit or copying by City or its authorized representative.

9.3 Notification. Contractor shall notify City, immediately, in the event Contractor receives any requests for information from a third-party, which pertain to the documentation and record reference herein.

X. SUSPENSION/TERMINATION

10.1 Suspension. City may summarily suspend this Agreement should there be reason to believe that Contractor has breached this Agreement, including violation of any City, State or Federal laws. Such suspension shall remain in effect until such time as the City determines appropriate measures to ensure Contractor's future compliance. Grounds for such suspension include, but are not limited to the following:

- a) Failure to abide by any terms or conditions of this Agreement;
- b) Failure to keep and maintain adequate proof of insurance or bond as required by this Agreement;
- c) Use of substandard, unauthorized or dangerous equipment;
- d) Failure to maintain any equipment required under this Agreement;
- e) Failure to pay City's commission or any other fees collectible under this Agreement;
- f) Failure to maintain a Response Time Performance Rating of ninety-eight percent (98%) for three (3) consecutive months;
- g) The commission of any crime by Contractor, or any owner, part owner, partner, business associate, principal party, officer or director; and
- h) Failure to dismiss any Personnel in violation of sub-paragraph 3.4(c)(1-6) hereunder.

10.2 Termination Defined. For purposes of this Agreement, "termination" shall mean termination by expiration of the Agreement term as stated in Article II, or earlier termination pursuant to any of the provisions hereof.

10.3 Termination without Cause. This Agreement may be terminated by either party upon a sixty (60) calendar day's written notice, which notice shall be provided in accordance with Article XI.

10.4 Termination for Cause. Upon written notice, which notice shall be provided in accordance with Article XI, City may terminate this Agreement as of the date provided in the notice, in whole or in part, upon the occurrence of one (1) or more of the following events, each of which shall constitute an Event of Default under this Agreement:

10.4.1 The breach of any term or condition of this Agreement.

10.4.2 The sale, transfer, pledge, conveyance or assignment of this Agreement without prior approval, as provided in Article XVI - Assignment and Sub-contracting.

10.5 Opportunity for Cure. Should Contractor default in the performance of this Agreement in a manner stated in this section, same shall be considered an Event of Default. City shall deliver written notice of said default specifying such matter(s) in default. Contractor shall have **ten (10) calendar days** after receipt of the written notice, in accordance with Article XI, to cure such default. If Contractor fails to cure the default within such ten **(10) day cure period**, City shall have the right, without further notice or adoption of an ordinance, to terminate this Agreement in whole or in part as City deems appropriate, and to contract with another Contractor to complete the work required in this Agreement. In addition to the breach of any term or condition of this agreement, following actions are also defaults which may be cured by Contractor:

10.5.1 Performing unsatisfactorily in the sole discretion of City.

10.5.2 Bankruptcy or selling substantially all of company's assets.

10.6 Termination by Law. If any State or Federal law or regulation is enacted or promulgated which prohibits the performance of any of the duties herein, or, if any law is interpreted to prohibit such performance, this Agreement shall automatically terminate as of the effective date of such prohibition.

10.7 Ceasing Operations. Upon the effective date of expiration or termination of this Agreement, Contractor shall cease all operations of work being performed by Contractor or any of its sub-contractors pursuant to this Agreement.

10.8 Termination Not Sole Remedy. In no event shall City's action of terminating this Agreement, whether for cause or otherwise, be deemed an election of City's remedies, nor shall such termination limit, in any way, at law or at equity, City's right to seek damages from or otherwise pursue Contractor for any default hereunder or other action.

10.9 Transition Period. Regardless of the method by which this Agreement is terminated, Contractor agrees to provide a transition period of termination for a period not to exceed

two (2) months upon City's request. During such transition period, Contractor may continue to provide Wrecker Services as provided for under this Agreement.

XI. NOTICE

11.1 Except where the terms of this Agreement expressly provide otherwise, any election, notice or communication required or permitted to be given under this Agreement shall be in writing and deemed to have been duly given if and when **the communication is delivered via e-mail** as provided below by the contractor or delivered personally (with receipt acknowledged), or three (3) days after depositing same via United States Postal Service (USPS) mail, first class, with proper postage prepaid, or upon receipt if sending the same by certified mail, return receipt requested, or upon receipt when sent by a courier service for expedited delivery to be confirmed in writing by such courier, at the addresses set forth below or to such other address as either party may from time to time designate in writing.

If intended for City, to:

City of Leon Valley
Attn: City Manager
6400 El Verde Road
Leon Valley, Texas 78238

With a copies to:

City of Leon Valley
Attn: Chief of Police
6400 El Verde Road
Leon Valley, Texas 78238

City of Leon Valley
Attn: City Attorney
6400 El Verde Road
Leon Valley, Texas 78238

If intended for Contractor, to:

Banis Towing
Attn: _____

XII. DOCUMENTS, REPORTS, AUDITS

12.1 Documents. Contractor and its sub-contractors, if any, shall properly, accurately and completely maintain all documents, papers, and records, and other evidence pertaining to the Wrecker Services rendered hereunder (hereafter referred to as “documents”), and shall make such documents available to the City at their respective offices or through electronic delivery, at all reasonable times and as often as City may deem necessary during the Initial Term, Renewal Term and any extension here of, for purposes of audit, inspection, examination, and making excerpts or copies of same by City and any of its authorized representatives.

12.2 Reports. Upon the request of City, Contractor shall provide all reports relating to the performance of Wrecker Services under this Agreement. Contractor shall provide such reports to City within five (5) business days after Contractor receives City’s written requests, unless the Parties agree in writing on a longer period of time.

12.2.1 City may require Contractor to submit reports in a format that is reasonably requested by the City. Contractor may seek approval of the City by proposing a format in which information shall be provided to City.

12.3 Financial Audit Report. As a service provider of City, Contractor’s financial condition is pertinent to City’s ability to serve the public at large. Within twenty (20) days of City’s request, Contractor shall submit a financial statement audited by an independent certified public accountant (CPA) in accordance with generally accepted auditing standards. The audited financial statement shall include a detailed schedule of receipts and expenditures by budgeted cost category. Contractor shall submit the audited financial statements and any management letter prepared by the independent Certified Public Accountant to both the City’s Finance Department and the Leon Valley Police Department, both located at 6400 El Verde Road, Leon Valley, Texas 78238.

XIII. INSURANCE

13.1 Contractor Insurance. Not later than the Effective Date of this Agreement, and at all times during the term of this Agreement, Contractor shall obtain and cause to be in full force and effect the following insurance:

- a) Providers shall obtain and maintain in full force and effect, insurance with an insurance company licensed to do business in the state and acceptable to the City as determined by its representative. All companies will be required to be rated A-VI or better by A.M. Best or A or better by Standard and Poor. Contractor shall furnish the City with proof of such insurance so required, and to reasonably adjust insurance coverage and their limits when deemed necessary and prudent by the City’s Risk Manager, based upon changes in statutory law, court decisions, or the claims history of the industry or the Contractor.

- b) Subject to the Contractor's right to maintain reasonable deductibles in such amounts as are approved by the City's Risk Manager, Contractor shall obtain and maintain in full force and effect for the duration of this Agreement, at the Contractor's sole expense, insurance coverage in the following type and minimum amounts:

Type	Amount
(1) Worker's Compensation	(Minimum statutory limits, and statutory employers \$100,000.00/\$500,000.00/\$100,000.00 as amended)
(2) Commercial general (public) liability, to include coverage for the following where the exposure exists: (a) Premises Operations; (b) Independent Contractors; (c) Products/Completed Operations; (d) Personal Injury; (e) Contractual Liability; and (f) Explosion, collapse and underground property damage.	Combined single limit for bodily injury and property damage \$1,000,000.00 per occurrence or its equivalent.
(3) Comprehensive automobile insurance coverage for loading and unloading hazards, for: (a) Owned/leased automobiles; (b) Non-owned automobiles; and (c) Hire automobiles.	Combined single limit injury and damage \$2,000,000.00 per occurrence or its equivalent.
(4) Pollution liability insurance (a) Bodily Insurance (b) Property Damage (c) Cleanup Cost	\$1,000,000.00 per occurrence

- c) City shall be entitled, upon request and without expense, to received copies of certificates of insurance evidencing coverage stated above. City also may make any reasonable request for deletion, revision or modification of particular policy terms, conditions, limitations or exclusions, except where polity provisions are established by law or regulation binding upon either the City or Contractor or upon the underwriter for any of such policies. Upon request for deletion, revision or modification by City, Contractor shall exercise reasonable efforts to accomplish the changes and shall pay the cost thereof.
- d) Contractor shall agree that, with respect to the above required insurance, all insurance certificates will contain the following required provisions:

1. Name City and its officers, employees, board members and elected representatives as additional insureds (as the

interests of each insured may appear) as to all applicable coverage;

2. Provide for thirty (30) days' notice to the City for cancellation, non-renewal, or material change;
 3. Provide for notice to City by certified mail; and
 4. Provide that all provisions of this Agreement, as amended, concerning liability, duty, and standard of care, including the indemnity sections, shall be underwritten by contractual coverage sufficient to include such obligations within applicable policies, subject to policy terms and conditions.
- e) The insurance certificates obtained by Contractor in compliance with this section shall be subject to approval by the City's designated representative, and such proof of insurance shall be filed and maintained with the City during the term of this Agreement, or any extension or renewal thereof, and may be filed and maintained with the City during the term of this Agreement, or any extension or renewal thereof, and may be changed from time to time to reflect changing liability limits, as required by the City. Contractor shall immediately advise the City Attorney of any actual or potential litigation that may develop that would affect insurance coverage related to this Agreement.
- f) Insurers shall have no right of recovery against the City, it being the intention that the insurance policies shall protect Contractor and the City and shall be primary coverage by the policies.
- g) The policy clause "other insurance" shall not apply to the City where the City is an insured on the policy.
- h) Companies issuing the insurance policies shall have no recourse against the City for payment of any premiums or assessments, which all are set at the sole risk of Contractor. Insurance policies obtained by Contractor shall provide that the issuing company waives all right of recovery by way of subrogation or assignment against the City in connection with any damage covered by these policies.
- i) Self-insurance. At the City's reasonable discretion, and with adequate financial documentation from Contractor and in compliance with applicable State laws, the City may accept, in lieu of the insurance requirements described above, a self-insurance provision in this Agreement which provides substantially similar protection to the above requirements.

13.2 Right to Review. The City reserves the right to review the insurance requirements of this Article during the effective period of this Agreement and any extension or renewal hereof and to modify insurance coverages and their limits when deemed necessary and prudent by City's Risk Manager based upon changes in statutory law, court decisions, or circumstances surrounding this Agreements, but in no instance, will City allow modification whereupon City may incur increased risk.

13.3 Copies upon Request. The City shall be entitled, upon request and without expense to receive copies of the policies, declaration page and all endorsements thereto as they apply to the limits required and may require the deletion, revision, or modification of particular policy terms, conditions, limitations or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any such policies).

13.4 Incorporated Provisions. Contractor agrees that with respect to the above required insurance, all insurance contracts and Certificate(s) of Insurance will contain the following required provisions:

1. Workers' Compensation and employers' liability policies will provide a waiver of subrogation in favor of the City; and
2. Provide thirty (30) calendar days advance written notice directly to City of any suspension, cancellation, non-renewal or material change in coverage, and not less than ten (10) calendar days advance notice for non-payment of premium.

13.5 Suspension, Cancellation or Non-Renewal. Within five (5) calendar days of a suspension, cancellation or non-renewal of coverage, Contractor shall provide a replacement Certificate of Insurance and applicable endorsements to the City. City shall have the option to suspend Contractor's performance should there be a lapse in coverage at any time during this Agreement. Failure to provide and to maintain the required insurance shall constitute a material breach of this Agreement.

13.6 Stop Work Order. In addition to any other remedies the City may have upon Contractor's failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, the City shall have the right to order Contractor to stop work hereunder until such time as Contractor demonstrates compliance with the requirements of this Article XIII.

13.7 No Limitation. Nothing herein contained shall be construed as limiting in any way the extent to which Contractor may be held responsible for payments of damages to persons or property resulting from Contractor's or it sub-contractors' performance of the work covered under this Agreement.

13.8 Liability for Equipment. Contractor and any sub-contractors are responsible for all damages to its own equipment.

XIV. INDEMNIFICATION

14.1 CONTRACTOR COVENANTS AND AGREES TO FULLY INDEMNIFY AND HOLD HARMLESS, THE CITY AND THE ELECTED OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS, VOLUNTEERS AND REPRESENTATIVES OF THE CITY, 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 CITY DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM OR RELATED TO CONTRACTOR'S ACTIVITIES UNDER THIS AGREEMENT, INCLUDING ANY ACTS OR OMISSIONS OF CONTRACTOR, ANY AGENT, OFFICER, DIRECTOR, REPRESENTATIVE, EMPLOYEE, CONTRACTOR OR SUB-CONTRACTOR OF CONTRACTOR, AND THEIR RESPECTIVE OFFICERS, AGENTS, EMPLOYEES, DIRECTORS AND REPRESENTATIVES WHILE IN THE EXERCISE OF PERFORMANCE OF THE RIGHTS OR DUTIES UNDER THIS AGREEMENT, ALL WITHOUT HOWEVER, WAIVING ANY GOVERNMENTAL IMMUNITY AVAILABLE TO THE CITY UNDER TEXAS LAW AND WITHOUT WAIVING ANY DEFENSES OF THE PARTIES UNDER TEXAS LAW. IT IS FURTHER COVENANTED AND AGREED THAT SUCH INDEMNITY SHALL APPLY EVEN WHEN SUCH COSTS, CLAIMS, LIENS, DAMAGES, LOSSES, EXPENSES, FEES, FINES, PENALTIES, ACTIONS, DEMANDS, CAUSES OF ACTION, LIABILITY AND/OR SUITS ARISE IN ANY PART FROM THE NEGLIGENCE OF CITY, THE ELECTED OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS AND REPRESENTATIVES OF CITY, UNDER THIS AGREEMENT.

14.1.1 IT IS THE EXPRESS INTENT OF THE PARTIES TO THIS AGREEMENT, THAT THE INDEMNITY PROVIDED FOR IN THIS SECTION, IS AN INDEMNITY EXTENDED BY CONTRACTOR TO INDEMNIFY, PROTECT AND HOLD HARMLESS, THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE, PROVIDED, HOWEVER, THAT THE INDEMNITY PROVIDED FOR IN THIS SECTION SHALL APPLY ONLY WHEN THE NEGLIGENT ACT OF THE CITY IS A CONTRIBUTORY CAUSE OF THE SOLE CAUSE OF THE RESULTANT INJURY, DEATH, OR DAMAGE. CONTRACTOR FURTHER AGREES TO DEFEND, AT ITS OWN EXPENSE AND ON BEHALF OF THE CITY AND IN THE NAME OF THE CITY, ANY CLAIM OR LITIGATION BROUGHT AGAINST THE CITY AND ITS ELECTED OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS, VOLUNTEERS AND REPRESENTATIVES, IN CONNECTION WITH ANY SUCH INJURY, DEATH, OR DAMAGE FOR WHICH THIS INDEMNITY SHALL APPLY, AS SET FORTH ABOVE.

14.1.2 The provisions of this Indemnity are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. Contractor shall advise the City in writing within twenty-four (24) hours of any claim or demand against the City or Contractor known to Contractor related to or arising out of Contractor's activities under this Agreement and shall see to the investigation and

defense of such claim or demand at Contractor's cost. The City shall have the right, at its option and at its own expense, to participate in such defense without relieving Contractor of any of its obligations under this paragraph.

14.2 Defense Counsel. City shall have the right to select or to approve defense counsel to be retained by Contractor in fulfilling its obligation hereunder to defend and indemnify City, unless such right is expressly waived by City in writing. Contractor shall retain City approved defense counsel within seven (7) business days of City's written notice that City is invoking its right to indemnification under this Agreement. If Contractor fails to retain Counsel within such time period, City shall have the right to retain defense counsel on its own behalf, and Contractor shall be liable for all costs incurred by City. City shall also have the right, at its option, to be represented by advisory council of its own selection and at its own expense, without waiving the foregoing.

14.3 Employee Litigation. In any and all claims against any party indemnified hereunder by any employee of Contractor, any sub-contractor, anyone directly or indirectly employed by any of them or anyone for whose acts, any of them may be liable, the indemnification obligation herein provided shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for Contractor or any sub-contractor under workers' compensation or other employee benefit acts.

XV. INDEPENDENT CONTRACTOR

15.1 Contractor covenants and agrees that it is an independent contractor and not an officer, agent, servant or employee of City; that Contractor shall have exclusive control of and exclusive right to control the details of the work performed hereunder and all persons performing same, and shall be responsible for the acts and omissions of its officers, agents, employees, contractors, sub-contractors and Contractors; that the doctrine of respondent superior shall not apply as between City and Contractor, its officers, agents, employees, contractors, sub-contractors and Contractors, and nothing herein shall be construed as creating the relationship of employer-employee, principal-agent, partners or joint ventures between City and Contractor. The parties hereto understand and agree that the City shall not be liable for any claims which may be asserted by any third party occurring in connection with the services to be performed by the Contractor under this agreement and that the Contractor has no authority to bind the City.

XVI. ASSIGNMENT, SUB-CONTRACTING AND CHANGE OF OWNERSHIP

16.1 No Assignment. This Agreement is not assignable.

16.2 Sub-contracting. Contractor is not prohibited from sub-contracting for specific services related to this Agreement where Contractor retains full responsibility for act of the sub-contractor and such sub-contracting is approved in writing by the City prior to the sub-contractor. Any work or services approved for sub-contracting hereunder shall be sub-contracted only by written contract and, unless specific waiver is granted in writing

by the City, shall be subject by its terms to each and every provision of this Agreement. Compliance by sub-contractors with this Agreement shall be the responsibility of Contractor. City shall in no event be obligated to any third party, including any sub-contractor of Contractor, for performance of services or payment of fees.

16.3 Change of Ownership. Contractor agrees to notify the City of any changes of ownership interest or control of Contractor's business entity not less than thirty (30) calendar days in advance of the effective date of such change. Notwithstanding any other remedies that are available to City under this Agreement, any change of ownership interest or control of its business entity may be grounds for the termination of this Agreement at the sole discretion of City.

XVII. AMENDMENTS

17.1 Except where the terms of this Agreement expressly provide otherwise, any alterations, additions, or deletions to the terms here of, shall be effected by an amendment, in writing, executed by both City and Contractor.

XVIII. SEVERABILITY

18.1 If any clause or provision of this Agreement is held invalid, illegal or unenforceable under present or future Federal, State or local laws, including but not limited to the City of Leon Valley Code of Ordinances, 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 here of 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.

XIX. CERTIFICATIONS/LICENSE/PERMITS

19.1 Certifications. Contractor warrants and certifies that Contractor and any other person authorized or designated to provide services hereunder has the requisite training, license and/or certification to provide said services, and meets all competency standards promulgated by all other authoritative bodies, as applicable to the services provided herein.

19.2 License and Permits. Contractor and any sub-contractor involved in the provision of any services under this Agreement, shall at its own expense and cost, procure and keep in force during the term of this Agreement, all permits and licenses required by law to provide such services, and shall provide copies of such permits and licenses upon request to the City within then (10) business days after receiving a request from City.

19.2.1 Nothing contained herein shall be construed as binding the City to the issuance of any license or permit needed by Contractor or any of Contractor's sub-contractors to enable anyone to provide service hereunder.

XX. OWNERSHIP AND LICENSES

20.1 No Copyright. In accordance with Texas law, Contractor acknowledges and agrees that all local government records created or received in the transaction of official business or the creation or maintenance of which were paid for with public funds are declared to be public property and subject to the provisions of Chapter 201 of the Texas Local Government Code and Subchapter J, Chapter 441 of the Texas Government Code. Thus, no such local government record produced by or on behalf of Contractor pursuant to this Agreement shall be the subject of any copyright or proprietary claim by Contractor.

20.2 Government Record. The term "local government record" as used herein shall mean any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the State, created or received by local government or any of its officials or employees pursuant to law including an ordinance, or in the transaction of official business.

20.3 Property of City. Contractor acknowledges and agrees that all local government records, as described herein, produced in the course of the work required by this Agreement will belong to and be the property of City and Contractor will be required to turn over to City, all such records. Contractor shall not, under any circumstances, release any records created during the course of performance of this Agreement to any entity without City's written permission, unless required to do so by a Court of competent jurisdiction.

20.4 Applicable Law. In accordance herewith, Contractor agrees to comply with all applicable Federal, State and local laws, rule and regulations governing documents and ownership, access and retention thereof.

XXI. NON-WAIVER OF PERFORMANCE

21.1 Unless otherwise specifically provided for in this Agreement, a waiver by City of a breach of any of the terms, conditions, covenants or guarantees of this Agreement shall not be construed or held to be a waiver of any succeeding or preceding breach of the same of any other term, condition, covenant or guarantee herein contained. Further, any failure of City to insist in any one or more cases upon the strict performance of any of the covenants of this Agreement, or to exercise any option herein contained, shall in no event be construed as a waiver or relinquishment for the future of such covenant or option. In fact, no waiver, change, modification or discharge by City of any provision of this Agreement shall be deemed to have been made or shall be effective unless expressed in writing and signed by the City. No act or omission by City shall in any manner impair or

prejudice any right, power, privilege, or remedy available to City or by law or in equity, such rights, powers, privileges, or remedies to be always specifically preserved hereby.

XXII. LAW APPLICABLE

22.1 THIS AGREEMENT SHALL BE CONSTRUED UNDER AND IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS AND ALL OBLIGATIONS OF THE PARTIES CREATED HEREUNDER ARE PERFORMED IN BEXAR COUNTY, TEXAS.

22.2 Venue. Any legal action or proceeding brought or maintained, directly or indirectly, as a result of this Agreement shall be heard and determined in Bexar County, Texas.

XXIII. LEGAL AUTHORITY

23.1 The signer of this Agreement for Contractor represents, warrants, assures and guarantees that he has full legal authority to execute this Agreement on behalf of Contractor and to bind Contractor to all of the terms, conditions, provisions and obligations herein contained.

XXIV. PARTIES BOUND

24.1 This Agreement shall be binding on and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, and successors and assigns, except as otherwise expressly provided for herein.

XXV. CAPTIONS

25.1 The captions contained in this Agreement are for convenience of reference only, and in no way limit or enlarge the terms and/or conditions of this Agreement.

XXVI. ENTIRE AGREEMENT

26.1 This Agreement, together with its authorizing ordinance and its exhibits constitute the final and entire agreement between the parties hereto and contain all of the terms and conditions agreed upon. No other agreements, oral or otherwise regarding the subject, regarding the subject matter of this Agreement shall be deemed to exist or to bind the parties hereto, unless same is in writing, dated subsequent to the date hereto and duly executed by the parties, in accordance with Article XVII.

{signatures following this page}

EXECUTED:

(City)
City of Leon Valley

(Contractor)
Banis Towing

By: _____
Name: Crystal Caldera, PhD.
Title: City Manager

By: _____
Name: Don Banis
Title: President

Date: _____

Date: _____

Approved as to form:

By: _____
Name: Nicole Warren
Title: City Attorney, City of Leon Valley

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH
BANIS TOWING FOR TOWING AND IMPOUND SERVICES**

WHEREAS, Banis Towing agrees to provide towing and impound service to the City;

WHEREAS, The City of Leon Valley is agreeing to a five-year Agreement with Banis Towing; and

WHEREAS, said agreement is attached as Exhibit A

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

SECTION 1. The execution of an agreement with Banis Towing, is hereby authorized.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific accounts as necessary to carry out the purpose of this Ordinance.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

SECTION 4. 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 municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 5. This Ordinance shall become effective immediately upon its passage and publication as required by law.

MAYOR AND COUNCIL COMMUNICATION

DATE: June 20, 2023

TO: Mayor and Council

FROM: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation, Discussion and Possible Action on an Ordinance that Authorizes the City Manager to Execute a Contract with Banis Towing.

PURPOSE

To authorize an Ordinance that allows the City Manager to execute the contract with Banis Towing for towing and impound service.

FISCAL IMPACT

The City expends \$32,000 a year for these services.

SEE LEON VALLEY

Social Equity – N/A

Economic Development – N/A

Environmental Stewardship – N/A

RECOMMENDATION

City Council Discretion.

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary



Post Event Form

Within one week of the completion of the event supported by the In-Kind Assistance Grant, the applicant will provide a detailed report including the following documentation and information:

1. Documents illustrating the event planning process: Include any sample promotional information such as fliers, press releases, invitations, presenter and volunteer lists, event schedules and maps, evaluation forms, photo releases, and any other useful documents generated in the process.
2. Documentation of participants, activities, and participant evaluations: Include any photo- released digital images, video or print photographs, quotes or written statements from participants, copies of any photographs or articles resulting from media coverage of the event.
3. Post-event self-evaluation and summary of accomplishments: Include number of participants, number of volunteers, number and names of partnering organizations, self-evaluation of effectiveness in meeting stated goals, and other appropriate additional information.
4. Final Project/Event Budget: Include all actual event expenditures and all funding sources, including the in-kind received from the City of Leon Valley.

Please submit the above information and all other supporting documents by mail or hand

deliver to:

City of Leon Valley

Community Relations Director

6400 El Verde Rd. Leon Valley, Texas 78238



IN-KIND ASSISTANCE GRANT

Grant Policy:

The City of Leon Valley has created the “In-Kind Assistance Grant Program” to meet the growing demand of in-kind assistance requests by local community organizations. Under this grant program, in-kind assistance includes financial resources, such as the use of the facilities, it may include providing City personnel, equipment or other services to serve a public purpose.

*Article 3, Section 52 of the Texas Constitution prohibits cities from making gifts of public funds to any individual, association, or corporation. However, as long as the expenditure is for a legitimate public purpose; in that the city or government will receive return consideration in order to determine whether a grant accomplished a public purpose; we must ensure that the expenditure is not for the benefit of private parties, that the city or government has control of the use of the funds, to protect the public's investment and to make sure we receive a returned benefit.

Applicants eligible to apply are non-profit organizations, charitable organizations, government entities, religious organizations, schools, or other tax-exempt organizations. Proof of organization status is required.

Please Note:

City Council voted on September 4th, 2018, ***“to require a deposit, no longer waive cleanup cost, no longer waive security, and add a setup fee which would be same as the cleanup fee and do not waive the fee at the discretion of each application coming to Council”.***

Grant applications are due:

- September 1st for events scheduled **October 1 – December 31**
- December 1st for events scheduled **January 1 – March 31**
- March 1st for events scheduled **April 1 – June 30**
- June 1st for events scheduled **July 1 – September 30**

Application Guidelines:

Applicants must submit a completed application along with supporting documentation. Incomplete applications will not be considered. All applications will be reviewed and scored by the In-Kind Assistance Grant Committee who will make recommendations to the Leon Valley City Council. The Leon Valley City Council will make all final decisions. Scoring is based on the following areas to determine a *public purpose**:

- (1) Qualifying organization/entity;
- (2) Outstanding debt with the City of Leon Valley, if any;
- (3) Generation of additional sales and tax revenues in Leon Valley;
- (4) Opportunity for community and visitor participation; and
- (5) Availability of requested City resources.

Applicants are eligible to apply only once from October 1 – September 30 of each year. Applicants applying for in-kind assistance for an annual event that was supported by a previous in-kind City assistance grant must submit a financial report indicating whether the previous event was profitable. All applicants that are awarded in-kind assistance from the City must return a completed **“Post Event Form”** within seven calendar days after the event. Delinquent post event reports will disqualify organizations from future in-kind services for one calendar year from date of event.

The In-Kind Assistance Grant Committee will update a list of City services eligible for in-kind assistance on a quarterly basis available at www.leonvalleytexas.gov. This list will also include the fees associated with each in-kind service to help the applicant fill out the budget for the proposed event.

Marketing Guidelines:

Event sponsor signage or any promotional materials (brochures, website, advertisements, etc.) are required to include an approved City of Leon Valley logo with the www.leonvalleytexas.gov website below the logo. Contact the City Communications Office, (210) 684-1391 ext.228 for approval and logo.

In-Kind Assistance Grant Committee:

The In-Kind Assistance Grant Committee will meet within one week after the application deadline to evaluate, score and make a determination for approval or denial of assistance requests. All applicants will be notified in writing of the Committee’s recommendations to the Leon Valley City Council. The Leon Valley City Council makes all final decisions.

Application Instructions:

Please complete the attached application form and provide the following documentation:

- (1) Proof of status (i.e. 501c3, non-profit, charitable, government, etc.);
- (2) Description of proposed event;
- (3) Budget for proposed event (must use format provided);
- (4) List of all in-kind assistance being requested; and
- (5) Marketing plan for proposed event, including identification and appropriateness of target audience.



In-Kind Grant Application

6400 El Verde Road, Leon Valley, Texas 78238

PH: 210-684-1391 Ext: 228

Fax: 210-684-4476

☐ Community Center☒ Conference Center

Please check all that apply:

<input checked="" type="checkbox"/> Non-Profit	<input type="checkbox"/> Religious	<input type="checkbox"/> Govt. Entity	<input type="checkbox"/> School	<input checked="" type="checkbox"/> Charitable	<input type="checkbox"/> Other (please specify):
--	------------------------------------	---------------------------------------	---------------------------------	--	--

Organization Information

Name: AUDIE L. MURPHY POST 336Address: P.O. BOX 682025, SAN ANTONIO, TX 78268Contact Number: (210) 827-7985 Email Address: rw00054@swbell.netEvent Coordinator: RICHARD F. WOOD Cell Phone: (210) 827-7985

Event Information

Date(s) of Event: 9/10/2023 / _____ Start Time: 12:30 PM End Time: 2:00 PM

Assembly Date: _____ / _____ Start Time: _____ End Time: _____

Breakdown/Clean-up Date/Time: 1 HOUREstimated Attendees: 60Purpose of Event: 9/11 REMEMBRANCE CEREMONY - ANNUAL EVENTPrimary Audience: POST 336 MEMBERS/FAMILY; GENERAL PUBLIC INVITED

If event is a fundraiser, what will fundraising funds be used for?

NOT APPLICABLE

List all other sources of funding for this event such as admission fee, donations, grants, etc.:

SEEKING IN-KIND GRANT FOR ALL EXPENSES OF
CONFERENCE CENTER RENT; SET-UP/BREAKDOWN/CLEAN-UP.
WAIVE DEPOSIT.

Will your event allow the sale or consumption of alcohol? If yes, have you already obtained the proper state permits? Please attach copy of permits.

NO.

What benefits will the City of Leon Valley receive from this event?

THIS HAS BEEN AN ANNUAL EVENT FOR MANY YEARS, OPEN TO THE PUBLIC. SEVERAL MEMBERS OF THE LEON VALLEY CITY COUNCIL ARE POST 336 MEMBERS.

Describe the in-kind services that you are requesting such as security, facility usage, electrical, booth set-up, stage set-up, clean-up, transportation, barricades, etc.:

ONE FACILITY USAGE; AT LEAST ONE POLICE OFFICER IF AVAILABLE; WAIVE SECURITY DEPOSIT. POST 336 MEMBERS WILL SET UP TABLES/CHAIRS AND THEN BREAKDOWN & CLEAN UP.

Has this organization or project previously received in-kind City services? If yes, please provide the details, including the monetary value of the resources.

YES; CITY COUNCIL WAIVED ALL COSTS TO THE CITY LAST SEPTEMBER 11TH, 2022.

If this is a second or third request for assistance, please tell us what's new, improved, expanded, or innovative about this year's proposed project compared to previous applications.

OUR 9/11 REMEMBRANCE CEREMONY HASN'T CHANGED. THERE WILL BE A NEW GUEST SPEAKER. AND WE EXPECT MAYOR RILEY WILL PARTICIPATE AS SHE HAS IN THE PAST.

Please describe your specific plans to market and promote the proposed project.

A MEDIA RELEASE WILL BE PROVIDED MID-AUGUST 2023 FOR APPROVAL BY THE COMMUNITY RELATIONS DIRECTOR.

Please attach all other supporting documents and mail or hand-deliver to:

*City of Leon Valley, Community Relations Director: 6400 El Verde Rd. Leon Valley, Texas 78238

Print Name: RICHARD F. WOOD

Signature: Richard F. Wood

Date: 06/09/2023

FOR OFFICIAL USE ONLY

APPROVED

☐

DISAPPROVED

☐

SIGNATURE: _____

DATE: _____

Comments/Notes: _____

Date:

Person to Contact:

Mr. Charles E. McLaughlin

Telephone Number:

(202)964-6197

Refer Reply to:

E:EO:G:R

Date:

February 17, 1976

Group Exemption Number:

35-0144250 0925 05 00 19
AMERICAN LEGION NATIONAL HEADQUARTERS
700 NORTH PENNSYLVANIA STREET
INDIANAPOLIS IN 46206

1525

Dear Officer or Trustee:

We are contacting all group central organizations because the 1975 Form 990 instructions require each central organization and its subordinates to show their group exemption number (GEN) in Part I, item 18(b), of Form 990.


Your group exemption number is shown above. Please advise any of your subordinates that are required to file an annual information return, Form 990, to place your group exemption number on their return.

Church central organizations are not required to file an annual information return. However, any of their subordinates that do not qualify as "integrated auxiliaries" of a church are required to file an information return, Form 990, and should include on that return the appropriate group exemption number. We are preparing a proposed amendment to the Income Tax Regulations which will define an integrated auxiliary of a church. When that amendment is published, we will send an information copy to holders of group exemption rulings under section 501(c)(3) of the Internal Revenue Code. (Organizations exempt under other provisions will not receive a copy.)

If you have any questions, please contact the person whose name and telephone number are shown above.

Thank you for your help in this matter.

Sincerely yours,


J. A. Tedesco, Director
Exempt Organizations Division

M-0088 (2-75)

In-Kind Grant Request: <u>9/11 event</u>		Max Points: 24				
Event Date: <u>9/10/2023</u>		Total Points Required for Affirmative Recommendation: 18				
Criteria	0	1	2	3	SCORING	
Does the request promote the City of Leon Valley?	Request does not promote the City of Leon Valley <input type="checkbox"/>	Request somewhat promotes the City of Leon Valley <input type="checkbox"/>	Request mostly promotes the City of Leon Valley <input checked="" type="checkbox"/>	Request is entirely about promoting the City of Leon Valley <input type="checkbox"/>	2	
Does the request encourage tourism and increase outside interests in local businesses in Leon Valley?	Request does not encourage tourism/increase outside interests <input type="checkbox"/>	Request somewhat encourages tourism/increase outside interests <input type="checkbox"/>	Request mostly encourages tourism/increase outside interests <input checked="" type="checkbox"/>	Request definitely encourages tourism/increase outside interests <input type="checkbox"/>	2	
Does the organization directly or indirectly promote economic development or support the City thru educational services or does it enhance City buildings, parks or similar facilities?	Organization does not promote, support or enhance the City of Leon Valley <input type="checkbox"/>	Organization somewhat promotes, supports or enhances the City of Leon Valley <input type="checkbox"/>	Organization mostly promotes, supports or enhances the City of Leon Valley <input type="checkbox"/>	Organization definitely promotes, supports or enhances the City of Leon Valley <input checked="" type="checkbox"/>	3	
PRIVATE ENTITY: Generates Additional Sales/Tax Revenues PUBLIC/NPO ENTITY: Provides needed social services for LV (please circle the type of entity and rate applicant according to the specific entity/sector)	Request does not meet criteria <input type="checkbox"/>	Request somewhat meets criteria <input type="checkbox"/>	Request mostly meets criteria <input checked="" type="checkbox"/>	Request definitely meets criteria <input type="checkbox"/>	2	
Does the event or organization allow the public to attend or participate with the community?	Event/Organization does not allow the public to attend or participates with the community <input type="checkbox"/>	Event/Organization somewhat allows the public to attend or participates with the community <input type="checkbox"/>	Event/Organization mostly allows the public to attend or participates with the community <input type="checkbox"/>	Event/Organization definitely allows the public to attend or participates with the community <input checked="" type="checkbox"/>	3	
Is the event a reasonable request of city resources?	Request is not a reasonable request of City resources at this time <input type="checkbox"/>	Request is a somewhat reasonable request of City resources <input type="checkbox"/>	Request is mostly a reasonable request of City resources <input type="checkbox"/>	Request is definitely a reasonable request of City resources <input checked="" type="checkbox"/>	3	
Does the request support the City Mission? "The City of Leon Valley will provide our community with a superior quality of life by balancing social equity, environmental stewardship and economic development to achieve sustainability".	Request does not support City mission <input type="checkbox"/>	Request somewhat supports City mission <input type="checkbox"/>	Request mostly supports City mission <input checked="" type="checkbox"/>	Request definitely supports City mission <input type="checkbox"/>	2	
Does the event help bridge communication and networks between the City of Leon Valley and other stakeholders?	Request does not support vision for collaborative stakeholder participation <input type="checkbox"/>	Request somewhat supports vision for collaborative stakeholder participation <input type="checkbox"/>	Request mostly supports City vision for collaborative stakeholder participation <input type="checkbox"/>	Request definitely supports vision for collaborative stakeholder participation <input checked="" type="checkbox"/>	3	
					TOTAL	
					18	

In-Kind Grant Request: Sept 11 Remembrance		Max Points: 24				
Event Date: 9/10/2023		Total Points Required for Affirmative Recommendation: 18				
Criteria	0	1	2	3	SCORING	
Does the request promote the City of Leon Valley?	Request does not promote the City of Leon Valley <input type="checkbox"/>	Request somewhat promotes the City of Leon Valley <input type="checkbox"/>	Request mostly promotes the City of Leon Valley <input checked="" type="checkbox"/>	Request is entirely about promoting the City of Leon Valley <input type="checkbox"/>	2	
Does the request encourage tourism and increase outside interests in local businesses in Leon Valley?	Request does not encourage tourism/increase outside interests <input type="checkbox"/>	Request somewhat encourages tourism/increase outside interests <input checked="" type="checkbox"/>	Request mostly encourages tourism/increase outside interests <input type="checkbox"/>	Request definitely encourages tourism/increase outside interests <input type="checkbox"/>	1	
Does the organization directly or indirectly promote economic development or support the City thru educational services or does it enhance City buildings, parks or similar facilities?	Organization does not promote, support or enhance the City of Leon Valley <input type="checkbox"/>	Organization somewhat promotes, supports or enhances the City of Leon Valley <input type="checkbox"/>	Organization mostly promotes, supports or enhances the City of Leon Valley <input checked="" type="checkbox"/>	Organization definitely promotes, supports or enhances the City of Leon Valley <input type="checkbox"/>	2	
PRIVATE ENTITY: Generates Additional Sales/Tax Revenues PUBLIC/NPO ENTITY: Provides needed social services for LV (please circle the type of entity and rate applicant according to the specific entity/sector)	Request does not meet criteria <input type="checkbox"/>	Request somewhat meets criteria <input type="checkbox"/>	Request mostly meets criteria <input type="checkbox"/>	Request definitely meets criteria <input checked="" type="checkbox"/>	3	
Does the event or organization allow the public to attend or participate with the community?	Event/Organization does not allow the public to attend or participates with the community <input type="checkbox"/>	Event/Organization somewhat allows the public to attend or participates with the community <input type="checkbox"/>	Event/Organization mostly allows the public to attend or participates with the community <input type="checkbox"/>	Event/Organization definitely allows the public to attend or participates with the community <input checked="" type="checkbox"/>	3	
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Does the request support the City Mission? "The City of Leon Valley will provide our community with a superior quality of life by balancing social equity, environmental stewardship and economic development to achieve sustainability".	Request does not support City mission <input type="checkbox"/>	Request somewhat supports City mission <input type="checkbox"/>	Request mostly supports City mission <input checked="" type="checkbox"/>	Request definitely supports City mission <input type="checkbox"/>	2	
Does the event help bridge communication and networks between the City of Leon Valley and other stakeholders?	Request does not support vision for collaborative stakeholder participation <input type="checkbox"/>	Request somewhat supports vision for collaborative stakeholder participation <input type="checkbox"/>	Request mostly supports City vision for collaborative stakeholder participation <input checked="" type="checkbox"/>	Request definitely supports vision for collaborative stakeholder participation <input type="checkbox"/>	2	
					TOTAL	
					18	

In-Kind Grant Request: <u>Audie Murphy</u>		Max Points: 24				
Event Date: <u>9-10-2023</u>		Total Points Required for Affirmative Recommendation: 18				
Criteria	0	1	2	3	SCORING	
Does the request promote the City of Leon Valley?	Request does not promote the City of Leon Valley <input type="checkbox"/>	Request somewhat promotes the City of Leon Valley <input type="checkbox"/>	Request mostly promotes the City of Leon Valley <input checked="" type="checkbox"/>	Request is entirely about promoting the City of Leon Valley <input type="checkbox"/>	2	
Does the request encourage tourism and increase outside interests in local businesses in Leon Valley?	Request does not encourage tourism/increase outside interests <input type="checkbox"/>	Request somewhat encourages tourism/increase outside interests <input type="checkbox"/>	Request mostly encourages tourism/increase outside interests <input checked="" type="checkbox"/>	Request definitely encourages tourism/increase outside interests <input type="checkbox"/>	2	
Does the organization directly or indirectly promote economic development or support the City thru educational services or does it enhance City buildings, parks or similar facilities?	Organization does not promote, support or enhance the City of Leon Valley <input type="checkbox"/>	Organization somewhat promotes, supports or enhances the City of Leon Valley <input type="checkbox"/>	Organization mostly promotes, supports or enhances the City of Leon Valley <input checked="" type="checkbox"/>	Organization definitely promotes, supports or enhances the City of Leon Valley <input type="checkbox"/>	2	
PRIVATE ENTITY: Generates Additional Sales/Tax Revenues PUBLIC/NPO ENTITY: Provides needed social services for LV <i>(please circle the type of entity and rate applicant according to the specific entity/sector)</i>	Request does not meet criteria <input type="checkbox"/>	Request somewhat meets criteria <input checked="" type="checkbox"/>	Request mostly meets criteria <input type="checkbox"/>	Request definitely meets criteria <input type="checkbox"/>	1	
Does the event or organization allow the public to attend or participate with the community?	Event/Organization does not allow the public to attend or participates with the community <input type="checkbox"/>	Event/Organization somewhat allows the public to attend or participates with the community <input type="checkbox"/>	Event/Organization mostly allows the public to attend or participates with the community <input type="checkbox"/>	Event/Organization definitely allows the public to attend or participates with the community <input checked="" type="checkbox"/>	3	
Is the event a reasonable request of city resources?	Request is not a reasonable request of City resources at this time <input type="checkbox"/>	Request is a somewhat reasonable request of City resources <input checked="" type="checkbox"/>	Request is mostly a reasonable request of City resources <input type="checkbox"/>	Request is definitely a reasonable request of City resources <input type="checkbox"/>	1	
Does the request support the City Mission? "The City of Leon Valley will provide our community with a superior quality of life by balancing social equity, environmental stewardship and economic development to achieve sustainability".	Request does not support City mission <input type="checkbox"/>	Request somewhat supports City mission <input type="checkbox"/>	Request mostly supports City mission <input checked="" type="checkbox"/>	Request definitely supports City mission <input type="checkbox"/>	2	
Does the event help bridge communication and networks between the City of Leon Valley and other stakeholders?	Request does not support vision for collaborative stakeholder participation <input type="checkbox"/>	Request somewhat supports vision for collaborative stakeholder participation <input type="checkbox"/>	Request mostly supports City vision for collaborative stakeholder participation <input checked="" type="checkbox"/>	Request definitely supports vision for collaborative stakeholder participation <input type="checkbox"/>	2	
					TOTAL	
					15	

Discussion & Possible Action On An In-kind Grant Request By American Legion No. 336 – 9/11 Ceremony

Crystal Miranda
Community Relations Director
City Council Meeting
July 18, 2023

Summary

- City Council is being asked to consider waiving all fees for the rental of the Conference Center.
- Options
 - Recommended:
 - Approval of waiving all fees associated with the half day rental at the Conference Center as requested in the application.
 - Approve the rental as per the In-King Grant application policy.
 - Allow a selection of waivers per Council discretion.
 - Denial
 - Other
- Declaration
 - This has been an annual event for many years at the Leon Valley Conference Center.

Purpose

- The Leon Valley American Legion No. 336 is requesting an In-Kind Grant for use of the Leon Valley Conference Center on Sunday, September 10, 2023, for a 9/11 Remembrance event.

Background/Request

- The request includes a waiver of all fees.
- The event will begin at 12:30 p.m. and will end at 2:00 p.m..
- The set-up will begin at 11:00 a.m. on the same day as the event.
- On September 4, 2018 the City Council voted to, “require a deposit, no longer waive cleanup cost, no longer waive security, and add a setup fee which would be same as the cleanup fee and do not waive the fee at the discretion of each application coming to Council.”

Background/Request

- The In-Kind Grant Committee members evaluated the request based on the criteria outlined in the grant policy and guidelines.
- Per the matrix, the maximum score is 24.

Background/Request

- A score of 18 or above results in an affirmative recommendation by the committee members.
- Per guidelines, Committee findings are forwarded to Council for final consideration.
- Request scored a median average of 17.

Fiscal Impact

- If approved, the grant would waive the following fees:

Rental Fee \$320 (half day)

Deposit \$400

Clean-Up Fee \$145

Security \$375

Total Fees Waived \$1240

Recommendation

- City Council Discretion

S.E.E Statement

- **Social Equity** - Supports collaborative participation between the American Legion No.336 and the City of Leon Valley.
- **Economic Development** - Although there is not a direct effect on economic development; indirectly this event supports visitors to the City of Leon Valley to attend the event and possibly stop and shop in Leon Valley.
- **Environmental Stewardship** – Recycle bins will be used during the event.

MAYOR AND COUNCIL COMMUNICATION

DATE: JULY 18, 2023

TO: Mayor and Council

FROM: Carol Goering, Finance Director

THROUGH: Crystal Caldera, City Manager

SUBJECT: Presentation and Discussion to Consider Approval of an Ordinance Amending Ordinance 2022-51, which will reallocate unused American Rescue Plan funds back to that fund and to fund additional capital expenditures for fire trucks. (1st Read as Required by City Charter)

SPONSOR(S): N/A

PURPOSE

This M & C requests approval for a budget adjustment, which will reallocate unused American Rescue Plan funds back to that fund and fund additional capital for fire trucks.

FISCAL IMPACT

The reallocation of unused funds will be transferred back to the American Rescue Plan from the General and Water Funds. The funding for the additional capital will come from the American Rescue Plan.

SEE LEON VALLEY

Social Equity – Transparency in city financial matter is important to all citizens, as it states what their money is being used for.

Economic Development – N/A

Environmental Stewardship –N/A

STRATEGIC GOALS

None

RECOMMENDATION

APPROVED : _____

DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS :

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING ORDINANCE 2022-51 TO REALLOCATE FY 2022 UNUSED AMERICAN RESCUE PLAN FUNDS BACK TO THAT FUND AND BUDGET FOR ADDITIONAL CAPITAL EXPENDITURES; PROVIDING FOR REPEALER, SEVERABILITY AND SAVING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, for FY 2022 funds that were transferred out of the American Rescue Plan Fund were not used,

WHEREAS, these unused funds need to be transferred back to that fund, and

WHEREAS, the City of Leon Valley now has a need to budget additional funds for two fire trucks; and

WHEREAS, Texas Local Government Code Section 102-0120 provides that a municipality is not prohibited from making changes to a budget for municipal purposes; and

WHEREAS, the Leon Valley City Council now desires to amend Ordinance 2022-51 as stated in Exhibit A;

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

SECTION 1. That Exhibit A attached hereto mandates the funding source for the purchase of fire trucks and the reallocation of unused American Rescue Plan funds back to that fund.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Finance Director. The Finance Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations as necessary to carry out the purpose of this Ordinance.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph, or section of this Ordinance.

SECTION 4. 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 municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 5. This Ordinance shall become effective immediately upon its passage 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 July, 2023.

APPROVED

CHRIS RILEY

MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC

City Secretary

Approved as to Form:

NICOLE WARREN

City Attorney

EXHIBIT A

Budget Adjustments FY 2023

Transfers Out

Capital Fund

ARP Fund (199-5100-570.01)

Fire Truck #1 Balance	393,118
-----------------------	---------

Fire Truck #2	1,400,000
---------------	-----------

Other Transfers To Correct FY 22 Unused Funds

General Fund (100-5999-570.21)	356,902
--------------------------------	---------

Water Fund (200-5999-470.21)	25,680
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Total Transfers Out	\$ 2,175,700
----------------------------	---------------------

Transfers In

ARP Fund

ARP Fund Transfers In (FY 22 Unused) (199-450.11)	382,582
---	---------

Capital Fund

Transfer in ARP Fund (851-450.08)	1,793,118
-----------------------------------	-----------

Total Transfers In	\$ 2,175,700
---------------------------	---------------------

Expenditures

Fire Truck #1 Balance (851-5023-580.11)	393,118
---	---------

Fire Truck #2 (851-5023-580.11)	1,400,000
---------------------------------	-----------

Total Expenditures	\$ 1,793,118
---------------------------	---------------------

Approval of an Ordinance
Authorizing a Budget Adjustment to
Reallocate FY 2022 Unused ARP Funds
back to the ARP Fund and Budget for
Additional Capital Expenditures

Carol Goering, Finance Director
City Council Meeting
July 18, 2023

Summary

- Question
 - Approve an Ordinance authorizing budget adjustments for the FY 2022-2023 budget year.
- Options
 - Recommendation:
 1. Approve the budget adjustment that will transfer funds back to the American Rescue Plan (ARP) that were transferred out in FY 2022 but were not used.
 2. Budget adjustment for additional funds for two fire trucks
 - One that was original partially funded at \$400,000 (Actual cost \$793,118)
 - New one for \$1,400,000
 - Denial of the request.
- Declaration
 - These funds were transferred out of the American Rescue Plan Fund and were not used. These funds need to be transferred back to the ARP fund. Additionally, the City needs to budget for two fire trucks.

Purpose

- Consider approval of an Ordinance authorizing budget adjustments for the FY 2022-2023 budget year:

EXHIBIT A

Budget Adjustments FY 2023	
Transfers Out	
Capital Fund	
ARP Fund (199-5100-570.01)	
Fire Truck #1 Balance	393,118
Fire Truck #2	1,400,000
Other Transfers To Correct FY 22 Unused Funds	
General Fund (100-5999-570.21)	356,902
Water (200-5999-470.21)	25,680
Total Transfers Out	\$ 2,175,700
Transfers In	
ARP Fund	
ARP Fund Transfers In (FY 22 Unused) (199-450.11)	382,582
Capital Fund	
Transfer in ARP Funds (851-450.08)	1,793,118
Total Transfers In	\$ 2,175,700
Expenditures	
Fire Truck #1 Balance (851-5023-580.11)	393,118
Fire Truck #2 (851-5023-580.11)	1,400,000
Total Expenditures	\$ 1,793,118

Background

- Consider approval of an Ordinance authorizing budget adjustments for FY 2022-2023
 - Budget adjustments that will transfer funds back to the American Rescue Plan (ARP) that were transferred out in FY 2022 but were not used.
 - Budget adjustment for additional funds for two fire trucks
 - One that was original partially funded at \$400,000 (Actual cost 793,118)
 - New one for \$1,400,000

Recommendation

- It is recommended that City Council approves an Ordinance authorizing budget adjustments for the FY 2022-2023 budget

S.E.E. Statement

Social Equity – Providing amenities similar to other nearby cities assure that our residents are being offered the same advantages and activities as the citizens of the metro area

Economic Development- Allowing mobile food vendors at the park may attract visitors, who might visit other shops and possibly decide to become residents, increasing our sales and property tax revenue

Environmental Stewardship - Land being used as a park reduces the number of structures located in a floodplain which maintains pervious cover, reducing sediment and erosion in our watershed areas

Approval of an Ordinance
Authorizing a Budget Adjustment to
Reallocate FY 2022 Unused ARP Funds
back to ARP Fund and Budget for
Additional Capital Expenditures

Carol Goering, Finance Director
City Council Meeting
July 18, 2023

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Melinda Moritz, Public Works Director

THROUGH: Crystal Caldera, City Manager

SUBJECT: Consider Approval of an Ordinance Authorizing a Fiscal Year 2022-23 General Fund Budget Adjustment in the Amount of \$30,000 for the Purpose of Cleanup and Removal of Homeless Encampments within the City of Leon Valley.

SPONSOR(S): None

Purpose

The purpose of this Ordinance is to authorize a budget adjustment in the amount of \$30,000 to utilize for the removal of debris and cleanup of homeless encampments within the City of Leon Valley. The City's Public Works Department assists the Police and Fire Departments with the removal of homeless encampments. The frequency of the cleanups in the past was approximately 1-3 times per year, however, more recently, the City is experiencing an increase in the removal of about one encampment per month.

Some of the encampments can pose a biohazard to employees working to remove the debris and trash generated from multiple people at one site. Encampments range in size from small—approximately 4 hours to clean, to large—8 hours or more to clean.

Staff met with several qualified contractors that specialize in homeless camp abatement, and requested estimates. The lowest estimate is from Resolute Dumpster Rentals. Removal of debris from any specific location and proper disposal is \$37.15 per cubic yard. The price for a cleanup crew team collecting trash that is scattered on a site is an hourly rate of \$124.25. Assuming a medium to large one day clean up, and using two 20-yard roll off trailers; the approximate price is \$2,852. The requested budget adjustment would allow for approximately ten – medium to large sized cleanups.

A typical sized crew is made up of a Foreman, Equipment Operator, and 3-4 field technicians. Equipment includes 2WD trucks, skid steer, backhoe with grapple bucket, and chainsaws. Personal Protective Equipment includes Tyvek level D jumpsuits, puncture proof gloves, hand tools, bio bucket, and sharp container.

With approval of the budget adjustment, the City would have the ability to contract with Resolute Dumpster Rentals for certain homeless encampment removals. The contractor is licensed and bonded, and has provided similar services in Bexar County.

Fiscal Impact

A budget adjustment in the amount of \$30,000 is requested. The funds would come from the General Fund Reserve.

S.E.E Statement

Social Equity – Cleaning up homeless camps promptly, protects all citizens from fire danger and other health hazards.

Economic Development – The removal and cleanup of debris and garbage generated by the encampments helps to maintain a clean City which could help retain and/or attract businesses.

Environmental Stewardship – Cleanup of debris generated from homeless encampments, especially in waterways, helps to reduce litter and trash and helps to improve stormwater quality, thereby protecting the environment.

Recommendation

Staff recommends approval of the Ordinance.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS CITY COUNCIL AUTHORIZING A FISCAL YEAR 2022-2023 GENERAL FUND BUDGET ADJUSTMENT IN THE AMOUNT OF \$30,000.00 TO THE PUBLIC WORKS GENERAL FUND BUDGET FOR THE PURPOSE OF CLEANUP AND REMOVAL OF HOMELESS ENCAMPMENTS WITHIN THE CITY OF LEON VALLEY; PROVIDING FOR REPEALER, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City's Public Works Department assists the Police Department and Fire Department with the removal of homeless encampments, and more recently, the City is experiencing an increase in the removal of homeless encampments; and

WHEREAS, some of the encampments can pose a biohazard to employees working to remove debris and trash generated from multiple people living at one site; and

WHEREAS, the City of Leon Valley obtained estimates from qualified contractors that specialize in homeless camp abatement contractors to perform this work; and

WHEREAS, it is necessary to adjust the Public Works General Fund Budget in the amount of \$30,000 in order to pay for such maintenance;

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

SECTION 1. The City's General Fund budget is hereby adjusted in the amount of \$30,000.00 to pay for the abatement of homeless encampments within the Leon Valley city limits.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific accounts as necessary to carry out the purpose of this Ordinance.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph, or section of this Ordinance.

SECTION 4. 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 municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 5. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the ____ day of ____, 2023.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

NICOLE WARREN
City Attorney

Consider Approval of an Ordinance Budget Adjustment Homeless Camp Cleanup

Melinda Moritz
Public Works Director
City Council Meeting
July 18, 2023

Summary

- Question
 - With the increase in the Homeless person population in Leon Valley, what steps can we take to abate the problem?
- Options
 1. Authorize a budget adjustment in the amount of \$30,000 and hire outside contractor to routinely remove camps
 2. Continue to have Public Works clean out camp areas
 3. Other

Background

- Public Works currently assists the Police and Fire Departments with the removal of homeless encampments
- The frequency of abatements has increased over the past couple of years from 1-3 per year to approximately 1 per month

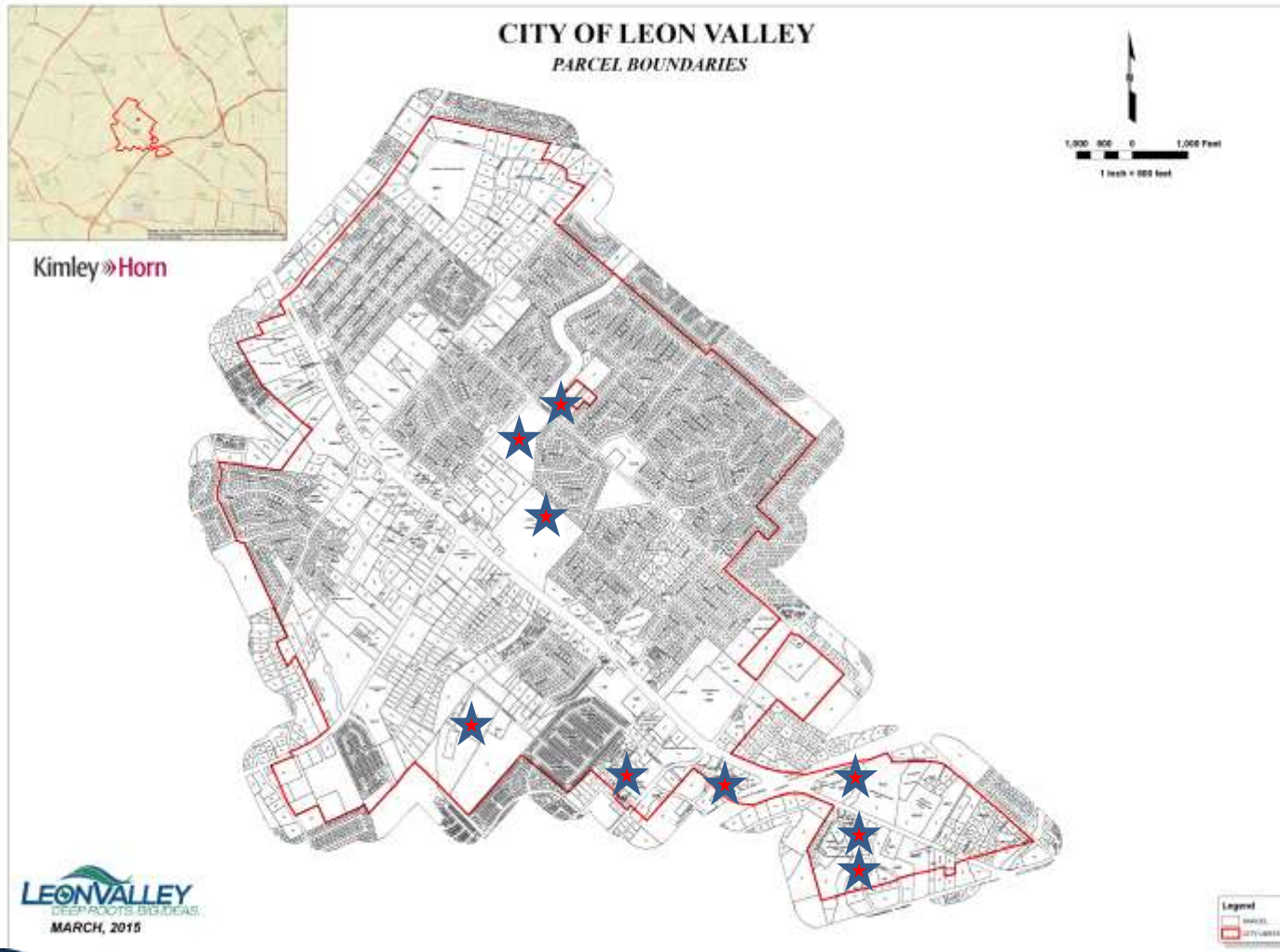
Background

- Some encampments pose a biohazard to employees working to remove debris and trash that is generated from multiple people on site
- Cleanups require staff resources anywhere from 4-8 hours, sometimes multiple days, depending on the size of the encampment
- A typical sized crew includes a Forman, Equipment Operator, and 3-4 laborers

Background

- Equipment - 2WD trucks, skid steer, backhoe with grapple buckets, and chainsaws
- Personal Protective Equipment - Tyvek level D jumpsuits, puncture proof gloves, hand tools, bio bucket, and sharp container
- Staff met with several qualified contractors that specialize in homeless camp removal and requested estimates
- A medium sized cleanup using a crew for 8 hours with two 20 CY roll offs is approximately \$2,852

Encampments



Materials Collected



{Section}.72.



Fiscal Impact

- The requested budget adjustment of \$30,000 would cover approximately 10 medium to large cleanups for the remaining Fiscal Year
- Funding would come from the General Fund Reserve

Recommendation

- Staff recommends approval of a budget adjustment in the amount of \$30,000

S.E.E. Statement

Social Equity: Cleaning up homeless camps promptly protects all citizens from fire danger and other health hazards

Economic Development: The removal and cleanup of debris and garbage generated by homeless camps helps to maintain a clean City which helps retain and or attract businesses

Environmental Stewardship: The cleanup of debris generated from homeless encampments, especially in waterways, helps to reduce litter and trash and helps to improve stormwater quality, thereby protecting the environment

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation, Discussion, and Possible Action to Consider Requests for Proposals and Awarding a Contract for Building and Plan Review Services.

PURPOSE:

The purpose of this presentation is to inform the Leon Valley City Council of the responses received from the Request for Proposals for building inspections and plan review services, the review of proposals by the committee, and the possible execution of a contract for these services.

The city advertised Requests for Proposals for building and health plan review and inspection services. The Proposals that were received were opened on May 15th and were then reviewed by a committee consisting of the Planning and Zoning Director, the Fire and Police Chiefs, and the Assistant Director of Public Works. The companies and the areas of expertise were as follows:

Company	Services Offered
BB Inspections	Building
Bureau of Vitas	Building

SEE LEON VALLEY

- Social Equity – Having a contractor for Building Plan Reviews and Inspections ensures that residents, visitors, and staff are assured of on-time professional services
- Economic Development – Requesting RFP's ensures the citizens get the best service at the best value
- Environmental Stewardship – Inspections would assure contractors and owners follow the 2021 International Energy Code

FISCAL IMPACT

The fees for services proposed by BB Inspections are:

Building

Residential Inspection	\$60/Inspection per trade
Commercial Inspection	\$60/Inspection per trade
Residential Plan Review	\$60 per review
Commercial Plan Review	\$95 per hour

Fees for these services are paid by the customer.

RECOMMENDATION

After careful review, it was determined that BB Inspections was the company that would provide the best services at the greatest value for the citizens and businesses in Leon Valley. It is recommended that the City approve the Request for Proposal submitted by BB Inspections and authorize the City Manager to enter into a contract with the company for Building inspections, plan review services.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Consider Awarding a Contract to Provide Building Plan Review/Inspection

City Council Meeting

July 18, 2023

City Manager, Crystal Caldera

Summary

- Question
 - Should the City Council award a contract for building inspection, plan review to BB Inspections
- Options
 - Award contract
 - Deny contract
 - Other
- Declaration
 - It is recommended that the City Council award a contract to BB Inspections for these services

Purpose

- To present the Request for Proposal (RFP) evaluation process, and consider authorizing the City Manager to enter into a contract with BB Inspections
- On June 20, 2023, the City council requested the City Manager review the RFP and bring back the findings

RFP Process

- RFP's were developed and advertised in the Helotes Echo newspaper, and the City and Texas Municipal League's websites
 - An additional 16 invitation letters were mailed
- Proposals were opened on May 15th
- A review committee (Planning & Zoning Director, Public Works Assistant Director, Police Chief & Fire Chief) evaluated the Proposals

Responses

{Section}.73.

- Received 2 Proposals for Building Plan Review & Inspection Services
 - BB Inspections
 - Bureau of Veritas
- Based on Evaluation Criteria the ranking of the firms was as follows:
 - Building Plan Review & Inspection Services
 - BB Inspections
 - Bureau of Veritas

Evaluation of RFP's

{Section}.73.

Building Inspection And Plan Review Services June 2023		BB Inspections	Bureau of Veritas		
Professional Qualifications, Cerifications, Experience, and References for each individual inspection Max		40 Points			
<ul style="list-style-type: none"> Qualifications of Personnel Experience of Personnel Experience of Firm Reputable References 		Avg 38.75	Avg 35		
Demonstrated Capability to meet all facets of the Scope of Work		25 Points Max			
<ul style="list-style-type: none"> Completeness and Thoroughness Understanding of the Project Responsiveness to Terms and Conditions 		Avg 23.25	Avg 20.75		
Proposal fee		25 Points Max			
Costs for Services		Avg 22.5	Avg 18.25		
Policies and Procedures related to Quality Assurance and Control		10 Points Max			
<ul style="list-style-type: none"> Approach to Problem Analysis Clarity and Organization in Concept Development Quality and Quantity of Services to be Rendered Proposed Schedule 		Avg 9.5	Avg 7.75		
TOTAL (Possible 100 points)		94	81.75	0	0

Administration Review

{Section}.73.

Company	BB Inspection	Bureau of Veritas
Qualifications	All Applicable Certs	All Applicable Certs
Staff assigned	Dedicated Staff	Dedicated team
Cost		
Residential Trade	\$60	\$100
Commercial Trade	\$60	\$125
Residential Plan Review	\$60	\$200
Reference check	Has extensive experience with local municipalities Outstanding service	Has extensive experience with local municipalities Outstanding service. However, with different inspectors at times, there is miscommunication at between inspectors.

Fees for BB Inspection

- | | |
|---------------------------|---------------------------|
| – Residential Inspection | \$60/Inspection per trade |
| – Commercial Inspection | \$60/Inspection per trade |
| – Residential Plan Review | \$60 per review |
| – Commercial Plan Review | \$95 per hour |

Bureau of Veritas – Building

{Section}.73.

Fee Table 1 - Commercial and Multi-Family construction plan review

Valuation	Fee
\$1. ⁰⁰ to \$10,000. ⁰⁰	\$50. ⁰⁰
\$10,001. ⁰⁰ to \$25,000. ⁰⁰	\$70.69 for the first \$10,000. ⁰⁰ plus \$5.46 for each additional \$1000. ⁰⁰
\$25,001. ⁰⁰ to \$50,000. ⁰⁰	\$152.59 for the first \$25,000. ⁰⁰ plus \$3.94 for each additional \$1000. ⁰⁰
\$50,001. ⁰⁰ to \$100,000. ⁰⁰	\$251.09 for the first \$50,000. ⁰⁰ plus \$2.73 for each additional \$1000. ⁰⁰
\$100,001. ⁰⁰ to \$500,000. ⁰⁰	\$387.59 for the first \$100,000. ⁰⁰ plus \$2.19 for each additional \$1000. ⁰⁰
\$500,001. ⁰⁰ to \$1,000,000. ⁰⁰	\$1,263.59 for the first \$500,000. ⁰⁰ plus \$1.85 for each additional \$1000. ⁰⁰
\$1,000,001. ⁰⁰ and up	\$2,188.59 for the first \$1,000,000. ⁰⁰ plus \$1.23 for each additional \$1000. ⁰⁰

Fee Table 2 - Commercial and Multi-Family construction inspection

Valuation	Fee
\$1. ⁰⁰ to \$10,000. ⁰⁰	\$76. ⁹²
\$10,001. ⁰⁰ to \$25,000. ⁰⁰	\$108.75 for the first \$10,000. ⁰⁰ plus \$8.40 for each additional \$1000. ⁰⁰
\$25,001. ⁰⁰ to \$50,000. ⁰⁰	\$234.75 for the first \$25,000. ⁰⁰ plus \$6.06 for each additional \$1000. ⁰⁰
\$50,001. ⁰⁰ to \$100,000. ⁰⁰	\$386.25 for the first \$50,000. ⁰⁰ plus \$4.20 for each additional \$1000. ⁰⁰
\$100,001. ⁰⁰ to \$500,000. ⁰⁰	\$596.25 for the first \$100,000. ⁰⁰ plus \$3.36 for each additional \$1000. ⁰⁰
\$500,001. ⁰⁰ to \$1,000,000. ⁰⁰	\$1,940.25 for the first \$500,000. ⁰⁰ plus \$2.85 for each additional \$1000. ⁰⁰
\$1,000,001. ⁰⁰ and up	\$3,365.25 for the first \$1,000,000. ⁰⁰ plus \$1.89 for each additional \$1000. ⁰⁰

Bureau of Veritas – Building

{Section}.73.

Fee Table 3 - Construction or Improvement of a Residential Dwelling

New Residential Construction	
Plan Review and Inspection Fee	
Square Footage (S.F.)	Fee
0 - 1,500 S.F.	\$785.00
1,501 - 10,000 S.F.	\$785.00 for the first 1,500 S.F. plus \$0.35 for each additional S.F. to and including 10,000 S.F.
Over 10,000 S.F.	\$3,760.00 for the first 10,000 S.F. plus \$0.15 for each additional S.F. over 10,000 S.F.
Plan Review Only	
Plan Review Fee Only Per Dwelling Unit, a new plan for previously reviewed plan or Master Plan	\$200.00 per Plan or per Address
Plan review fee when a permit has been issued for the dwelling and the construction plans are altered such that an additional plan review is required (excludes new plan)	\$150.00 per Plan or per Address
Alterations / Additions / Improvements for Residential Construction	
Trade Permits	Fee
Building, Mechanical, Electrical, Plumbing, Fuel Gas and similar	\$100.00 per trade
Other project types not listed above	\$160.00 per trade
Miscellaneous residential projects such as, but not limited to, Accessory Structures, Fences, Pools, etc.	See Fee Table 2

Clients

{Section}.73.

- BB Inspections
 - City of Helotes
 - City of Cibolo
 - City of Windcrest
- Bureau of Veritas
 - City of Lockhart
 - City of Hondo
 - Port Authority of San Antonio

BB Inspections

- Local, family-owned business since 1991
- The company prides itself on hiring local, certified, licensed, and experienced professionals whose combined service spans more than 100 years

Bureau of Veritas

- Multinational corporation with a history which includes over 195 years of providing professional services throughout the United States
- The company prides itself in giving clients a close-knit presence found in smaller firms while possessing the support of a national firm

Recommendation

- Staff recommended awarding the contracts for Building Plan Review & Inspections, to BB Inspections and to authorize the City Manager to negotiate the contract on June 20, 2023
- The City Manager agrees with this recommendation.

S.E.E. Statement

Social Equity: Having a contractor for Building Plan Reviews and Inspections ensures that residents, visitors, and staff enjoy on time professional services

Economic Development: Requesting RFP's ensures the citizens get the best service at the best value

Environmental Stewardship: Inspections would assure contractors and owners follow the 2021 International Energy Code

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation, Discussion, and Possible Action to Consider Requests for Proposals and Awarding a Contract for Health Inspection Services.

PURPOSE:

The purpose of this presentation is to inform the Leon Valley City Council of the responses received from the Request for Proposals for Health inspection services, the review of proposals by the committee, and the possible execution of a contract for these services.

The city advertised Requests for Proposals for health inspection services. The three Proposals that were received were opened on May 15th and were then reviewed by a committee consisting of the Planning and Zoning Director, the Fire and Police Chiefs, and the Assistant Director of Public Works. The companies and the areas of expertise were as follows:

Company	Services Offered
BB Inspections	Building and Health
Bureau of Vitas	Building and Health
Steven Barscewski	Health only

SEE LEON VALLEY

- Social Equity – Having a contractor Health Inspections ensures that residents, visitors, and staff are assured of on-time professional services
- Economic Development – Requesting RFP's ensures the citizens get the best service at the best value
- Environmental Stewardship – N/A

FISCAL IMPACT

The fees for services proposed by Barscewski are:

Health

Food Service Establishment	\$85.00
Retail Food Store	\$55.00
Temporary Food Booths	\$30.00
Certificate of Occupancy	\$85.00
Day-Care Facility - commercial	\$85.00
Foster/Custodial Care Facility - residential	\$55.00
Plan Review - commercial/residential	\$55.00
Semi-Public and Public Pool/Spa Comm	\$50.00
Add'l Pools/Spa Same Location Comm	\$45.00
Compliant Investigations	\$50.00
Training	\$50.00
Reinspection	\$50.00
Court Appearance per hour	\$50.00

Fees for these services are paid by the customer.

RECOMMENDATION

Based on the administrative findings, the City Manager recommends that the city remain with Barscewski. However, if Mr. Barscewski is unable to comply with software usage within 6 months and unable to provide a backup while out of town, then the city would void the contract and enter into an agreement with BB Inspections for these services.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Consider Awarding a Contract to Provide Health Inspections Services

City Council Meeting
July 18, 2023
Crystal Caldera, PhD

Summary

- Question
 - Should the City Council award a contract for health inspection
- Options
 - Award contract
 - Deny contract
 - Other

Purpose

- To present the Request for Proposal (RFP) evaluation process, and consider authorizing the City Manager to enter into a contract For Health Inspection Services
- On June 20, 2023, the City council requested the City Manager review the RFP and bring back the findings

RFP Process

- RFP's were developed and advertised in the Helotes Echo newspaper, and the City and Texas Municipal League's websites
 - An additional 16 invitation letters were mailed
- Proposals were opened on May 15th
- A review committee (Planning & Zoning Director, Public Works Assistant Director, Police Chief & Fire Chief) evaluated the Proposals

Responses

{Section}.74.

- Received 3 Proposals for Health Inspection Services
 - BB Inspections
 - Bureau of Veritas
 - Stephen Barscewski
- Based on Evaluation Criteria the staff ranking of the firms was as follows:
- Health Inspection Services
 - BB Inspections
 - Stephen Barscewski
 - Bureau of Veritas

Administrative Findings

{Section}.74.

Company	Barscewski	BB Inspections	Bureau Veritas
Experience Company	13 years	32 years	195 Years +
Experience of the staff	45 Years Texas reg - 31	46 Years Texas Reg - 5	Varies
Staff Availability	One dedicated person plus one backup	One dedicated person and two back up	Five various people
Cost (see below)	Lowest	Next Lowest	Highest
Reference	No reference	Outstanding	Overall great

BB Inspections - Health Inspection

- Fees:
 - Routine Inspection \$125 per inspection
 - Certificate of Occupancy \$125 per inspection
 - Reinspection \$125 per inspection
 - Health Plan Review \$125 per hour
 - Event Review \$125 per hour

Barscewski - Health Inspection

- Proposed fees w/General Liability Insurance:
 - Food Establishment commercial \$55.00
 - Food Service Establishment \$85.00
 - Retail Food Store \$55.00
 - Temporary Food Booths \$30.00
 - Certificate of Occupancy \$85.00
 - Day-Care Facility - commercial \$85.00
 - Foster/Custodial Care Facility - residential \$55.00
 - Plan Review - commercial/residential \$55.00

Barscewski - Health Inspection

- Proposed fees w/General Liability Insurance:
 - Semi-Public and Public Pool/Spa Comm \$50.00
 - Add'l Pools/Spa Same Location Comm \$45.00
 - Compliant Investigations \$50.00
 - Training \$50.00
 - Reinspection \$50.00
 - Court Appearance per hour \$50.00

Bureau of Veritas – Building

{Section}.74.

Fee Table 1 - Commercial and Multi-Family construction plan review

Valuation	Fee
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\$50,001. ⁰⁰ to \$100,000. ⁰⁰	\$386.25 for the first \$50,000. ⁰⁰ plus \$4.20 for each additional \$1000. ⁰⁰
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Bureau of Veritas – Building

{Section}.74.

Fee Table 3 - Construction or Improvement of a Residential Dwelling

New Residential Construction	
Plan Review and Inspection Fee	
Square Footage (S.F.)	Fee
0 - 1,500 S.F.	\$785.00
1,501 - 10,000 S.F.	\$785.00 for the first 1,500 S.F. plus \$0.35 for each additional S.F. to and including 10,000 S.F.
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Plan Review Only	
Plan Review Fee Only Per Dwelling Unit, a new plan for previously reviewed plan or Master Plan	\$200.00 per Plan or per Address
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Trade Permits	Fee
Building, Mechanical, Electrical, Plumbing, Fuel Gas and similar	\$100.00 per trade
Other project types not listed above	\$160.00 per trade
Miscellaneous residential projects such as, but not limited to, Accessory Structures, Fences, Pools, etc.	See Fee Table 2

Bureau of Veritas - Health

{Section}.74.

Food (and Public Swimming Pool) Service Inspections - per each inspection	
<ul style="list-style-type: none"> • Permanent Food Establishment Inspection • Mobile Food Vendor (Hot and Cold Truck) Inspections • Seasonal Vendor Inspection • Public Swimming Pool Inspection 	\$150.00
Temporary Event Inspection - per each vendor permit (up to 5 permits per event)	\$100.00
6 or more permits per event	\$150.00 per hour *minimum 2 hours
Complaint Investigation - per each complaint	\$150.00
<p>Consultation Outside Of The Aforementioned Scope Of Services: Health Plan Review, Health Final And Co Inspections And/Or For Each Re-Inspection.</p> <p>*Minimum 1 Hour</p>	\$150.00 per hour

Evaluation of RFP's

{Section}.74.

Health Inspection Services June 2023		BB Inspections	Stephen Barscewski	Bureau of Veritas	
Professional Qualifications, Cerifications, Experience, and References for each individual inspection Max		40 Points			
<ul style="list-style-type: none"> Qualifications of Personnel Experience of Personnel Experience of Firm Reputable References 		Avg 40.00	Avg 31.5	Avg 37.5	
Demonstrated Capability to meet all facets of the Scope of Work		25 Points Max			
<ul style="list-style-type: none"> Completeness and Thoroughness Understanding of the Project Responsiveness to Terms and Conditions 		Avg 23.75	Avg 21.5	Avg 22	
Proposal fee		25 Points Max			
Costs for Services		Avg 20.25	Avg 23.25	Avg 16.25	
Policies and Procedures related to Quality Assurance and Control		10 Points Max			
<ul style="list-style-type: none"> Approach to Problem Analysis Clarity and Organization in Concept Development Quality and Quantity of Services to be Rendered Proposed Schedule 		Avg 9.5	Avg 5.75	Avg 9	
TOTAL (Possible 100 points)		93.5	82	82	0

Administrative Assessment

- In evaluating the sores and interviewing BB Inspection and Stephen Barscewski (BV did not return my call), the following was found-
 - Qualifications
 - Staff rated experience based on the individual, not the company. The contract is with the company, not the individual. BB inspections did have more reputable references. Other than that in this category, the company is comparable- however the point spread in my opinion was not justified
 - Scope of Work
 - BB inspection RFP packet was well put together and easy to follow. Fee structure is more simplified than the other companies. The point spread seemed appropriate.
 - Cost of Work
 - Barscewski had the lowest cost and the highest points however in my opinion the point spread did not reflect this accurately. BB inspections for C of O is 125 and Barscewski was \$85 this a 38% difference.
 - Policies Procedure
 - The staff looked at availability and use of software programs played a big role in these scores. Based on the information they had they ranked appropriately. After my interviews, I found that Mr. Barscewski does have a backup and is willing to use the city's software system.

Clients

- BB Inspections
 - City of Helotes
 - City of Cibolo
 - City of Windcrest
- Bureau of Veritas
 - City of Lockhart
 - City of Hondo
 - Port Authority of San Antonio
- Steve Barscewski
 - He does not have a list of other cities

BB Inspections

- Local, family-owned business since 1991
- The company prides itself on hiring local, certified, licensed, and experienced professionals whose combined service spans more than 100 years

Bureau of Veritas

- Multinational corporation with a history which includes over 195 years of providing professional services throughout the United States
- The company prides itself in giving clients a close-knit presence found in smaller firms while possessing the support of a national firm

Stephen Barscewski

- Texas Registered Sanitarian since 1992 with 45 years in food inspection/sanitation
- Prides himself with enhancing cities food safety & community image

Recommendation

- Staff recommended on June 20, 2023, to award the contract for Health inspection services to BB Inspections; and to Authorize the City Manager to negotiate a contract
- Based on the administrative findings, the City Manager recommends that the city remain with Barscewski. However, if Mr. Barscewski is unable to comply with software usage within 6 months and unable to provide a backup while out of town, then the city would void the contract and enter into an agreement with BB Inspections for these services.

S.E.E. Statement

Social Equity: Having a contractor for Building Plan Reviews and Inspections ensures that residents, visitors, and staff enjoy on time professional services

Economic Development: Requesting RFP's ensures the citizens get the best service at the best value

Environmental Stewardship: Inspections would assure contractors and owners follow the 2021 International Energy Code

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AUTHORIZING THE AMENDING OF THE ECONOMIC DEVELOPMENT DEPARTMENT OF THE CITY OF LEON VALLEY, TEXAS MUNICIPAL BUDGET FOR THE FISCAL YEAR 2022-2023 IN THE AMOUNT OF \$150,000.00 FROM THE ECONOMIC DEVELOPMENT FUND RESERVE, TO PROVIDE FUNDING FOR THE LEON VALLEY 0% BUSINESS LOAN PROGRAM WITH LIFT FUND, APPROVED BY COUNCIL ON MARCH 21, 2023.

WHEREAS, the City of Leon Valley has already approved their FY 2022-2023 Budget on September 20, 2022; and

WHEREAS, the City will provide Lift Fund with \$150,000 from Economic and Community Development Reserves, to generate at minimum, 600,000 in 0% loans to Leon Valley businesses and/or businesses relocating to Leon Valley. The program will continue until all funds are used; and

WHEREAS, it has been determined that funding should be added to the FY 2022-2023 Economic Development Budget by a total amount of \$150,000.00

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

SECTION 1. SECTION 1. The FY 2022-2023 Economic Development Budget of the City of Leon Valley is hereby amended to increase the budget by the amount of \$150,000.00 to provide additional funding 0% business loan partnership with Lift Fund and the City of Leon Valley. Funding for this project will be taken from the Economic Development Reserve Fund

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Finance Director. The Finance Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations as necessary to carry out the purpose of this Ordinance.

SECTION 3. 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 as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 4. That it is hereby declared to be the intention of the City Council of the City of Leon Valley that phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the

remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, and section.

SECTION 5. 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 1st day of August, 2023.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

NICOLE WARREN
City Attorney

Budget Adjustment for 0% Business Loans with Lift fund

Roque Salinas, MPA

Director of Economic Development

7/18/2023

Summary

- This Budget adjustment will move funds from the Economic Development Reserve to Economic Development operating budget for FY 2022-2023, to fund the 0% business loan program with Lift fund. The program was already by council on March 21, 2023.

Options:

1. Approve moving forward
2. Denial moving forward

Fiscal impact

- The program will run for a period of 1 year April 2023- April 2024 or until funds are used up. The City has committed a total of \$150,000. Funds will be required from Economic Development Reserve Fund.
- If the program is does not use all funds and council does not renew the agreement with lift fund, then the funds will be returned to Economic Development Reserve Fund.
- Payments are made to lift fund only after approval and acceptance by the lift fund and the businesses.

S.E.E. Statement

Social Equity:

- N/A

Economic Development:

- The City will 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 and including a town-centered design.

Environmental Stewardship:

- N/A



Strategic Goals

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

- Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development
- Promote Leon Valley

Recommendation

- Staff recommends approval

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023
TO: Mayor and Council
FROM: Roque Salinas, Director of Economic Development
THROUGH: Dr. Crystal Caldera, City Manager
SUBJECT: Adding Section 4.030.050 to regulate Bring Your Own Beer (BYOB) Establishments

PURPOSE

An Ordinance Authorizing the Amending of The Leon Valley Code of Ordinance, Chapter 4 Business Regulations, Section 4.03 Alcoholic Beverages, by Adding 4.03.050 - Bring Your Own Beer (BYOB) Establishments. R. Salinas, Director of Economic Development. 1st Read.

FISCAL IMPACT

None

SEE LEON VALLEY

Social Equity – N/A

Economic Development – N/A

Environmental Stewardship – N/A

STRATEGIC GOALS

Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development and Promote Leon Valley

RECOMMENDATION

City Council Discretion.

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AUTHORIZING THE AMENDING OF THE LEON VALLEY CODE OF ORDINANCE, CHAPTER 4 BUSINESS REGULATIONS, SECTION 4.03 ALCOHOLIC BEVERAGES, BY ADDING 4.03.050 - BRING YOUR OWN BEER (BYOB) ESTABLISHMENTS; REPEALING ALL ORDINANCE IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; SAVING CLAUSE; EFFECTIVE DATE; NOTICE OF OPEN MEETING AND PROVIDING FOR A PENALTY.

WHEREAS, The City of Leon Valley City Council wishes to update Section 4.03 Alcoholic Beverage and add Section 4.03.050 governing Bring Your Own Beer (BYOB) Establishments within City Limits.

WHEREAS, The City of Leon Valley City Council believes that it is in the best interest of the citizens of Leon Valley and to the general public that an establishment, who does not possess a TABC license, be allowed to operate a BYOB establishment within City limits.

WHEREAS, The City of Leon Valley City Council authorized the use of an SUP to allow a BYOB establishment to operate for a limited time and under special circumstances, at council discretion.

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

SECTION 1. All the above premises are hereby found to be the true and correct legislative and factual findings of the City of Leon Valley and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. Chapter 4 business regulations, section 4.03.050 Bring Your Own Beer (BYOB) Establishments; shall read as follows:

Sec.4.03.050- Bring Your Own Beer (BYOB) Establishments.

- A. Except as provided in subsection (b), this section applies to an establishment that:
 - 1. Is not licensed or permitted by the TABC;
 - 2. Is open to the public; and
 - 3. Allow patrons to bring alcoholic beverages onto the premises for possession and consumption.
- B. This section does not apply to:
 - 1. A residence;
 - 2. A fraternal or veteran's organization, as defined by the Texas Alcoholic

- Beverage Code;
- 3. A church;
- 4. A farmer's market licensed;
- 5. A bingo facility licensed under chapter 2001 of the Texas Occupations Code;
- 6. A banquet hall;

C. Exemptions

- 1. An establishment may apply for a SUP from the Planning and Zoning Department authorizing a BYOB establishment to operate for a period of no longer than 90 days, and under special circumstances.
- 2. The director must take all approved SUP applications directly to the City Council for approval.
- 3. If approved by the City Council, the business must apply for an alcoholic permit from the City, and it must be fully displayed at the approved establishment.

D. Permit Approval

- 1. The Planning and Zoning Director shall approve a permit application if the director determines that the applicant and the proposed BYOB establishment meet the requirements of this section.
- 2. The director shall deny a permit application if the director determines that:
 - i. The applicant is under the age of 21 years;
 - ii. Any owner, operator, employee, and/or staff member had a TABC permit that was involuntarily cancelled or suspended within the preceding 12-month period;
 - iii. The applicant provided incorrect or incomplete information on the application; or
 - iv. The owner or operator of the BYOB establishment has been convicted of a criminal offense.
- 3. The director shall give written notice of a denial of an application to the applicant.
- 4. An applicant may appeal a denial of a permit application to the director in writing and request for City Council to overturn the denial. A City Council hearing will require two (2) City Council members to vote to place the item on the agenda.

5. If denied, an applicant may not re-apply for a period of 12 months.

E. Permit is not Transferable.

1. A permit issued under this section is not transferable to another person and/or business. Any change in ownership of a BYOB establishment, including, but not limited to, the sale of the BYOB establishment or any ownership interest therein, shall require the purchaser or transferee to submit a permit application.

F. Permit expiration, renewal.

1. The City Council may only approve a maximum period of 90 days for a temporary permit.
2. The owner shall file an application for permit renewal if they wish to continue operating as a BYOB.
3. An establishment may not be granted four (4) consecutive permits.

G. Permit Revocation

1. The Planning and Zoning Director and/or City Council have full discretion to revoke the SUP at any point for any reason.

SECTION 3. 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 as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 4. That it is hereby declared to be the intention of the City Council of the City of Leon Valley that phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, and section.

SECTION 5. 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 1st day of August, 2023.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

NICOLE WARREN
City Attorney

Adding Section 4.030.050 to regulate Bring Your Own Beer (BYOB) Establishments

Roque Salinas, MPA

Director of Economic Development

7/18/2023

Summary

- An Ordinance Authorizing the Amending of The Leon Valley Code of Ordinance, Chapter 4 Business Regulations, Section 4.03 Alcoholic Beverages, by Adding 4.03.050 - Bring Your Own Beer (BYOB) Establishments. R. Salinas, Director of Economic Development. 1st Read.

Options:

1. Approve moving forward
2. Denial moving forward

Bring Your Own Beer (BYOB) Establishments

A. Except as provided in subsection (b), this section applies to an establishment that:

1. Is not licensed or permitted by the TABC;
2. Is open to the public; and
3. Allow patrons to bring alcoholic beverages onto the premises for possession and consumption.

B. This section does not apply to:

1. A residence;
2. A fraternal or veteran's organization, as defined by the Texas Alcoholic Beverage Code;
3. A church;
4. A farmer's market licensed;
5. A bingo facility licensed under chapter 2001 of the Texas Occupations Code;
6. A banquet hall;

Exemptions

- 1. An establishment may apply for a SUP from the Planning and Zoning Department authorizing a BYOB establishment to operate for a period of no longer than 90 days, and under special circumstances.
- 2. The director must take all qualified SUP applications directly to the City Council for approval.
- 3. If approved by the City Council, the business must apply for an alcoholic permit from the City, and it must be fully displayed at the approved establishment.

Permit Approval

1. The Planning and Zoning Director shall approve a permit application if the director determines that the applicant and the proposed BYOB establishment meet the requirements of this section.
2. The director shall deny a permit application if the director determines that:
 1. The applicant is under the age of 21 years;
 2. Any owner, operator, employee, and/or staff member had a TABC permit that was involuntarily cancelled or suspended within the preceding 12-month period;
 3. The applicant provided incorrect or incomplete information on the application; or
 4. The owner or operator of the BYOB establishment has been convicted of a criminal offense.
3. The director shall give written notice of a denial of an application to the applicant.
4. An applicant may appeal a denial of a permit application to the director in writing and request for City Council to overturn the denial. A City Council hearing will require two (2) City Council members to vote to place the item on the agenda.
5. If denied, an applicant may not re-apply for a period of 12 months.

Permit expiration, renewal, and Revocation

- Permit expiration, renewal.
 - The City Council may only approve a maximum period of 90 days for a temporary permit.
 - The owner shall file an application for permit renewal if they wish to continue operating as a BYOB.
 - An establishment may not be granted four (4) consecutive permits.
- Permit Revocation
 - The Planning and Zoning Director and/or City Council have full discretion to revoke the SUP at any point for any reason.

S.E.E. Statement

Social Equity:

- N/A

Economic Development:

- N/A

Environmental Stewardship:

- N/A



Strategic Goals

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

- Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development
- Promote Leon Valley

Recommendation

- At council discretion

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Roque Salinas, Director of Economic Development

THROUGH: Crystal Caldera, City Manager

SUBJECT: Adding Section 4.13 Hours Of Operations to Chapter 4 Business Regulations.

SPONSOR(S): N/A

PURPOSE

An Ordinance of The City Of Leon Valley, City Council Authorizing the Amending of The Leon Valley Code of Ordinance, Chapter 4 Business Regulations, By Adding Section 4.13 Hours Of Operations. R. Salinas, Director Of Economic Development. 1st Read.

SEE LEON VALLEY

Social –

Economic –

Environmental –

FISCAL IMPACT

None

STRATEGIC GOALS

Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development and Promote Leon Valley

RECOMMENDATION

City Council Discretion.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AUTHORIZING THE AMENDING OF THE LEON VALLEY CODE OF ORDINANCE, CHAPTER 4 BUSINESS REGULATIONS, BY ADDING SECTION 4.13 HOURS OF OPERATIONS; NOT REPEALING ALL ORDINANCES IN PLACE FOR SPECIFIC TYPES OF ESTABLISHMENTS LISTED IN CHAPTER 4 OF THE CODE OF ORDINANCE THEREWITH; PROVIDING FOR SEVERABILITY; SAVING CLAUSE; EFFECTIVE DATE; NOTICE OF OPEN MEETING AND PROVIDING FOR A PENALTY.

WHEREAS, The City of Leon Valley City Council wishes to add Section 4.13 Hours of Operations.

WHEREAS, The City of Leon Valley City Council believes that it is in the best interest of the citizens of Leon Valley that establishments should not be allowed to operate past 2:30am, unless they have a SUP from the City.

WHEREAS, The City of Leon Valley City Council authorized the use of an SUP, at council discretion.

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

SECTION 1. All the above premises are hereby found to be the true and correct legislative and factual findings of the City of Leon Valley and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. Chapter 4 business regulations, section 4.13 Hours of Operations; shall read as follows:

Sec.4.13- Hours of Operations

Sec. 4.13.01 - Definitions

Business- Any business that has been issued a certification of occupancy by the City of Leon Valley.

Director- The director of Planning and Zoning to enforce and administer this article.

Sec. 4.13.02 - Hours

No business shall be kept open to the public for the establishment's designed purpose, between the hours of 2:30am and 5:00am.

Sec. 4.13.021- Exemptions

1. An establishment may apply for a SUP from the Planning and Zoning Department authorizing an establishment to operate past 2am.
2. The director must take all approved SUP applications directly to the City Council for approval.
3. If approved by the City Council, the business must apply for an operations permit from the City, and it must be fully displayed at the approved establishment.
4. Permit Revocation-The City Council has full discretion to revoke the SUP at any point for any reason.

SECTION 3. 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 as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 4. That it is hereby declared to be the intention of the City Council of the City of Leon Valley that phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, and section.

SECTION 5. 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 1st day of August, 2023.

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form: _____
NICOLE WARREN
City Attorney

Adding Section 4.13 Hours Of Operations to Chapter 4 Business Regulations.

Roque Salinas, MPA

Director of Economic Development

7/18/2023

Summary

- An Ordinance of The City Of Leon Valley, City Council Authorizing the Amending of The Leon Valley Code of Ordinance, Chapter 4 Business Regulations, By Adding Section 4.13 Hours Of Operations. R. Salinas, Director Of Economic Development. 1st Read.

Options:

1. Approve moving forward
2. Denial moving forward

Sec. 4.13.02 - Hours

- No business shall be kept open to the public for the establishment's designed purpose, between the hours of 2:30am and 5:00am.

Sec. 4.13.021- Exemptions

- 1. An establishment may apply for a SUP from the Planning and Zoning Department authorizing an establishment to operate past 2am.
- 2. The director must take all approved SUP applications directly to the City Council for approval.
- 3. If approved by the City Council, the business must apply for an operations permit from the City, and it must be fully displayed at the approved establishment.
- 4. Permit Revocation-The City Council has full discretion to revoke the SUP at any point for any reason.

S.E.E. Statement

Social Equity:

- N/A

Economic Development:

- N/A

Environmental Stewardship:

- N/A



Strategic Goals

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

- Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development
- Promote Leon Valley

Recommendation

- At council discretion

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation, Discussion and Direction to Amend Ordinance Article 1.06 Boards, Commissions and Committees Subsection 1.06.009 Economic and Community Development Advisory Committee

PURPOSE

To authorize an Ordinance that amends Article 1.06 Boards, Commissions and Committees Subsection 1.06.009 Economic and Community Development Advisory Committee. The amendments would remove the review of projects from the duties and responsibilities of the committee and add City Council directed policy review.

FISCAL IMPACT

N/A

SEE LEON VALLEY

Social Equity – N/A

Economic Development – N/A

Environmental Stewardship – N/A

RECOMMENDATION

City Council Discretion.

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary



**Presentation, Discussion and Direction to Amend Ordinance Article
1.06 Boards, Commissions and Committees Subsection 1.06.009
Economic and Community Development Advisory Committee**

Crystal Caldera, PhD
City Manager
City Council Meeting
July 18, 2023

Summary

- Question
 - Does the City Council want to amend the duties and responsibilities of the Economic Community Advisory Committee
- Options
 - Approve
 - Deny
 - Amend
- Declaration
 - The City Council's Discretion

Purpose

- To amend the Ordinance Article 1.06 Boards, Commissions and Committees Subsection 1.06.009 Economic and Community Development Advisory Committee.
- The amendments would remove the review of projects from the duties and responsibilities of the committee and add City Council directed policy review.

Background

- The City Council Voted on April 4, 2023, to have city staff evaluate the projects and bring them council.
- This amendment would update the ordinance to reflect this change.

Fiscal Impact

- N/A

Recommendation

- City Council's Discretion

EXHIBIT A**Sec. 1.06.009 Economic and community development advisory committee (ECDAC)****(a) Membership.**

- (1) The Committee shall consist of seven voting members; two alternate members, which shall all be appointed by City Council.
- (2) Committee members and alternates shall be appointed to serve staggered, two year terms to be coterminous with the mayor's term to balance continuity with new perspective.
- (3) A member or alternate who is absent for three consecutive meetings except for illness or disability, or without first being excused in advance, shall be deemed to have vacated their position, and the city council may appoint a new member to fill the unexpired term.
- (4) Where practical, committee members shall consist of both Leon Valley residents or Leon Valley business owners who live and/or work in Leon Valley and have knowledge in the area of economic and community development.
- (5) Committee members may be removed by the majority vote of the city council.
- (6) Committee members and alternates shall appoint the committee chair and vice-chair.
- (7) The economic development director or his/her designee shall serve as support to the economic and community development advisory committee. This position is a non-voting member.

(b) Meetings.

- (1) Committee meetings shall be held each month at Leon Valley City Hall - 6400 El Verde, Leon Valley, Texas 78238. Nothing shall prevent the Committee from meeting at another location as it deems necessary.
- (2) A quorum of the Committee shall consist of 50 percent of the currently appointed voting members plus one. A quorum must be present to call a meeting to order or to decide on any action items presented to the committee.
- (3) The chair shall preside over all meetings.
- (4) The vice-chair shall preside over all meetings in the absence of the chair.
- (5) The committee may hold ad hoc meetings as it deems necessary.
- (6) The economic development director, or his/her designee, will record and submit meeting minutes detailing the committee's activities to the city council.
- (7) Anyone wishing to approach the Committee may do so in person during the public comment section of each meeting after being recognized by the presiding officer. Individuals can also send written material to the economic development director, who will present the items to the committee.
- (8) All information received by the committee will be available to the public under the terms of the Texas Open Meetings Act.

(c) Duties and responsibilities. The advisory committee serves with the following duties and responsibilities:

- (1) Work in a coordinated fashion, respect all points-of-view and, in carrying out its duties and tasks, shall adhere to the city's comprehensive plan as well as the values and mission of the city;

- (2) Individuals should be knowledgeable about local business, financial, or development-related activities and have unique insights and strategies to promote Leon Valley;
 - (3) Serve as ambassadors and promote Leon Valley in a positive manner;
 - (4) Understand the city's current economic development objectives.
 - (6) Provide business leads and contacts to city staff where appropriate;
 - (7) Review Policies set forth to the committee by the city council for review and to make recommendations; and
 - (8) Keep discussions of possible incentives to promote economic development that are not discussed on an open floor, confidential.
- (d) In addition to the above, staff liaison shall have the following duties and responsibilities:
- (1) Vet funding proposals and ensure projects are ethical, safe, and legal;
 - (2) Ensure applicant submits a completed Leon Valley Economic and Community Development Funding Application and supporting document;
 - (3) Provide the applicant a copy of the Leon Valley Economic and Community Development Policies and Guidelines for Funding;
 - (4) Provide preliminary vetting of project proposal in accordance with the Policies and Guidelines for Funding;
 - (5) Provide professional recommendations and fund balance for each project proposal; and
 - (6) Ensure the project has been satisfactorily completed as proposed prior to issuing funds.
- (e) *Subcommittee organization.*
- (1) The committee may appoint any and all subcommittees as deemed necessary to carry out the duties and responsibilities of the committee.
 - (2) Each subcommittee shall appoint their own chair.
 - (3) All subcommittees shall report to the committee as frequently as requested.
 - (4) Duties of each subcommittee shall be those implied by the name of the subcommittee and any additional functions assigned to them by the committee.
- (f) *Additional Consideration.*
- (1) Economic and community development projects shall be directly associated and categorized as one or more of the following:
 - (A) Land use;
 - (B) Housing;
 - (C) Transportation;
 - (D) Economic;
 - (E) Utilities;
 - (F) Public health;
 - (G) Recreation;
 - (H) Culture;

-
- (I) Environmental;
 - (J) Other.
- (2) The economic and community development advisory committee will attempt to seek economic and community development through:
- (A) Retention of primary jobs;
 - (B) Redevelopment of retail or commercial property;
 - (C) Demolition of existing substandard structures;
 - (D) Tourism related ventures;
 - (E) Projects that demonstrate environmental initiatives;
 - (F) Business mission to create workforce diversity reflective of the community;
 - (G) Encouragement of entrepreneurship;
 - (H) Valuing businesses that demonstrate multiple income streams;
 - (I) Business models that include social enterprise.
- (g) *Severability.*
- (1) Economic and community development advisory committee bylaws will be reviewed by the committee biennially. These rules shall not be repealed, amended, or modified except by majority action of city council at a properly noticed council meeting.
 - (2) In the event that any portion of these bylaws is found to be invalid, the remaining portion shall stand.
- (Ord. No. 2022-4 , § 1, 2-15-2022)

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.06 BOARDS, COMMISSIONS AND COMMITTEES, SECTION 1.06.009 ECONOMIC AND COMMUNITY DEVELOPMENT ADVISORY COMMITTEE AMENDING THE DUTIES AND REPONSIBILITIES OF THE COMMITTEE; PROVIDING FOR REPEAL, SEVERABILITY, SAVINGS, OPEN MEETING CLAUSE AND EFFECTIVE DATE

WHEREAS, The City of Leon Valley City Council has the authority to amend the duties and responsibilities of the Economic and Community Development Advisory Committee;

WHEREAS, The City of Leon Valley is hereby amending the duties and responsibilities to add reviewing of council-directed policies and deleting the review of projects;

WHEREAS, Amendments are attached and incorporated herein as Exhibit A; and

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

SECTION 1. Chapter 1 General Provisions, Article 1.06 Boards, Commissions and Committees, Section 1.06.009 Economic and Community Development Advisory Committee is hereby amended as attached in Exhibit A.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific accounts as necessary to carry out the purpose of this Ordinance.

SECTION 3. 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 4. 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 5. 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 6. 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 7. 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.

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Sandra Passailaigue, City Secretary

THROUGH: Crystal Caldera, City Manager

SUBJECT: Discussion and Possible Action on a Resolution Appointing Members to the Citizen's Police Advisory Committee

SPONSOR(S): (N/A)

PURPOSE

The purpose of this item is to have appointment or reappointment made by Council Place 1, 3, and 5; for Mayor Chris Riley to appoint someone to fill a vacancy due to Philip Campos being elected to City Council; and to present to City Council all City of Leon Valley applications on file for consideration.

The following information is provided for City Council consideration.

CITIZENS POLICE ADVISORY COMMITTEE - Coterminous with the Mayor

Manual Rubio	Place 1 - Appointment	Member	Term Expires: 5/31/2023
Darby Riley	Place 1 - Appointment	Member	Term Expires: 5/31/2023
Erick Matta	Place 2 - Appointment	Chair/Member	Term Expires: 5/31/2024
Ryan Brill	Place 2 - Appointment	Member	Term Expires: 5/31/2024
John Saenz	Place 3 - Appointment	Secretary/Member	Term Expires: 5/31/2023
Phyllis Beal	Place 3 - Appointment	Vice-Chair/Member	Term Expires: 5/31/2023
Kim Crawford	Place 4 - Appointment	Member	Term Expires: 5/31/2024
Bill Stannard	Place 4 - Appointment	Member	Term Expires: 5/31/2024
Ty Chumbley	Place 5 - Appointment	Member	Term Expires: 5/31/2023
Michelle Rawls	Place 5 - Appointment	Member	Term Expires: 5/31/2023
Philip Campos	Mayor's Appointment	Member	Term Expires: 5/31/2024
Tina Chasan	Mayor's Appointment	Member	Term Expires: 5/31/2024
Betty Heyl	Mayor's Appointment	Member	Term Expires: 5/31/2024
Councilor Rey Orozco	Council Liaison	Member	Term Expires: 5/31/2024
Lt. Kasey Burleson	Staff Liaison	N/A	N/A

THE FOLLOWING APPLICATIONS ON FILE:

Andrea Roofe – Received 07-25-2022
Ann Sawyer – Received 09-14-2022
Bryan Sawyer – Received 01-17-2023
Richard Blackmore – Received 02-07-2023
M'Lissa Chumbley – Received 02-15-2023
Olen Yarnell – Received 07-05-2023

SEE LEON VALLEY

Social – The City will encourage collaborative participation by its residents, businesses, and stakeholders. The City's citizens participate by serving on boards, committees, and commissions. This encourages transparency, communication, and accountability.

Economic – Not applicable

Environmental – Not applicable

FISCAL IMPACT

None

STRATEGIC GOALS

Not applicable

RECOMMENDATION

City Council Discretion

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

CPAC MEMBER	Appointed	Term Expires	Position	Active Member	Participation Rate	03/16/2022	05/18/2022	08/31/2022	11/02/2022	04/19/2023	Column4	Column5	Column6	Column7	Column8	Column9	Column10	Column11	Column12	Column13	Column14	Column15	Column16	Column17	Column18	Column19	Column20	Column21	Column22
Manuel Rubio	12/21/2021	5/31/2023	Council Place 1	Yes	100.00%	x	x	x	x																				
Darby Riley	12/21/2021	5/31/2023	Council Place 1	Yes	100.00%	x	x	x	x																				
Erick Matta	7/19/2022	5/31/2024	Council Place 2	Yes	100.00%	x	x	x	x																				
Ryan Brill	7/19/2022	5/31/2024	Council Place 2	Yes	67%		x	x	A																				
Tom Nolan	12/21/2021	5/31/2023	Council Place 3	Yes	100.00%	x	x	x	x																				
Phyllis Beal	2/21/2023	5/31/2023	Council Place 3	Yes																									
John Saenz	12/21/2021	5/31/2023	Council Place 3	Yes	100.00%	x	x	x	x																				
Kim Crawford	7/19/2022	5/31/2024	Council Place 4	Yes	100%					A																			
Bill Stannard	7/19/2022	5/31/2024	Council Place 4	Yes	50%				x	A																			
Michelle Rawls	12/21/2021	5/31/2023	Council Place 5	Yes	0.50%	x	A	A	x	A																			
Ty Chumbley	12/21/2021	5/31/2023	Council Place 5	Yes	0%	A	A	A	A																				
Betty Heyl	7/19/2022	5/31/2024	Mayor's	Yes	100.00%	x	x	x	x																				
James Brandenburg	7/19/2022	5/31/2024	Mayor's	Yes	100.00%	x	x	x	x																				
Philip Campos	2/7/2023	5/31/2024	Mayor's	Yes	75%																								
Tina Chasan	7/19/2022	5/31/2024	Mayor's	Yes	25%	x	A	A	A																				
						(X) = Attended																							
						A = Absent																							

RESOLUTION NO. 23-0__R

**A RESOLUTION OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL
APPOINTING MEMBERS TO THE CITIZENS POLICE ADVISORY COMMITTEE.**

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

1. The following individuals are hereby appointed as members to the **Citizens Police
Advisory Committee** with a term expiring June 30, 2025:

Place 1 Appointment - _____
Place 1 Appointment - _____

Place 3 Appointment - _____
Place 3 Appointment - _____

Place 5 Appointment - _____
Place 5 Appointment - _____

2. The following individuals are hereby appointed as members to the **Citizens Police
Advisory Committee** with a term expiring June 30, 2024:

Mayor's Appointment - _____

3. The following individual hereby appointed as Council Liaison to the **Citizens Police
Advisory Committee** with a term expiring June 30, 2024:

Councilor _____

**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 the Citizens Police Advisory
Committee and that the term become effective immediately.

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

APPROVED

CHRIS RILEY
MAYOR

Attest: _____

SAUNDRA PASSAILAGUE, TRMC
City Secretary

Approved as to Form: _____
NICOLE WARREN
City Attorney

Agenda Items 7.9 through 7.13 Appointments to Various Boards, Committees, and Commissions

Saundra Passailaigue, TRMC
City Secretary
City Council Meeting
July 18, 2023

Summary

- Question
 - **City Council is being asked to consider applications for appointment to various boards, committees, and commissions.**
- Options
 - Recommended:
 1. Make the appointments.
 2. Give another extension to current extended terms.

Purpose – Agenda Item 7.9

- Discussion and Possible Action on a Resolution Appointing Members to the Citizens Police Advisory Committee
 - The purpose of this item is to
 1. Have appointments or re-appointments made by Council Place 1, 3, and 5;
 2. For Mayor Chris Riley to appoint someone to fill a vacancy due to Philip Campos being elected to City Council; and
 3. To present to City Council all City of Leon Valley applications on file for consideration.
 - **Applications were submitted by the following:**
 - » Andrea Roofe – Received 07-25-2022
 - » Ann Sawyer – Received 09-14-2022
 - » Bryan Sawyer – Received 01-17-2023
 - » Richard Blackmore – Received 02-07-2023
 - » M'Lissa Chumbley – Received 02-15-2023
 - » Olen Yarnell – Received 07-05-2023

Current Citizens Police Advisory Committee

CITIZEN'S POLICE ADVISORY COMMITTEE		
Name	Position	Term
Manuel Rubio	Committee Member	Term Expires:
	Council Place 1 Appointment	5/31/2023
Darby Riley	Committee Member	Term Expires:
	Council Place 1 Appointment	5/31/2023
Erick Matta	Chair	Term Expires:
	Committee Member	5/31/2024
Ryan Brill	Committee Member	Term Expires:
	Council Place 2 Appointment	5/31/2024
John Saenz	Secretary	Term Expires:
	Committee Member	5/31/2023
Phyllis Beal	Committee Member	Term Expires:
	Council Place 3 Appointment	5/31/2023
Kim Crawford	Committee Member	Term Expires:
	Council Place 4 Appointment	5/31/2024
Bill Stannard	Committee Member	Term Expires:
	Council Place 4 Appointment	5/31/2024
Ty Chumbley	Committee Member	Term Expires:
	Council Place 5 Appointment	5/31/2023
Michelle Rawls	Committee Member	Term Expires:
	Council Place 5 Appointment	5/31/2023
Philip Campos	Committee Member	Term Expires:
	Mayor's Appointment	5/31/2024
Tina Chasan	Committee Member	Term Expires:
	Mayor's Appointment	5/31/2024
Betty Heyl	Committee Member	Term Expires:
	Mayor's Appointment	5/31/2024
Councilor Rey Orozco	Mayor Pro-Tem, Council Place 4	Term Expires:
	Council Liaison	5/31/2024
Kasey Burleson	Patrol LT. LVPD	N/A
	Staff Liaison	

Attendance Roster: Citizens Police Advisory Committee

{Section}.79.

CPAC MEMBER	Appointed	Term Expires	Position	Active Member	Participation Rate	03/16/2022	05/18/2022	08/31/2022	11/02/2022	04/19/2023	Column4	Column5
Manuel Rubio	12/21/2021	5/31/2023	Council Place 1	Yes	100.00%	X	X	X	X			
Darby Riley	12/21/2021	5/31/2023	Council Place 1	Yes	100.00%	X	X	X	X			
Erick Matta	7/19/2022	5/31/2024	Council Place 2	Yes	100.00%	X	X	X	X			
Ryan Brill	7/19/2022	5/31/2024	Council Place 2	Yes	67%		X	X	A			
Tom Nolan	12/21/2021	5/31/2023	Council Place 3	Yes	100.00%	X	X	X	X			
Phyllis Beal	2/21/2023	5/31/2023	Council Place 3	Yes								
John Saenz	12/21/2021	5/31/2023	Council Place 3	Yes	100.00%	X	X	X	X			
Kim Crawford	7/19/2022	5/31/2024	Council Place 4	Yes	100%				A			
Bill Stannard	7/19/2022	5/31/2024	Council Place 4	Yes	50%			X	A			
Michelle Rawls	12/21/2021	5/31/2023	Council Place 5	Yes	0.50%	X	A	A	X			
Ty Chumbley	12/21/2021	5/31/2023	Council Place 5	Yes	0%	A	A	A	A			
Betty Heyl	7/19/2022	5/31/2024	Mayor's	Yes	100.00%	X	X	X	X			
James Brandenburg	7/19/2022	5/31/2024	Mayor's	Yes	100.00%	X	X	X	X			
Philip Campos	2/7/2023	5/31/2024	Mayor's	Yes	75%	X						
Tina Chasan	7/19/2022	5/31/2024	Mayor's	Yes	25%	X	A	A	A			
						(X) = Attended						
						A = Absent						

Purpose – Agenda Item 7.10

- Discussion and Possible Action of a Resolution Appointing a Council Liaison to the Board of Adjustment for a Term of One-Year
 - The purpose of this item is to
 1. Appoint or re-appointment a Council Liaison.
 2. To present to City Council all City of Leon Valley applications on file for consideration.
 - **Applications were submitted by the following:**
 - » None Received and None on File

Current Board of Adjustment

BOARD OF ADJUSTMENT		
Name	Position	Term
Betty Heyl	Board Member	Term Expires: 5/31/2024
Danielle Bolton	Board Member	Term Expires: 5/31/2024
Yvonne Orozco	Board Member Vice-Chair	Term Expires: 5/31/2024
Stephen Parker	Board Member	Term Expires: 5/31/2024
Brian Sawyer	Board Member	Term Expires: 5/31/2024
David Siege	1st Alternate	Term Expires: 5/31/2024
Vacant	2nd Alternate	Term Expires: 5/31/2024
Vacant	3rd Alternate	Term Expires: 5/31/2024
Vacant	4th Alternate	Term Expires: 5/31/2024
Councilor Will Bradshaw	Council Place 5 Council Liaison	Term Expires: 5/31/2023
Mindy Teague	Planning/Zoning Director Staff Liaison	Term Expires: N/A

Attendance Roster: Board of Adjustment

- **None available – This board has not held a meeting since June of 2021**

Purpose – Agenda Item 7.11

- **Discussion and Possible Action on a Resolution Appointing Members to the Economic and Community Development Advisory Committee**
 - The purpose of this item is to
 1. Have appointments or re-appointments made by City Council; and
 2. To present to City Council all City of Leon Valley applications on file for consideration.
 - **Applications were submitted by the following:**
 - » Vera “Ann” Sawyer - Received on 09-14-2022
 - » Roger Christensen - Received on 05-22-2023
 - » Kishore Kamaraju - Received on 05-31-2023

Current Economic and Community Development Advisory Committee

ECONOMIC AND COMMUNITY DEVELOPMENT ADVISORY		
Name	Position	Term
Yvonne Orozco	Chair	Term Expires:
	Committee Member	5/31/2024
Danielle Bolton	Vice-Chair	Term Expires:
	Committee Member	5/31/2024
Olen Yarnell	Committee Member	Term Expires:
		5/31/2024
Roger Christensen	Committee Member	Term Expires:
		5/31/2023
Kishore Kamaraju	Committee Member	Term Expires:
		5/31/2023
Leslie Bacon-Knopf	Committee Member	Term Expires:
		5/31/2024
Vacant	Committee Member	Term Expires:
		5/31/2023
Vacant	1st Alternate	Term Expires:
		5/31/2024
Vacant	2nd Alternate	Term Expires:
		5/31/2023
Roque Salinas	Economic Development Director	No Term Adopted
	Staff Liaison	

Attendance Roster: Economic and Community Development Committee

EDCD Committee Member	Active Member	Participation Rate	02/07/2022	03/14/2022	04/11/2022	5/9/2022	06/13/2022	07/11/2022	07/18/2022	11/14/2022	01/30/2023	03/20/2023	04/24/2023
Olen Yarnell	Yes	63.64%	X	X	X	X				X	X	X	X
Roger Christensen	Yes	100.00%	X	X	X	X				X	X	X	X
Yvonne Ororzco	Yes	100.00%	X	X	X	X				X	X	X	X
Kishore Kamaraju	Yes	50.00%								X	A	A	X
Dannielle Bolton	Yes	100.00%								X	X	X	X
Leslie Bacon- Knopf	Yes	0.00%											A

Purpose – Agenda Item 7.12

- **Discussion and Possible Action on a Resolution Appointing Members to the Library Advisory Board**
 - The purpose of this item is to
 1. Have Appointments or re-appointments made by City Council; and
 2. To present to City Council all City of Leon Valley applications on file for consideration.
 - **Applications were submitted by the following:**
 - » Maryanna Christensen - Received on 04-20-2023
 - » Patricia Birkhead - Received on 05-12-2023
 - » Clare Brown - Received on 05-12-2023

Current Library Advisory Board

LIBRARY ADVISORY BOARD		
Name	Position	Term
Clare Brown	Member	Term Expires:
	Chair	5/31/2023
Barbara Owens	Member	Term Expires:
		5/31/2024
Linda Crews	Member	Term Expires:
		5/31/2024
Maryanna Christensen	Member	Term Expires:
		5/31/2023
Patricia Birkhead	Member	Term Expires:
		5/31/2023
Margaret Tovar	Member	Term Expires:
		5/31/2024
Hillary Huber	Member	Term Expires:
		5/31/2024
Vacant	Alternate #1	Term Expires:
		5/31/2023
Vacant	Alternate #2	Term Expires:
		5/31/2024
Theresa Brader	Assistant Library Director	Term Expires:
	Alternate Staff Liaison	N/A
Regina Reed	Member	Term Expires:
	Secretary	N/A

Attendance Roster: Library Advisory Board

First Name	Last Name	Position	June	July	August	September	October	November	December	January	February	March	April	May
Clare	Brown	Chair	X	NM	NQ	NQ	NQ	X	X	X	X	E	X	X
Barbara	Owens	Member	X	NM	NQ	NQ	NQ	X	X	X	U	E	U	U
Carol	Poss	Member	X	NM	NQ	NQ	NQ	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Linda	Crews	Member	X	NM	NQ	NQ	NQ	X	X	X	X	X	E	X
Maryanna	Christensen	Member	X	NM	NQ	NQ	NQ	X	X	X	X	X	E	X
Kathleen	Kelly-List	Member	U	NM	NQ	NQ	NQ	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Margaret	Tovar	Member	N/A	NM	NQ	NQ	NQ	X	X	X	X	X	E	X
Patricia	Birkhead	Member	N/A	NM	NQ	NQ	NQ	E	X	X	X	X	X	X
Hillary	Huber	Member	N/A	NM	NQ	NQ	NQ	N/A	N/A	N/A	X	X	X	X
Vacant		1 Alternate	N/A	NM	NQ	NQ	NQ	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Vacant		2 Alternate	N/A	NM	NQ	NQ	NQ	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Regina	Reed	Liasion	X	NM	NQ	NQ	NQ	X	X	X	X	X	X	X
Theresa	Brader	Alt-Liasion	X	NM	NQ	NQ	NQ	X	X	X	X	X	X	X

KEY

X	PRESENT
E	EXCUSED
U	UNEXCUSED
NM	NO MEETING
NQ	NO QUORUM
N/A	NOT A MEMBER AT TIME OF MEETING

Purpose – Agenda Item 7.13

- **Discussion and Possible Action on a Resolution Appointing Members to the Planning & Zoning Commission**
 - The purpose of this item is to
 1. Have Appointments or re-appointments made by City Council; and
 2. To present to City Council all City of Leon Valley applications on file for consideration.
 - **Applications were submitted by the following:**
 - » Evan Bohl - Received 01-24-2023
 - » Cassie Rowse - Received 01-26-2023
 - » Richard Blackmore - Received 02-07-2023
 - » Edward Alonzo - Received 03-07-2023
 - » Thomas Dillig - Received 03-22-2023
 - » David Siege - Received 04-18-2023

Current Planning & Zoning Commission

PLANNING & ZONING COMMISSION		
Name	Position	Term
Edward Alonzo	Commissioner (1)	Term Expires:
	1st Vice-Chair	5/31/2023
Andrea Roofe	Commissioner (2)	Term Expires:
		5/31/2024
Vacant	Commissioner (3)	Term Expires:
		5/31/2023
Pat Martinez	Commissioner (4)	Term Expires:
		5/31/2024
Catherine Rowse	Commissioner (5)	Term Expires:
	Chair	5/31/2023
Erick Matta	Commissioner (6)	Term Expires:
	2nd Vice-Chair	5/31/2024
Richard Blackmore	Commissioner (7)	Term Expires:
		5/31/2023
Kimberly Bohl	1st Alternate	Term Expires:
		5/31/2024
Hilda Gomez	2nd Alternate	Term Expires:
		5/31/2023
David Perry	3rd Alternate	Term Expires:
		5/31/2023
Councilor Benny Martinez	Council Place 1	Term Expires:
	Council Liaison	5/31/2023
Mindy Teague	Planning/Zoning Director	Term Expires:
	Staff Liaison	N/A

Attendance Roster: Planning & Zoning Commission

Planning & Zoning Attendance Roster 2022-2023													
Planning & Zoning Commission	1/25/2022	2/22/2022	3/22/2022	April ?	May ?	6/28/2022	7/26/2022	8/23/2022	9/27/2022	10/25/2022	11/16/2022	12/14/2022	
Edward Alonzo		(A)	(A)			X	X	(A)	X	X	X	X	
Catherine Rowse		X	X			X	X	X	X	(A)	X	X	
Sherry Pfau		X	(A)			X							
Michael Marin													
Philip Campos		(A)	X			X	X	X	X	X	X	X	
Larry Proffit		X	X			X							
Richard Blackmore		X	X			X	X	X	X	X	X	X	
Evan Bohl		X	X										
Drew Power		X	X			(A)							
Erick Matta							T	X	(A)	X	X	X	
Kimberly Bohl							(A)	(A)	X	(A)		(A)	
Pat Martinez							X	X	X	X	X	(A)	
Marilou Matthews							X	X	X	X			
Andrea Roofe								A	X	X	X	X	
David Perry									X	X	X	X	
Will Bradshaw		X	X			(A)							
Benny Martinez		X	X			X	X	X	X	(A)	X	A	
X = Present T = Tardy A = Absent (A) - Excused by Chair													
Planning & Zoning Commission	1/24/202	2/28/202	3/28/202	4/25/202	5/23/202	6/26/202	Column9	Column1	Column1	Column1	Column1	Column1	Column1
Catherine Rowse - Chair	X	X	X	X	(A)								
Edward Alonzo - 1st Vice	(A)	X	X	(A)	X								
Erick Matta - 2nd Vice Ch	X	X	X	X	A								
Philip Campos, Jr.	X	X	X	X	X								
Pat Martinez	X	X	(A)	X	X								
Richard Blackmore	X	X	X	X	X								
Andrea Roofe	X	X	(A)	T	X								
Kimberly Bohl - Alternate	(A)	(A)	(A)	(A)	A								
Hilda Gomez - Alternate 2	X	X	X	X	A								
David Perry - Alternate 3	A	X	X	X	X								
Benny Martinez	X	X	A	X	X								
X = Present T = Tardy A = Absent (A) - Excused by Chair													

S.E.E. Statement

Social Equity – The City will encourage collaborative participation by its residents, businesses, and stakeholders. The City’s citizens participate by serving on boards, committees, and commissions. This encourages transparency, communication, and accountability.

Economic Development- N/A

Environmental Stewardship – N/A

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Sandra Passailaigue, City Secretary

THROUGH: Crystal Caldera, City Manager

SUBJECT: Discussion and Possible Action Appointing a Council Liaison to the Board of Adjustment for a Term of One-Year

SPONSOR(S): (N/A)

PURPOSE

The purpose of this item is to appoint a Council Liaison to the Board of Adjustment for a term of one-year to expire on June 30, 2024.

The following information is provided for City Council consideration.

BOARD OF ADJUSTMENT - Coterminous with the Mayor

Yvonne Orozco	Board Member Vice-Chair	Term: 5/31/24
Danielle Bolton	Board Member	Term: 5/31/24
Betty Heyl	Board Member	Term: 5/31/24
Stephen Parker	Board Member	Term: 5/31/24
Brian Sawyer	Board Member	Term: 5/31/24
David Siege	1 st Alternate	Term: 5/31/24
Vacant	2nd Alternate	Term: 5/31/24
Vacant	3rd Alternate	Term: 5/31/24
Vacant	4th Alternate	Term: 5/31/24
Councilor Will Bradshaw	Council Liaison	Term: 5/31/23

There are still three vacancies to fill but the Council Liaison's term expires 6/30/2023.

THE FOLLOWING APPLICATIONS WERE SUBMITTED:

None

SEE LEON VALLEY

Social – The City will encourage collaborative participation by its residents, businesses, and stakeholders. The City’s citizens participate by serving on boards, committees, and commissions. This encourages transparency, communication, and accountability.

Economic – Not applicable

Environmental – Not applicable

FISCAL IMPACT

None

STRATEGIC GOALS

Not applicable

RECOMMENDATION

City Council Discretion

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

RESOLUTION NO. 23-0__R

**A RESOLUTION OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL
APPOINTING A COUNCIL LIAISON TO THE BOARD OF ADJUSTMENT**

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

The following individual is hereby appointed as Council Liaison to the **Board of
Adjustment** with a term expiring June 30, 2024:

**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 the Leon Valley Board of
Adjustment and that the term become effective immediately.

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

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAGUE, TRMC
City Secretary

Approved as to Form: _____
NICOLE WARREN
City Attorney

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Sandra Passailaigue, City Secretary

THROUGH: Crystal Caldera, City Manager

SUBJECT: Discussion and Possible Action on a Resolution Appointing Members to the Economic and Community Development Advisory Committee

SPONSOR(S): (N/A)

PURPOSE

The purpose of this item is to present to City Council all City of Leon Valley applications for boards/commissions/committees that have been submitted to fill vacancies or to re-apply for expired terms. City Council would need to appoint members to the various boards/commissions/committees.

The following information is provided for City Council consideration.

ECONOMIC AND COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Name	Position	Term
Yvonne Orozco	Chair	Term Expires:
	Committee Member	5/31/2024
Danielle Bolton	Vice-Chair	Term Expires:
	Committee Member	5/31/2024
Olen Yarnell	Committee Member	Term Expires:
		5/31/2024
Roger Christensen	Committee Member	Term Expires:
		5/31/2023
Kishore Kamaraju	Committee Member	Term Expires:
		5/31/2023
Leslie Bacon-Knopf	Committee Member	Term Expires:
		5/31/2024
<i>Vacant</i>	Committee Member	Term Expires:
		5/31/2023
<i>Vacant</i>	1st Alternate	Term Expires:
		5/31/2024
<i>Vacant</i>	2nd Alternate	Term Expires:
		5/31/2023
Roque Salinas	Economic Development Director	No Term Adopted
	Staff Liaison	

THE FOLLOWING APPLICATIONS WERE SUBMITTED:

Vera “Ann” Sawyer - Received on 09-14-2022
Roger Christensen - Received on 05-22-2023
Kishore Kamaraju - Received on 05-31-2023

S. E. E. IMPACT STATEMENT

Social Equity - The City will encourage collaborative participation by its residents, businesses, and stakeholders. The City’s citizens participate by serving on boards, committees, and commissions. This encourages transparency, communication, and accountability.

Environmental - Not applicable

Economic Development - Not applicable

S. E. E. IMPACT STATEMENT

Social Equity - The City will encourage collaborative participation by its residents, businesses, and stakeholders. The City’s citizens participate by serving on boards, committees, and commissions. This encourages transparency, communication, and accountability.

Environmental - Not applicable

Economic Development - Not applicable

FISCAL IMPACT

None

STRATEGIC GOALS

Not applicable

RECOMMENDATION

City Council Discretion

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

RESOLUTION NO. 23-0__R

**A RESOLUTION OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL
APPOINTING MEMBERS TO THE ECONOMIC AND COMMUNITY DEVELOPMENT
ADVISORY COMMITTEE**

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

The following individual(s) are hereby appointed as a Member to the **Economic and
Community Development Advisory Committee** with a term expiring June 30, 2024:

The following individual(s) are hereby appointed as a Alternate to the **Economic and
Community Development Advisory Committee** with a term expiring June 30, 2024:

The following individual is hereby appointed as a Council Liaison to the **Economic and
Community Development Advisory Committee** with a term expiring June 30, 2024:

**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 the Leon Valley Economic
and Community Development Advisory Committee and that the term become effective
immediately.

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

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAGUE, TRMC
City Secretary

Approved as to Form: _____
NICOLE WARREN
City Attorney

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Saundra Passailaigue, City Secretary

THROUGH: Crystal Caldera, City Manager

SUBJECT: Discussion and Possible Action on a Resolution Appointing Members to the Library Advisory Board

SPONSOR(S): (N/A)

PURPOSE

The purpose of this item is to present to City Council all City of Leon Valley applications for boards/commissions/committees that have been submitted to fill vacancies or to re-apply for expired terms. City Council would need to appoint members to the various boards/commissions/committees.

The following information is provided for City Council consideration.

LIBRARY ADVISORY BOARD

Clare Brown	Member Chair	Term Expires: 5/31/2023
Barbara Owens	Member	Term Expires: 5/31/2024
Linda Crews	Member	Term Expires: 5/31/2024
Maryanna Christensen	Member	Term Expires: 5/31/2023
Patricia Birkhead	Member	Term Expires: 5/31/2023
Margaret Tovar	Member	Term Expires: 5/31/2024
Hillary Huber	Member	Term Expires: 5/31/2024
Vacant	Alternate #1	Term Expires: 5/31/2023
Vacant	Alternate #2	Term Expires: 5/31/2024
Theresa Brader	Assistant Library Director Alternate Staff Liaison	Term Expires: N/A
Regina Reed	Member Secretary	Term Expires: N/A

THE FOLLOWING APPLICATIONS WERE SUBMITTED:

Maryanna Christensen - Received on 04-20-2023

Patricia Birkhead - Received on 05-12-2023

Clare Brown - Received on 05-12-2023

S. E. E. IMPACT STATEMENT

Social Equity - The City will encourage collaborative participation by its residents, businesses, and stakeholders. The City's citizens participate by serving on boards, committees, and commissions. This encourages transparency, communication, and accountability.

Environmental - Not applicable

Economic Development - Not applicable

FISCAL IMPACT

None

STRATEGIC GOALS

Not applicable

RECOMMENDATION

City Council Discretion

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC

City Secretary

First Name	Last Name	Position	June	July	August	September	October	November	December	January	February	March	April	May
Clare	Brown	Chair	X	NM	NQ	NQ	NQ	X	X	X	X	E	X	X
Barbara	Owens	Member	X	NM	NQ	NQ	NQ	X	X	X	U	E	U	U
Carol	Poss	Member	X	NM	NQ	NQ	NQ	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Linda	Crews	Member	X	NM	NQ	NQ	NQ	X	X	X	X	X	E	X
Maryanna	Christensen	Member	X	NM	NQ	NQ	NQ	X	X	X	X	X	E	X
Kathleen	Kelly-List	Member	U	NM	NQ	NQ	NQ	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Margaret	Tovar	Member	N/A	NM	NQ	NQ	NQ	X	X	X	X	X	E	X
Patricia	Birkhead	Member	N/A	NM	NQ	NQ	NQ	E	X	X	X	X	X	X
Hillary	Huber	Member	N/A	NM	NQ	NQ	NQ	N/A	N/A	N/A	X	X	X	X
Vacant		1 Alternate	N/A	NM	NQ	NQ	NQ	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Vacant		2 Alternate	N/A	NM	NQ	NQ	NQ	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Regina	Reed	Liasion	X	NM	NQ	NQ	NQ	X	X	X	X	X	X	X
Theresa	Brader	Alt-Liasion	X	NM	NQ	NQ	NQ	X	X	X	X	X	X	X

KEY

X	PRESENT
E	EXCUSED
U	UNEXCUSED
NM	NO MEETING
NQ	NO QUORUM
N/A	NOT A MEMBER AT TIME OF MEETING

RESOLUTION NO. 23-0__R

**A RESOLUTION OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL
APPOINTING LIBRARY ADVISORY BOARD**

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

The following individual(s) are hereby appointed as a Member to the **Library Advisory Board** with a term expiring June 30, 2024:

The following individual(s) are hereby appointed as a Alternate to the **Library Advisory Board** with a term expiring June 30, 2024:

The following individual is hereby appointed as a Council Liaison to the **Library Advisory Board** with a term expiring June 30, 2024:

**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 the Leon Valley Library Advisory Board and that the term become effective immediately.

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

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAGUE, TRMC
City Secretary

Approved as to Form: _____
NICOLE WARREN
City Attorney

MAYOR AND COUNCIL COMMUNICATION

DATE: July 18, 2023

TO: Mayor and Council

FROM: Sandra Passailaigue, City Secretary

THROUGH: Crystal Caldera, City Manager

SUBJECT: Discussion and Possible Action on a Resolution Appointing Members to the Planning & Zoning Commission

SPONSOR(S): (N/A)

PURPOSE

The purpose of this item is to present to City Council all City of Leon Valley applications for Planning & Zoning Commission.

In addition to appointing members for terms that have expired, City Council is also being asked to consider the Planning & Zoning Commission's recommendation to move Hilda Gomez from the position of Alternate, into the position of Commissioner to fill the vacancy that Councilor Philip Campos previously held. In accordance with City Code, the Commission Chair submitted the recommendation in writing and Ms. Gomez has accepted in writing. This has been attached to this item for reference.

The following information is provided for City Council consideration.

PLANNING & ZONING COMMISSION

Edward Alonzo	1 st Vice-Chair/Commissioner	Term Expires: 5/31/2023
Andrea Roofe	Commissioner	Term Expires: 5/31/2024
Philip Campos	Commissioner	Term Expires: 5/31/2023
Pat Martinez	Commissioner	Term Expires: 5/31/2024
Catherine Rowse	Chair/Commissioner	Term Expires: 5/31/2023
Erick Matta	2 nd Vice-Chair/Commissioner	Term Expires: 5/31/2024
Richard Blackmore	Commissioner	Term Expires: 5/31/2023
Kimberly Bohl	1 st Alternate	Term Expires: 5/31/2024
Hilda Gomez	2 nd Alternate	Term Expires: 5/31/2023
David Perry	3 rd Alternate	Term Expires: 5/31/2023
Benny Martinez	Council Liaison	Term Expires: 5/31/2023
Mindy Teague	Staff Liaison	N/A

THE FOLLOWING APPLICATIONS WERE SUBMITTED:

Evan Bohl - Received 01-24-2023
Cassie Rowse - Received 01-26-2023
Richard Blackmore - Received 02-07-2023
Edward Alonzo - Received 03-07-2023
Thomas Dillig - Received 03-22-2023
David Siege - Received 04-18-2023

SEE LEON VALLEY

Social – The City will encourage collaborative participation by its residents, businesses, and stakeholders. The City's citizens participate by serving on boards, committees, and commissions. This encourages transparency, communication, and accountability.

Economic – Not applicable

Environmental – Not applicable

FISCAL IMPACT

None

STRATEGIC GOALS

Not applicable

RECOMMENDATION

City Council Discretion

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

From: Mindy Teague
Sent: Monday, June 12, 2023 7:24 AM
To: Sandra Passailaigue
Cc: Melinda Moritz
Subject: FW: P&Z Opening

Mindy Teague
Planning and Zoning Director
City of Leon Valley
6400 El Verde Road
Leon Valley, Texas 78238
(210) 684-1391 ext. 234
www.leonvalleytexas.gov

From: Cassie Rowse <cassierowse@gmail.com>
Sent: Friday, June 9, 2023 11:20 AM
To: Mindy Teague <m.teague@leonvalleytexas.gov>
Subject: Fwd: P&Z Opening

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hilda has accepted.

Thanks,
Cassie Rowse
Chair Planning and Zoning Commission

----- Forwarded message -----

From: **Hilda Gomez** <hgvolunteer7@gmail.com>
Date: Fri, Jun 9, 2023, 11:17 AM
Subject: Re: P&Z Opening
To: Cassie Rowse <cassierowse@gmail.com>

Yes, I accept the opportunity for a regular position on the Planning and Zoning Commission.
Thank You. Hilda Gomez

On Thu, Jun 8, 2023 at 11:24 PM Cassie Rowse <cassierowse@gmail.com> wrote:

Hello Ms. Gomez,

We have a vacancy in our regular membership. I was wondering if you wanted to go ahead and take that regular position on the Planning and Zoning Commission or if you would rather stay as an

alternate for right now? We need your approval in writing, so please let me know by replying to this email.

Thank you,
Catherine Rowse
Chair Leon Valley Planning and Zoning Commission

Planning & Zoning Commission	Active Member	1/24/2023	2/28/2023	3/28/2023	4/25/2023	5/23/2024	6/27/2023	Column9	Column10
Catherine Rowse - Chair	Yes	X	X	X	X	(A)	(A)		
Edward Alonzo - 1st Vice Chair	Yes	(A)	X	X	(A)	X	X		
Erick Matta - 2nd Vice Chair	Yes	X	X	X	X	A	(A)		
Philip Campos, Jr.	Yes	X	X	X	X	X			
Pat Martinez	Yes	X	X	(A)	X	X	(A)		
Richard Blackmore	Yes	X	X	X	X	X	X		
Andrea Roofe	Yes	X	X	(A)	T	X	X		
Kimberly Bohl - Alternate 1	Yes	(A)	(A)	(A)	(A)	A	A		
Hilda Gomez - Alternate 2	Yes	X	X	X	X	A	X		
David Perry - Alternate 3	Yes	A	X	X	X	X	X		
Benny Martinez		X	X	A	X	X			
X = Present						T = Tardy			

[illegible]

RESOLUTION NO. 23-0__R

**A RESOLUTION OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL
APPOINTING MEMBERS AND ALTERNATE MEMBERS TO THE LEON VALLEY
PLANNING & ZONING COMMISSION.**

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

The following individual(s) is/are hereby appointed to the **Planning & Zoning
Commission as Commissioner** with a term expiring June 30, 2025:

_____ - Commissioner _____ - Commissioner
_____ - Commissioner _____ - Commissioner

The following individual(s) is/are hereby appointed to the **Planning & Zoning
Commission as Alternate** with a term expiring June 30, 2025:

_____ – 2nd Alternate _____ – 3rd Alternate

The following individual(s) is/are hereby appointed to the **Planning & Zoning
Commission as Council Liaison** with a term expiring June 30, 2024:

Councilor _____

**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 the Leon Valley Planning &
Zoning Commission and that the term become effective immediately.

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

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAGUE, TRMC
City Secretary

Approved as to Form: _____
NICOLE WARREN
City Attorney

OUTSTANDING CITY COUNCIL ITEMS

- **6417 Evers Road**
 - 11/2/20 – Lease approved
 - 8/3/21 – Amending lease to remove a lessee
 - 8/17/21- Executive session
 - 4/2/22 – first read SUP to allow Alcohol
 - 4/19/22 – second read SUP allow Alcohol
 - 12/6/22- Executive Session and EDC Funds
 - 12/20/22 -Executive Session
 - 3/21/23 – Executive Session
 - 5/2/2023- review of the agreement
 - Will go out for RFP once RFP is complete council will select. If MS Bania is not selected then she will have 30 days to vacate.
 - 06/20/2023 – RFP Review by Council
 - Moved by Mayor to overfilled Agenda
 - 7/18/2023 RFP Review by Council
- **Demolition Policy**
 - 5/2/2023 – Moved by CM due to the number of items on the agenda
 - 5/16/2023 – Scheduled Moved by CM due to the number of items on the agenda
 - 6/6/2023 – scheduled received input will return on July 18, 2023
 - Overfilled Agenda Moved by City Manager
- **New Guidelines for Economic & Community Development Advisory Committee**
 - 5/2/2023 – Moved by CM due to the number of items on the agenda
 - 5/16/2023 – Scheduled-Moved by CM due to the number of items on the agenda
 - 6/6/2023 – Scheduled postpone until 6/20/2023
 - 06/20/2023 – postponed until 7/18/2023
 - 7/18/2023 – Council Review
- **Silo design per request of the adjacent property owner**
 - 5/2/2023 – Moved by CM due to the number of items on the agenda
 - 5/16/2023 – Scheduled
 - Council Requested outreach to local universities
- **Capital Plans/FY24 Budget**
 - 5/16/2023 -Scheduled presented to council
 - Request to change out LV ranches park to dog park
 - 06/6/2023 – postponed by Mayor
 - 6/20/2023 – Scheduled
 - Council asked for this item be looked at on 7/22/2023
- **Sustainability Overlay**
 - 6/6/2023 Staff is not ready and has postponed until September

- **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.
 - Staff has met with the county for a long term solution
- **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**
- **Review of the Water rates**
 - 6/20/2023 Postpone council requested this be a retreat item for 7/22/23
- **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
 - Attorney has developed an ordinance and will be discussed at the 7/22 retreat.
- **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
 - Staff has received the plans and probable cost and will review with the council at the retreat
- **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
 - 4/24/2023 Owner paid the liens. Demo is scheduled for June 30th.
 - Owner is waiting on CPS energy to pull the gas.
- **Towing Contract**
 - 04/04/2023 – Council Would like additional information
 - 5/2/2023 – will be back with additional information
 - Council selected Banis towing contract will come back for final approval.
 - 6/20/2023 -Scheduled
 - 7/18/2023 Second read
- **Regulations regarding front yard fences**
 - Date to be determined
- **Health Inspector contract**
 - Reviewed by council 6/20/23 staff will bring back on 7/18/2023
- **Building Official contract**
 - Reviewed by council 6/20/23 staff will bring back on 7/18/2023
- **Code regulations dealing with blighted multi-family complexes**
 - TBD
- **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
 - 6/20/23 a review of the upcoming event
 - 8/15/23 we have wrap up
-

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
- **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
- 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
 - Received our first payment of \$7,000 on 4/20/2023

- **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.
- **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
 - Vista Del Rey is 50% compliant council agreed to settle on 4/18/2023
- **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
- City Manager updated eligible items and gave a presentation 4/18/2023 council directed to buy new Fire truck, ambulance and well generator
- **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 unanimously
- **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
- **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
 - 4/18/2023 – Will be placed on consent – Passed Unanimously
- **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
 - 4/18/2023 – Item placed on the Agenda -No Action taken
- **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
 - 4/18/2023 – Placed on the Agenda as a resolution Passed Unanimously
- **Health Insurance Broker**
 - Gallagher benefits services the contract was awarded for three years
Passed by council on 4/18/2023
- **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 before July
- 05/2/2023 Brought back by Councilor Stevens and Hefner as a first read
- 5/16/2023 on for the second read
 - Item Passed
- **RFP for Staff utilization study**
 - Reviewed by council 6/20/23 passed unanimously for October start date