



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

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, December 20, 2022 at 6:00 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. **The City Council Shall Meet in Executive Session to Discuss the Following:**
 1. Pursuant to Texas Government Code, Chapter 551, Section 551.071, Consultation with Counsel on Legal Matters: To Receive Legal Advice Regarding the Lease Agreement between Ms. Bania Artiaga and the City of Leon Valley
 2. Pursuant to Texas Government Code, Chapter 551, Section 551.071, Consultation with Counsel on Legal Matters: To Receive Legal Advice Regarding the Purchase and Sales agreement between Meritage Homes and the City of Leon Valley
3. **Reconvene into Regular Session**
4. **Citizens to be Heard**
5. **Possible Action on Issues Discussed in Executive Session If Necessary**
6. **Presentations**
 1. Presentation, Discussion, and Staff Direction on Budget and Procurement Method for Proposed Skate Park - M. Moritz, Public Works Director
7. **Announcements by the Mayor and Council Members.** At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or

community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.

8. **City Manager's Report**

1. Upcoming Important Events:

January 03, 2023, Regular City Council Meeting, CANCELLED.

Regular City Council Meeting, Tuesday, January 17, 2023, at 6:30 PM, in Council Chambers.

City Hall & Municipal Offices will be closed Thursday, December 22, 2022 through Tuesday, January 02, 2023 in observance of the Christmas and New Year's Day Holidays.

Annual Town Hall Meeting, Saturday, January 28, 2023, at the Leon Valley Conference Center.

Miscellaneous other events and announcements.

2. Presentation, Discussion and Possible Action on the Draft, January 28, 2023 Annual Town Hall Agenda

9. **Consent Agenda**

1. Discussion and Possible Action Approving of the Following City Council Minutes:

a. 12-06-2022 Regular City Council Meeting Minutes

2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:

a. 10-13-2022 Park Commission Meeting Minutes

b. 11-16-2022 Planning & Zoning Commission Meeting Minutes

c. 11-09-2022 Earthwise Living Committee Meeting Minutes

3. Presentation, Discussion and Possible Action on a Resolution Approving the Tax Roll for the City of Leon Valley, Texas for the 2022 Tax Year - Y. Acuna, Assistant Finance Director

4. Presentation, Discussion and Possible Action on a Resolution Approving the City of Leon Valley Investment Policy for Fiscal Year 2023 - Y. Acuna, Assistant Finance Director

10. Regular Agenda

1. Presentation and Discussion on an Ordinance Authorizing a Zoning Change from B-1 Small Business District, with SO, Sustainability Overlay District Zoning to R-3 Multi-Family Dwelling District of a 0.854-Acre Tract of Land Located in the 7500 Block of Huebner Road Between Hoofs and Evers (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director
2. Presentation and Discussion on an Ordinance Authorizing the City Manager to Execute a Contract Amendment and Accept an Additional \$400,000 from Bexar County, and Authorize a Budget Adjustment From the Stormwater Fund Reserve in the Amount of \$400,000 to Provide Additional Funding for the Construction of the Seneca West Drainage Project (1st Read as Required by City Charter) - M. Moritz, Public Works Director
3. Presentation, Discussion, and Possible Action on an Ordinance Authorizing the City Manager to Enter into an Agreement Between the City of Leon Valley and Meritage Homes of Texas, LLC For Real Property Consisting of Approximately 21.35 Acres Identified as 6503 Samaritan Drive, Leon Valley, Texas, 78238, (CB 4430 P-15: 2.137 acres, P-16: 6.391 acres & P-16A: 1.0 acre, ABS432), Various Parcels located William Rancher, Grass Hill, Samaritan, and Aids Drive BCAD Parcel Identification No.'s 217816, 217817, 217818, 217819, 217820, 217281, 217838, 217840, 217843 - City Manager Dr. Caldera (1st Read as Required by City Charter)
4. Presentation and Discussion on an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 13 Tree Preservation, Article 13.02 Tree Preservation Ordinance to Remove Definitions and Add a Definition, Direct the Park Commission to Assume the Duties of the Tree Advisory Board, Correct the Responsible Department References, and Give Variance Approval Duties Directly to the City Council (1st Read as Required by City Charter) - M. Moritz, Public Works Director

11. Citizens to be Heard

12. Requests from Members of City Council to Add Items to Future Agendas

1. Presentation, Discussion, and Possible Action on City Manager's Future Agenda Items

13. 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 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 . 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
December 15, 2022 at 2:40 PM





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

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, December 20, 2022 at 6:00 PM

ADDENDUM TO THE 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.

The following item is hereby added to amend the previously posted agenda for the Regular City Council Meeting on Tuesday, December 20, 2022:

10. Regular Agenda

1. Presentation, **Public Hearing**, and Discussion on an Ordinance Authorizing a Zoning Change from B-1 Small Business District, with SO, Sustainability Overlay District Zoning to R-3 Multi-Family Dwelling District of a 0.854-Acre Tract of Land Located in the 7500 Block of Huebner Road Between Hoofs and Evers (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Leon Valley, Texas, a place readily accessible to the general public at all times, on the 16th day of December 2022 at 9:45 AM, and that it remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

SAUNDRA PASSAILAIGUE, TRMC
City Secretary



SPA SKATEPARKS

with



NEWLINE SKATEPARKS

{Section}.61.



TEXAS'S PREMIER MUNICIPAL SKATEPARK DESIGN-BUILD TEAM

ABOUT US



Let Us Introduce Ourselves

SPA Skateparks with New Line Skateparks is a full service design and construction team specializing in integrated concrete skateparks and other progressive wheeled sports environments. With nearly 300 highly recognized projects around the globe, we are proud to serve as one of the world's longest running and most experienced skatepark specific design-build teams.

Our staff is comprised of registered landscape architects, engineering experts, graphic designers and construction professionals who are passionate active skateboarders. This passion inspires us to deliver cutting edge designs and authentic finished environments that create a meaningful connection between youth and the communities in which they live.

We love what we do. When we engage a community in the development process we bring a professional, organized, and fun attitude. The design journey is important and our approach is inclusive. We spare no resource to ensure youth and affected stakeholders truly become part of each project solution.



"The SPA/New Line approach to the public input process was very thorough, inclusive and interactive. City staff felt the public input meetings were ran very professionally and efficiently. Feedback from the stakeholders included positive comments and appreciation for allowing them to be 'a part of the project' as well as an increased feeling of ownership because this was 'their design'. We feel the final design is the best possible fit for the user needs as well as the available space and budget."

Curt Randa, Director
Parks and Recreation
City of Cedar Park, TX



Plaza at the Forks, Winnipeg, MB

"The Plaza at the Forks is proving to be one of the top skateboard facilities known to man. This project had the right decisions made from top to bottom: siting, budget, design and construction."
Chad Balcom, SPS Regional Director

Skaters for Public Skateparks
Public Space Award



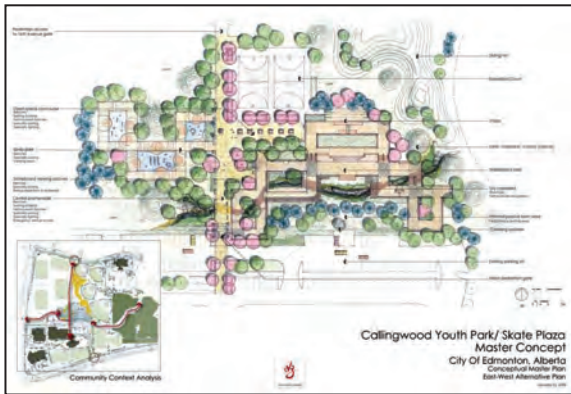
What We Believe...

SPA / New Line is committed to the improvement of natural and built environments for all generations. Our goal is to promote environmental quality as a way to protect what we value in our unique region. We carry this philosophy through in skatepark development. Through listening, watching and testing ideas, we create skatepark solutions that work in harmony with existing environments and ultimately lead to fully integrated places.

Skateparks are changing. The days of the stereotypical 'grey square' have long passed as a new era of concrete facility design responds to much more than purely function. When designed and constructed with strong community input and sensitivity to the surrounding context, skateparks not only become beloved destinations for local youth but celebrated public spaces for all to enjoy!

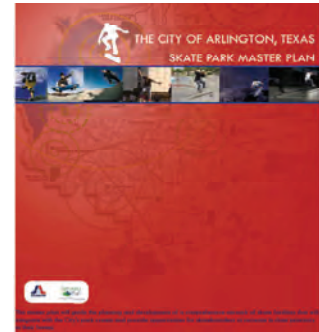
Services... The Art of Shaping Space

Planning- SPA/NLS provides planning expertise to municipal governments and community organizations for parks and recreation master planning as well as individual project developments. Over the last decade our team has participated in a number landmark planning studies for skatepark/wheeled sports networks across North America and Europe. Whether it be site selection, feasibility studies, fundraising programs, or long term facility development strategies, we strive to offer the best mix of qualified personnel and specialized resources for each unique planning challenge.



— Collingwood Youth Park
Concept Master Plan
Edmonton, AB

Site Selection Boards
Arlington, TX —



City-Wide Skatepark
Master Plan
Arlington, TX

Texas Recreation and Parks
Society
Planning Excellence Award



Public Consultation - SPA/NLS provides comprehensive consultation services to facilitate community input in the design of skateparks and other progressive public spaces. As passionate skateboarders and avid park users ourselves, we know how important participation by youth and other members of the community will be to the long term success of each project. No matter what project size, we deliver a custom tailored program of hands-on, interactive design workshops and public presentations facilitated by principal members of our team. Outside of our scheduled meetings, youth and other stakeholders are encouraged to continue to submit written comments, sketches, pictures etc. through our specially developed custom web portal for immediate and ongoing feedback. Overall, we believe engaging the community in a meaningful way is the single most critical aspect of any skatepark design journey and a key factor to our team's continued success.

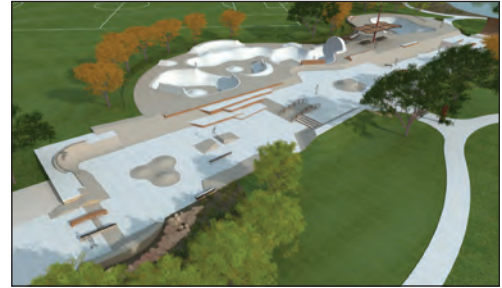
1st design workshop - Austin, TX
Pre-construction community info session - North Delta, BC —



Services... The Art of Shaping Space

Design - SPA/NLS designs award winning municipal concrete skateparks and other wheeled sport environments that continually set the bar for international skatepark development. From day one, we have chosen to think outside the 'concrete square' by leading the industry in introducing a site and community-specific design approach, integrated art/sculptural installations, green/sustainable development initiatives, CPTED principles, innovative materials and aesthetic detailing, progressive lighting schemes, skateable donor recognition signage, and architecturally striking skatepark roof structures. We believe that every project and community has a unique 'story' that can be told through authentic and enduring skatepark architecture. To realize our unique designs, we take great pride in delivering photorealistic 3D facility modeling, animated project 'fly-through' experiences, and State-certified technical drawings to ensure complete project understanding and a thorough construction process for each park.

Construction - SPA Skateparks is Texas's most experienced provider of large-scale municipal skatepark construction services - serving as the General Contractor on a significant portion of the designs completed by our team. Whether it be complete turnkey project solutions or specialty services/products, we are recognized as a leader in the development of site-built concrete skatepark construction technology and practices. Our team has also worked hard to lead the industry in cost and schedule control, safety, and concrete quality accreditation - with a guarantee of design-build budget certainty, on-time project performance, and a ACI (American Concrete Institute) certified team members overseeing shotcrete operations. Finally, SPA Skateparks is fully bonded and insured and employs approximately 20 dedicated field staff leading municipal skatepark projects across the State.



NE Community Skatepark - Frisco, TX



Austin House Park Plaza - Austin, TX



Roanoke Skatepark - Roanoke, TX



Vandergriff Skate Plaza - Arlington, TX



McKinney Skatepark - McKinney, TX

Youth Park Design Philosophy....

SPA / NEW LINE has worked extensively in the planning, design and construction of concrete skateparks, BMX parks, mountain bike courses and other progressive 'casual recreation' facilities. Although this emerging area of recreation is not new, the participation levels associated with inline, BMX, mountain biking and skateboarding have climbed to exceptional levels over the last 15 years.

The inclusion of 'Action Sports' in the planning process benefits the whole community by making children, youth and adults that participate in these activities feel valued. Developing a youth park strategy that includes action sports programs and facilities will introduce new experiences and challenges for a broad demographic that is often difficult to engage and/or overlooked in community parks planning.



Developing a successful youth park design requires a consultant to think and act in a way that respects the desires of future park users. This respect must be balanced with an understanding of construction tolerances, safety standards, community needs, security, and budget. SPA / NLS has a diverse and qualified staff who consistently seek new ways to achieve the expectations of the target user group while setting realistic goals, limits and deadlines.

FEATURE PROJECTS



NE Community Skatepark Frisco, TX

Destination Park

The Northeast Community Skatepark in Frisco, TX is a destination level, world-class all-wheeled mecca designed to accommodate users of all ages and skill levels. With over an acre of carefully detailed skateable terrain, this skatepark has A LOT OF EVERYTHING... FOR EVERYONE. The park consists of 3 main areas: the central Plaza, expansive modern Flow Complex, and competition-level Vert Bowl. The terrain experience is complimented by a state-of-the-art lighting system, significant integrated viewing and rest areas, custom sculptural features, stunning landscaping and mature oak trees, and a network of pedestrian linkages to the greater site's amenities (soccer fields, children's playscape, fishing pond etc). A big thank you and congratulations to the City of Frisco and their passionate residents for investing in this landmark community-driven project!

Project Budget: ~ \$1,450,000

Timeline: Fall 2015 - Summer 2017

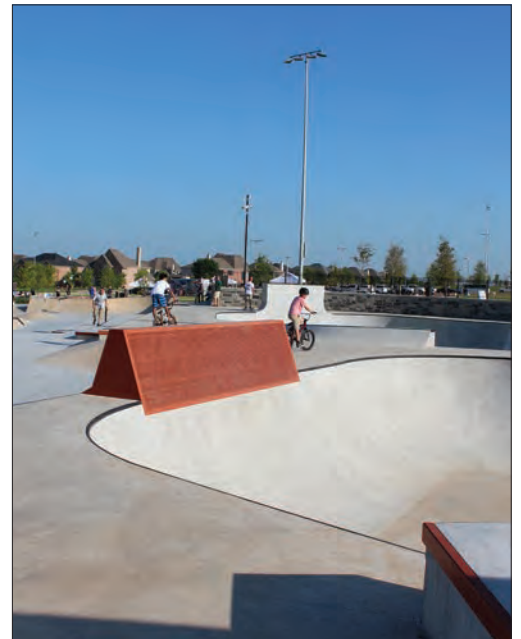
Client: City of Frisco

Team Responsibilities:

- site analysis and public process
- conceptual and final design
- full construction services



NE Community Skatepark - continued...



Cedar Park Skate Plaza Cedar Park, TX Community Park

Located in the newly developed Brushy Creek Sports Park, the Cedar Park Skate Plaza offers a variety of modern plaza and bowl terrain woven seamlessly into the site's natural surroundings. The final design program was developed over a period of 4 months after an extensive outreach initiative with the public and key stakeholders from the local skate community. The result is a highly integrated skate facility that provides a distinct sense of place for local youth (and the young at heart) while also serving as an inviting destination for all park visitors.

Project Budget: \$600,000 Phase 1 (est market value)

Timeline: Spring 2009 - Fall 2009

Client: City of Cedar Park

Team Responsibilities:

- site analysis and public process
- park programming
- conceptual and final design
- full construction



Vandergriff Skatepark Arlington, TX

Destination Park

Arlington, TX's Vandergriff Park Skatepark features three distinct areas of plaza, bowl and modern snake-run youth park terrain designed to be constructed in phases relative to project funding milestones. Skateable features take artistic cues from the iconic City of Arlington logo and the facility's overall layout harmonizes with existing mature trees found throughout the surrounding site. Now complete, the skatepark not only serves as the City's first modern concrete skateboarding facility but one of the largest and most compelling destination parks in the region.

Project Budget: ~ \$1,200,000 (3 Phases)

Timeline: Summer 2012 - Spring 2014

Client: City of Arlington

Team Responsibilities:

- public process
- conceptual and final design
- speciality concrete construction (Phase 1)



Beautiful Mountain Skate Plaza *Beaumont, TX* *Neighborhood Park*

SPA / New Line proudly presents the Beautiful Mountain Skate Plaza - located at the City of Beaumont's downtown intersection of Laurel Ave and Magnolia St. The distinctive circular plaza design features a wide selection of versatile urban terrain elements derived from architectural cues found within the adjacent city Events Center Campus and a series of input meetings with local skateboarders and surrounding community members. Since opening, the Plaza has proven to be hugely popular with not only skateboarders, but a greater community of downtown residents and visitors who share Beaumont's evolving urban landscape!

Project Budget: \$ 600,000 (est market value)

Timeline: Summer 2013

Client: City of Beaumont

Team Responsibilities:

- site analysis
- conceptual and final design
- full construction services



Ruben Pier Skate Plaza - Odessa Odessa, TX Community Park

The long anticipated Ruben Pier Skate Plaza is now a reality for the growing community of Odessa. Located within the City's expansive Sherwood Park, the Plaza was designed to not only provide local skateboarders with a safe and compelling environment to call their own but to also serve as a place to engage the entire community in the celebration of youth and the life of local skateboarder, Ruben Pier. Along with an assortment of unique 'real street' elements and a one of a kind stand alone bowl unit, the plaza features a combination of locally inspired sculptural features, integrated natural 'green' islands, shaded viewing areas, and a marquee skateable entry sign recognizing the Plaza's namesake.

Project Budget: \$ 845,000 (est market value)

Timeline: Spring 2009 - Fall 2009

Client: City of Odessa

Team Responsibilities:

- site analysis and public process
- conceptual and final design
- full construction



McKinney Skatepark McKinney, TX

Destination Park

Through a 6 month collaborative development process with local youth, surrounding community members, and our design-build team, the City of McKinney has created one of the most progressive youth park developments in the Country. Located in the City's prized Gabe-Nesbitt Park, the skatepark offers over 30,000 sqft of 'Unique by Nature' plaza, obstacle, bowl, and ditch-inspired terrain designed for all ages, abilities, and riding styles.

Project Budget: ~ \$1,800,000

Timeline: Spring 2013

Client: City of McKinney

Team Responsibilities:

- site analysis and public process
- conceptual and final design
- full skatepark construction (aside from bulk earthworks)



McKinney Skatepark - Continued...



Granbury Skate Plaza Granbury, TX Neighborhood Park

At approximately 6,000 square feet, and for all ages and skill levels, the Granbury skate park design takes the general shape of a triangle, consisting of three plaza lanes and a fully encapsulated bowl. The center of the triangle is a large landscaped area, breaking up what would otherwise be an expanse of concrete. The plaza elements include several rails and ledges, a 4 stair set, bank to bank, quarter pipe, and a unique Granbury-themed skateable signage feature closest to the parking lot. The profile of the signage symbolizes the mesa locally named Comanche Peak. Just a few miles from Granbury, this peak is the highest in Hood County and was the meeting ground for Comanche Indians. The words "Granbury Skate Park Dedicated to Keith W. Callahan" on the sign facing the parking lot is a show of thanks for Mr. Callahan's many years as the City's Director of City Services.

The skate park bowl has three pockets with depths from 3.5 feet to 5.5 feet. The metal skate park coping blends into concrete at the shallow section, allowing skaters to roll in to begin their runs. The skate park is connected to the existing walking path that encircles Granbury City Park, allowing skaters easy and safe access.

Project Budget: \$ 385,000 (est market value)

Timeline: Summer 2014

Client: City of Granbury

Team Responsibilities:

- site analysis
- conceptual and final design
- full construction



Roanoke Skate Plaza *Roanoke, TX* *Community Park*

Roanoke TX, the 'Unique Dining Capital of Texas', continues to make it's mark in the DFW Metroplex with the creation of a one of a kind skateable art plaza and pool style bowl in phase 2 of the City's popular Cannon Parkway Park. Nearly 20,000 sqft of meticulously detailed terrain offers opportunities for virtually all ages, skill levels, and riding styles, while the park's skateable 'dinnerware' sculptures guarantee a truly unforgettable visitor experience for users and spectators alike.

Project Budget: ~\$750,000

Timeline: Spring 2015

Client: City of Roanoke

Team Responsibilities:

- conceptual and final design
- construction



Kasmiersky Park All Wheel Plaza *Conroe, TX Community Park*

Once again, SPA Skateparks, in collaboration with New Line took input from Conroe skaters and the local community to develop this unique and innovative design for the Kasmiersky Park Wheeled Sports Plaza. The skatepark will feature integral color concrete, integrated lighting and special viewing areas amongst an exciting collection of street elements, bowl units, and custom sculptural obstacles that reference various local landmarks as well as the rich forestry/timber and rail-way history of the Piney Woods area.

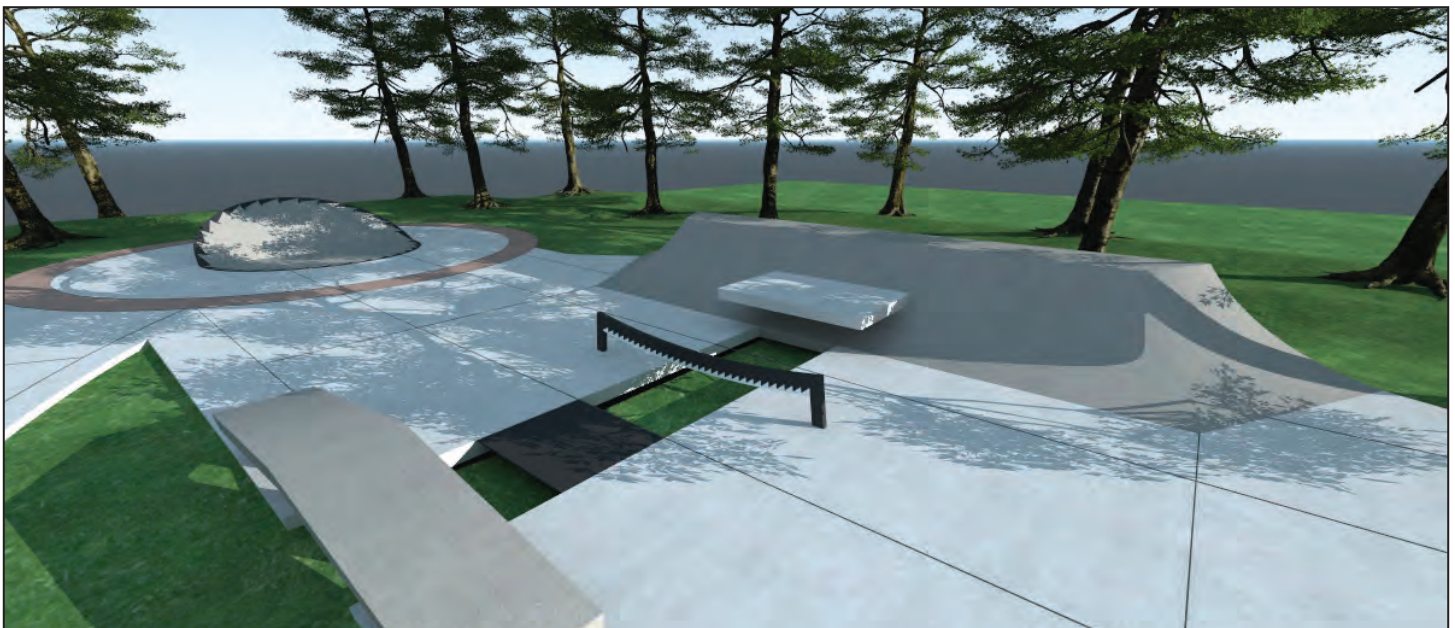
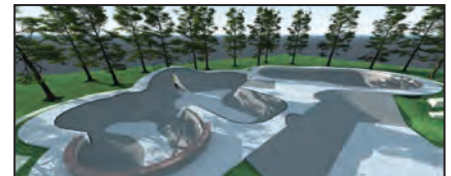
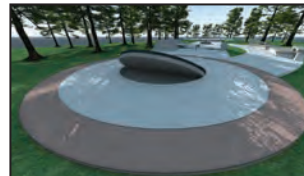
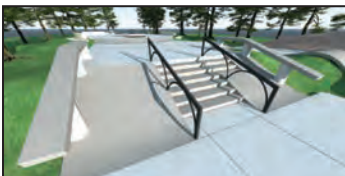
Project Budget: \$ 950,000 (est market value)

Timeline: Summer 2011 - Spring 2012

Client: City of Conroe

Team Responsibilities:

- site analysis
- conceptual and final design
- full construction



Kasmiersky Park All Wheel Plaza - Continued...



Alvin Skatepark Alvin, TX Neighborhood Park

Boasting over 6,000 square feet of modern plaza and transitional terrain, the Alvin Skatepark truly represents a site-tailored facility that enhances an already-popular City park. SPA/New Line responded to the City's vision of creating a safe, sanctioned skateboarding/wheeled sports venue that would integrate with an established passive green space, children's playscape, performance area, and picnic shelter. This includes the implementation of 'skateable' seating/site furnishings, central 'green' area, and architectural detailing that references the colors and signage found in the park's historic rail-way building. Now open, the park serves as one of the area's most popular community recreation attractions.

Project Budget: \$ 350,000 (est market value)

Timeline: Fall 2011 - May 2012

Client: City of Alvin

Team Responsibilities:

- site analysis
- conceptual and final design
- full construction



Boerne Skate Plaza Boerne, TX Community Park

The Boerne Skate Plaza features approximately 14,000 sqft of custom skateable terrain split within 3 distinct zones: Plaza, Fun Track, and Bowl Complex. With a visual pattern reminiscent of the patch work of a quilt, the plaza area offers a multitude of unique street skating features inspired by the rectilinear forms found within the natural urban environment. This is contrasted by the flowing organic lines seen within the clover bowl and fun track that reference the City's famed Ciblow River. The entire development is finished with a selection of viewing areas and internal green islands designed to provide a pleasant and subtle integration with the surrounding site area.

Project Budget: \$515,000 Phase 1 (est market value)

Timeline: Spring 2009 - Fall 2009

Client: City of Boerne

Team Responsibilities:

- site analysis and public process
- conceptual and final design
- full construction



Beeville Skatepark Beeville, TX

Neighborhood Park

With a diverse combination of stairs, banks, ledges and a snake run inspired in a unique 'B' shaped footprint, the Beeville Skatepark is a smaller-scale neighborhood skatepark promises to deliver LARGE. The final design was developed closely with local youth and other interested community members over a 6 week period. Construction of the facility is now complete.

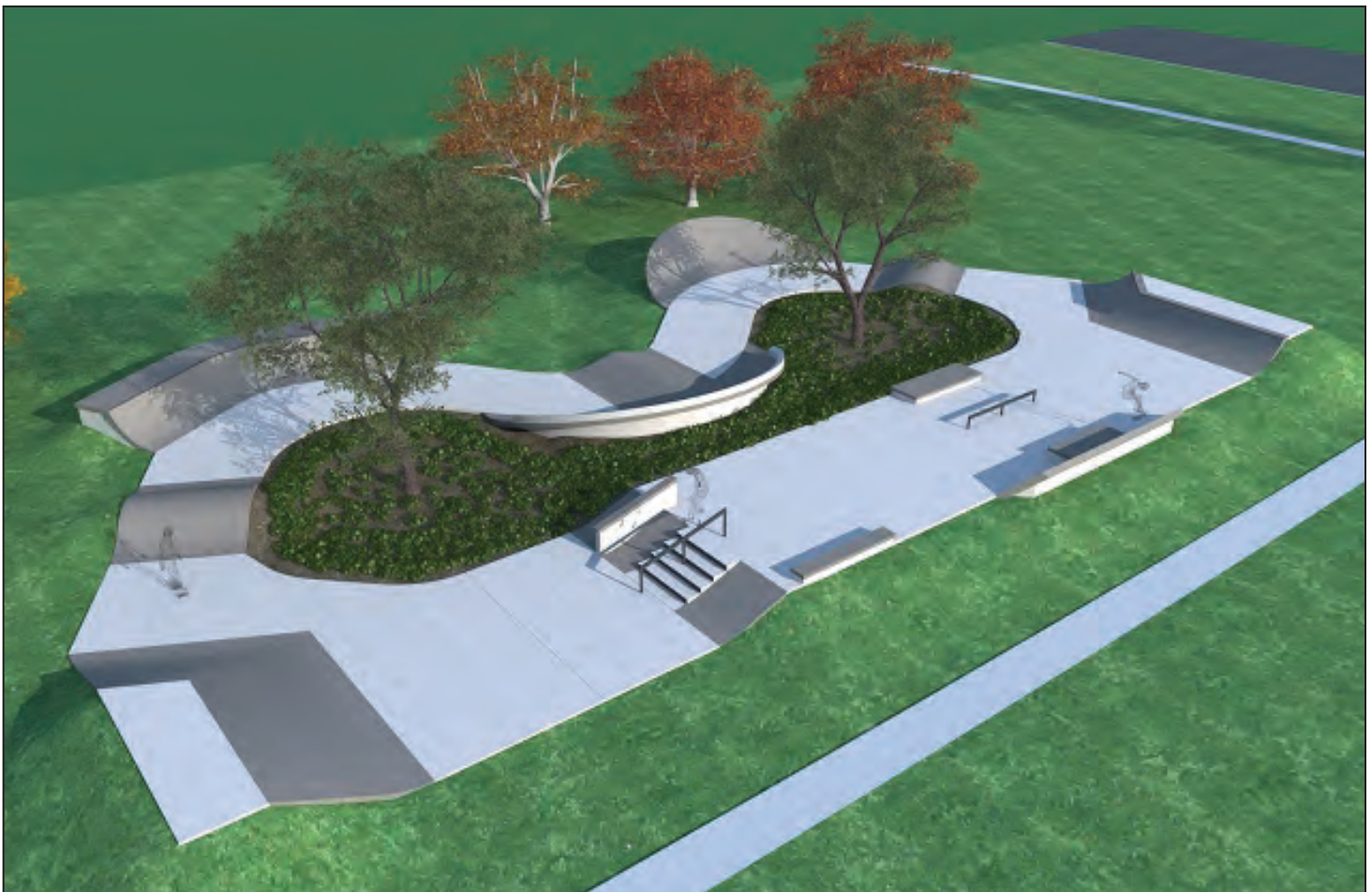
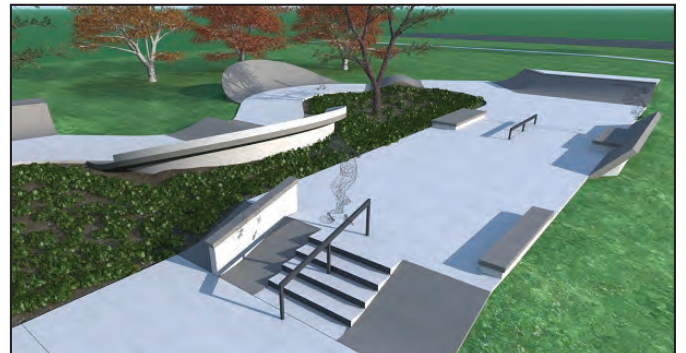
Project Budget: \$ 300,000 (est market value)

Timeline: Fall 2011 - Spring 2012

Client: City of Beeville

Team Responsibilities:

- site analysis
- conceptual and final design
- full construction



Watauga Skatepark Watauga, TX

Community Park - Existing Slab Retrofit Project

Before it's renovation, the Watauga skatepark consisted of a flat slab and metal prefabricated ramps that were surrounded by an unsightly chain link fence. Over the years the City recognized a steady decline in the utilization of the facility. In 2014, the City took input from local skaters who requested a custom poured in place concrete skatepark that they could call their own. Our team is honoured to have been called upon to rejuvenate the skatepark as the City's design-build contractor. Our Design-Build Team, City staff and a focus group of local skaters began the process of collaborating on what the desired skatepark should look like, and over the course of the next several months, the City disposed of the metal ramps and removed the fence. As a value engineering item, the skatepark still includes much of the already-existing flat slab, which is still in great shape. Geofoam (structural foam) was used as a base in the creation of a number of the plaza features within the park. This type of form fill was strategically used in order to reduce excessive weight on the subsurface. The new facility is now truly inviting to skaters and the public alike, and actually enhances the existing surroundings within the park. The project is a great case study for communities looking to re-purpose an underutilized tennis court slab or rehab an existing metal ramp skatepark.

Project Budget: ~\$300,000 (est market value)

Timeline: Spring 2015

Client: City of Watauga

Team Responsibilities:

- conceptual and final design
- construction



Texas City Skatepark *Texas City, TX* *Neighborhood Park*

Located in the heart of Nessler Park, the Texas City Skatepark epitomizes the design-build skate park process. Our services began by assisting the City with site selection. Alongside Parks Department staff, an identified list of potential skatepark sites was analyzed and scored based on a list of factors including, but not limited to, existing on-site amenities and community accessibility. Next, skaters and other community members presented their preferences for skate features and other site-contextual items through a series of interactive design workshops led by our principal staff.

The resulting ~ 8,000 sqft skatepark includes a host of key ‘street’ skating elements such as rails, stairs, quarter pipes and ledges, but also a number of signature features referencing Texas City’s aviation and nautical history. Terra-cotta and beige integral colored concrete finish-off the facility to match the neighboring City High School’s colors. A system of walking trails, a basketball court and baseball field, and a recently renovated state-of-the-art water park all reside in the surrounding area. The greater site also holds a collection of mature oak trees that provide excellent shade in the Summer months and served to inform our “L” shaped facility layout.

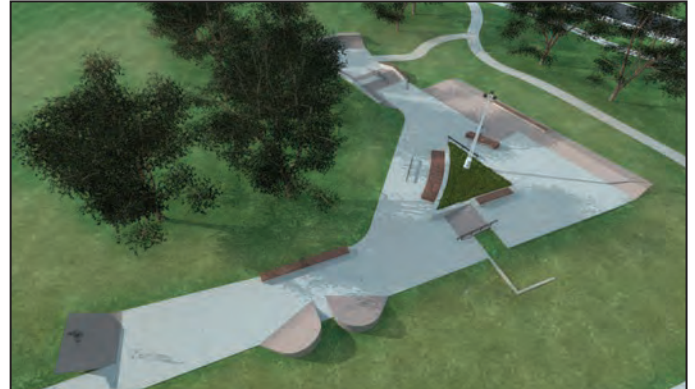
Project Budget: ~\$485,000 (est market value)

Timeline: Summer 2013

Client: City of Texas City

Team Responsibilities:

- site analysis
- conceptual and final design
- full construction



Vogel Creek Skate Spot *Houston, TX* *Skate Spot*

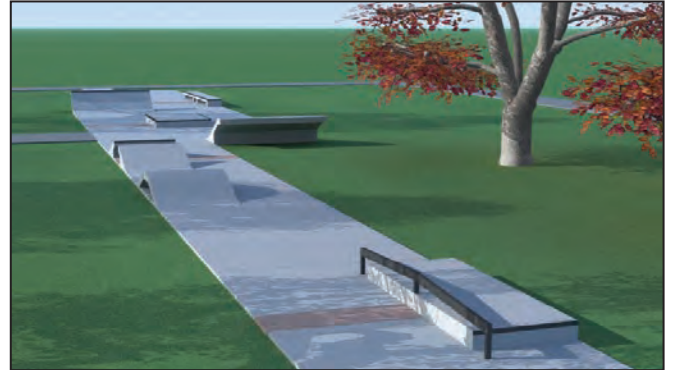
The Vogel Creek Skate Spot (just outside Houston in Jersey Village, TX) truly represents a positive, cooperative effort between a local Water Utility District, their selected Engineering firm and a neighboring subdivision. At roughly 3,000 square feet, the skate spot resembles a skateable pathway connecting an existing jogging trail to the area's water utility district. Suspended artistic features, manual pads, rails, ledges, and the use of integral concrete color create a visually inspiring public space under the shade of mature oak trees. Skaters are active in the middle of the park while allowing other visitors to spectate, play, or jog safely around the facility's perimeter.

Project Budget: ~\$ 175,000 (est market value)

Timeline: Summer 2013

Team Responsibilities:

- site analysis
- conceptual and final design
- specialty concrete construction



Seguin MTR Skatepark Seguin, TX Community Park

The highly anticipated Michael Thomas Raetzsch (MTR) Skatepark in Seguin, Texas has received rave reviews from local skaters and the greater region. Located only minutes from San Antonio, New Braunfels and San Marcos, the City of Seguin's MTR Skatepark will most certainly become a regular stop for Texas skaters.

The MTR Skatepark consists of a main line connected by three octagonal plaza areas. On both ends, and caddy corner from each other, are two more elevated octagonal areas. The result is a street skater's dream. Designed for all ages and skill levels, skatepark features include multiple stair cases, down and flat rails, London and China Bank type gaps, boulder detailed ledges, and banked and transitional walls just to name a few. The park's namesake is dominantly installed on the outside of a banked skate feature facing the park's entry.

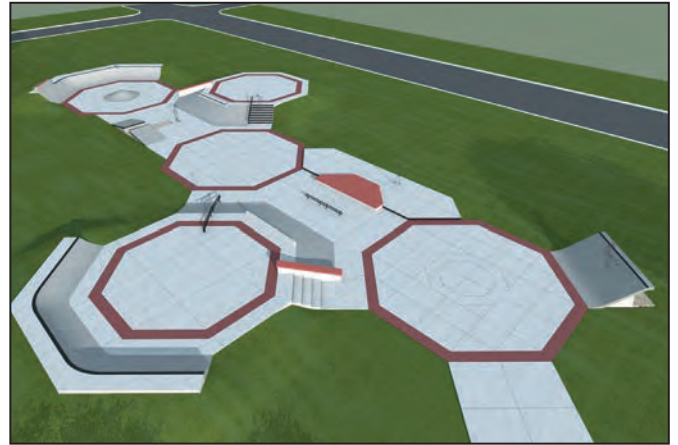
Project Budget: \$ 500,000 (est market value)

Timeline: Summer 2015

Client: City of Seguin

Team Responsibilities:

- site analysis
- conceptual and final design
- construction administration





House Park Plaza *Austin, TX* Destination Park

After years of lobbying and planning, the City of Austin is now home to the state's premier downtown plaza and bowl complex. Through a series of interactive workshops with Austin's diverse skate and BMX community, a final design program was developed to include a near full spectrum of terrain types, integrated socializing/viewing areas, and an art/sculpture theme centered on the City's iconic live music reputation.

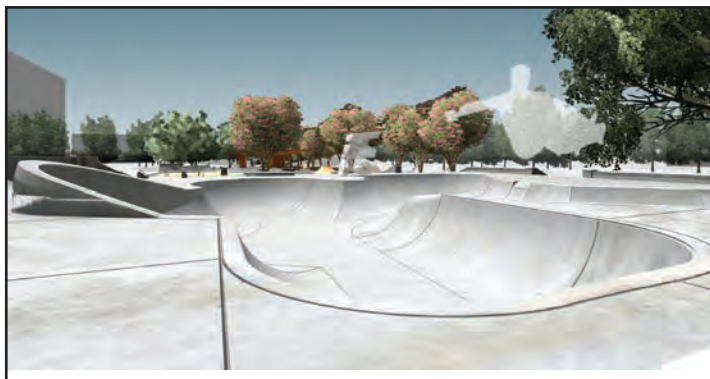
Project Budget: ~ \$1,200,000

Timeline: Jan 2008 - May 2011

Client: City of Austin

New Line Responsibilities:

- public process
- conceptual and final design
- contract administration





NE Metro Skatepark Pflugerville, TX Destination Park

Travis County's new destination skatepark serves as the highlight of the third and final phase of the area's widely popular NE Metro Regional Park. With approximately 30,000 sqft of highly detailed skateable terrain spread across nearly an acre of green space, the park offers a full spectrum skateboarding/bmx experience in an inviting natural setting characteristic of the Blackland Prairie region.

Timeline: Summer 2009 - Summer 2012

Client: Travis County

Team Responsibilities:

- site analysis
- public process
- conceptual design
- final design





NE Metro Skatepark - Continued...



REFERENCES





October 16, 2017

Project Management Team
SPA Skateparks, Inc.
2310 Rogge Lane
Austin, Texas 78723

RE: Northeast Community Park Skate Park

Gentlemen,

On behalf of the City of Frisco Parks & Recreation Department, I would like to thank you all for your tremendous effort and hard work on the Northeast Community Skate Park. The project was a very successful project that was delivered on time and within budget. The construction methodology and meticulous details exceeded our expectations and helped this project truly shine. The residents of Frisco and visitors from the surrounding Metroplex have been raving about this wonderful skate park. This project could not have been as successful without the level of commitment and effort from SPA Skateparks.

The project team's communication and foresight kept the project on track without any major delays. They were able to showcase their ingenuity by proposing alternative construction methods on Frisco's signature piece within the park. Due to their dedication to deliver above and beyond, and excellent craftsmanship, our park now displays a 16 foot tall concrete wave. Their hard work and dedication can be seen anywhere throughout our 47,000 square foot park. We thank SPA Skateparks for the tremendous job they were deliver here in Frisco, and we look forward to future opportunities.

Sincerely,

A handwritten signature in blue ink that reads "Shannon Keleher". The signature is fluid and cursive, with the first name "Shannon" being more prominent than the last name "Keleher".

Shannon Keleher
Director of Parks & Recreation
City of Frisco Texas



May 16, 2013

SPA Skateparks
Attn: Mr. Curtis
1301 Orlando Road
Austin, TX 78733

Dear Mr. Curtis:

With our recently completed project, I wanted to thank you for the professional manner in which your company performed its responsibilities relative to design and construction. The city had significant ambition and expectations related to this project and your team consolidated that direction into a cohesive and tremendous asset for our community.

This was the city's first skatepark; therefore, the level of city staff experience with these types of facilities was limited. The level of expertise and education imparted by the SPA Skatepark staff was crucial in getting the city staff comfortable with and conversant on the intricacies of skatepark utility.

As we progressed into the actual construction, our assessment of SPA Skateparks' competency increased. The level of pride and craftsmanship was evident on a daily basis with our city staff project team marveling at the quality of the steel work. Staff comments including, 'work of art', 'these guys should expand their business to include large commercial sculptures', and 'what great attention to detail' were often overheard.

We are proud of the significant resource that McKinney now has and confident that any other community that chooses SPA Skateparks will be equally impressed.

Regards,

Lemuel P. Randolph
Director
Parks, Recreation and Open Space
City of McKinney, Texas

Parks, Recreation and Open Space

P.O. Box 517 • McKinney, Texas 75070 • Metro 972-562-6080

October 25, 2013

Jamie Curtis, President
SPA Skateparks
2310 Rogge Lane
Austin, TX 78723

Re: Beautiful Mountain Skate Plaza
Beaumont, TX

Dear Jamie,

Since the Grand Opening of our new skate plaza in August, dozens of skaters are onsite daily to experience the great design and quality of Beaumont's one and only skate plaza. You and your team listened to the local skaters and developed a skating plaza that incorporated everything they wanted within our budget.

It was a pleasure working with you and your team. Your commitment to make sure that every aspect of the project met your standards of quality and your attention to detail resulted in a one of a kind skateable streetscape far exceeding our expectations.

We thank you for your professionalism and look forward to working with you again in the future.

Sincerely



Brenda Beadle
Capital Projects Manager



www.alvin-tx.gov

CITY OF ALVIN

309 W. Sealy Street • Alvin, Texas 77511 • (281) 388-4299 • FAX (281) 388-4367

Parks & Recreation Department

June 11, 2012

To whom it may concern,

It is with great pleasure and enthusiasm that I am writing to endorse SPA Skateparks for their industry leading expertise and delicate attention to detail regarding the design/build Alvin Skate Park Project. I am Daniel Kelinske, Director of Parks and Recreation for the City of Alvin and the project manager on behalf of the City of Alvin.

From the inception, SPA's level of professionalism, enthusiasm and overall passion for our project was paramount at all levels. The design team took a true interest, from final site selection to sampling our local flavor of skating and BMX freestyle, then sprinkling in a bit of rich history about our City, all brought to life in the overall design. For my opinion, SPA has created a masterpiece of color, texture and a richness that can only be found in Alvin, Texas. They are truly artisans of conception and concrete, taking our budget and maximizing it in a way that adds significant community pride, quality of place and so much more.

I urge you to consider SPA Skateparks when your community calls on you.

Regards,


Daniel Kelinske
Director Parks and Recreation



June 30, 2010

Project Management Team
SPA Skateparks, Inc.
2310 Rogge Lane
Austin, Texas 78723

Re: Cedar Park Skate Park Project

Gentlemen:

On behalf of the City of Cedar Park - Parks & Recreation Department, I would like to take this opportunity to congratulate you on the completion of a very successful project. SPA Skateparks has certainly exceeded our expectations by delivering the project on time, within budget and with a wow factor that has everyone in the community talking about it! SPA Skateparks is also to be commended for their unyielding commitment to safety and the very impressive safety record with this project.

Throughout the project, the positive attitude, communication and teamwork from the SPA Team allowed us to meet the challenges presented and to ultimately have a new 15,000 square foot Skate Park that the community can take pride in for many years to come. We thank you all for the professionalism and enthusiasm shown during this project and look forward to the next project opportunity with SPA Skateparks.

Sincerely,

Curt Randa, Director
Parks & Recreation Department
Cedar Park, Texas, 78613

**PARKS & RECREATION DEPARTMENT**

December 11, 2009

To Whom It May Concern:

SPA Skateparks constructed the new Ruben Pier Memorial Skate Park at Sherwood Park, in Odessa, Texas. The Skate Park has been a huge success and truly a "gem" in the City of Odessa Parks system. SPA Skateparks provided a superb quality concrete "in-ground" Skate Park that consists of just over 10,000 square feet concrete with 80% of the Skate Park being plaza style and 20% of the Skate Park being a series of bowls. The Skate Park has approximately 70% of the concrete that is integral colored, providing a series of complimentary color schemes that not only makes the Skate Park aesthetically pleasing, but also provides a safety measure as the color changes note transitional areas. The attention to detail, professionalism, quality assurance, pride and enthusiasm that SPA Skateparks provided resulted in a Skate Park second to none. As a final note, the team members of SPA Skateparks performed an incredible demonstration to the 100-plus crowd in attendance at the opening day ceremony.

If you have any questions or need additional information, please contact me.

Sincerely,

Steve Patton
Director of Parks and Recreation
City of Odessa

SP:mmm



CITY OF CONROE

March 6, 2012

Yann Curtis
SPA Skateparks
2310 Rogge Ln.
Austin, TX 78723

Re: City of Conroe
Kasmiersky Park
Wheeled Sports Plaza

Dear Yann:

I want to thank you, Jamie and your team for providing a quality product regarding the phenomenal new Wheeled Sports Plaza at Kasmiersky Park. I was very pleased with the cooperation between SPA, Burditt, and the City. The project was completed on time and within the construction budget. I also appreciate the "extras" your firm provided to ensure the City was satisfied with the end product.

I look forward to SPA Skateparks bidding on future projects. Please don't hesitate to use me as a reference for future projects.

Sincerely,

Mike Riggins
Director of Parks and Recreation



City of Austin

Parks and Recreation Department
200 South Lamar Blvd, Austin, TX 78704

{Section}.61.

November 5, 2012

To Whom It May Concern:

In 2007, the City of Austin engaged New Line Skateparks, Inc. to design a world-class skate and BMX plaza and bowl complex within the city's urban core. The project included a complex site area, significant budget, and high expectations from local user-groups, City staff, and political constituents.

From start to finish New Line provided responsive, professional service that balanced budget limits and important urban design guidelines with the desires of the local skateboarding/BMX community as well as other citizens and visitors who share Austin's vibrant downtown area. New Line's ability to effectively engage the community and translate their input into the final design was especially impressive and the resulting completed facility is exceptional in terms of creativity, functionality, and overall quality.

It was a pleasure to work with the New Line Skateparks team and I would highly recommend their services to other communities.

Sincerely,

Gary Gregson
Project Coordinator
Austin Parks and Recreation
919 West 28½ Street
Austin, Texas 78705
Phone: (512) 974-9475
E-mail: gary.gregson@austintexas.gov



TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
Phone: (512) 854-9383
Fax: (512) 854-4697

November 14, 2012

To Whom This May Concern,

In 2009, Travis County engaged New Line Skateparks, Inc. to design a 'Destination-Level' Concrete Skatepark as part of the third phase of the County's expansive multi-use North East Metropolitan Park.

As part of the design process, New Line Skateparks participated in several community consultations, led the youth design workshops, and tactfully incorporated the input and responses into the final design, to the satisfaction of the many interested user groups, local community, and County staff. The result is a one-of-a-kind, world-class Skateboarding/BMX facility that is exceptional in design and function, well integrated into the larger surrounding park area, and serves a wide range of users, abilities and ages. This skatepark is also unique in that it's currently the largest skatepark in Texas.

We found the staff at New Line Skateparks to be very professional, responsive, and dedicated towards the successful design and completion of this important project, and would have no hesitation working with them again in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles Bergh", is written over a large, light blue circular stamp or watermark.

Charles Bergh
Director
Travis County Parks



Request for Qualifications

Skatepark

Design-Build Proposal

Design, Engineering, Construction

November 20, 2020

Proposals due December 11, 2020 at 2:00 p.m.

This Request for Qualifications is prepared by the City of Lampasas, Texas, a Municipal Corporation formed under the Laws of the State of Texas, hereinafter referred to as “Owner” for design and construction of a of a Skatepark in the City’s Campbell Park, by a qualified design-build firm or team that includes an architect and/or engineer and construction contractor, hereinafter referred to as “Contractor.”

The Contractor represents that they shall be engaged in, and now does such work and is fully equipped, competent, and capable of performing such work as described herein.

Potential Contractors are encouraged to contact Chris Eicher, 512-734-0228, or Vicki Tower, 512-556-6831, to personally inspect the project site prior to submitting a proposal.

General Information

Project Site The Skatepark site is located in Campbell Park in Lampasas, Texas between Hackberry Street and Live Oak Street near the Hanna Springs Swimming Pool. The site is accessible by vehicle and heavy equipment. The Park is wooded and is the home of the Hanna Springs Sculpture Garden, walkways, Hanna Springs swimming pool, and future Pavilion.

Project Scope The project calls for the design, engineering and construction of a Skatepark

Budget The project budget is \$300,000.00

Selection Criteria Proposals will be evaluated based on the firm’s/team’s experience (20%), technical competence (20%), ability to perform (20%), past performance of firm/team (20%) and members of the firm/team (20%). Firms/Teams will be scored on a 100-point basis.

Design Criteria Package

Selection Documentation-Criteria for Selection

In order to evaluate Qualifications based on experience, technical competency, capability to perform, and past performance, ***please include the following in the proposal:***

1. Completed and Signed Proposal Form
2. List of similar projects completed, including client name and number, and budget amount, within the past 5 years.
3. Names and brief resumes of Firm/Team members that will perform work, including engineering and design work.
4. Names and brief resumes of Firm/Team members that will supervise work.

Project Description

The Project calls for the design, engineering and construction of a skatepark in compliance with 2012 IBC, to the extent applicable, including design and specification of piers, beams and structural steel. Owner will waive all permit fees; Contractor will pull all permits and call for inspection. Successful Contractor shall comply with Insurance and Bonding requirements as described in the City of Lampasas, Contract Documents, General Conditions, Article 5; and Section 2269.311, Subchapter G, Texas Government Code.

Proposal Form

{Section}.61.

Proposals and attachments should be placed in an envelope clearly marked "Qualifications for the Design and Construction of Skatepark," and must be received by December 11, 2020 at 2:00 p.m. to the Lampasas City Hall, 312 East Third Street, Lampasas, Texas 76550. Proposals received after that time will not be considered.

Company Name _____

Company Address _____

Company Phone Numbers _____

Contact Name _____

Contact License Information/State License Number _____

Engineer Name/Firm/State License Number _____

Please list anticipated Sub-Contractors _____

Please complete and attach the following:

1. Completed and Signed Proposal Form
2. List of similar projects completed, including client name and number, and budget amount, within the past 5 years.
3. Names and brief resumes of Firm/Team members that will perform work, including engineering and design work.
4. Names and brief resumes of Firm/Team members that will supervise work.

I have fully read and understand the contents of this Request for Qualifications and certify that I am authorized to execute this proposal on behalf of _____ (company name). I further certify that I am willing, able and competent to complete the tasks as outlined. I further certify that each architect/engineer that is a member of the firm/team was selected based on demonstrated competence and qualifications, in the manner provided by Section 2254.004, Texas Government Code.

Authorized signature

Printed Name

Feature Plan

Feature Plan Legend

- ①

Entry Plaza with seating
- ②

Slappy Curb
- ③

14" Flat Rail
- ④

Banked Hip
- ⑤

Six-stair, Hubba & Step-up
- ⑥

Handrail
- ⑦

Bank to Curb
- ⑧

Bump to Bump
- ⑨

Manual Pad Ledge Combo
- ⑩

Quarterpipe Hip



Overall Site Plan

Key Assumptions

*Current assumptions of key elements and site amenities for this project are:

- Suitable site soil conditions
- Contractor can stage equipment and materials on site
- Any easements required for the project will be obtained by the owner
- Lighting design/electrical engineering, environmental review/permitting, irrigation design not included in scope of work
- Earthwork in excess of 1ft cut/fill not included in scope of work

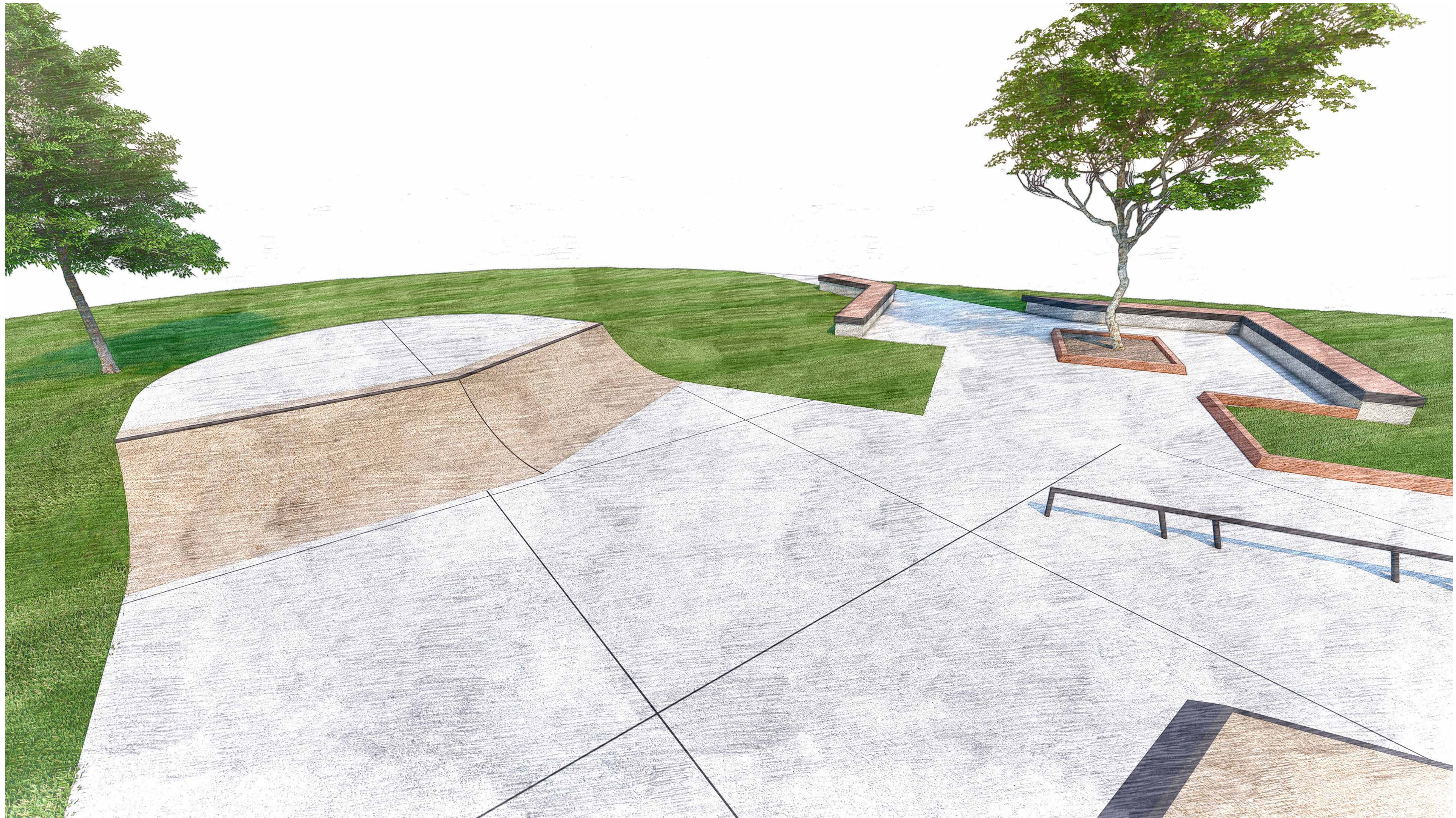


- ① Skatepark Contractors scope of work.
- ② Connection walk and skatepark entry by others.

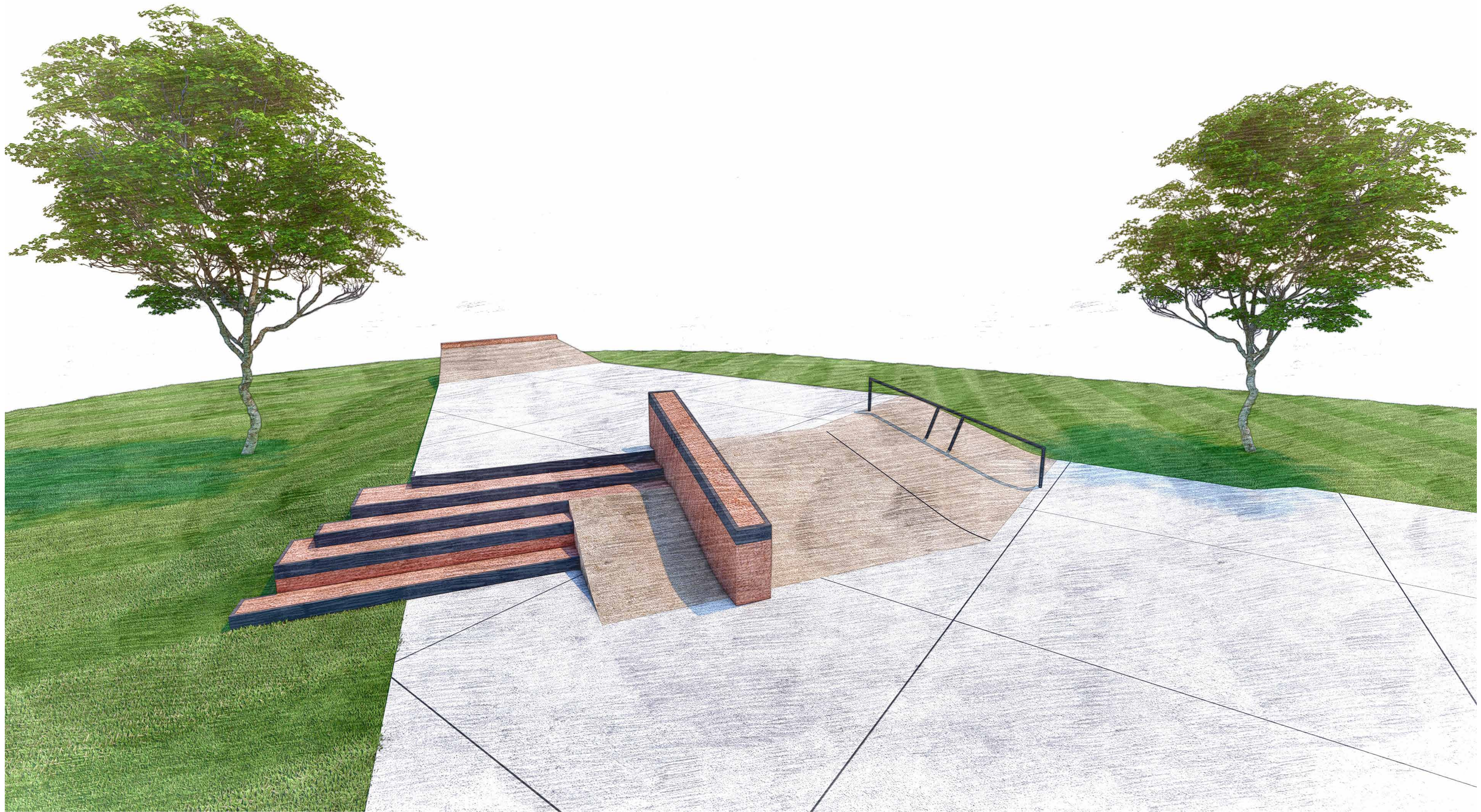
3D Rendering - Park Overview



3D Rendering - Entry Plaza and QP Hip

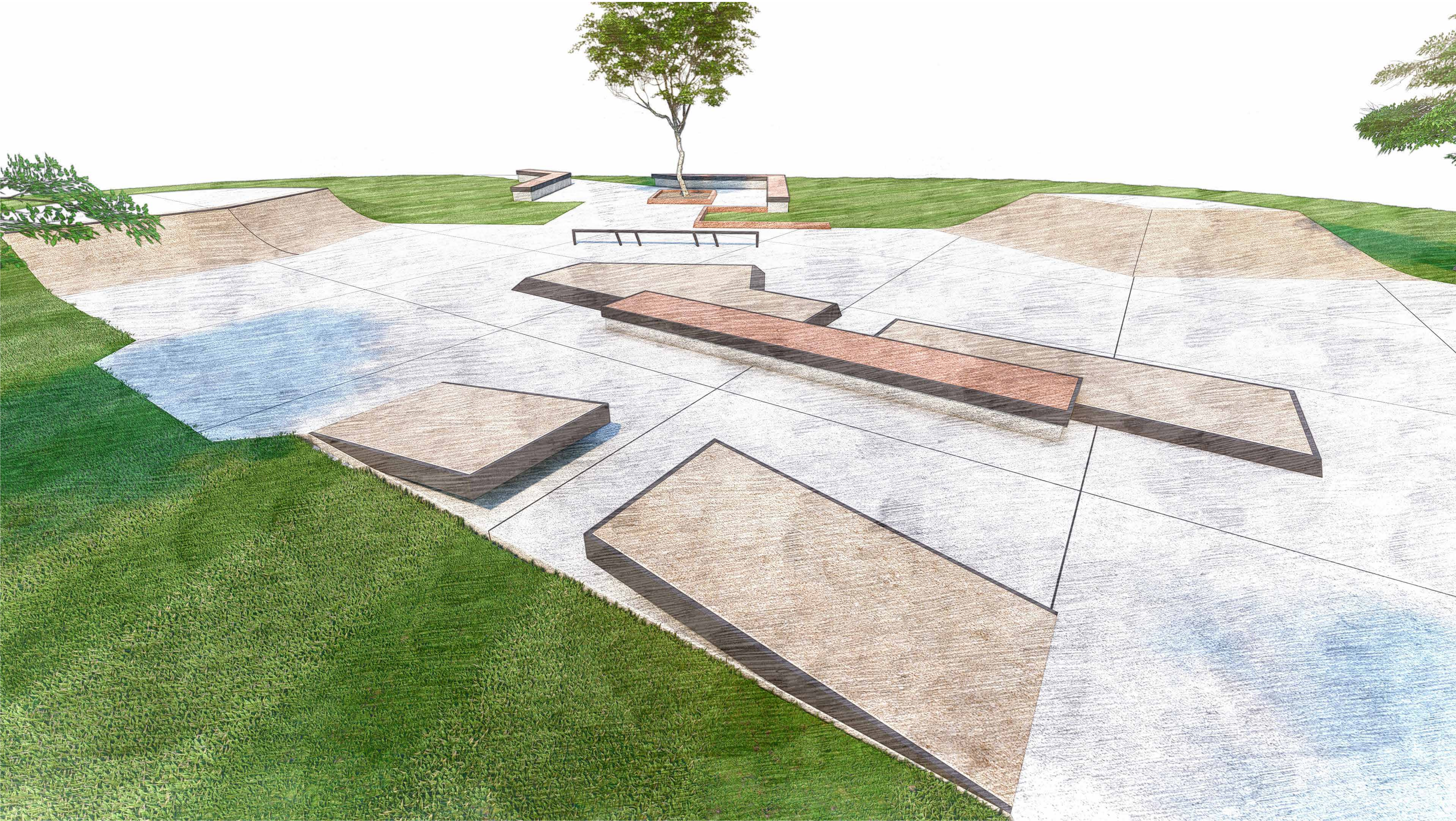


3D Rendering - Stair Set / Hubba / Handrail

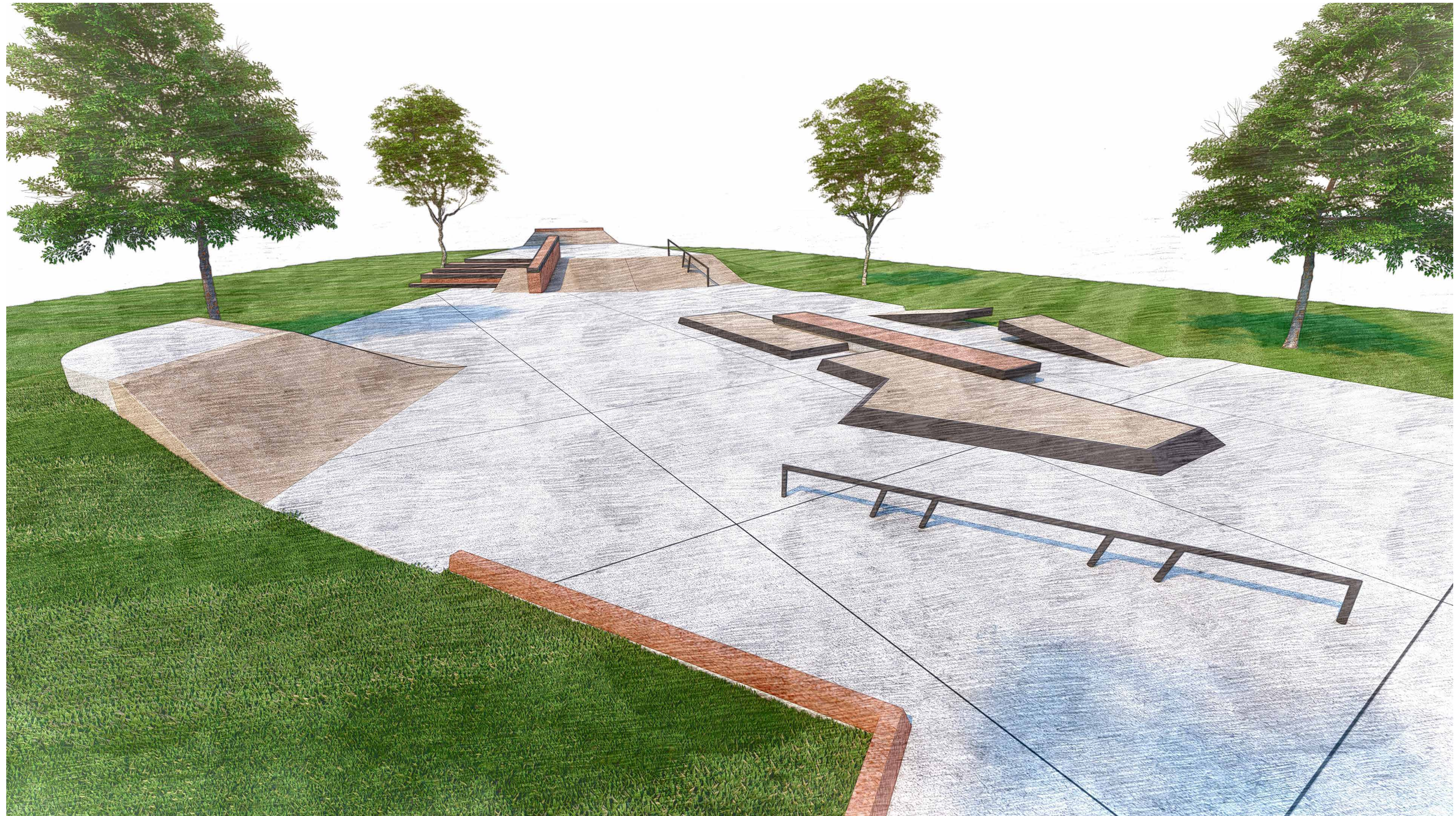


3D Rendering - Bump to Bump and Manual Pad Island

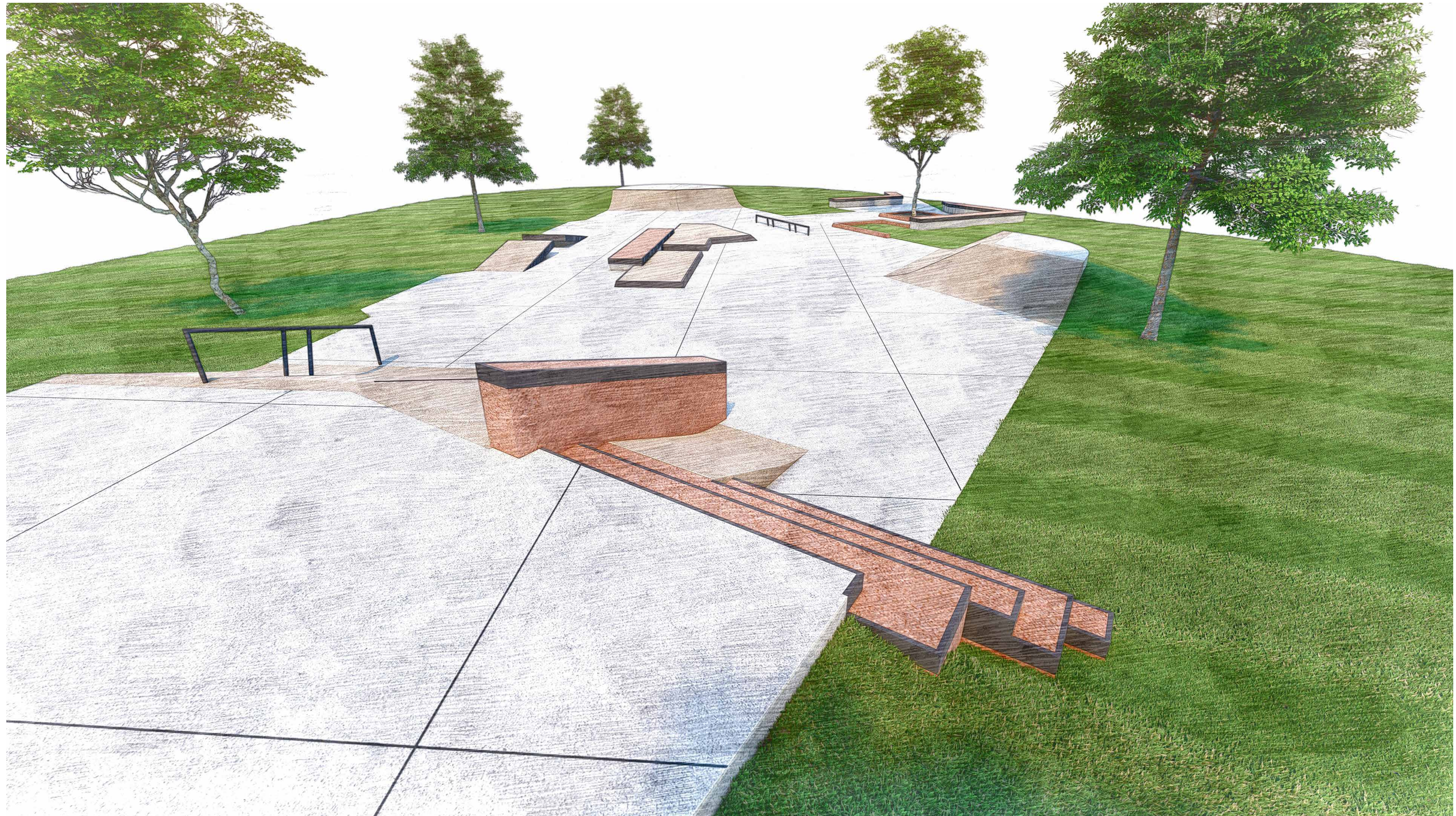
(Section) 61



3D Rendering - Manual Pad Combo and Banked Hip



3D Rendering - Six Stair, Hubba and Handrail



3D Rendering - Manual Pad Combo



Skate Park Discussion

Shadow Mist Park

Melinda Moritz, Director of Public Works
City Council Meeting
December 6, 2022

Purpose

- To consider budget and type of procurement for Skate Park and parking lot at Shadow Mist Park

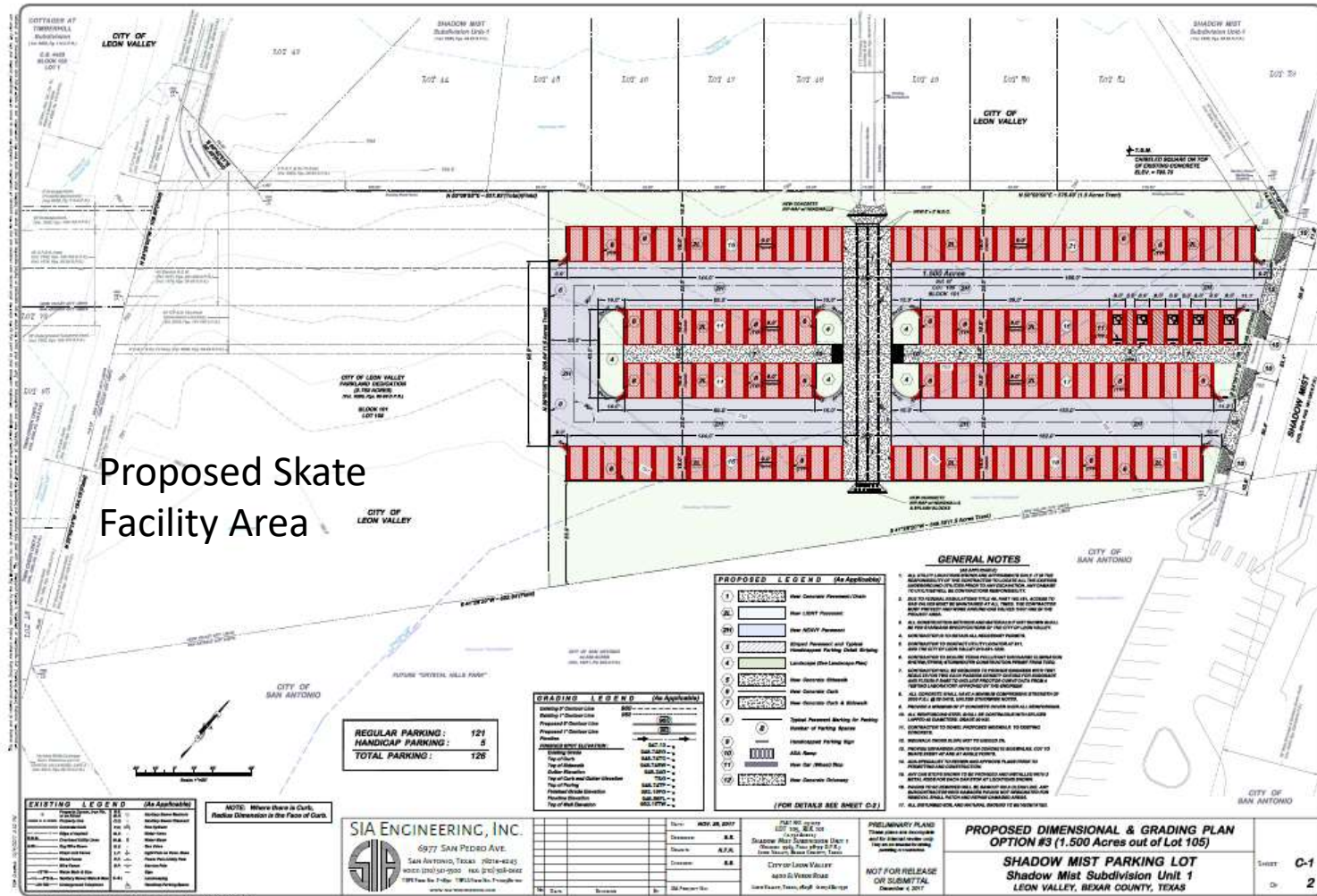
Shadow Mist Park / Crystal Hills Park



Shadow Mist Park

- Park dedicated to City in 2005 – 2.752 acres
- Plan was to construct 1.5 acre permeable paver parking lot and a skate facility on the remaining buildable 0.75 acres

Shadow Mist Park Proposed Improvements



Shadow Mist Park

- Staff looked at 3 Requests for Proposals (RFP's) received by City of Seguin
- Other procurement methods include:
 - Purchasing Cooperative
 - Requests for Qualifications
 - Concealed bids
 - Design, bid, build
- Need to determine budget for skate park, select procurement method, and designate funding source

Shadow Mist Park

- Of the 3 RFP's reviewed, Staff leaned towards Spa Skate Park as the best choice, based on Council desires, procurement method, company references, design ethics
 - Council prefers heavy community involvement in design of park and so do they
 - Will work within whatever budget we set
 - Had better idea for incorporating skate with parking
 - Don't have to spend up front money on design, plans, specifications, advertising, staff time

Recommendation

- At their November 10th meeting, the Park Commission voted to:
- Recommend a budget of between \$300,000 and \$500,000
- Recommend using purchasing cooperative to hire Spa Skate Park for design/build project



**CITY OF LEON VALLEY
ANNUAL TOWN HALL MEETING**

Conference Center
6400 El Verde Road, Leon Valley, TX 78238
Saturday, January 28, 2023 at 8:30 AM

AGENDA

1. **8:30 AM** Call to Order; Determine a Quorum is Present, Pledge of Allegiance.
2. **Presentations**
 - A. Welcome - Mayor Chris Riley
 - B. Introduction & Procedures
 - C. City Manager's Update on 2022 Town Hall Meeting and Annual Report - C. Caldera, City Manager (***allotted time needed***)
 - D. Emergency Preparedness - Loss of water/electricity - (***presenter and allotted amount of time needed***)
 - E. Spending of American Rescue Plan (ARP) Funds - (***presenter and allotted time needed***)
 - F. Leon Valley Historical Society Update - (***presenter and allotted time needed***)
 - G. Bandera Road Improvement Update - (***presenter and allotted time needed***)
 - H. Citizens to be Heard - (***need allotted time***)
3. **Adjournment - 12:30 PM**

Attendance by Other Elected or Appointed Officials: It is anticipated that members 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.

A handwritten signature in blue ink that reads "Sandra Passailaigue".

SAUNDRA PASSAILAIGUE, TRMC
City Secretary
MONTH XX, 2022 XX:XX PM





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

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, December 06, 2022 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

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

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

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

- 1. Pursuant to Texas Government Code, Chapter 551, Section 551.071 Consultation with Counsel on Legal Matters: To Receive Legal Advice Regarding the Lease Agreement between Ms. Bania Artiaga and the City of Leon Valley**
- 2. Section 551.071: Consultation with the Attorney Regarding Pending or Contemplated Litigation, or Settlement Offer; or on a Matter in which the Duty of the Attorney to the Governmental Body Under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas Clearly Conflicts with the Texas Open Meetings Act, Re: City of Leon Valley v. 5622 Equity DE LLC, a Delaware Limited Liability Company D/B/A Vista Del Rey Apartments Located at 5622 Evers Road**

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

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

3. Reconvene into Regular Session

The City Council reconvened into Open Session at 6:48 PM

4. Citizens to be Heard

Those who spoke at this time were: Elaine Valdez (Leon Valley); and Diana Sarfin (Leon Valley)

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

No action taken at this time.

6. Presentations

1. Presentation, Discussion, Park Commission Recommendation, and Staff Direction on Budget and Procurement Method for Proposed Skate Park - M. Moritz, Public Works Director

Crystal Caldera, City Manager asked that Agenda Items 6.1 and 6.2 be combined.

Mayor Chris Riley read both captions before moving on.

2. Presentation, Discussion and Direction on Cost Estimates New Park Amenities - M. Moritz, Public Works Director

Melinda Moritz, Public Works Director gave a brief presentation seeking input from City Council and citizens on a Budget and Procurement Method for Proposed Skate Park.

There was a consensus among members of City Council to move forward with both pools and to take pickle ball and the skate park to the Annual Town Hall Meeting in January to see what citizens think.

Those who spoke on this item were: Rita Burnside (Leon Valley); Pat Martinez (Leon Valley); Maria Gamboa (Leon Valley); and Erick Matta (Leon Valley)

3. Presentation Discussion and Possible Action to continue to require Open Meetings Act Training - Mayor C. Riley

Mayor Chris Riley introduced the item and expressed her concerns with asking advisory committee members to take the Texas Open Meeting Act Training.

A motion was made by Councilor Will Bradshaw to make the TOMA Training optional for city committee members. The motion was seconded by Councilor Rey Orozco.

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

Voting Nay: Council Place 2 Stevens

There was a consensus among members of City Council to have City Manager Caldera bring back a policy addressing procedures for posting agendas, minutes, and quorum requirements.

4. Presentation, Discussion, and Possible Action on Townhall Meeting Topics - City Manager, Dr. Caldera

Mayor Chris Riley requested an item on emergency preparedness - loss of water and electricity. Mayor Riley also asked for an item to discuss spending of the ARP Funds.

Crystal Caldera, City Manager added that the following items are already on the Annual Town Hall Meeting Agenda: City Manager's Annual Report, Leon Valley Historical Society Update, and the Bandera Road Update.

Councilor Josh Stevens suggested holding the meeting on a Sunday afternoon.

Those who spoke on this item were: Tina Chasan (Leon Valley); and Maria Gamboa (Leon Valley)

Councilor Benny Martinez called a Point of Order and asked that Agenda Item 10.5 be moved up. Mayor Riley approved.

7. Regular Agenda

10.5 Presentation, Discussion, and Possible Action to Fund an Outside Sign -Chas New Gen Cafe, as an Economic Development Project, not to Exceed \$4,000 - Dr. Caldera, City Manager

A motion was made by Councilor Jed Hefner to table this item until there is a resolution to the lease extension as discussed in Executive Session. The motion was seconded by Councilor Josh Stevens.

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

Voting Nay: Council Place 1 Martinez

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

Announcements were made by members of City Council.

9. City Manager's Report

City Manager Caldera reminded everyone that the City Manager's Report is printed and out on the table in the foyer for anyone wanting a copy. The report may also be found on the City website.

City Manager Caldera added a response to a comment regarding the recent loss of water; and about the recent Rackspace outage that affected all City email.

1. Upcoming Important Events:

Regular City Council Meeting, Tuesday, December 20, 2022, at 6:30 PM, in Council Chambers.

City Hall & Municipal Offices will be closed Thursday, December 22, 2022 through Tuesday, January 02, 2023 in observance of the Christmas and New Year's Day Holidays.

Annual Town Hall Meeting, Saturday, January 28, 2023, at the Leon Valley Conference Center.

Miscellaneous other events and announcements.

10. Consent Agenda

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

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

1. Discussion and Possible Action Approving of the Following City Council Minutes:

- a. 11-15-2022 Regular City Council Meeting Minutes
- b. 11-21-2022 Special City Council Meeting Minutes

2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:

- a. 07-18-2022 Economic & Community Development Advisory Committee Meeting Minutes
- b. 10-12-2022 Earthwise Living Committee Meeting Minutes
- c. 10-25-2022 Planning & Zoning Commission Meeting Minutes

3. Discussion and Possible Action on an Ordinance of The City Council of The City of Leon Valley, Texas, Ordering and Declaring The 2022 Charter Amendments Adopted (1st Reading was Held 11-15-2022) S. Passailaigue, City Secretary

4. Discussion and Possible Action on an Ordinance Amending the City of Leon Valley Code of Ordinances, Chapter 4 Business Regulations, Article 4.03

Alcoholic Beverages, Division 1. Generally, and Division 2. License and Permit Fees (1st Read was Held on 11-01-2022) - S. Passailaigue, City Secretary

5. **Discussion and Possible Action to Approve an Ordinance Authorizing a Budget Adjustment in the Amount of \$832,498.50 and Awarding a Bid to J3 Construction, Inc. for the Construction of the Seneca West Drainage Project (1st Read was Held on 11-15-22) - M. Moritz, Public Works Director**
6. **A Resolution Of The City Of Leon Valley, TX., City Council Appointing a Member to the Leon Valley Earthwise Living Day Committee - S. Passailaigue, City Secretary**

11. Regular Agenda Continued

1. **Presentation and Discussion on an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 1 General Provisions, Article 1.06 Boards, Commissions, and Committees, Section 1.06.002 Tree Advisory Board, (a), (b), and (c) to Dissolve the Tree Advisory Board and Assign Those Duties to the Park Commission (1st Read was Held 11-15-2022) - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director presented this item for a second reading. Roger Christensen, Chair of the Park Commission was also present and spoke briefly.

A motion was made by Councilor Jed Hefner to combine the Park Commission and the Tree Advisory Committee; and to bring back a clear scope of duties for the Earthwise Living Day Committee. The motion was seconded by Councilor Will Bradshaw.

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

Those who spoke on this item were: Erick Matta (Leon Valley); and Kathy Hill (Leon Valley)

2. **Discussion and Possible Action on a Resolution of the City Council of the City of Leon Valley, TX., Authorizing the Execution of a Memorandum of Understanding Between the City of Leon Valley and the Leon Valley Historical Society - City Manager, C. Caldera**

Crystal Caldera, City Manager presented this item along with Kathy Hill, President of the Leon Valley Historical Society.

A motion was made by Councilor Benny Martinez to approve as presented with the amendment that the LVHS submit a Form 990 on a regular basis. The motion was seconded by Councilor Rey Orozco.

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

3. Discussion, Presentation, and Consideration of Possible In-Kind Grant Application AARP Foundation for Tax Preparation Services

Crystal Miranda, Community Relations Director presented the item.

A motion was made by Councilor Will Bradshaw to approve as presented. The motion was seconded by Councilor Benny Martinez.

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

4. Presentation, Discussion, and Possible Action to Fund a Backflow Prevention Device - We Care Shopping Center LLC, as an Economic Development Project, not to Exceed \$10,000

Crystal Caldera, City Manager presented this item.

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

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

5. Presentation, Discussion, and Possible Action on updating the Leon Valley Public Library Policy Article 3, Section 5 Collection Development Policy, Potential Problems and Challenged Materials - R. Reed, Library Director

Regina Reed, Library Director presented this item.

A motion was made by Councilor Jed Hefner to adopt the policy as presented. The motion was seconded by Councilor Will Bradshaw.

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

12. Citizens to be Heard

Those who spoke at this time were: Tina Chasan (Leon Valley)

13. Requests from Members of City Council to Add Items to Future Agendas

1. City Manager's Presentation of Future Agenda Items

Mayor Riley requested a consolidated pipeline showing only items not addressed.

City Manager Caldera said there would be the item coming in January amending the Park Commission/Tree Advisory ordinance as well as scope of work for Earthwise Living Day

Committee. Mayor Riley asked that the meeting day be looked at to accommodate the Tree Advisory Committee members that are used to meeting on Mondays.

Saundra Passailaigue, City Secretary took this moment to show everyone the newly recodified Code of Ordinances Book. This book will be kept in the Office of the City Secretary, but the online Code is also available.

13. Adjournment

Mayor Riley announced that the meeting adjourned at 9:50 PM.

These minutes approved by the Leon Valley City Council on the 20th of December, 2022.

APPROVED

**CHRIS RILEY
MAYOR**

ATTEST: _____
**SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY**



Leon Valley Park Commission Meeting Minutes

The Park Commission of the City of Leon Valley, Texas met on the 13th day of October 2022, at 7:00 p.m., at the Leon Valley Conference Center, 6421 Evers Road, Leon Valley, Texas, 78238 for the purpose of the following business, to-wit:

1. Call to Order, Pledge of Allegiance, and Determine if Quorum is Present.

Park Commission Chairman Roger Christensen called the meeting to order at 7:04 p.m., with the following members in attendance: Vice-Chairwoman Danielle Bolton and Commissioners Diane Frazier, Julie Carreon-Martinez, and Elaine Valdez. Absent were Commissioners Evan Bohl, Marilou Matthews, and Nancy Marrufo.

Also present at the meeting were Community Events Coordinator Crystal Miranda and Staff Liaison Melinda Moritz.

2. Discussion – Rules of Decorum (R. Christensen)

Chairman Christensen explained the Park Commission's Rules of Decorum to the Commissioners. A general discussion was held, and a handout of the rules was given to each Commissioner.

3. Election of Officers

Mr. Christensen asked for nominations for the position of Chairman, stating that he would be interested in retaining the position if the Commissioners so chose. Commissioner Valdez made a motion to accept the nomination of Mr. Christensen to the position of Chairman. The motion was seconded by Commissioner Frazier and the motion carried unanimously.

Chairman Christensen then asked for nominations for the position of Vice-Chair. Mrs. Bolton nominated herself, explaining that she would be willing to continue in her previous role as the Vice-Chair. Commissioner Valdez seconded the motion, and it carried unanimously.

4. Review and Consider Approval of the June 9, 2022, Park Commission Meeting Minutes.

Vice-Chair Bolton made a motion to approve the minutes as presented, which was seconded by Commissioner Frazier. The motion carried unanimously.

5. Citizens to be Heard.

There were no citizens present.

6. Reports - Activities or Events that Impact Parks and/or Access to Parks:

A. Discussion and Recommendation – Alcohol Consumption at City Pools

Chairman Christensen stated that before they discussed this item, he wanted to remind the Commissioners how to place an item on the agenda, stating that the Commissioner needed to have a second from another Commissioner and that they needed to come prepared to discuss the item and its solution.

Commissioner Valdez opened the discussion, stating that she had firsthand experience in managing pools, as she was the representative for the City of San Antonio pools. She noted that it had been brought to her attention that the city allowed alcohol consumption at the pool facilities. She noted that the City of Hollywood Park had recently forbidden the consumption of alcohol at their pools and that she had polled cities within the New Braunfels, Castroville, and San Antonio metropolitan area and found that none allow alcohol at their facilities. She directed the Commissioners to a fact sheet she had placed in the packet explaining why drinking alcohol around pools and water in general was not a safe practice.

She noted that she had been approached by several citizens while at the pools that voiced their concerns and had reported some disruptions due to alcohol consumption, and that the safety of the young lifeguards should also be considered. She stated that she hoped the Park Commission would make a recommendation to the City Council to prohibit the consumption of alcohol at Leon Valley pool facilities, based on the safety concerns.

Commissioner Martinez noted that she had seen some disruption as well and noted that the drinking she had observed was at pool parties that had small children in attendance. She stated that she felt uncomfortable having her children around adults that had been drinking at the facility. Commissioner Frazier noted her agreement. Vice-Chair Bolton noted that allowing alcohol consumption at the pools could result in a liability issue for the City.

Commissioner Valdez made a motion to recommend the City Council amend the Leon Valley Code of Ordinances to ban alcohol consumption at city swimming pool facilities.

Chairman Christensen stated that he could understand not allowing alcohol consumption at the Leon Valley Community Pool, as that pool was more family oriented, but that the Forest Oaks facility had a large party room and outdoor barbecue picnic facilities offered for rent. A general discussion was held regarding

the pros and cons of allowing alcohol consumption at the pools. The conversation topics included small children observing the behavior of the adults, the lifeguards being too young to enforce the removal of a patron, and whether there had been reported incidents of drunk and disorderly at the pools.

The motion that had been made by Commissioner Valdez prior to the discussion was seconded by Commissioner Martinez and the motion carried unanimously.

B. Presentation – July 4th Event Recap and Planning Efforts (C. Miranda)

Community Events Coordinator Crystal Miranda gave a presentation recapping the 4th of July Celebration that was held at Raymond Rimkus Park and explained that they estimated over 15,000 persons attended the event. She explained that the budget for the event was \$123,120 and that expenses totaled \$115,147. She went on to state that at the after-event debriefing, concerns included the 5K run being started late, the need for more Police Officers, ambulances, volunteers, and food trucks and booths. She noted that they had a need to barricade entry points sooner rather than later and should explore the timing and the date of the event. A general discussion was held concerning fencing, booths, amusement rides, fireworks and band noise, the type of music and band, and how to volunteer for the event. Chairman Christensen asked Mrs. Miranda to return to the Park Commission in the spring of 2023 and give a presentation on the plans for the next 4th of July event. Mrs. Miranda stated that she would.

C. Discussion and Recommendation – Soofa Signs (C. Miranda)

Mrs. Miranda gave a presentation on digital sign stands called Soofa signs, stating that she hoped to be able to install these signs at Raymond Rimkus Park, at the library, and at City Hall. She noted that the sign options included ad-sponsored and that the cost would be \$16,000 per sign. She noted that the city had been asked to communicate better with the citizens that these signs would help in that regard. Several questions were asked including whether they could be used as wayfinding signs, could they be in a different language, who would control the content, could they be turned off at night, and how it was connected to the internet. Mrs. Miranda answered the questions and asked for a recommendation from the Commissioners.

Vice-Chair Bolton motioned to recommend approval of the purchase of four Soofa signs at the \$16,000 rate. Commissioner Valdez seconded the motion, and it carried unanimously.

D. Discussion and Recommendation – Skate Park Design at Shadow Mist Park (Commissioners)

Ms. Moritz gave a presentation on the development of a skate park at Shadow Mist Park, stating that she had reviewed several proposals from other cities and had most favored the Spa Skate Park Designs as the most desirable company to use for this construction, as they would bring in skate professionals and hold public meetings to determine the design, while working to stay within budget. She noted that the budget would exceed the \$70,000 that had been put in place for this improvement and that they were most probably going to have to spend \$250,000. She noted that the company had given a good recommendation that the skate features not be placed to the rear of the lot but be incorporated nearer to the front to discourage any potential vandalism and/or obnoxious behaviors from park users.

Questions were asked about the method of financing and design, and whether the city should advertise for Requests for Proposals (RFP's) from other companies. Vice-Chair Bolton made a motion to table the item to the next meeting to get more information, which was seconded by Commissioner Martinez, and the motion carried unanimously.

7. Commissioner and Staff Comments.

Chairman Christensen noted that a letter and final report had been received from the Capital Facilities Oversight Committee and that a copy had been placed at each Commissioner's seat. He then asked the Commissioners to consider moving the timing of the meeting from 7:00 pm to 6:00 pm and that he would place that item on the next agenda for their consideration. He welcomed the new members to the Park Commission.

Commissioner Frazier noted that she enjoyed being a part of the Park Commission.

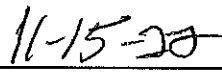
Commissioner Valdez encouraged everyone to vote.

Commissioner Martinez stated she was happy to serve on the Park Commission.

8. Adjourn.

Chairman Christensen asked for a motion to adjourn. Commissioner Valdez made a motion to adjourn the meeting, which was seconded by Vice-Chair Bolton. The motion carried unanimously. The meeting was adjourned at 8:30 p.m.


Roger Christensen, Chairman


Date



**City of Leon Valley
PLANNING AND ZONING COMMISSION
MEETING MINUTES
6:30 PM – NOVEMBER 16, 2022
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238**

1. CALL TO ORDER AND ROLL CALL

Chair Catherine Rowse called the Planning and Zoning Commission meeting to order at 6:38 PM.

PRESENT

Chair	Cassie Rowse	Place 5
1st Vice Chair	Edward Alonzo	Place 1
2nd Vice Chair	Erick Matta	Place 6
Commissioner	Philip Campos	Place 3
Commissioner	Pat Martinez	Place 4
Commissioner	Richard Blackmore	Place 7
2nd Alternate	Andrea Roofe	
3rd Alternate	David Perry	
Council Liaison	Benny Martinez	Council Place 1

ABSENT

1st Alternate Kimberly Bohl - Excused

Also in attendance were Public Works Director Melinda Moritz, and Permit Technicians Elizabeth Aguilar and Melissa Nott.

2. APPROVAL OF ZONING COMMISSION MINUTES

1. Planning & Zoning Commission - Regular Meeting - October 25, 2022

Commissioner Philip Campos made a motion to approve the minutes. The motion was seconded by Commissioner Erick Matta and the motion carried unanimously.

3. NEW BUSINESS

1. Presentation, Public Hearing, and Discussion to Consider Recommending Approval of an Ordinance Authorizing a Zoning Change From B-1 Small Business District with Sustainability Overlay District Zoning to R-3 Multi-Family Dwelling District on a 0.854-acre Tract of Land Located in the 7500 Block of Huebner Road Between Hoofs and Evers.

Staff member Melinda Moritz presented Rezone Case 2022-36, a request to rezone from B-1 Small Business District to R-3 Multi-Family District. A discussion was held on

what was allowed in each zoning district, the previous rezoning history, the use of the property, and the potential impact to the community and the environment.

Commissioner Richard Blackmore motioned to table the case to the next meeting, as the applicant was not present, and he had further questions for the applicant. The motion was seconded by 1st Vice Chair Edward Alonzo.

Voting Yea: Chair Rowse, and Commissioners Martinez, Blackmore, and Alonzo

Voting Nay: 2nd Vice Chair Matta and Commissioner Campos

4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF

Chair Catherine Rowse wished everyone a Happy Thanksgiving.

Staff member Moritz informed the Commissioners that they would need make a recommendation for filling the newly vacated seat on the Commission and that this item would be placed on the next agenda.

5. ADJOURNMENT

Chair Catherine Rowse announced the meeting adjourned at 7:09 PM.

These minutes approved by the Leon Valley Planning & Zoning Commission on the 14th of December 2022.

APPROVED


CATHERINE ROWSE
CHAIR

ATTEST:


ELIZABETH AGUILAR
PERMIT TECHNICIAN



**EARTHWISE LIVING COMMITTEE MEETING MINUTES
CITY OF LEON VALLEY, TEXAS
November 9, 2022**

The Earthwise Living Committee of the City of Leon Valley, Texas met on the 9th day of November at 5:30 pm in the large Conference Room at City Hall, located at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

**REGULAR MEETING OF THE CITY OF LEON VALLEY EARTHWISE LIVING COMMITTEE
5:30 PM.**

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

The meeting was called to order at 5:35 pm. Present were members Bacon, Castillo, Key, Valdez and Co-Chairs Burnside and Meffert. Also present were staff liaison Miranda and council liaison Mayor Riley.

2. Review and Consider Approval of the October 12, 2022 Regular Earthwise Living Committee Meeting Minutes.

A motion to accept the minutes was made by member Valdez and seconded by member Key.

3. Discussion and Possible Action on the Design for Notepad Purchase.

The committee members discussed changing the wording on the notepads adding "Combating Climate Change One Household At A Time". Co-Chair Meffert motioned to accept the design for the notebook wording and member Bacon seconded the motion.

During this discussion staff liaison Miranda reported that the Thermal Bags had arrived and are being stored for the 2023 EWL event.

4. Discussion and Possible Action on Vendor Interests, Fees, and Distribution for EWL Event.

A general discussion was had on vendor/sponsor participation. What type and how many vendors/sponsors should be accepted for the EWL event.

Council liaison Mayor Riley offered suggestions for Food Vendors from a Northside Food Vendors list that could participate in the EWL event. The list includes food truck vendors and other food establishments including "I Love Churro's" and "Fruit" vendors.

Mayor Riley also mentioned that "New Gen Cafe" had issues last year during the event and the committee should reach out to them for participation. Maybe this could eliminate issues they experienced in the past due to the establishment existing so closely to where the event is being held.

The committee discussed contacting past sponsors for the event as well as seeking out new sponsor participants. Past sponsors, Auto Dealer Ancira and Mr. Manny Rubio were discussed as being possible sponsors for EWL Day again this year.

Staff liaison Miranda provided an extensive packet that contained the following items. November 9 Meeting agenda, October 12, 2022 committee meeting minutes. Recycled notebook 4-imprint order form, 2023 EWL Sponsor form, EWL Exhibit Booth Registration form, Guidelines for EWL Booth Participation, EWL Food Booth Registration Form, EWL Sponsor Booth Registration Form, Guidelines for Sponsor Booth, EWL Committee Letter Requesting Sponsorship for Mighty Oak and Mountain Laurel Trees, Current EWL Budget, EWL Mission Statement (revised) and a 26 page listing of current Leon Valley businesses as possible sponsors/vendors. The deadline to register is February 10, 2023.

The committee discussed proper and effective distribution of registration forms with the goal of making sure all registration forms are received by the deadline. Using the city website hyperlink instead of individual committee member email was decided on. Co-Chair Meffert will collaborate to update the link with the proper forms so registration can occur on the city website. Member Bacon motioned to use the hyperlink and member Key seconded the motion.

5. Discussion and Possible Action on Listing Tasks, Activities, and Performances for EWL Event.

A general discussion was had regarding status of members outreach to vendors/sponsors/donators. The committee members are reaching out to all manner of local organizations to participate in EWL Day.

Member Valdez: Project Mend, Forest Oaks Garden Club, ABC Solar Screens, Dr. Hazelton with Trinity University, College Organizations and Motorcycle shops.

Member Ryan: Firehouse Subs, Spine in Motion Chiropractic, Chicken & Pickle.

Co-Chair Meffert: Raising Cain's, Other Local Restaurants and Food Trucks.

Co-Chair Burnside: Children's Museum, SA Solid Waste, Botanical Gardens

Member Castillo: Marshall HS, John Jay HS, Driggers Elementary, Leon Valley Elementary. Southwest Research Foundation.

Member Bacon: Home Depot, ^{Lowes} Lowes, Rainbow Gardens, UTSA Green Society, San Antonio College Eco Centro,

6. Discussion of Feedback on EWL Mission Statement.

A general Discussion was had to reword the Mission Statement to encourage residents and businesses to adopt a community culture of sustainability.

7. **Discussion and Possible Action on Ways to Communicate with Local Businesses.**

A general discussion was had on ways to communicate with local businesses on sustainability practices. Co-Chair Burnside mentioned some easy suggestions for restaurants. Such as “Give water only when asked for.”, “ Use paper not plastic straws”, “ Use paper not plastic bags for to-go orders”.

8. **Discussion of America Recycles Day.**

A general discussion was had on America Recycles Day. Possibly creating an event on Earthday, April 22,2023. “Picnic with the Mayor”. Between 11:00 am and 1:00 pm in the green space between the conference center and the library near Veterans Park.

No Glass, No Plastic, No Agenda just concerns and input.

Member Bacon: Motion to set a date for the Earthday Event. Member Castillo seconded the motion.

9. **Announcements, Updates, and Other Business**

Co-Chair Burnside would like to discuss Sustainable Holiday Practices next meeting. The next meeting will be held on December 14, 2022

10. **Adjourn**

Member Key moved to adjourn the meeting and the motion was seconded by member Valdez. The meeting adjourned at 7:14 PM.

Rita Burnside
Chair

12-14-22
Date

MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2022
TO: Mayor and Council
FROM: Yvonne Acuna, Assistant Finance Director
THROUGH: Crystal Caldera, City Manager
SUBJECT: 2022 Tax Roll Resolution
SPONSOR(S): N/A

PURPOSE

Each year, once Council has adopted a ***Tax Rate***, the Bexar County Tax Assessor furnishes a summary of the ***Tax Roll***. Section 26.09e of the State Property Tax Code requires the ***Tax Roll*** be approved by the taxing unit's governing body. Attached is the Resolution and Tax Roll Statement for such approval.

SEE LEON VALLEY

Social - A responsible municipal budget strives to allocate tax payers' dollars in an efficient and effective manner that represents all citizens equally. The adoption of the Tax Roll will provide revenue to support City services.

Economic - Utilizing tax payer monies to maximize public safety, city administration and city programs/services allow the City to actively pursue Economic Development opportunities.

Environmental - N/A

FISCAL IMPACT

Ad Valorem taxes provide revenue for the General Fund to provide services such as police and fire protection, emergency medical services, construction, operation, maintenance and repair of the City's infrastructure including streets, sidewalks, curbs, drains, right-of-way, traffic control systems and signage, zoning, planning and subdivision administration, building inspections, code compliance, recreational activities, library services and government administration.

STRATEGIC GOALS

N/A

RECOMMENDATION

Adopt the Resolution approving the 2022 Tax Year Certified Tax Roll as furnished by the Bexar County Tax Assessor Collector.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

A RESOLUTION APPROVING THE TAX ROLL OF THE CITY OF LEON VALLEY, TEXAS, FOR THE 2022 TAX YEAR; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, each year, once Council has adopted a Tax Rate, the Bexar County Tax Assessor furnishes a summary of the Tax Roll; and

WHEREAS, Section 26.09e of the State Property Tax Code requires the Tax Roll be approved by the taxing unit's governing body; and

WHEREAS, it is now the desire of the City Council to approve the Tax Roll of the City of Leon Valley, Texas for the 2022 Tax Year;

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

SECTION 1. The City Council of the City of Leon Valley hereby officially approves the City Tax Roll, attached hereto and incorporated herein for all purposes, as required by Section 26.09e of the State Property Tax Code.

SECTION 2. A signed copy of this resolution shall be submitted to Bexar County Tax Assessor-Collector.

SECTION 3. This Tax Roll statement is effective as of October 1, 2022.

SECTION 4. This resolution shall take effect immediately upon its passage and approval as required by law.



Albert Uresti, MPA, PCC
Office of the Tax Assessor - Collector

October 26, 2022

Mr. Kevin Rule, Finance Director
City of Leon Valley
6400 El Verde Road
San Antonio, Texas 78238

RE: City of Leon Valley – 2022 Tax Roll

Dear Mr. Rule:

Enclosed is a summary of values and levies taken from the initial Tax Roll for the City of Leon Valley.

Section 26.09(e) of the State Property Tax Code requires the Tax Roll to be approved by the taxing unit's governing body. Please notify this office, at your earliest convenience, when the tax roll is approved by your governing body.

If you have any question, please contact Mr. Carlos Gutierrez at 210-335-6600.

Sincerely,

A handwritten signature in blue ink, appearing to read "AU", is written over a green circular stamp that contains the letters "ZLA".

Albert Uresti, MPA, PCAC
Tax Assessor-Collector
Bexar County

AU:JAA/ea

Handwritten initials "SA" in blue ink.

Enclosure

2022 CERTIFIED TAX ROLL AS OF OCTOBER 1, 2022

TAX ASSESSMENT ROLLS OF LEON VALLEY FOR THE YEAR 2022 SHOW THE FOLLOWING SUMMARIES:

ROLL	NUMBER ACCTS	MARKET VALUE	TAXABLE VALUE	FREEZE LOSS	TOTAL LEVY
REAL PROPERTY	3,606	1,375,275,149	1,217,736,193	443,436.68	5,459,405.51
PERSONAL PROPERTY	820	98,186,037	95,183,522	.00	465,623.38
MOBILE HOME PROPERTY	0	0	0	.00	.00
MINERAL PROPERTY	0	0	0	.00	.00
OTHER PROPERTY	0	0	0	.00	.00
TOTAL	4,426	1,473,461,186	1,312,919,715	443,436.68	5,925,028.89

RATE OF TAXATION ASSESSMENT RATIO 100%
TOTAL TAX RATE 00.484739

ALBERT URESTI, MPA, PCAC
TAX ASSESSOR-COLLECTOR BEXAR COUNTY
BY :



MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2022
TO: Mayor and Council
FROM: Yvonne Acuna, Assistant Finance Director
THROUGH: Crystal Caldera, City Manager
SUBJECT: Annual Investment Policy Resolution
SPONSOR(S): N/A

PURPOSE

The Public Funds Investment Act of 1987 (PFIA) established rules and regulations for governmental entities to follow for the proper investment of public monies.

Since there has been no legislative or investment strategy changes that would require the City to change its policy, no proposed changes to the current policy are being recommended.

SEE LEON VALLEY

Social - To ensure compliance with the Public Funds Investment Act of 1987. The Public Funds Investment Act of 1987 (PFIA) established rules and regulations for governmental entities to follow for the proper investment of public monies. The City's investment program is conducted to accomplish the following objectives, listed in priority order.

A. Safety

The primary objective of the City's investment program is the preservation and safety of principal in the overall portfolio. Each investment transaction shall seek first to ensure that capital losses are avoided, whether they are from security defaults or erosion of market value.

B. Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements; thereby avoiding the need to liquidate investments under adverse market condition. It is the intent of the City to invest its funds to maturity.

C. Diversification

The investment portfolio will be designed to limit risk by avoiding the concentration of assets with a specific maturity, with a specific issuer, or in a specific class of securities.

D. Yield

A fundamental rule of investing is that risk equals return. The City has deliberately established a low-risk threshold to protect its financial resources and ensure that cash is available when needed. The City will invest idle cash at the highest possible rate of return, consistent with the

objectives and provisions of this policy, and in compliance with state and federal laws governing the investment of public funds.

Economic - N/A

Environmental - N/A

FISCAL IMPACT

None.

STRATEGIC GOALS

N/A

RECOMMENDATION

Adopt the Resolution approving the 2023 Investment Policy.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS,
APPROVING AND ADOPTING THE CITY OF LEON VALLEY INVESTMENT POLICY
AND INVESTMENT STRATEGIES WITH NO CHANGES**

WHEREAS, Texas Government Chapter 2256, the Public Funds Investment Act (the “Act”) authorizes a municipality to purchase, sell, and invest its funds and funds under its control in investments authorized under the Act in compliance with investment policies approved by the governing body and according to the standard of care prescribed by the Act; and

WHEREAS, the Act requires the City review the City’s investment policy and investment strategies no less than annually; and

WHEREAS, the City Council hereby finds and determines that the attached investment policy and investment strategies complies with the Act and authorizes the investment of City funds in safe and prudent investments;

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

Section 1. That the City of Leon Valley Investment Policy, attached hereto and incorporated herein as Attachment 1, and the investment strategies provided for therein has been reviewed by the City Council and is hereby adopted as the investment policy of the City of Leon Valley effective December 20, 2022 with no changes.

Section 2. This resolution is effective immediately upon passage by four (4) affirmative votes; otherwise, it is effective on the tenth day after passage hereof.

ATTACHMENT 1

City of Leon Valley Investment Policy

Table of Contents

I.	Purpose.....	1
A.	Introduction	
B.	Statutory Authority	
C.	Scope	
II.	Objectives	1
A.	Safety	
B.	Liquidity	
C.	Diversification	
D.	Yield	
III.	Standards of Care	2
A.	Prudence	
B.	Ethics and Conflicts of Interest	
C.	Delegation of Authority	
D.	Training	
E.	Indemnity	
IV.	Authorized and Suitable Investments	3
A.	Investment Types	
B.	Prohibited Investments	
C.	Length of Investments	
D.	Measuring Market Value	
V.	Selection of Banks and Dealers	5
A.	Depository	
B.	Investment Dealers	
VI.	Safekeeping and Custody.....	6
A.	Insurance or Collateral	
B.	Types of Collateral	
C.	Audit	
D.	Delivery vs. Payment	
VII.	Reporting Requirements	7
A.	Quarterly Reports	
B.	Annual Report	
VIII.	Internal Controls and Annual Review.....	8
A.	Internal Controls	
B.	Annual Review	
	Appendix A: Certification Form	
	Glossary	11

I. PURPOSE

A. Introduction

This investment policy documents policies and procedures to be followed by the City of Leon Valley, Texas (City), to ensure the proper investment of public funds. This policy will be reviewed by the City Council annually. At such time, the City Council will adopt by resolution policy that (1) states that the investment policy has been reviewed and (2) enumerates the changes to be made to the policy.

B. Statutory Authority

This policy serves to satisfy the statutory requirements of defining and adopting a formal investment policy in accordance with the Public Funds Investment Act, Article 342a-2 V.T.C.S.

C. Scope

This investment policy applies to all financial assets of the City, held in all funds.

II. OBJECTIVES

The City's investment program will be conducted to accomplish the following objectives, listed in priority order:

A. Safety

The primary objective of the City's investment program is the preservation and safety of principal in the overall portfolio. Each investment transaction shall seek first to ensure that capital losses are avoided, whether they are from security defaults or erosion of market value.

B. Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements; thereby avoiding the need to liquidate investments under adverse market condition. It is the intent of the City to invest its funds to maturity.

C. Diversification

The investment portfolio will be designed to limit risk by avoiding the concentration of assets with a specific maturity, with a specific issuer, or in a specific class of securities.

D. Yield

A fundamental rule of investing is that risk equals return. The City has deliberately established a low risk threshold to protect its financial resources and ensure that cash is available when needed. The City will invest idle cash at the highest possible rate of return, consistent with the objectives and provisions of this policy, and in compliance with state and federal laws governing the investment of public funds

III. STANDARDS OF CARE

A. Prudence

The standard of care used by the City shall be the "prudent person" standard which shall be applied in the context of managing the overall portfolio within the applicable legal constraints. The Public Funds Investment Act states:

"Investments shall be made with judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

All participants in the investment process shall seek to act responsibly as custodians of the public trust. Investment Officers shall avoid any transactions that might impair public confidence in the City's ability to govern effectively. The City Council recognizes that in maintaining a diversified portfolio, occasional measured losses due to market volatility are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

B. Ethics and Conflicts of Interest

Investment officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or that which could impair their ability to make impartial investment decisions. Investment Officers and subordinate employees shall disclose any material interests in financial institutions or broker/dealer firms with which they conduct business. They shall further disclose any personal investment positions that could be related to the performance of the investment portfolio. Investment Officers and subordinate employees shall refrain from undertaking personal investment transactions with the same individual(s) with whom business is conducted on behalf of the City.

C. Delegation of Authority

Management responsibility for the investment program is delegated to the City Manager and the Finance Director. As Investment Officers for the City, the City Manager and Finance Director

are responsible for the day-to-day administration of the investment program and shall supervise the activities of subordinate employees. No person may engage in investment transactions except as provided under the terms of this policy.

D. Training

Investment Officers shall attend at least one training session related to their duties as Investment Officers within 12 months of assuming office or duties; a training session not less than once in a two-year period that begins on the first day of the City of Leon Valley's fiscal year and consists of the two consecutive years after that date; each training session shall contain not less than 10 hours of training. This training must include education in investment controls, security risks, strategy risks, market risks and compliance with the Public Funds Investment Act.

The training provider must be an independent provider approved by City Council. The City Council hereby authorizes the following entities to serve as qualified training providers for the City:

1. The Texas Municipal League, or any of its affiliate organizations;
2. The Government Treasurers Organization of Texas;
3. The Government Finance Officers Association;
4. The State of Texas, Comptroller's Office, or any other department/division of the State of Texas;
5. The University of Texas at Austin, or any other public University or College of higher education in Texas;
6. Investment pool administrators to include LOGIC, TexPool and Lone Star Investment Pool; and
7. Other training providers as approved by the City Council.

E. Indemnity

Investment Officers and subordinate employees, acting in accordance with the provisions of this investment policy, shall not be held personally liable for a specific security's credit risk or market price change, provided that any unexpected deviations are reported in a timely manner and that appropriate action is taken to control adverse developments.

IV. AUTHORIZED AND SUITABLE INVESTMENTS

A. Investment Types

The following investments are permitted under this policy, in compliance with the Public Funds Investment Act:

1. **Certificates of Deposit.** Fully insured or collateralized certificates issued by state and national banks, a savings bank, or a state and federal credit union domiciled in the State of Texas.
2. **U.S. Treasuries and Agencies.** Securities issued by the United States Treasury or its Governmental Agencies. U. S. Treasuries and Agencies are guaranteed as to principal and interest by the full faith and credit of the United States of America.
3. **Obligations of the States, agencies thereof, Counties, Cities, and other political subdivisions of any state** having been rated as investment quality by a nationally recognized investment rating firm, and having received a rating of not less than "A" or its equivalent.
4. **Repurchase Agreements.** Repurchase agreements that are fully collateralized by U.S. Treasuries or Agencies guaranteed as to principal and interest by the full faith and credit of the United States of America.

5. **Investment Pools.** Investment pools that meet the following criteria:
 - a. An investment pool must provide an offering circular or other similar disclosure instrument and provide monthly transaction reporting.
 - b. A public funds investment pool created to function as a money market mutual fund must (1) mark its portfolio to market daily, (2) include in its investment objectives the maintenance of a stable net asset value of \$1 for each share and (3) be continuously rated no lower than "AAA" or "AAA-m" or at an equivalent rating by at least one nationally recognized rating service.
 - c. An investment pool must invest solely in (1) obligations of the United States or its agencies and instrumentalities, (2) repurchase agreements involving those same obligations and (3) SEC regulated AAA no-load money market mutual funds with a weighted average of maturity of 60 days or less and an investment objective of a \$1.00 stable net asset value.
6. **Money Market Mutual Funds.** No-load money market mutual funds if the fund:
 - a. Is registered with and regulated by the Securities and Exchange Commission (SEC);
 - b. Provides a prospectus and other information required by federal law.
 - c. Invests exclusively in U.S. Treasuries or Agencies and/or repurchase agreements fully collateralized by such obligations;
 - d. Has a dollar-weighted average stated maturity of 90 days or less; and
 - e. Includes in its investment objectives the maintenance of a stable net asset value of \$1 per share.
7. **Other Investments.** Other as approved by the City Council and not prohibited by law.

B. Prohibited Investments

City Investment Officers and employees have no authority to invest in any of the following instruments which are strictly prohibited by the Public Funds Investment Act:

1. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal;
2. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
3. Collateralized mortgage obligations that have a stated final maturity date of greater than ten years; and
4. Collateralized mortgage obligations whereby the interest rate is determined by an index that adjusts opposite to the changes in a market index.

C. Length of Investments

The City intends to match the holding period of investment funds with liquidity needs of the City. In no case will the average maturity of investments of the City's operating funds exceed one year. The maximum final stated maturity of any investment shall not exceed five years.

The Investment Officer will monitor rating changes in Investment acquired with public funds that require a minimum rating and shall take all prudent measures that are consistent with its investment policy to liquidate an investment that does not have the minimum rating thereby making that investment an unauthorized investment.

D. Measuring Market Value

The City's investment portfolio will be designed with the objective of using the 13-week U.S. Treasury Bill as a basis to determine whether market yields are being achieved.

V. SELECTION OF BANKS AND DEALERS

The City will only purchase investments from financial institutions and broker/dealer firms as approved by the City Council. All institutions and brokers/dealers are required to supply a Certification Form signed by a qualified representative of the firm stating that the City's investment policy has been reviewed and that reasonable procedures and controls are in place to preclude unauthorized investment transactions (Appendix A). Transactions are unauthorized unless this certification is on file with the City.

A. Depository

1. **Bidding Process.** Depositories shall be selected through the City's banking service procurement process, which shall include a formal request for proposals at least every five years. In selecting depositories, the City shall evaluate the credit worthiness of the institution and shall thoroughly review the institution's financial history and financial statements.
2. **Insurability.** Depositories shall provide evidence that deposits are insured by the Federal Deposit Insurance Corporation (FDIC).

B. Investment Dealers

A broker/dealer may be used by the City only if the broker/dealer is:

1. Included on the Federal Reserve Bank of New York's list of primary government securities dealers, or is licensed by the State of Texas and is recommended in writing by at least three Texas cities.
2. Regulated by the Securities and Exchange Commission (SEC).
3. A member in good standing of the National Association of Securities Dealers, Inc. (NASD).
4. Able to provide immediate disclosure to the City whenever the broker/dealer's capital position falls short of the capital adequacy standard.

5. Able to provide independent certification by an outside auditor or similar agency that the broker/dealer complied with the capital adequacy standard on its most recent year-end balance sheet date.

VI. SAFEKEEPING AND CUSTODY

A. Insurance or Collateral

All deposits and investments of City funds other than direct purchases of U.S. Treasuries or U.S. Agencies shall be (1) guaranteed or insured by the FDIC or (2) be fully collateralized as required by the Texas Public Funds Collateral Act. Pledged collateral must maintain a market value equal to at least 102 percent of total deposits and investments, less an amount insured by the FDIC. Repurchase agreements shall be documented by a specific agreement noting the collateral pledged in each agreement.

Securities pledged as collateral must be held by an independent third party in the State of Texas. Evidence of pledged collateral shall be provided to the City and reviewed monthly to ensure the market value of the securities pledged equals or exceeds the value of total deposits and investments.

B. Types of Collateral

The City of Leon Valley shall accept only the following as collateral:

1. FDIC insurance coverage.
2. United States Treasuries and Agencies.
3. Texas State, City, County, School or Road District bonds with an investment grade bond rating of not less than "A" or its equivalent from a nationally recognized investment rating firm.

C. Audit

All collateral shall be subject to inspection and audit by the City.

D. Delivery vs. Payment

With the exception of investment pools and mutual funds, all investment transactions will be executed using the delivery versus payment method. That is, City funds shall not be released until verification has been made that the purchased security or collateral has been received by a third party/safekeeping agent (Trustee). The security or collateral shall be held in the name of or held on behalf of the City. The Trustee's records shall evidence the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

VII. REPORTING REQUIREMENTS

A. Quarterly Reports

Not less than quarterly, the Investment Officers shall prepare and submit to the City Council, an investment report that describes in detail the investment position of the City as of the date of the report. These reports will be prepared to allow the City Council to ascertain whether investment activities have conformed to the City's investment policy.

Quarterly investment reports will summarize recent market conditions, economic developments and anticipated investment conditions. Reports must be signed and dated by both the City Manager and the Finance Director and must contain the following statement: "This report is in full compliance with the investment strategies as established by the City of Leon Valley Investment Policy and the Public Funds Investment Act."

At a minimum, quarterly reports submitted to the City Council will include the following:

1. A summary statement of investment activity for each pooled fund group prepared in compliance with Generally Accepted Accounting Principles to include fully accrued interest for the reporting period. The summary shall also state the:
 - a. Beginning market value for the reporting period.
 - b. Additions and changes to the market value during the period.
 - c. Ending market value for the period.
2. State the book value and market value of each separately invested asset at the beginning and end of the reporting period by fund type.
3. State the maturity date of each separately invested asset that has a maturity date.

B. Annual Report

Within sixty (60) days of the end of the fiscal year, the Investment Officers shall prepare an annual report on the investment program and investment activity. This annual report will be presented to the City Council and will include investment activities for the entire fiscal year and shall suggest policy revisions and improvements that might enhance the investment program. At such time, the City Council shall pass a resolution to document its review of the City's investment policies and strategies. This resolution shall also document whether changes or revisions to investment policies and/or strategies are required.

VIII. INTERNAL CONTROLS AND ANNUAL REVIEW

A. Internal Controls

The City strives to effectively prevent the loss of public funds caused by fraud, misrepresentation by third parties, unanticipated changes in financial markets, employee error or imprudent actions by City employees. Internal controls have been designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits require estimates and judgments by management. The following guidelines establish a system of internal controls over investment procedures for the City of Leon Valley.

1. **Separation of Duties.** A separation of custodial, accounting and record keeping systems shall be maintained to the extent possible.
2. **Clear Delegation of Authority.** The City Manager and Finance Director are charged with management responsibility for the investment program.

3. **Adequate Training and Development of Investment Officials.** All Investment Officials are to be educated in the area of investment management in order to make informed decisions.
4. **Control of Collusion.** All investment transactions must be approved by two duly authorized Investment Officers or subordinate employees. Subordinate employees are designated by the City Manager.
5. **Documentation of Investments.** Purchase and sales transactions, including telephone transactions, must be documented in writing and evidenced by the signatures of two duly authorized Investment Officers or subordinate employees. A copy of such documentation shall be placed in an investment transaction file to be maintained in the City's Finance department.
6. **Verification of all Interest Income and Security Purchase and Sell Computations.** All investment interest income, fees, gains and/or losses shall be recalculated monthly by the Finance department.
7. **Reconcilement of Security Receipts with Subsidiary Records.** All security safekeeping receipts shall be reconciled to the general ledger monthly by the Finance department.
8. **Custodial Safekeeping.** Securities purchased from any bank or dealer including appropriate collateral shall be placed with an independent third party for custodial safekeeping.
9. **Avoidance of Bearer-Form Securities.** Negotiable securities are more susceptible to misappropriation than book entry only securities and must be properly safeguarded against loss, destruction or fraud.

B. Annual Review

The City shall engage an external independent auditor to conduct an annual review of the City's investment policies, investment procedures, and quarterly and annual investment reports to ensure compliance with the Public Funds Investment Act. This audit is to be performed by a Certified Public Accountant in conjunction with the City's annual financial audit and shall be reported to the City Council during the same meeting at which the City's Comprehensive Annual Financial Report is presented.

The Public Funds Investment Act states that if the City's investment portfolio is limited to money market mutual funds, investment pools, or depository bank investments such as certificates of deposit or money market accounts, the City is not subject to this formal annual review.

APPENDIX A

CERTIFICATION

I hereby certify that I have personally read and understand the investment policy of the City of Leon Valley and have implemented reasonable procedures and controls designed to fulfill these objectives and conditions. Transactions between this firm and the City of Leon Valley will be directed toward precluding imprudent investment activities and protecting the City from credit and market risk.

This firm pledges due diligence in informing the City of Leon Valley of foreseeable risks associated with financial transactions connected to this firm.

I attest that I am a qualified representative of this firm, authorized to sign on its behalf.

Firm: _____

Signature: _____

Name: _____

Title: _____

Date: _____

GLOSSARY

AGENCIES: Federal agency securities.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities by a bank to secure deposits of public monies.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official annual report for the City of Leon Valley.

COUPON: (a) The annual rate of interest that bond issuers promises to pay the bondholder on the bond's face value. (B) A certificate attached to a bond evidencing due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling from his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two (2) methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest-bearing money market instruments that are issued a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of agencies.

MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2022

TO: Mayor and Council

FROM: Mindy Teague, Planning and Zoning Director

THROUGH: Crystal Caldera, City Manager

SUBJECT: Presentation and Discussion on an Ordinance Authorizing a Zoning Change from B-1 Small Business District, with SO, Sustainability Overlay District Zoning to R-3 Multi-Family Dwelling District of a 0.854-Acre Tract of Land Located in the 7500 Block of Huebner Road Between Hoofs and Evers (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director

PURPOSE

A rezoning request has been received to rezone approximately 0.854 acres of land from B-1, with Sustainability Overlay District to R-3 Multiple Family Dwelling District. The parcel is located in the 7500 block of Huebner Road, between Hoofs and Evers Road and is a part of Lot 7, CB 4445L, Dirt V-Murchison-Huebner Subdivision.

History

- 1985 – 6.8 acres rezoned from R-1 Single Family to B-1 Small Business
- 1991 – a request is denied to rezone 12.86 acres from B-1 Small Business to B-2 Retail
- 2013 - 1.709 acres of the lot is rezoned from B-1 Small Business with Sustainability Overlay to B-2 Retail with Sustainability Overlay
- 2017 – a request is denied to rezone this portion of the lot from B-1 with Sustainability Overlay to B-2 Retail with Sustainability Overlay

Surrounding Zoning

- North - developed R-1 Single Family
- South – developed R-1 Single Family
- East – developed R-1 Single Family Dwelling
- West – developed R-6 Garden Home (Pavona Place) and developed and undeveloped B-2 Retail with Sustainability Overlay (vacant parcel, Silo Park, Church, DPS Office)

Master Plan

Section 7N Canterfield Area addresses this area noting that any undeveloped land in this area should be considered for rezoning to R-1 Single Family, R-4 Townhouse, R-6

Garden House, R-7 Single Family Medium Density, and MX-1 Mixed Use zoning

The Pavona Place Section notes that this area includes several large vacant tracts with potential for increased residential development. It further states that the area also includes existing vacant areas currently zoned B-1 (Small Business) and B-2 (Retail) that are encouraged to be rezoned as R-1 (Single-Family), R-3A (Multiple-Family Retirement), or R-6 (Garden Home) and encourages any proposed commercial development to exceed open/green space requirements.

Zoning Regulations

The R-3 district is composed of areas containing multiple-family dwellings. The district regulations are designed to protect the residential character of the area by prohibiting commercial and industrial activities and manufactured homes; encourage a suitable neighborhood environment; prevent overcrowding of the land by requiring certain minimum yard and other open spaces for all buildings; avoid excessive population density by requiring a certain minimum building site area for each building unit; and provide a buffer between retail and single-family dwelling areas.

The R-3 district implements the following policies of the master plan:

- Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.
- Encourage connectivity throughout the city.

Lot regulations:

- Area. Not less than 10,400 square feet for the first three (3) units and 1,200 square feet for each additional unit.
- Depth. Minimum of 120 feet.
- Floor space. Minimum of 600 square feet.
- Frontage. A minimum frontage of 95 feet is required along a public right-of-way.
- Height. A maximum of three stories is allowed in the R-3 district.
- Density. None.

Setback requirements:

- Front yard. There shall be a front yard having a minimum of 20 feet from the property line to the building structure.
- Rear yard. There shall be a rear yard having a minimum of 25 feet from the structure to the rear property line.
- Side yard. There shall be a side yard having a minimum of ten (10) feet from the structure to the side property line.
- Building distance. The required space between buildings is fifteen (15) feet. (d) Other.

Landscaping:

A total of 35% of the total overall area must be landscaped and not less than five percent (5%) of the R-3 area shall be covered by plantings and amenities other than sod, subject to the approval of the city. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended.

Lighting:

All outdoor lighting shall be hooded and all light emissions shielded and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40% of the distance from the front property line to the main structure.

Masonry required:

Multiple-family dwellings shall be constructed of masonry or similar noncombustible materials to the extent of not less than seventy-five (75) percent of overall exterior walls.

Parking:

A minimum of one (1) space for each one-bedroom unit, two (2) spaces for each two-bedroom unit and one (1) space for each additional unit shall be provided.

Storage:

Outside storage is not allowed in the R-3 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. Items to be stored must be completely contained in either the apartment units, garages or accessory buildings.

Notification

Sixteen (16) letters were sent to surrounding property owners. As of this writing , Staff has not received any letters either in favor or in opposition, and none have been returned undeliverable.

SEE LEON VALLEY

Social Equity - Approval of this request would allow for the development of the property for multiple-family use, which would be consistent and compatible with existing surrounding uses.

Economic Development – The development of this property would increase the city's ad

valorum and sales tax revenues.

Environmental Stewardship – Any structures built on this parcel would be required to conform to the 2021 International Energy Code.

FISCAL IMPACT:

This zone change may produce additional ad-valorem revenue on this property

STRATEGIC GOALS

Goal # 1 - Economic Development · Objective F – Promote Leon Valley

RECOMMENDATION

At their 12-14-22 meeting, the Planning and Zoning Commission voted unanimously to recommend approval of this zone change.

.

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL GRANTING A ZONE CHANGE FROM B-1 SMALL BUSINESS DISTRICT, WITH SO SUSTAINABILITY OVERLAY DISTRICT ZONING, TO R-3 MULTIPLE FAMILY DWELLING DISTRICT WITH SUSTAINABILITY OVERLAY ZONING DISTRICT, LOCATED IN THE 7500 BLOCK OF HUEBNER ROAD, BEING A 0.853 ACRE TRACT OF LAND, PART OF LOT 7, CB 4445L, DIRT V - MURCHISON-HUEBNER SUBDIVISION; PROVIDING FOR REPEALER, SEVERABILITY, AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS Chapter 211 of the Vernon's Local Government Code empowers cities to enact zoning regulations and provide for their administration, enforcement, and amendment; and

WHEREAS the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City, in order to promote the public health, safety, and welfare of the residents of the City; and

WHEREAS the Leon Valley Code of Ordinances Chapter 15 Zoning constitutes the City's Zoning regulations and requires the property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 15 of the Leon Valley Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission of the City of Leon Valley has recommended granting a zone change from B-1 Small Business District, with SO Sustainability Overlay District Zoning, to R-3 Multiple Family Dwelling with Sustainability Overlay District at the subject location; and

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

WHEREAS, twenty percent (20%) or more of the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred [feet] (200') from such area did protest this change and the City Council, by affirmative vote of three-fourths (3/4) of all the members of the City Council, did vote to approve the change; and

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

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

SECTION 1. A 0.853 acre tract of land, being part of Lot 7, CB 4445L, Dirt V-Murchison= Huebner Subdivision, in the 7500 block of Huebner Road and further described in Exhibit A attached hereto, which is currently zoned B-1 Small Business District, with SO Sustainability Overlay District Zoning, shall hereafter bear the zoning classification of R-3 Multiple Family Dwelling with Sustainability Overlay District.

SECTION 2. That this Ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except where provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event, conflicting provisions of such Ordinance are hereby repealed.

SECTION 3. That it is hereby declared to be the intention of the City Council of the City of Leon Valley that this Ordinance is not severable.

SECTION 4. 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 17th day of January 2023.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

NICOLE WARREN
City Attorney

Rezoning Request PZ-2022-36 0 Huebner Road

Melinda Moritz
Public Works Director
City Council Meeting
December 20, 2022

Summary

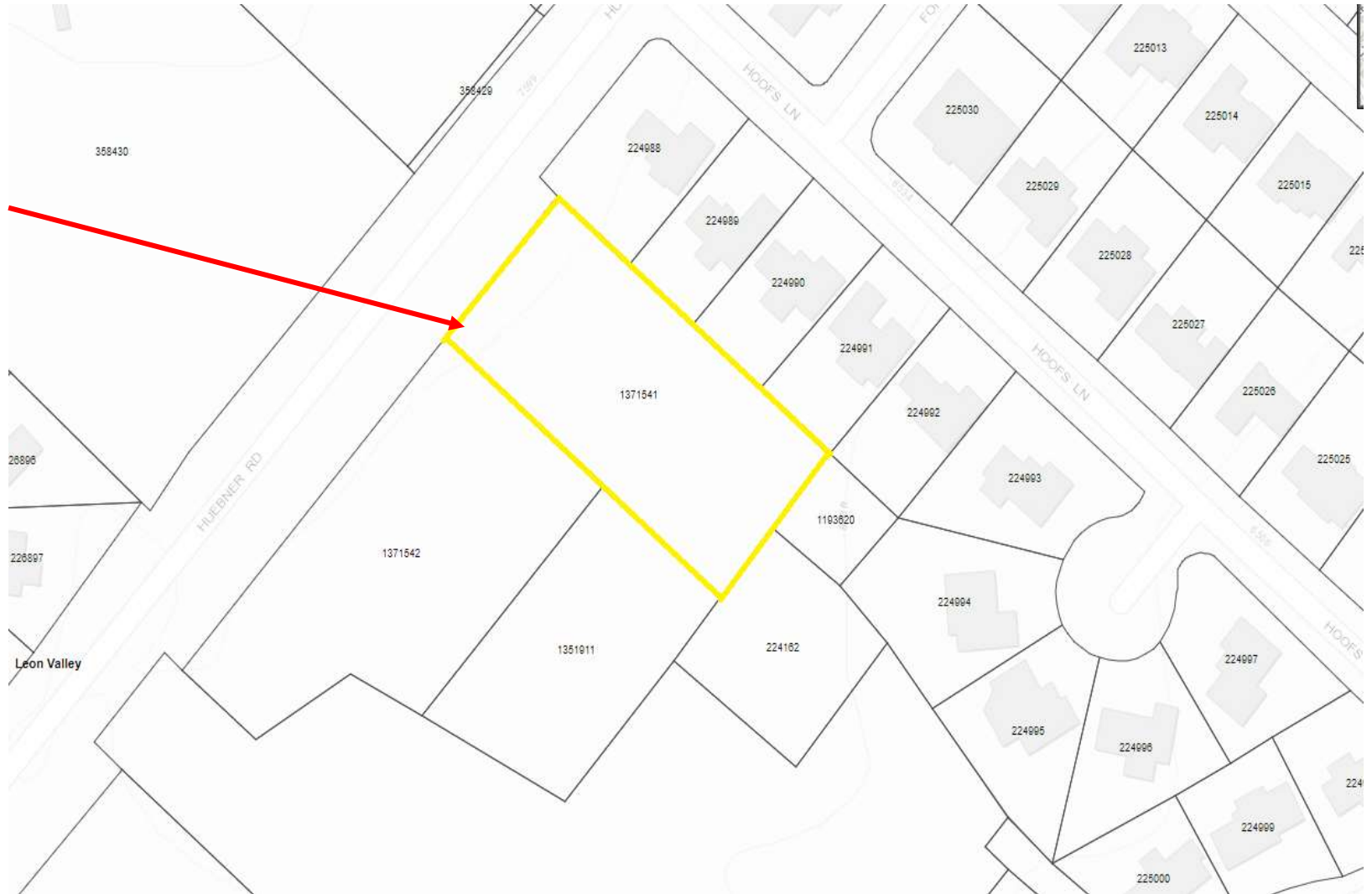
- Question
 - The Commission is being asked to consider a recommendation of an Ordinance authorizing a zoning change from B-1 Small Business with Sustainability Overlay (SO) District to R-3 Multiple Family Dwelling District on an approximately 0.854-acre tract of land, being the north 133.20 feet of Lot 7, CB 4445L, Dirt V-Murchison-Huebner Subdivision
 - Located on Huebner Road between Hoofs and Evers Road, adjacent to the silos
- Options
 1. Approval as requested
 2. Approve R-3 with SO requirement
 3. Denial

Request

- To rezone approximately 0.854 acres of land out of Lot 7 CB 4445L, Dirt V–Murchison-Huebner Subdivision
- From B-1 Small Business with SO to R-3 Multiple Family Dwelling zoning, with no SO
- Tract is located in the 7500 block of Huebner Road (adjacent to the silos) and is currently not properly platted

BCAD Map

Property



Aerial View



History

- 1985 – 6.8 acres rezoned from R-1 Single Family to B-1 Small Business
- 1991 – a request is ***denied*** to rezone 12.86 acres from B-1 Small Business to B-2 Retail
- 2013 - 1.709 acres of the lot is rezoned from B-1 Small Business with Sustainability Overlay to B-2 Retail with Sustainability Overlay
- 2017 – a request is ***denied*** to rezone this portion of the lot from B-1 with Sustainability Overlay to B-2 Retail with Sustainability Overlay

Surrounding Zoning

- North - developed R-1 Single Family
- South – developed R-1 Single Family
- East – developed R-1 Single Family Dwelling
- West – developed R-6 Garden Home (Pavona Place)
and developed and undeveloped B-2 Retail with
Sustainability Overlay
 - vacant parcel, Silo Park, Church, DPS Office

Zoning Map



B-1 Uses vs R-3 Uses

- B-1
 - Antique store
 - Beauty shop
 - Church
 - Clinic, medical or dental
 - Drugstore
 - Dry cleaning
 - Entertainment – indoor/outdoor
 - Grocery store
 - Hobby store
 - **Inn**
 - Office
 - **Townhouse, loft, live-work**
 - Restaurant
 - Salon
 - Studio for fine arts
- R-3
 - Apartments

Master Plan

- Canterfield Area addresses this area noting that undeveloped land in this area should be considered for rezoning to R-1 Single Family, R-4 Townhouse, R-6 Garden House, R-7 Single Family Medium Density, and MX-1 Mixed Use zoning
- Pavona Place notes that this area includes several large vacant tracts with potential for increased residential development.
- It further states that the area also includes existing vacant areas currently zoned B-1 (Small Business) and B-2 (Retail) that are encouraged to be rezoned as R-1 (Single-Family), R-3A (Multiple-Family Retirement), or R-6 (Garden Home)
- It is also encouraged that any proposed commercial development exceeds open/green space requirements

{Section}.101.



Notification Process

- 16 Letters Sent
- 0 In Favor
- 1 In Opposition
- 0 Undeliverable

Fiscal Impact

- The approval of this zone change request will produce additional ad-valorem revenue on this property

Recommendation

- At their 12-14-22 meeting, the Planning and Zoning Commission voted unanimously to recommend approval of this zone change, but adding the Sustainability Overlay District
 - This revision will limit the height of any structures to 45 feet or 2 ½ stories, as the buildings will be within 100 feet of a residential district (Hoofs Lane)
- Applicant has no objection to this change

S.E.E. Statement

Social Equity: Approval of this request would allow for the development of the property for multiple-family use, which would be consistent and compatible with existing surrounding uses.

Economic Development: Tenants in a multiple family zoning district would likely shop locally and generate more sales tax revenue

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

MAYOR AND COUNCIL COMMUNICATION

DATE: December 20, 2022

TO: Mayor and Council

FROM: Melinda Moritz, Public Works Director

THROUGH: Crystal Caldera, City Manager

SUBJECT: Consider Approval of an Ordinance Authorizing the City Manager to Execute a Contract Amendment and Accept an Additional \$400,000 from Bexar County, and Authorize a Budget Adjustment From the Stormwater Fund Reserve in the Amount of \$400,000 to Provide Additional Funding for the Construction of the Seneca West Drainage Project (1st Read as Required by City Charter)

SPONSOR(S): None

PURPOSE

This item is to consider approval of an Ordinance authorizing the City Manager to execute a contract amendment accepting an additional \$400,000 from Bexar County and authorizing a budget adjustment from the Stormwater Fund Reserve in the amount of \$400,000 for the purpose of providing additional funds for the construction of drainage improvements to Drain 1 in the Seneca West neighborhood.

BACKGROUND

- 2016 – City performed study of this creek (Drain 1) & receives OPC \$1,346,000 estimate for construction project to relieve flooding & reclaim land
- 2019 – Bexar County awarded City reimbursement funds for project \$1,346,000
- 2019 – City Council approved a budget adjustment \$1,659,482 for engineering and construction
- Dec. 2022 - Bid awarded to J3 Construction, but over estimated costs
- Dec. 2022 – City Council approved budget adjustment in the amount of \$832,498.50
- Dec. 2022 – City requests additional funding from Bexar County and received contract amendment for \$400,000

FISCAL IMPACT

Item	Cost
Previously Budgeted	
Engineering	\$ 313,482.00
Construction	\$ 1,346,000.00
Total	\$ 1,659,482.00
Bid	
Construction	\$ 1,815,415.50
Contingency (20%)	\$ 363,083.00
Remaining engineering	\$ 122,550.00
Total	\$ 2,301,048.50
Previously budgeted remaining	\$ 1,468,550.00
Budget adjustment approved 12/6/22	\$ 832,498.50
Summary	
Total Cost	\$ 2,491,980.50
New County portion	\$ 1,746,000.00
Net cost to city	\$ 745,980.50
Net cost City w/o contingency	\$ 382,897.50

The additional funds will be taken from the Stormwater Fund Reserve and placed in the Stormwater Capital Project line item.

SEE LEON VALLEY

Social Equity – Flooding and erosion affect all citizens and should be prevented where possible.

Economic Development – Improving the creek in the Seneca West area will reclaim land that could not previously be developed, which may increase ad valorem taxes in the future.

Environmental Stewardship – Erosion control provides for environmental stewardship of the floodway by improving water quality.

STRATEGIC GOALS

This initiative is specifically listed in the 2018 Strategic Goal (4) - Infrastructure/Capital Plan: Objective D - Continue to mitigate flooding through capital improvement planning and mandatory stormwater reduction in new and redeveloped commercial properties.

RECOMMENDATION

Approve as presented.

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

**STATE OF TEXAS
COUNTY OF BEXAR**

**§ SECOND AMENDMENT TO INTERLOCAL
§ AGREEMENT FOR
§ SENECA WEST SUBDIVISION PROJECT**

This Second Amendment to the Interlocal Agreement for Seneca West Subdivision Project (the “Second Amendment”) is entered into by Bexar County, a political subdivision of the State of Texas (the “County”) and the City of Leon Valley, a Texas municipal corporation, (the “City”), individually referred to as a “Party,” or collectively referred to as the “Parties.”

**ARTICLE I
PURPOSE**

1.01 County and City entered into an Interlocal Agreement for Seneca West Subdivision Project (the “Agreement”) dated _____ wherein County agreed to provide funding to City in an amount not to exceed ONE MILLION THREE HUNDRED FORTY-SIX THOUSAND AND NO/100 DOLLARS (\$1,346,000.00) (the “Maximum Reimbursable Amount”) for costs actually incurred by City in connection with the construction of the Seneca West Subdivision Project (the “Project”).

1.02 County and City entered into a Revival and First Amendment to the Seneca West Subdivision Project (the “First Amendment”) on _____ in order to revive the Agreement and amend its term.

1.03 The estimated cost of the Project has increased, as evidenced by the Letter of Recommendation and Bid Tabulations attached hereto as Exhibit “A”, and the Parties now desire to modify the Agreement, as amended, to provide additional funding for the Project and increase the total Maximum Reimbursable Amount.

**ARTICLE II
CHANGES TO THE AGREEMENT**

2.01 Section 1.01 of the Agreement is hereby amended to increase the total Maximum Reimbursable Amount by an amount of FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$400,000.00). The Maximum Reimbursable Amount now available under the Agreement is ONE MILLION SEVEN HUNDRED FORTY-SIX THOUSAND AND NO/100 DOLLARS (\$1,746,000.00).

**ARTICLE III
OTHER TERMS AND CONDITIONS**

3.01 Except as modified by this Second Amendment, all other terms and conditions of the Agreement, as amended, remain the same.

EXECUTED IN DUPLICATE ORIGINALS THIS ____ DAY OF _____, 2022.

COUNTY OF BEXAR

CITY OF LEON VALLEY

By: _____

NELSON W. WOLFF
County Judge

By: _____

CRYSTAL CALDERA, MPA PHD
City Manager

Date: _____

APPROVED AS TO LEGAL FORM:

APPROVED AS TO LEGAL FORM:

SIOBHAN K. KARGER
Assistant Criminal District Attorney
Civil Division

NICOLE WARREN
City Attorney

APPROVED AS TO FINANCIAL FORM:

By: _____

LEO S. CALDERA, CIA, CGAP
County Auditor

By: _____

DAVID SMITH
County Manager

APPROVED:

By: _____

RENEE D. GREEN, PE
Director of Public Works/County Engineer

EXHIBIT “A”

Letter of Recommendation and Bid Tabulation

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT AND ACCEPTING \$400,000 FROM BEXAR COUNTY AND AMENDING THE STORMWATER FUND BUDGET OF THE CITY OF LEON VALLEY, TEXAS MUNICIPAL BUDGET FOR THE FISCAL YEAR 2022-2023 IN THE AMOUNT OF \$400,000.00, TO PROVIDE ADDITIONAL FUNDING FOR THE LEON VALLEY STORMWATER FUND FOR THE CONSTRUCTION OF THE SENECA WEST DRAINAGE PROJECT; PROVIDING FOR REPEALER, SEVERABILITY AND SAVING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the city desires to construct a flood and erosion control project in the Seneca West neighborhood along Drain 1, from Grass Hill Street to Aids Drive into Huebner Creek; and

WHEREAS, the fees previously budgeted for this construction were not sufficient to fund the entire project; and

WHEREAS, Bexar County has agreed to provide additional funding for this project in the amount of \$400,000.00; and

WHEREAS; in order to accept this additional funding the City Manager will execute a contract amendment; and

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

WHEREAS, City Council approved the budget for the Stormwater Fund for FY 2022-2023; and

WHEREAS, it has been determined that funding should be added to the FY 2022-2023 Stormwater Fund Budget; and

WHEREAS, it is necessary to adjust the Stormwater Fund Budget by a total amount of \$400,000.00 for FY 2022-2023; 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 authorize the City Manager to execute a contract amendment, accepting an additional \$400,000 from Bexar County and amending the Stormwater Fund Budget for FY 2022-2023 in a total amount \$400,000.00, to provide additional funds for the flood and erosion control project on Drain 1 in the Seneca West neighborhood;

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

SECTION 1. The City Manager is authorized to execute a contract amendment accepting additional funding in the amount of \$400,000.00 from Bexar County.

SECTION 2. The FY 2022-2023 Stormwater Fund Budget of the City of Leon Valley is hereby amended to increase the budget by the amount of \$400,000.00 to provide additional funding for the construction of the Seneca West Drainage Project. Funding for this project will be taken from the Stormwater Reserve Fund.

SECTION 3. 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 4. 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 5. 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 6. 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 17th day of January 2023.

APPROVED

CHRIS RILEY

MAYOR

Attest :

SAUNDRA PASSAILAIGUE, TRMC

City Secretary

Approved as to Form:

NICOLE WARREN

City Attorney

Consider Approval of an Ordinance
Executing a Contract Amendment
Approving an Additional Budget Adjustment
Seneca West Drainage Project

Melinda Moritz
Director of Public Works
City Council Meeting
December 20, 2022

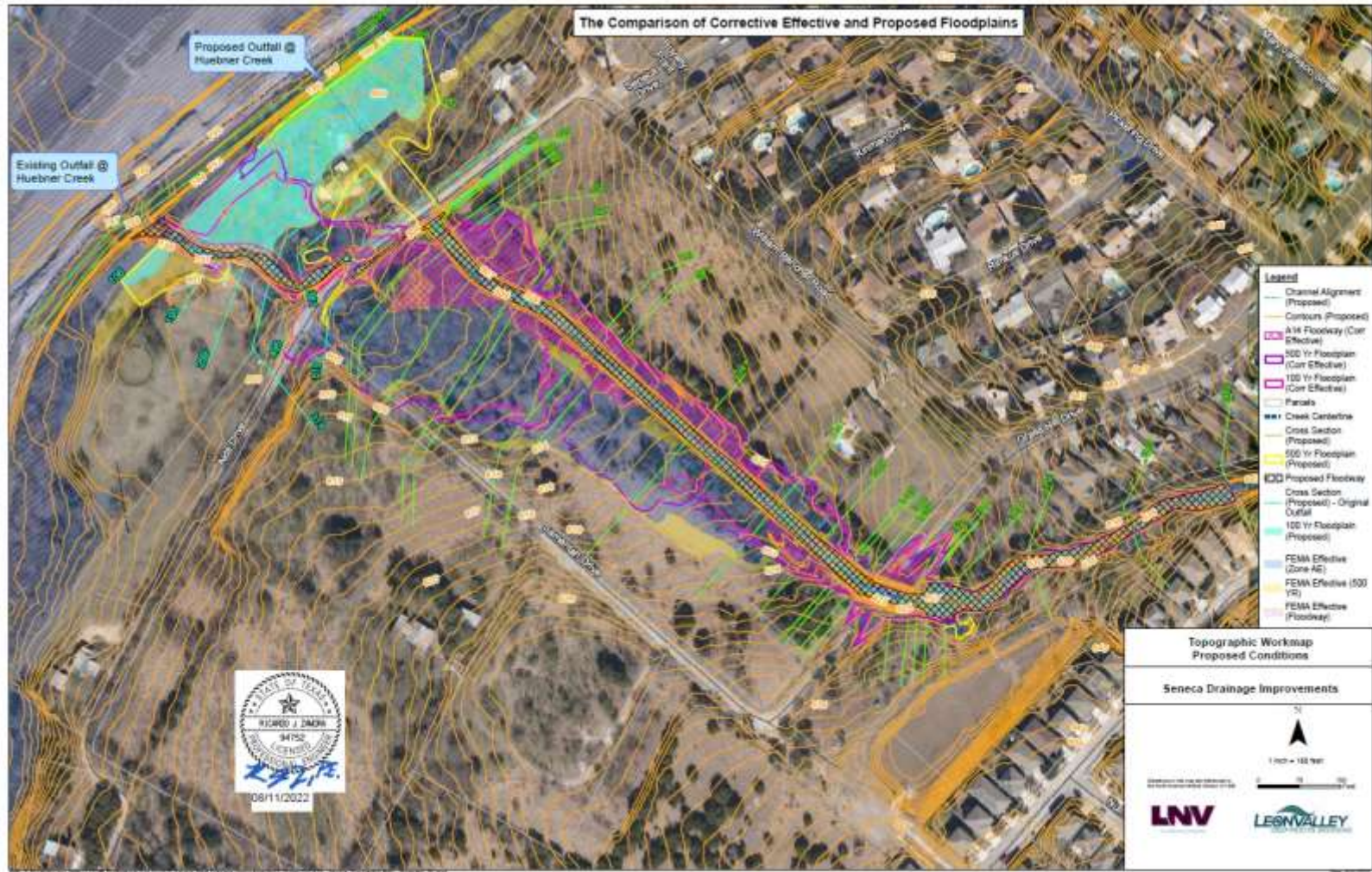
Summary

- Question
 - Should the City Council approve an Ordinance authorizing the City Manager to execute a contract amendment and accept an additional \$400,000 from Bexar County and approve a budget adjustment in the same amount for the construction of drainage improvements in the Seneca West neighborhood; and
- Options
 - Approve the Ordinance authorizing the City Manager to execute the contract amendment and the subsequent budget adjustment in the amount of \$400,000
 - Deny
 - Other
- Declaration
 - Recommend approval of the Ordinance

Purpose

- To consider approving an Ordinance authorizing the City Manager to execute a contract amendment and accept an additional \$400,000 from Bexar County for the Seneca West Drainage Project
- To approve a budget adjustment in the amount of \$400,000.00 for the same project

Seneca West Drainage Project



Background

- 2016 – City performed study of this creek (Drain 1) & receives OPC \$1,346,000 estimate for construction project to relieve flooding & reclaim land
- 2019 – County awarded City reimbursement grant for project \$1,346,000

Background

- 2019 – City Council approved a budget adjustment \$1,659,482 for engineering and construction
- Dec. 2022 - Bid awarded to J3 Construction, but over estimated costs
- Dec. 2022 – City requests additional funding from Bexar County and received contract amendment for \$400,000

Fiscal Impact

Item	Cost
Previously Budgeted	
Engineering	\$ 313,482.00
Construction	\$ 1,346,000.00
Total	\$ 1,659,482.00
Bid	
Construction	\$ 1,815,415.50
Contingency (20%)	\$ 363,083.00
Remaining engineering	\$ 122,550.00
Total	\$ 2,301,048.50
Previously budgeted remaining	\$ 1,468,550.00
Budget adjustment approved	\$ 832,498.50
Summary	
Total Cost	\$ 2,491,980.50
County portion	\$ 1,746,000.00
Net cost to city	\$ 745,980.50
Net cost City w/o contingency	\$ 382,897.50

Recommendation

- Recommend approving an Ordinance authorizing the City Manager to execute a contract amendment to accept an additional \$400,000 from Bexar County and approve a budget adjustment in the same amount for the Seneca West Drainage Project
- Funds will be deposited into the Stormwater Capital Projects line item

S.E.E. Statement

- Social Equity – Providing improvements to our existing floodways adds to the general quality of life for all citizens
- Economic Development – Improved infrastructure helps to increase property values which may encourage relocation
- Environmental Stewardship – Reducing flooding reduces erosion, which preserves wildlife and vegetation

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MERITAGE HOMES OF TEXAS, LLC FOR REAL PROPERTY CONSISTING OF APPROXIMATELY 21.35 ACRES IDENTIFIED AS 6503 SAMARITAN DRIVE, LEON VALLEY, TEXAS, 78238, (CB 4430 P-15: 2.137 ACRES, P-16: 6.391 ACRES & P-16A: 1.0 ACRE, ABS432), VARIOUS PARCELS LOCATED WILLIAM RANCHER, GRASS HILL, SAMARITAN, AND AIDS DRIVE BCAD PARCEL IDENTIFICATION NO.'S 217816, 217817, 217818, 217819, 217820, 217281, 217838, 217840, 217843

WHEREAS, Meritage Homes agrees to purchase city-owned Property for \$1,814,750.00; and

WHEREAS, The City of Leon Valley is agreeing to conditions of the sale to include completion of the drainage project, all property materials and actively engaging in negotiating a development agreement that outlines appropriate zoning; 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 Meritage Homes LLC, 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: October 3, 2022

TO: Mayor and Council

FROM: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation, Discussion, and Possible Action on an Ordinance Authorizing the City Manager to enter into an agreement between the City of Leon Valley and Meritage Homes of Texas, LLC For Real Property Consisting of Approximately 21.35 acres identified as 6503 Samaritan Drive, Leon Valley, Texas, 78238, (CB 4430 P-15: 2.137 acres, P-16: 6.391 acres & P-16A: 1.0 acre, ABS432), Various Parcels located William Rancher, Grass Hill, Samaritan, and Aids Drive BCAD Parcel Identification No.'s 217816, 217817, 217818, 217819, 217820, 217281, 217838, 217840, 217843 (1st Read as Required by City Charter)

PURPOSE

This ordinance is to consider authorizing the City Manager to enter into an agreement with Meritage Homes of Texas, LLC, for real property located at and around 6503 Samaritan Drive. The agreement outlines the cost of the property, the due diligence clause and approvals. As part of this agreement, the City agrees to complete the drainage project and enter into a development agreement with appropriate residential zoning.

FISCAL IMPACT

Meritage home agrees to pay the City \$1,814,750 for the property, placing \$100,000 deposit into an escrow account.

SEE LEON VALLEY

Social Equity – New home construction can provide an affordable alternative to those seeking to purchase a home in a community that provides a superior quality of life.

Economic Development – Increasing the number of residential units increases the city's population and those supporting the local economy.

Environmental Stewardship – Meritage homes prides itself in setting the standard for energy-efficient homes.

STRATEGIC GOALS

N/A

RECOMMENDATION

City Council Discretion.

ATTEST :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary



Purchase and Sales Agreement with Meritage Homes

First Read

Crystal Caldera, PhD
City Manager
City Council Meeting
December 20, 2022

Summary

- Question
 - Whether or not to enter into a Purchase and sales agreement and joint Escrow instructions with Meritage Homes LLC
- Options
 - Approve the request
 - Approve a variation of the request
 - Deny
- Declaration
 - The City Council's Discretion

Purpose

- Is to Consider an Ordinance Authorizing the City Manager to enter into an agreement with Meritage Homes of Texas, LLC For Real Property Consisting of Approximately 21.35 acres identified as 6503 Samaritan Drive, Leon Valley, Texas, 78238, (CB 4430 P-15: 2.137 acres, P-16: 6.391 acres & P-16A: 1.0 acre, ABS432), Various Parcels located William Rancher, Grass Hill, Samaritan, and Aids Drive BCAD Parcel Identification No.'s 217816, 217817, 217818, 217819, 217820, 217281, 217838, 217840, 217843

Fiscal Impact

- Meritage agrees to purchase the property for \$1,814,750

Recommendation

- City Council's Discretion

MAYOR AND COUNCIL COMMUNICATION

DATE: January 17, 2023

TO: Mayor and Council

FROM: Melinda Moritz, Public Works Director

THROUGH: Crystal Caldera, City Manager

SUBJECT: Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 13 Tree Preservation, Article 13.02 Tree Preservation Ordinance to Remove Some Definitions and Add a Definition, Direct the Park Commission to Assume the Duties of the Tree Advisory Board, Correct the Responsible Department References, and Give Variance Hearing Duties Directly to the City Council (1st Read as Required by City Charter)

SPONSOR(S): Mayor and City Council

PURPOSE

This item is to consider amending Article 13.02 Tree Preservation Ordinance to remove unnecessary definitions, move a definition from the body to the definitions section, direct the Park Commission to perform duties such as educating the public on trees, remove references to the Community Development Director, and assign variance requests directly to the City Council.

At the December 6, 2022 City Council meeting, the Council approved an Ordinance dissolving the Tree Advisory Board and reassigning those duties to the Park Commission. The Council also expressed a desire to remove the duty of hearing tree variance requests and assign this directly to the City Council. Because of these changes, the Tree Preservation Code also needs to be amended, as it directly refers to the Tree Advisory Board as being responsible for these items and not the Park Commission.

While reviewing the code, Staff noted several other miscellaneous revisions that, if made, would make the code faster and easier to read/interpret for both staff and the public. These include:

- Removing definitions that are not referenced in any part of this code
- Moving the definition of oak wilt disease from the Oak Wilt Prevention section to the Definitions section
- Changing the name of the responsible city department from Community Development to the Planning and Zoning Department
- Removing references to small sized trees in certain sections, as those had been previously removed from preservation requirements

- Removing application review from the City Manager, as this action can be undertaken by the City Manager at any time and does not need to be referenced in this code

SEE LEON VALLEY

Social Equity – Reducing the number of boards, commissions, and committees reduces the possibility of not having enough volunteers and assures all citizens that city business continues smoothly and efficiently.

Economic Development – The efficient management of city business assures the development community that their requests for variances will be heard and decided timely, which may result in more economic development.

Environmental Stewardship – Having a committee that supports the El Verde by 2025 tree planting challenge will assure the city's goal is met on time and continues to improve the environment.

FISCAL IMPACT

This will reduce staff time and preparations, from two meetings to one.

STRATEGIC GOALS

N/A.

RECOMMENDATION

Staff recommends approval of the amendments to this code.

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 13 TREE PRESERVATION, ARTICLE 13.02 TREE PRESERVATION ORDINANCE, TO REMOVE DEFINITIONS, MOVE A DEFINITION, DIRECT THE PARK COMMISSION TO PERFORM CERTAIN DUTIES, ASSIGN VARIANCE REQUESTS SOLELY TO THE CITY COUNCIL, AND REMOVE OTHER REFERENCES; PROVIDING AN EFFECTIVE DATE OF THE REVISION WITH PUBLICATION, AS REQUIRED BY LAW, PROVIDING A SAVINGS CLAUSE; AND PROVIDING A CONFLICTS PROVISION.

WHEREAS, at their December 6, 2022 City Council meeting, the City Council amended Chapter 1 General Provision, Article 1.06 Boards, Commissions, and Committees to dissolve the Tree Advisory Board and assign the duties of that Board to the Park Commission; and

WHEREAS, the City Council also desires to hear and make decisions on tree preservation ordinance variance requests without the additional step of obtaining a recommendation on such requests from any other board or commission; and

WHEREAS, Chapter 13 Tree Preservation must be amended in order to reflect the City Council's decision to dissolve the Tree Advisory Board and to place certain duties under the Park Commission and City Council;

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

SECTION 1. Chapter 13 Tree Preservation, Article 13.02 Tree Preservation Ordinance is hereby amended as stated in the attached Exhibit A.

SECTION 2. This ordinance shall become effective on and after its passage, approval and the meeting of all publication requirements as provided by law.

SECTION 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict. All provisions, sections and sub-sections set forth in Chapter 13 Tree Preservation not revised or amended herein shall remain in effect.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 7th day of February, 2023.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

NICOLE WARREN
City Attorney

Exhibit A**CHAPTER 13 TREE PRESERVATION ORDINANCE AMENDMENTS**

Note: Items shown in red with a strike out are removed from the Ordinance. Items marked in blue are added to the Ordinance.

ARTICLE 13.01 GENERAL PROVISIONS (Reserved)**ARTICLE 13.02 TREE PRESERVATION ORDINANCE****Division 1. Generally****Sec. 13.02.001 Title**

These regulations shall be known as article 13.02 of the city code and will be referred to herein as “this article.”

Sec. 13.02.002 Purpose and effect

It is the policy of the city to preserve existing trees and habitat to the greatest extent possible and add to the tree population of the city, while allowing reasonable development of land. The terms and provisions of this article are intended to accomplish the following public purposes:

- (1) Establish rules and regulations governing the protection and preservation of native and established trees within the city and achieve the maximum preservation of trees;
- (2) Preserve trees as an important public resource that enhances the quality of life, protects habitat and the general welfare of the city, its unique character, and its physical, historical, and aesthetic environment;
- (3) Protect healthy trees and provide for the replacement and/or replanting of trees that are necessarily removed during construction, development, or redevelopment;
- (4) Prevent the clear-cutting of land; and
- (5) Address oak wilt disease and its prevention.

Sec. 13.02.003 Scope

(a) The provisions of this article shall apply to the construction, alteration, moving, repair and use of any building or parcel of land within this jurisdiction.

(b) Where, in any specific case, different sections of this article specify different requirements, the more restrictive shall govern. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(c) The provisions of this article shall not apply to property belonging to the city; or to property used to provide public utilities; or work located primarily in or on a public way,

public utility towers and poles, or public utility easements, unless specifically mentioned in this article. ~~provided that in the erection of buildings or other structures, the city and utility companies shall attempt to conform in architectural design or otherwise as nearly as possible to the buildings permitted in the district in which they are being erected.~~

(d) If any portion of this article is held invalid for any reason, the remaining portions herein shall not be thereby affected.

Sec. 13.02.004 Compliance

Except as provided for in this article, no person, agency, corporation, company, or firm shall remove trees of any type or species from any land within the city limits without prior permission from the City. ~~no building shall be erected, reconstructed or structurally altered, nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located; no building shall be erected, reconstructed or structurally altered to exceed the height or bulk limit herein established for the district in which such building is located; no lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this article, nor shall the yard or open spaces provided about any building for the purpose of complying with the provisions of this article be considered as providing a yard or open spaces for any other building.~~

Sec. 13.02.005 Rules of construction

- (a) Words, phrases and terms defined in this article shall be given the defined meaning.
- (b) Words, phrases and terms not defined in this article but defined in the building code found in chapter 3 of the city code shall be construed as defined in the building code.
- (c) Words, phrases and terms defined neither in this article nor in the building code adopted in chapter 3 shall be given their usual and customary meanings except where the context clearly indicates a different meaning.
- (d) The text of this article shall control captions, titles and maps.
- (e) The word “shall” is mandatory and not permissive; the word “may” is permissive and not mandatory.
- (f) Words used in the singular include the plural, and words used in the plural include the singular.
- (g) Words used in the present tense include the future tense, and words used in the future tense include the present tense.

Sec. 13.02.006 Definitions

Arborist, certified. An individual who has a current and valid designation of “ISA Certified Arborist” by the International Society of Arboriculture.

~~Boundary street. A public street which is adjacent to and abutting one or more sides of the proposed site.~~

~~Buffer zone. An area zoned so as to separate conflicting uses by zoning such property with a use which is compatible with both. For example, an office district might reasonably separate a single family residential district from a commercial district. Dedicated park lands may shield a planned office development from nearby residential areas.~~

Buildable area. The area of a lot remaining after the minimum yard and open space requirements of this code and article 10.02 (subdivision ordinance) have been met. For recreational property or uses such as golf courses and baseball, soccer, football or similar athletic facilities, and public works projects such as water or wastewater treatment plants, pump stations, storage tanks, and public streets and drainage improvements, the buildable area of the property shall include that portion of the property necessary for the construction of such recreational and public works improvements, including sufficient adjacent area to allow the normal operation of construction equipment.

Building. Any structure used or intended for supporting or sheltering any use or occupancy. The word “building” includes the word “structure.”

Building code.

- (1) Article 3.02, division 2 of city code, which incorporates the International Building Code.
- (2) The International Building Code, promulgated by the International Code Council and adopted by the city.

~~Building, construction. A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.~~

~~Building, front of. That part of a building nearest the front property line.~~

~~Building height. The vertical distance above the average existing grade measured to the highest point of the building. The height of a stepped or terraced building is the maximum height of any segment of the building.~~

~~Building line, front. A line established under article 15.02 (zoning ordinance) or article 3.02, division 2 of the city code measured from the perimeter of that portion of a building nearest the front property line to the curblineline or edge of the sidewalk and parallel thereto, or, in the case of a corner lot, the side of such building if also parallel to a curblineline or edge of a sidewalk, but in any case such measurement shall exclude open steps, terraces, cornices and other ornamental features projecting from the wall of the building.~~

~~Building line, rear. A line established under article 15.02 (zoning ordinance) or article 3.02, division 2 of the city code measured from the perimeter of that portion of a building nearest the rear property line of such property. Such measurement shall exclude open steps, terraces, cornices and other ornamental features projecting from the wall of the building.~~

~~Building line, side. A line established under article 15.02 (zoning ordinance) or article 3.02, division 2 of the city code measured from the perimeter of that portion of a building nearest the side property line of such property. Such measurement shall exclude open steps, terraces, cornices and other ornamental features projecting from the wall of the building.~~

~~Building, main. A building in which the principal use of the site is conducted.~~

~~Building permit. Authorization required for erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion, or demolition of any building.~~

~~Building restrictions. Regulations or restrictions under article 15.02 (zoning ordinance) or article 3.02, division 2 of the city code upon the materials allowed in the construction of buildings and any provisions of federal or state law, or other city ordinances implementing the Federal Emergency Management Act or the duties of the city for floodplain regulation, applicable to the property.~~

~~Building specialty store. Any retail facility, the primary use of which is the sale or lease of specialized building materials, such as roofing, tile, or doors.~~

~~Building, temporary. A structure which is designed or intended to be used on a nonpermanent basis, authorized for a specific period of time through a specific use permit. Includes prefabricated structures and manufactured/mobile housing which are not used for living space.~~

Caliper. The diameter of a tree four feet (4') above the natural grade measured with a tree caliper instrument or a flexible tape. If a tape is used, the circumference of the tree is measured, and the result divided by 3.14 to determine diameter.

Caliper of multi-trunk trees. The caliper of the largest trunk at a point four feet (4') above the natural grade added to half of the sum of the calipers of the remaining trunks measured at the same height. If branching occurs less than four feet (4') above the natural grade, the diameter of the trunk may be measured below the branching for a single measurement.

Canopy. A roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy placed so as to extend outward from the building providing a protective shield for doors, windows and other openings.

Canopy tree. A self-supporting woody plant with one (1) well-defined trunk and a distinct and definite formed crown, which attains a height of at least twenty-five (25) feet.

Commercial. Relates to or relates to trade and traffic or commerce in general; occupied with business and commerce.

Curb. A stone or concrete or alternative edge asphalt boundary usually marking the edge of a roadway or paved area. Refer to article 10.02 (subdivision ordinance) for further details.

Curbline. A line differentiating between the street and the edge of real property, marking the edge of the roadway, and contiguous to the roadway, not intended for normal vehicular traffic. Such property may include a berm but may or may not be built up or raised.

~~Density. The number of dwelling units which are allowed on an area of land, or the number of persons allowed in a specific unit.~~

~~Depth of the lot. The linear measurement from the front property line to the rear property line of a lot.~~

Dripline. The area of ground surrounding the trunk of the tree considered essential to protecting the root structure of a tree. For the purposes of this article, the dripline shall be calculated at one foot (1') for every one-inch (1") of caliper width measured at four feet (4') above natural grade level, i.e., a twelve-inch (12") tree would require a dripline with a twelve-foot (12') radius (producing an area twenty-four feet (24') in diameter).

Driveway. A private road giving access from a public way to a building on abutting grounds.

Easement. That portion of a lot or lots reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement may be for use under, on, or above said lot or lots.

~~Encroachment, landscape. Any protrusion of a vehicle into a landscaped area from a parking space, display area or accessway.~~

Extended dripline. An imaginary line on the ground equal to one point three (1.3) times the distance from the tree trunk to the dripline. In no case shall the dripline be less than fifteen (15) feet from the trunk of the tree.

~~Fence. A hedge, structure, or partition, erected for the purpose of enclosing a piece of land, or to divide a piece of land into distinct portions, or to separate two (2) contiguous properties. An enclosure around a field or other space, or around any object, especially an enclosing structure of wood, iron or other materials, intended to prevent intrusion from without or straying from within. See article 3.05 of the city code for other specific regulations.~~

~~Frontage. The width of a lot or parcel abutting a public right-of-way measured at the front property line.~~

Grade. The average elevation of the land around a building, or the percent rise or descent of a sloping surface.

Grade, finished. The final elevation of the average ground level adjoining a building at all exterior walls after development.

Grade, level. Roads, buildings, or structures built on the ground.

Grade, natural. The elevation of the ground level in its natural state, before construction, filling or excavation.

~~Gross floor area (GFA). The gross floor area of a building or lease space. The sum of the horizontal areas of floors of a building measured from the exterior face of exterior walls or, if appropriate, from the centerline of dividing walls; this includes courts and decks or porches when covered by a roof.~~

~~Gross leasable area (GLA). The gross leasable area is the total floor area designed for both tenant occupancy and exclusive use, including both owned and leased areas.~~

Ground cover. Plants, other than turf grass, normally reaching an average maximum height of not more than twenty-four (24") inches at maturity. Horticulture. The science of growing fruits, vegetables, flowers, or ornamental plants.

Landscaped area. Areas of a lot, land parcel or building site devoted to and consisting of plant material, including but not limited to turf grasses, grasses-bunch, trees, shrub forms, flowers, vines and other ground cover, native plant materials, planters, brick pavers, stone, natural forms, water forms, public art forms, stone aggregate and other landscape features, but excluding smooth concrete, asphalt or paving for vehicular traffic; provided that the use of brick, stone aggregate or other inorganic materials shall not be greater in total area than that of organic plant material.

Landscaping. The modification or ornamentation of a natural landscape by altering the plant cover. Landscaping shall consist of any of the following, or combination thereof: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees, or palms; and nonliving durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls, or fences - but excluding paving.

Lot. Any portion, piece, division or parcel of land, fractional part or subdivision of block, according to a plat or survey. A single parcel of land. A measured parcel of land having fixed boundaries. The word "lot" includes the word "plot."

~~Lot, corner. A lot abutting on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees.~~

~~Lot frontage. The length of the front lot line, measured at the street right-of-way line, from one corner of the property to the other.~~

~~Lot, interior. A lot other than a corner lot.~~

~~Lot, irregular. A lot whose opposing property lines are generally not parallel, such as a pie-shaped lot on a cul-desac, or where the side property lines are not parallel to each other.~~

~~Lot of record. A lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk of Bexar County, or a parcel of land, the deed for which was recorded in the office of the county clerk of Bexar County prior to the original adoption of article 15.02 (zoning ordinance) on September 21, 1965.~~

~~Lot width. The distance between the side lot lines, measured at right angles to the lot depth at the minimum front building (setback) line.~~

Maintenance. To preserve from failure or decline.

Native plant. A plant species with a geographic distribution indigenous to the Bexar County region which is capable of sustaining growth and reproduction under local climatic conditions.

Naturalized plant. A plant species introduced to the region which is capable of sustaining growth and reproduction under local climatic conditions.

Oak wilt disease. A tree disease caused by the fungus *Ceratocystis fagacearum*. The fungus infects the vascular system of a tree. The vascular system contains vessels which transport moisture throughout the tree. The vessels of an infected tree effectively become blocked by the infection of the fungus and cannot transport adequate moisture to sustain a healthy or living tree and the end result is often the death of the tree.

Open space. A land area that is not occupied by a building, structure, parking area, street, alley or required yard.

Park. A public or private area of land, with or without buildings, intended for outdoor active or passive recreational uses.

~~Park and ride facilities. Parking lots or structures located along public transit routes designed to encourage transfer from private automobile to mass transit or to encourage carpooling for purposes of commuting, or for access to recreation areas.~~

Planter. A raised area containing plant material defined by a hard edge such as walls, large pots and other similar physical containment design.

Plat/plot. A plat of a lot, drawn to scale, showing the actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and other such information.

~~Primary use. The primary or predominant use of any lot or parcel.~~

Public trees. Any trees, shrubs, bushes and all woody vegetation on city-owned property and rights-of-way, city parks, and in all areas owned by the city to which the public has access.

Public way. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

~~Quorum. The number of member(s) or alternate(s) of a body that, when duly assembled, is legally competent to transact business.~~

Screening. A method of visually shielding or obscuring one abutting or nearby structure or use from another by a barrier or device constructed of metal, wood, brick, stone, block, or other suitable materials, singly or in combination. See also article 3.05 of the city code.

Setback. See “Building line.”

Site plan. A plan which outlines the use and development of any tract of land.

Street. Any street, avenue, boulevard, road, parkway, viaduct, drive, or other roadway in a city, town, or village, generally paved, and lined or intended to be lined by structures on each side. It includes all urban ways which can be and are generally used for travel, but does not normally include service entrances or driveways leading off from the street onto adjoining premises.

~~Street presumption. The condition of a street (classification and carrying capacity) as it will exist after final improvement as proposed by the city’s major thoroughfare plan or the capacity indicated by the right-of-way acquired by the city on any boundary street.~~

Street, private. A right-of-way or easement in private ownership not dedicated or maintained as a public street, which affords the principal means of access to two (2) or more sites.

~~Street yard area. The area of a lot which lies between the property line at a dedicated street right-of-way and the actual front wall line of the building, or, if no building, to the rear property line. Such building wall lines extend from the outward corners of the buildings as illustrated in appendix B of the zoning regulations (article 15.02).~~

Structure. Any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner. That which is built or constructed; an edifice or building of any kind.

~~Study area boundary. The limits of the area in which analysis is conducted or for which information is provided. This area is determined by the property owner or its representative based on the size of the development and the peak hour trips projected to be generated by the proposed development. In the case of a Level 1 or 2 traffic impact analysis, this area may include the site, and the area within a distance no greater than 1/4 mile along the boundary streets from the boundary of the site. In the case of a Level 3 traffic impact analysis, this area will be determined by the property owner based on sound engineering judgment and agreed to by the city, but in all cases shall be less than the area contained in a one-mile radius from the site. In those instances where the property owner has neither submitted preliminary plans nor applied for an initial~~

~~development permit prior to the effective date of this ordinance, the determination of the area to be studied by the property owner must be approved by the city engineer for all levels of traffic impact analyses; and before granting approval of a Level 2 traffic impact analysis, the city engineer may require the area of the study to exceed the maximum area prescribed above by 1/4 mile.~~

Subdivision. The division of a tract, lot or parcel of land into two (2) or more lots, plats, sites or other divisions of land. Tree, heritage. Any tree that has been designated by the city council, after public hearing and due notice to the owner of the tree, as a tree of notable interest and value to the city because of its location, size, age, or historical association with the community or having a diameter of twenty-four inches (24") or greater.

Tree, large. Trees of any species that are twelve inches (12") or larger in diameter.

Tree, living. Trees having at least fifty percent (50%) of the total normal canopy intact and in a healthy condition.

Tree, medium. Trees that are eight inches (8") in diameter or larger, up to twelve inches (12"). Tree, multi-trunk. A tree having two (2) or more trunks arising from the root collar or main trunk.

Tree, small. Trees that are four to seven inches (4" to 7") in diameter, sometimes providing an underlying layer of tree canopy for medium to large and heritage trees.

Trees, shrub forms, vines, ground covers, turf grasses and grasses-bunch. Shall be defined as any of the above, ~~and such as~~ those listed within article 15.02 (zoning ordinance). ~~Tree is additionally defined. In order to qualify under the provisions of this code as a tree, said tree, when planted, must be at least two (2) inches in diameter at a height no less than twelve (12) inches above the ground.~~ The tree diameter must be determined from a single trunk.

~~Turf. Continuous plant coverage consisting of grass species such as bermuda, buffalo, zoysia or any other native species of grass, designed to be drought tolerant to the South Texas area.~~

Understory tree. A self-supporting wood plant with one (1) or more trunks which attains a height of no taller than fifteen (15) feet.

Unnecessary hardship. Special circumstances applicable to a piece of property, whereby a property owner may be deprived of privileges commonly enjoyed by other properties in the same vicinity and zone, and which may result in a disparity of privileges. Also known as "undue hardship."

~~Use. The activity occurring on a lot or parcel for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied, including all accessory uses.~~

Variance. An authorization to a property owner to depart from literal requirements of code regulations in utilization of his property in cases in which strict enforcement of the code regulations would cause undue hardship because of special circumstances applicable to it, where the property owner is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone, and which adjustment remedies disparity in privileges.

Xeriscape. A landscaping method that employs drought-resistant plants and landscaping arrangements in an effort to conserve resources, especially water. Yard. An open, unoccupied space on a lot, other than a court, which is unobstructed from the ground upward by buildings or structures except as otherwise provided in article 15.02 (zoning ordinance).

~~Yard, front. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto.~~

~~Yard, rear. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto.~~

~~Yard, side. An open, unoccupied space on the same lot with the building and between the building line and the side lot line.~~

Sec. 13.02.007 Penalty

Each violation of this article shall be punishable by a fine in accordance with section 1.01.009 of this code, unless some other fine is specifically prescribed for a particular violation. Each day any violation occurs or continues to occur shall be considered a separate offense.

Sec. 13.02.008 Oak wilt prevention

(a) Purpose and scope. The purpose of the oak wilt prevention regulations is to identify measures that city staff, hired contractors, and their subcontractors and property owners who remove or trim trees shall take to prevent the spread of oak wilt.

~~(b) Definition.~~

~~Oak wilt disease. A tree disease caused by the fungus *Ceratocystis fagacearum*. The fungus infects the vascular system of a tree. The vascular system contains vessels which transport moisture throughout the tree. The vessels of an infected tree effectively become blocked by the infection of the fungus and cannot transport adequate moisture to sustain a healthy or living tree and the end result is often the death of the tree.~~

~~(c) Prevention policy.~~

(1) Anyone causing a wound to an oak tree, whether from ground maintenance equipment, trimming, cutting or pruning at any time of the year, shall paint the wounded tree with permanent sealant or nonphytotoxic tree wound dressing within thirty (30) minutes to prevent contact with contaminated nitidulid beetles. Any

wound to an oak tree caused by weather conditions, such as a windstorm, is also to be painted with permanent sealant or nonphytotoxic tree wound dressing as soon as possible after a weather incident.

(2) Any person who discovers or suspects the presence of oak wilt should report the infected oak tree to the community development department to be examined by a member of the state forest service for proper diagnosis and subsequent care.

(3) Whenever possible, persons should avoid trimming or pruning live oaks and red oaks (Spanish, Shumard, Texas Red and Blackjack oaks) from March 1 to June 1.

(4) An annual permit with proof of liability insurance and two (2) hours of professional training is required for commercial contractors providing tree cutting or pruning services. See the tree preservation requirements of this article for additional permit requirements, tree removal guidelines and any applicable exemptions.

(d) Disposal of oak trees.

(1) Red oaks.

(A) Removal or disposal of red oaks with oak wilt disease must be taken more seriously because they can form highly contagious fungal mats. Their quick and proper disposal is important and necessary to prevent other oaks from being exposed or infected.

(B) If a red oak tree is diagnosed with oak wilt, the diseased red oak tree shall be promptly removed and disposed as recommended by the state forest service.

(2) Other oaks. Other oaks do not require special disposal (i.e., live oaks and white oaks).

(e) Education and management program

(1) The ~~tree advisory board (TAB)~~ Park Commission is directed to implement, as resources permit, measures aimed at education and prevention of oak wilt.

(2) The ~~tree advisory board~~ Park Commission shall use the “Eight Step Program to Oak Wilt Management” by the state forest service to promote oak wilt prevention.

(3) The code enforcement officer shall be responsible for enforcement of this article and for checking all tree trimming and/or cutting performed in the city.

Secs. 13.02.009–13.02.040 Reserved

Division 2. Administration and Enforcement

Sec. 13.02.041 Enforcement

The ~~community development~~ Planning and Zoning Director is hereby charged with the responsibility for the enforcement of this article and may serve notice to any person in violation thereof or institute legal proceedings as may be required, and the city attorney is hereby authorized to institute appropriate proceedings to that end.

Sec. 13.02.042 Tree mitigation/replacement fund

(a) Generally. The city manager will maintain a dedicated account to be entitled “tree mitigation and replacement fund” (hereinafter the “fund”). Civil penalties collected pursuant to these regulations and all funds received from the payment of mitigation fees shall be recorded in the fund created pursuant to this section, unless expressly prohibited by law. ~~Likewise, all funds received from the payment of mitigation fees pursuant to these regulations shall be recorded in the fund.~~

(b) Use of funds. The funds collected from civil penalties and mitigation fees in the fund shall be utilized solely to pay for the planting and maintenance of trees, the funding of tree preservation and planting programs within the city and/or to support supplemental landscape plantings in public areas of the city and/or acquiring wooded property that shall remain in a naturalistic state in perpetuity, to be administered by the public works director, who shall report annually to the city council with respect to the balance of the fund and the expenditures that have been made from the fund.

(c) Funds to be kept separate. The balance of this fund shall not be transferred to the general fund at the end of each budget year, but rather, the balance remaining in the fund at the close of the city’s fiscal year shall roll over and become the beginning balance for the next fiscal year. The balance within the fund shall be recorded and accounted for in a manner that distinguishes it from other general funds of the city and shall be disbursed in a manner that is consistent with the purposes for which this fund has been established.

Sec. 13.02.043 Variances

Variances to the terms of this article may be granted after approval by the ~~consideration and recommendation by the tree advisory board to the~~ city council ~~for final determination~~ where a literal enforcement of the provisions of this article will result in unnecessary hardship. A variance request must be submitted to the Planning and Zoning Department ~~community development director~~ in writing setting out the basis for the request along with the payment as set forth in the fee schedule in appendix A of this code as amended or revised by ordinance from time to time. No variance can be granted unless:

- (1) Such variance will not be contrary to public interest;
- (2) Such variance will be in harmony with the spirit and purposes of this article;
- (3) The variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial; and
- (4) The variance will not substantially weaken the general purposes of this article.

Sec. 13.02.044 Liability

Nothing in this article shall be deemed to impose any liability for damages or a duty of care and maintenance upon the city or upon any of its officers or employees. The person in possession of public property or the owner of any private property shall have a duty to keep the trees upon the property and under their control in a safe, healthy condition. Any person who feels a tree located on property possessed, owned, or controlled by them is a danger to the safety of themselves, others or structural improvements on-site or off-site shall have an obligation to secure the area around the tree or support the tree, as appropriate to safeguard both persons and improvements from harm.

Sec. 13.02.045 Informational assistance

(a) In furtherance of the purposes and provisions hereof, the city may develop, distribute to persons making application for permits, and make available to the general public an informational pamphlet identifying appropriately the spirit and purposes of this article, and useful facts, guidelines and how-to information relative to the preservation, protection and replanting of trees, ~~on the city website.~~

(b) The city may also develop, maintain and make available to applicants for permits and to the general public a tree species reference book to provide more detailed information concerning tree care in general and the characteristics, soil and growth requirements and other traits of specific tree species identified in appendix A of article 15.02.

~~(c) — A current edition of the American Standard for Nursery Stock as published by the American Nursery and Landscape Association, as applicable to the tree species in appendix A of article 15.02, shall be maintained by the city and made available to applicants for building permits, tree removal permits or tree replanting permits and to the general public, as only those trees meeting and planted or replanted compliance with the American Nursery and Landscape Association, “American Standard for Nursery Stock” and ANSI Z60.1-2004 and ANSI A300 “Tree Care Standards” guidelines shall satisfy the tree planting, replanting and/or replacement standards and requirements contained herein.~~

Secs. 13.02.046–13.02.070 Reserved**Division 3. Requirements and Restrictions****Sec. 13.02.071 Permit required for removing or replanting trees**

(a) The removal or replanting of any trees shall require the issuance of an approved tree removal or planting permit, with the exception of the following:

(1) In the event that any tree is determined by the city to be in a hazardous or dangerous condition so as to endanger the public health, welfare or safety, and requires immediate removal without delay, written authorization for removal may

be given by the zoning administrator, and such tree may then be removed without obtaining a written permit as herein required.

(2) With the recommendation of a certified arborist, a tree determined by the city to be diseased, dying or dead may be removed.

(3) During the period of an emergency, such as a tornado, storm, flood or other act of God, the requirements of this section may be waived as may be deemed necessary by the city council.

(4) All licensed plant or tree nurseries shall be exempt from the terms and provisions of this section only in relation to those trees planted and growing on the premises of said licensee, that are so planted and growing for the sale or intended sale to the general public in the ordinary course of said licensed business.

(5) Utility companies franchised or otherwise authorized to provide utility service may remove trees that endanger public safety and welfare by interfering with utility service provided that the applicant demonstrates to the zoning administrator and public works director that the removal is the minimum necessary for the utilities to function properly and no other alternative is available.

(6) The partial mowing, clearing and grubbing of brush located within or under the driplines of trees shall be allowed, provided such mowing, clearing or grubbing is accomplished by hand or by mowers. The use of bulldozers, loaders or other construction or earth-moving equipment for this purpose shall not be allowed.

(7) The zoning administrator may exempt certain easements and rights-of-way included on an approved plat, provided that the applicant, or city engineer in the case of a city project, demonstrates that the removal is necessary for the rights-of-way and easements to function properly, and no other alternative is available.

(8) Platted lots occupied by an occupied single-family residence designated as a homestead and located in an area zoned residential are exempted from these requirements except for provisions pertaining to the protection of heritage trees. However, builders, contractors and owners are subject to all requirements established herein for all new construction prior to any person moving into and living on the homestead.

(9) The regulations in this section shall not apply to the clearing of understory necessary to perform boundary surveying of real property or to conduct tree surveys or inventories. Clearing for surveying may not exceed a width of two (2) feet for general survey (i.e., of easement boundary, etc.) and eight (8) feet for survey of property boundary lines. Except for surveys done in connection with residential development, no tree ten (10) inches or larger may be removed in any manner during such boundary or general surveying.

(b) Trees to be removed, replanted or planted in a right-of-way and/or easement shall require prior approval from the city, state or utility agency having authority of or in said right-of-way or easement.

(c) Permit fees shall be as set forth in the fee schedule in appendix A of this code as amended or revised by ordinance from time to time.

Sec. 13.02.072 Application for permit; procedure

(a) Application requirements. The permit application for tree removal or planting shall state or depict the following information:

(1) Location of all existing or proposed structures, improvements such as streets, alleyways, etc., and site uses, properly dimensioned and referenced to property lines, setbacks and yard requirements.

(2) Date, scale, north point, and the names, addresses and telephone numbers of both the property owner and the person preparing the plan.

(3) Location of existing and proposed utility easements and drainage easements on the lot.

(4) Location and dimensions of visibility triangles on the lot.

(5) Point of contact information/responsible party information, to include address, telephone number and any state registration or license numbers in the event of a violation (i.e., P.E., RPLS).

(6) A survey identifying the building footprint, buildable area, existing topographical information, easements, rights-of-way, setbacks, property lines and all trees over four inches (4") in diameter shall be submitted. Trees to remain shall be designated by a circle. Trees to be removed shall be designated by an "X". Each tree shall be numbered referencing a legend specifying the caliper or diameter, common name, and whether it is small, medium, large or "heritage." Driplines shall be indicated for trees to remain. The number of small trees shall be provided at the end of the legend by species. Tree information required above shall be summarized in legend form on the plan and shall include the reason for any removals.

(7) Tree relocation plan. The plan shall exhibit the current location of all **small**, medium, large and heritage trees proposed for replanting and indicate the proposed replanting location for each. The plan shall include the proposed building footprint, driveways, parking lots, topographical information, easements, rights-of-way, setbacks, and property lines.

(8) Tree replacement plan. The plan shall exhibit the location of proposed replacement trees and remaining **small**, medium, large and heritage trees. It shall include a legend indicating the common name, caliper or diameter size and height of proposed replacement trees. Replacement trees shall be designated by a

square. Remaining ~~small~~, medium, large and heritage trees shall be designated by a circle. Species to be removed and/or remain shall be designated with the same symbols. The plan shall include the proposed building footprint, driveways, parking lots, topographical information, easements, rights-of-way, setbacks, and property lines.

(b) Application review. Upon receipt of proper application, the ~~community development~~ director shall review for compliance with the provisions of this article. Said review will include a field inspection of the site by the zoning administrator prior to the issuance of a permit. The application may be referred to the city engineer ~~and/or city manager as deemed appropriate~~ for review and recommendations.

(1) An application for a tree planting or removal permit will not be accepted until the following is submitted, with the application, to the zoning administrator:

(A) Application fee; and

(B) An amount sufficient to recover all of the city's costs for the services of a contract professional that are directly incurred by the city for review of the application.

(2) The original tree survey for a tract that is provided with the original application for a tree removal permit shall be the reference by which all subsequent tree removal permits for the tract or portions of the tract shall be considered. An applicant may not circumvent the minimum preservation requirements set forth in this article for the tract through the filing of multiple tree removal applications.

Sec. 13.02.073 Tree pruning; roots damaging sidewalk or curb

- (a) No tree shall be pruned in such a manner that would reasonably lead to the death of the tree.
- (b) The city may approve pruning of a large or heritage tree in cases where it must be strategically pruned to allow construction or demolition of a structure. All pruning of trees by franchise utility companies to insure the safe operation of utility services shall be allowed. When allowed, all pruning shall be by approved arboricultural techniques. This section is not intended to require a permit for reasonable pruning performed by the owner of the tree when unrelated to construction activity.
- (c) The city shall have the right to prune trees overhanging (a street or right-of-way) which interfere with visibility of any traffic-control device or sign or as necessary to preserve the public safety.

(d) It shall be unlawful as a normal practice for any person, firm or city department to severely cut back limbs to stubs larger than three inches (3") in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other acts of God, or certain trees under obstructions where other pruning practices are impractical, may be exempted from this article at the determination of the ~~community-development~~ **Planning and Zoning** director.

(e) All broken branches and exposed roots one-half inch (1/2") in diameter or greater of small, medium, large, heritage and relocated and replacement trees shall be cut cleanly. In the case of oak species, in order to prevent infection by oak wilt spores, wounds must be painted with an acceptable wound dressing within thirty (30) minutes of any cutting.

(f) When roots of a tree planted within the planting area damage city curbs, gutters and sidewalks (including driveway ramps), the city shall be responsible for appropriate corrective measures which are least damaging to the tree.

(g) Where sidewalk or curb damage due to tree roots occurs, every effort shall be made to correct the problem without removing or damaging the tree. The public works director shall be responsible for developing or approving corrective measures in consultation with the ~~city-engineer~~ **an arborist**. ~~Corrective actions taken shall be reported to the community-development-director.~~

(h) The city and/or its designee(s) shall have the responsibility to plant, prune, maintain and remove trees, plants and shrubs within the public right-of-way of all streets, alleys, avenues, lanes, squares, parks, and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds. This shall include the removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer lines, or any tree that is affected by fungus, insect, or other pest disease.

(i) Every owner of any tree or shrub overhanging any street or right-of-way within the city shall, in accordance with the tree pruning restrictions, will be responsible for the pruning of branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection, will not obstruct the passage of pedestrians on sidewalks, will not obstruct vision of traffic signs, and will not obstruct the view of any street or alley intersection. If the property owner fails to do so, the city and/or its designee(s) shall have the right to remove or prune any tree or shrub on private property which threatens the safety of those who may use a city street or city park.

Sec. 13.02.074 Preservation requirements

The minimum tree preservation requirements below establish the minimum diameter inches of ~~small~~, medium, large and heritage trees that must be preserved or mitigated.

For single-family dwellings, developers and builders may elect to preserve trees at the platting or permitting stage; if a developer or builder elects to preserve at the platting stage, this method must be used throughout completion of the project. Exceptions, where authorized, may be granted and variances to the city's development regulations may be recommended to maximize the preservation of existing trees.

(1) Medium trees: For each tree removed, one tree of six (6) or more inches in diameter must be planted within each platted lot, excluding right-of-way and easements.

(2) Large trees: For each tree removed, one tree of eight (8) or more inches in diameter must be planted within each platted lot, excluding right-of-way and easements.

(3) Heritage trees: None can be removed.

(4) 100-year floodplain(s): 50% of ~~small~~, medium and large trees and 100% of all heritage trees within the floodplain must be preserved, which shall not apply toward preservation requirements on the remainder of the lot.

(5) Mitigation maximum: Up to 25% of all required trees may be mitigated rather than preserved, unless insufficient land area exists to plant the required total caliper width of replacement trees as defined in this section, then the "cash in lieu" amount described above may be increased up to 50% of the required tree replacement amount. A certified arborist shall make a written determination of the maximum total caliper width of replacement trees that may be planted on the site.

Sec. 13.02.075 Removal, replacement, or relocation of ~~small~~, medium and large trees

(a) Residential properties are exempted from these requirements except for provisions pertaining to the protection of heritage trees and subsections (c) and (d) of this section. However, builders, contractors and owners are subject to all requirements established herein for all new construction prior to any person moving into and living on the homestead.

(b) No person, directly or indirectly, shall cut down, destroy, remove or effectively destroy through damaging any ~~small~~, medium or large tree on any real property within the city without first obtaining a permit, except as permitted herein.

(c) Under no circumstances shall the clear-cutting of ~~small~~, medium or large trees on any real property within the city be allowed prior to the issuance of a tree removal permit for said tree(s). Clearcutting is herein defined as the indiscriminate cutting or removal of more than 25 percent of all living trees on the subject property. The definition does not include dead trees or oak trees with severe oak wilt disease or other readily discernable diseased trees. Notwithstanding the foregoing percentages, property owners may remove up to two trees which are not heritage trees on the subject property without a permit as long as the subject property remains in compliance with the two-tree minimum.

(d) No more than 20% of ~~small~~, medium or large trees may be removed in the 100-year floodplain as defined by FEMA.

(e) Site plans should accommodate medium and large trees ~~six~~-eight inches (~~6~~8") in diameter or greater by providing islands in parking lots; grading and landscaping to allow preservation of more such trees; and reasonable revision of the location of planned structures, driveways and parking lots so as to preserve as many trees of this size as possible.

Sec. 13.02.076 Replacement trees required

(a) It shall be the responsibility of any person obtaining a tree removal permit for a tree to provide replacement tree(s).

(b) Such replacement trees shall:

(1) Have a minimum diameter of three inches (3");

(2) Have a minimum height of at least four feet (4') when planted;

(3) When mature shall have a crown of at least fifteen feet (15') in diameter or substituted by a grouping of smaller species so as to create at maturity a crown of at least fifteen feet (15'); and

(4) Be planted in locations shown on the approved tree replacement plan.

(c) No more than thirty-five percent (35%) of replacement trees may be of the same species.

(d) A replacement tree that dies within two (2) years of the date it was planted must be replaced by another tree in compliance with this article. A new two-year warranty period starts for a tree used to replace a dead replacement tree.

(e) Replacement trees shall be dispersed throughout the site, particularly in parking lots.

(f) Small trees that meet the specifications of replacement trees may and are encouraged to be used in lieu of new plantings.

(g) Only those tree species found in appendix A of article 15.02 shall satisfy the tree planting and replacement standards and requirements of this section.

Sec. 13.02.077 Mitigation in lieu of replacement

(a) Money may be paid to the city instead of providing the replacement trees required by this article.

(b) This provision is limited to 25% of the required tree replacement, unless insufficient land area exists to plant the required total caliper width of replacement trees as defined in this section, then the "cash in lieu" amount described above may be increased up to 50% of the required tree replacement amount. A certified

arborist shall make a written determination of the maximum total caliper width of replacement trees that may be planted on the site.

- (c) Any such payments shall be deposited to the tree mitigation and replacement fund.
- (d) The per-diameter-inch cash value for replacement trees and plantings is \$100.00 per caliper inch tree. The city shall maintain a record of the current cash value of replacement trees and plantings.

Sec. 13.02.078 Penalties for unauthorized removal of medium, large, and heritage trees

If any medium, large, or heritage trees are removed from any real property, or injured due to failure to follow required tree protection measures such that the tree(s) die or may be reasonably expected to die, the city shall have authority to enact any or all of the following administrative and civil penalties on the developer and/or owner of the property:

- (1) A monetary penalty of one hundred dollars (\$100.00) per diameter inch of tree removed, payable to the city. Funds paid to the city as tree removal penalties shall be deposited in the tree mitigation and replacement fund.
- (2) Requirement to replace trees. Replacement trees shall have a minimum of at least a diameter width of three inches (3") and a minimum height of five feet (5'). All other replacement requirements for medium and large trees shall apply.
- (3) If the precise diameter of a tree cannot be determined, the cost of replacement shall be established by a certified arborist based on the arborist's estimate of the caliper of the removed or damaged tree.

Sec. 13.02.079 Replanting of protected trees

- (a) No person, directly or indirectly, shall replant, relocate, transfer or move from one location to another any tree on any real property within the city without first obtaining a permit, except as otherwise provided herein.
- (b) Only trees that meet and are replanted in compliance with appendix A of article 15.02, and the American National Standards Institute A300 guidelines, shall satisfy the tree replanting requirements contained herein.
- (c) Any person replanting, relocating, transferring or moving from one location to another any trees on any real property within the city, without first obtaining a permit, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in this article.

Sec. 13.02.080 Heritage tree removal prohibited; penalties

- (a) Prohibition. No person, directly or indirectly, shall cut down, destroy, remove or effectively destroy through damaging a heritage tree on any real property within the city.

(b) **Penalties.** If any heritage trees are removed from any real property, or if a heritage tree is injured because of failure to follow required tree protection measures such that the tree dies or may reasonably be expected to die, the city shall have the authority to enact the following administrative and civil penalties on the developer and/or owner of the property:

- (1) A monetary penalty of one hundred dollars (\$100.00) per caliper inch of heritage tree(s) removed, payable to the city. Funds paid to the city as tree removal penalties shall be deposited in the tree mitigation and replacement fund; and/or
- (2) Replacement with tree(s) having a total tree caliper equal to that of the removed tree(s). Such replacement trees shall have a minimum diameter of three inches (3") and a minimum height of at least five feet (5'). All other replacement requirements for trees shall apply.

Sec. 13.02.081 Tree protection measures

The following tree protection measures shall be required:

- (1) Prior to construction or land development, the developer shall establish and maintain a root protection zone and install four-foot-high (4') plastic (or equivalent) safety fencing outside the dripline of existing and replacement trees for the duration of the construction and development. Warranty for the survival of the trees may not be accepted in lieu of a root zone that is less than the area within the dripline. Trees may not be pruned to reduce the root zone.
- (2) During construction, the developer shall prohibit the cleaning of equipment or materials and/or the disposal of any waste material, including, but not limited to, paint, oil, solvents, asphalt, concrete, mortar, etc., under the canopy or dripline of any existing or replacement tree or group thereof.
- (3) No attachments or wires of any kind, other than those of a protective nature, shall be attached to any tree.
- (4) With major grade changes of six inches (6") or greater, a retaining wall or tree well of rock, brick, landscape timbers or other approved materials shall be constructed around the tree no closer than the dripline of the tree. The top of the retaining wall or tree well shall be constructed at the new grade. The area contained within the first one thousand five hundred feet (1500') of the root zone must be left in a pervious condition after construction and development is completed.
- (5) Unless otherwise approved by the city, no construction or construction-related activity shall occur under the dripline of any existing or replacement tree or group thereof. Furthermore, if a foundation, street or alley pavement, utility line, on-site sewerage facility, pool, tennis court, patio, sidewalk, drive or parking lot must be constructed within the dripline of said trees, it shall be constructed no closer than five feet (5') from the trunk of such trees; and, provided further, the portion of any driveway or parking lot constructed

within the dripline of any existing or replacement tree or group thereof shall be constructed of pervious materials, such as pervious pavestone or ecocrete, approved by both the ~~community development~~ Planning and Zoning director and city engineer.

(6) Any trees removed during land development, construction, or construction-related activities are encouraged to be chipped or hauled off-site.

(7) No person shall remove, destroy, damage, or cause the removal or destruction of a tree on city property or in any city park without first having obtained written permission for such removal or destruction from the ~~community development~~ Public Works department. City work crews are excepted from the requirement of obtaining written permission.

Sec. 13.02.082 Approved tree lists

Appendix A, of article 15.02 “Landscape Plantings,” will be periodically updated. The list shall be maintained and **may be** distributed to the public as guides for the identification and selection of tree species that meet the various standards and requirements of this article. Trees included on these tree species lists are selected on the basis of one or more of the following criteria or factors: hardiness, resistance to disease, suitability relative to local climate and soil conditions, adaptability for transplantation, longevity, adaptability to various landscape conditions, resistance to drought, aesthetic qualities, shade provision, windbreak provision, screening qualities, improvement of the city tree canopy, and/or contribution to the diversity of the city forest.

Amending Leon Valley Code of Ordinances Chapter 13 Tree Preservation

City Council Meeting
Public Works Director Melinda Moritz
December 20, 2022



Purpose

- To consider amending the Leon Valley Code of Ordinances, Chapter 13 Tree Preservation, Article 13.02 Tree Preservation Ordinance, to remove superfluous definitions, assign various duties directly to the Park Commission and City Council, change references to departments, and other housekeeping issues
- Options
 - Approve
 - Approve with other amendments
 - Deny
- Recommendation
 - Approve amendments to Chapter 13

Background

- This item is to consider amending the Leon Valley Code of Ordinances, Chapter 23 Tree Preservation:
 - To assign variance request hearing and decision-making duties directly to the City Council
 - To assign public education duties to the Park Commission
 - To revised staff and department references
 - To remove definitions that are not referenced in any part of this Chapter (not needed)

Background

- At the December 6, 2022 City Council meeting, Council approved an Ordinance dissolving the Tree Advisory Board & reassigning those duties to the Park Commission
- Council also wants to remove the duty of hearing tree variance requests and assign this directly to the City Council

Background

- To support this change, the Tree Preservation Code also needs to be amended, as it directly refers to the Tree Advisory Board as being responsible for these items and not the Park Commission
- This amendment would also place the duties for hearing variance requests solely on the City Council
- While reviewing the code, Staff noted several other miscellaneous revisions that if made, would make the code faster & easier to read/interpret for both staff & public

Background

- Revisions include:
 - Removing definitions that are not referenced in any part of the chapter
 - Moving the definition of oak wilt disease from the Oak Wilt Prevention section to the Definitions section
 - Changing the name of the responsible city department from Community Development to the Planning and Zoning Department
 - Removing references to small sized trees in certain sections, as those had been previously removed from preservation requirements
 - Removing application review from the City Manager, as this action can be undertaken by the City Manager at any time & doesn't need to be stated in this code

Fiscal Impact

- Will cut down staff time & preparations, from two meetings to one

Recommendation

- At City Council discretion

S.E.E. Statement

- *Social Equity* – Reducing the number of boards, commissions, and committees reduces the possibility of not having enough volunteers and assures all citizens that city business continues smoothly and efficiently
- *Economic Development* – The efficient management of city business assures the development community that their requests for variances will be heard and decided timely, which may result in more economic development
- *Environmental Stewardship* – Having a committee that supports the El Verde by 2025 tree planting challenge will assure the city's goal is met on time and continues to improve the environment

OUTSTANDING CITY COUNCIL ITEMS

- **A policy on open meetings act in regards to how it applies to advisory committees**
- **A scope of duties for the Earthwise living committee**
- **Presentation on VIA ridership and MTA .005 of sales tax**
- **Licensing Fee code amendment**
- **Four-way stop at Forest Meadow and Evers**
 - To be evaluated upon the development of the Evers property
- **Presentation and discussion on the hiring process for Directors**
 - 1/17/2022
- **Review of the Water rates is Scheduled for the beginning of the new year.**
- **Substandard Building Regulations**
 - Beginning of the new year
- **Sustainability Overlay**
 - Currently being reviewed by City Attorney
- **Stray Animal Ordinance**
 - Currently being reviewed by City Attorney
- **LVHS request for ARP funds**
 - Reviewing MOU on 11/1/2022, 12/6/2022
- **Blood Drive and PTO Policy**
- **Huebner Creek Restoration -RO,BM**
- **Public Private Partnership with local petshops for pet adoption options**
- **The neighborhoods need to be established**
- **Neighborhood/citizen survey**
- **Discussion and possible action on amending BOA variance criterion by Texas Legislative changes**
- **Update on the Huebner Creek trenching**
- **Review of the personnel manual**
- **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**
- **Volunteer Appreciation Dinner**
 - Possibly after the Townhall mtg
 - Postpone until September
- **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

ITEMS ARE STILL IN THE PIPELINE, BUT HAVE BEEN ADDRESSED

- **Fourth of July Presentation**
 - City Council 3/15
 - Council provided direction
 - The next update will be on 6/7/2022
 - Recap August 2, 2022, and August 16, 2022
 - Recap and Direction October 4, 2022
 - Review 11/15/2022
 - Time will remain the same and have a headliner that is well known
- **Presentation and discussion on the status of implementation of TPCA best practices for law enforcement policies, including the mandatory provision of mental health PTO in accordance with Texas legislative changes - JS, RO**
 - Discussed at the following Council meeting
 - 6/1/2021
 - Update in the CM report 10/26/2021:
 - We released the initial 6 policies (6.1 - Use of Force, 6.3 - Non-lethal, Less than lethal weapons, 6.4 - Officer Involved Shooting, 7.15 - Vehicle Pursuits, 7.40 Investigations, 8.6 Active Shooter) in July and August. With the distribution, we included a record of receipt and pertinent training.
 - Since the initial release, we have now distributed 4 more policies (3.2 - Field Training Program, 3.2.1 - Field Training Program Operations Manual, 4.6 - Off-duty Employment, 5.4 - Body Worn

Camera) and again, with the distribution, we have included a record of receipt and pertinent training.

- Currently in the process of the last review before we release 8 other policies.
- Mental Health quarantine Policies Section 614.015 of the Tx Gov't Code have been updated and can be found here:
https://cms3.revize.com/revize/leonvalleynew/departments/human_resources/procedural_directives.php#revize_document_center_rz4176
- 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.
- **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
- **Tiger brush and bulk issues- Contract ends January 1, 2025**
 - Discussed at the following City Council Meetings
 - 02/22/2021
 - Council addressed complaints and Tiger sanitation responded
 - 09/7/2021
 - Considered a resolution on how to handle bulk pick-up. Resolution # 21-031-R, the direction was given to CM to come back with a plan.
 - Considered and Ordinance Amending the Ord 14.02 Solid Waste First reading.
 - 11/2/2021
 - Considered and Ordinance Amending the Ord 14.02 Solid Waste Second Reading Passes Ord. # 21-053.
 - 1/11/2022
 - Council considered two options to handle the overflow of Brush. The Council decided to have PW pick up the overage after Tiger sanitation picked up their 8 CY.
 - There were 11 homes with oversized brush the City had the item picked on 3/4/22-3/8/22

- 05/17/2022 Council meeting discussing rate increase.
 - Council allowed the 2.5% increase for July and another in January but did not approve the 7.5 % increase
 - Council was willing to renegotiate terms
 - On 8/23/2022 council decided to leave terms as is
- **Opioid Litigation**
 - Item Was Addressed in Executives session on:
 - 6/15/2021
 - 09/7/2021
 - 9/21/2021
 - Council Addressed this item at the following Council meeting
 - 11/16/2021
 - Council Passed a resolution # 21-04 agreeing to participate in a settlement agreement with opioid manufacturer Johnson & Johnson. The other is three major pharmaceutical distributors: AmerisourceBergen, Cardinal Health, and McKesson and is estimated to receive \$28,389
 - The City still has an Agreement with Phipps, Ortiz and Talafuse for any remaining ongoing litigation
- **Comprehensive Master Plan**
 - Was addressed at the following Council meetings:
 - 2/2/2021
 - 3/23/2021
 - 06/1/2021
 - This item was discussed during the budget process and ultimately, the Council decided not to expend the funds on this project at this time.
 - Will be discussed under the Townhall meeting update to the council on 4/19/2022
 - Council would like us to use our future land use map
- **Sewer Service Charge Adjustments**
 - Council meeting 2/15/22
 - Impact Fees Removed
 - Sewer Charges will be brought back at a later time.
- **Over 65 Tax Exemption**
 - Council Mtg. 3/1/22
 - Councilor Orozco will get with the Finance Director to see if this item will come back on a later date
- **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
- **Apartments Finley And Sierra Royale, Forest Oaks, Vista Del Rey- BM**
 - Update ion 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 executive session
 - Executive session 8/2/2022
 - Council decided to file a Chapter 54 lawsuit against Vista del Rey, filed on 8/5/2022
 - TRO was granted on 8/8/2022
 - Administrative warrant executed on 8/17/2022
 - Temporary Injunction was granted on 8/22/2022
 - They have 6 months to comply.
 - 8/31/2022 Vista got new attorneys
 - 9/9/2022 Vista filed a motion to dissolve the temporary injunction
 - C of Os issued Shed, Maintenance Shop, Laundry 1-3, Vista, Gym
 - 9/19/2022 hearing set and canceled
 - Executive Session 9/20/2022
- **Presentation, discussion, and possible action on fluoride survey results – JS**
 - CC Mtg. 3/1/2022 Postponed
 - Moved to 4/5/22
 - Presentation on given to the council and the community on the benefits, no direction was proved to staff
- **American Rescue Plan funds**
 - 8/17/2021 City Council meeting. Council agreed to budget in FY 2022 for the following
 - 911 Mass text - \$5,900
 - PPE and Decontamination Supplies -\$10,000
 - Disposal Supplies and Medication - \$45,000
 - 2 power stretchers – \$60,000

- 12 LEAD Cardiac monitor - \$70,000
 - Library Hot Spots – \$5,220
 - Huebner Well Generator -\$230,000
- 11/16/2021 Budget Adjustment ord. # 21-060
 - AV equipment – Council Chambers -\$41,000
 - PD AC Repair - \$10,000
 - Website upgrades - \$40,000
 - Premium Pay for Essential Workers -\$150,000
 - Citizen Utility Asst. -\$50,000
 - Library AC repair -\$25,000
- For FY 23 Budget
 - Fire Truck-\$400,000
 - Shadow Mist Skate Park -\$70,000
- This item was heard at the Town Hall Meeting on 3/26/2022
 - Citizen input will be presented at the 4/19/22 CC Mtg
- At the 4/19/2022 council Meeting council decided to use \$400,000 to purchase a fire truck
- Finance Director gave a presentation on 10/18/2022 council meeting
- **AV equipment for the Conference Center -Budget Adjustment from ARP Funds**
 - Council meeting 2/1/22 first read
 - Item amended to get the direction of the scope of work
 - Will bring the item back after the BID process
 - Discuss alternatives 5/3/2022
- **Adding an End time to the City Council Meeting Agendas**
 - The Council reviewed the rules of Decorum at the retreat on 06/18/2022 this was not discussed.
 - Council will review Decourm at the 7/12/2022 council meeting.

COMPLETED

- **Water Deposit Refund Policy**
 - Item Completed at the Council meeting 2/1/22
- **Criteria for projects – economic and community development advisory committee (ECDAC)**
 - Council Meeting 2/1/22 first read
 - Council Meeting 2/15/22 second read
 - COMPLETED 2/15/2022
- **Huebner Onion Homestead Encroachment - ROW**
 - Item Completed at the 1/18/22 City Council Meeting
 - Northwest Chamber Presentation on OFB
 - 3/15/2022
- **Library Policies**
 - City Council meeting 3/15

- Council approved the Policies as presented and adopted by the board.
- **New City Attorney**
 - First read, CC Mtg 3/15/22
 - Second read, CC mtg 4/5/22
 - Start date 4/11/2022
- **Credit card processing fee**
 - CC Mtg. 2/15/22 presentation and direction was given by the Council
 - Charge 2% on all charges
 - First, read on 3/15/22
 - Second Read 4/5/22
 - This has been implemented water customers have until 7/1/2022 to change to another method if they do not want to be charged a Fee.
- **Fire Department Grants and budget Adjustments**
 - City Council meeting 4/5/22
- **Racial Profiling Presentation**
 - City Council Meeting 4/5/2022
 - Completed
- **The Platting Process**
 - CC Mtg. 3/1/2022 -Postponed
 - Mayor moved to the 3/15 Agenda
 - Presented to the Council on 3/15/2022, no direction given to staff
- **Townhall meeting update and Direction from the Council on how to proceed with citizen input**
 - CC mtg. 4/19/2022
 - Council provided direction to enhance the crosswalk at Evers by the library and traffic control for JMHS
 - HRC committee will be the council and Saturday workshop with budget
- **Funding options on a Fire Truck**
 - Cc mtg 4/19/2022
 - Council approved 50% from ARP funds and leasing the remainder on a 5 year lease.
- **Storm Water Utility Rate Revision**
 - CC Mtg. 4/19/22
 - This item will be brought back on 4/5 CC mtg.
 - The direction was to have the rates match SA, a possible scale for inflation of 3% and what the total impact would be.
 - Second Read 5/3/2022
 - Council approved with a 3% increase every year for 5 years.
- **Impound Lot Presentation**
 - CC mtg for 4/5/2022
 - Moved by Mayor to the next meeting

- CC mtg 4/19/2022
 - Moved by Mayor to the next meeting
 - Will be presented at the 5/3/2022 CC mtg.
 - Council had not requested changes other than investigating the cost to relocate.
- **Presentation on Graffiti**
 - CC Mtg. 4/19/22
 - In investigating the current Ord. the City realized that our ord was not in line with the state statute
 - CC Mtg. 4/5 new Ord. will be presented
 - Moved by Mayor to the next meeting
 - Will be presented at the 4/19/ 2022 CC mtg.
 - Moved by Mayor to the next meeting
 - Will be presented at the 5/3/2022 CC mtg.
 - No changes were requested on presented changes
 - Second Read was presented on 5/17/2022 council meeting this item passed
- **Zazamora Creek cleanup & possible acquisition**
 - The council decided on no acquisition but to authorize a budget adjustment of the American Rescue Plan Fund in the amount of \$25,104.00 to the Stormwater Utility Fund Budget for the Purpose of the Zarzamora Creek Drainage Easement Clean-Up and debris haul off.
 - Creek cleanup started on 07/25/2022
- **Charity Care Policy -Need to receive ASSPP funding**
 - First, read City Council meeting 5/17/2022
 - Second Read CC mtg. 6/7/2022 Council approved
- **Capital Facilities Committee Survey**
 - Closes April 15, 2022
 - Committee member Wiliam Johnson is gathering the survey information
 - The survey results were presented to the council on 06/07/2022
- **SAWS Agreement**
 - Council Meeting 8/16/2022
 - Second read 09/6/2022
 - Item passed
- **Time Capsule Event**
 - Presentation on 8/16/2022 – postponed
 - Presentation on 9/6/2022
 - This will be held on October 1, 2022
- **Subdivision Code Revisions**
 - Presented at P&Z meeting on 7/26/2022
 - Tabled until 8/22/2022
 - First read to council on 9/6/2022

- Second Read to council on 9/20/2022
 - Passed unanimously
- **Curfew Ordinance**
 - City Attorney Review
 - Sent the Ord. for Hefner and Orozco to review
 - Placed on the 10/2/2022 city council meeting for second read
 - Passed unanimously with two amendments
 - Taking out day time hours and exceeding the time from 11 p.m. to 12:00 a.m.
- **One-time Water leak adjustment for retroactive repairs**
 - 9/20/2022
 - 10/3/2022 – Passed unanimously
- **One-time rainwater conservation adjustment for retroactive projects**
 - 9/20/2022
 - 10/3/2022 – Passed unanimously
- **Jazz Festival Direction**
 - Postpones by Mayor 8/6/2022
 - Postponed by Mayor 8/23/2022
 - Postponed by Mayor 9/6/2022
 - Scheduled for 9/20/2022
 - Council direction to have a March event
- **Capital Facilities final report presentation 10/3/2022**
- **Monument Maintenance -completed 10/18/2022**
 - Council provided direction to take out the ones that were following and look into alternative markers.
- **Removing SUP from Mobile Food Truck Ordinance**
 - Needs to go to Zoning Commission 9/27/2022
 - Will come to council on 10/3/2022
 - Second read 10/18/2022
 - Approved by city council
- **Repealing and Replacing the Leon Valley Code of Ordinances, Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes and Standards, Divisions 2., 3., 4., 5., 6. with a New Division 2 Technical and Construction Codes Adopted, Amending Article 3.06 Swimming Pools, and Amending Appendix A of the Code of Ordinances, Article A8.000 Building and Construction Related Fees, Section A8.001 Contractor registration fee, to Adopt the 2020 National Electrical Code, and the 2021 International Residential, Building, Mechanical, Plumbing, Swimming Pool and Spa, Fuel Gas, Energy and Conservation, and Existing Building Codes, with Amendments, and Removing Contractor Registration Fees**
 - First read 10/3/2022
 - Second Read 10/18/2022

- Changed the minimum size of a shed to require a permit from 125 sq ft to 300 sq ft.
 - Council Passed.
- **ADA transition plan**
 - Presented at the 7/19/2022 city council meeting
 - Post on the website for public comment for three months on the website
 - Approved at 11/1/2022 Council meeting
- **Appointment of a home rule charter review committee**
 - Mayor was tasked with making recommended changes at the last retreat on 09/07/2021.
 - Mayor presented them at the Town Hall Meeting on 03/26/2022
 - Mayor presented them on 06/04/2022
 - The last day to call for a November election is August 22, 2022.
 - Deadline for the attorney to get the correct ballot language together is July 13, 2022.
 - Per Council Direction on 6/18/2022, the amendments were sent to City Attorney.
 - Council will vote on the amendments on July 12, 2022, and July 19, 2022.
 - Election will be ordered on August 2, 2022, and August 16, 2022
 - Election Scheduled for November
 - Provided a review of the Amendments at the Coffee on 10/22/2022
 - The amendments passed on November 8, 2022.
- **Presentation on continued TOMA training for the advisory committee**
 - 12/6/2022
 - Council voted on making training optional
- **Combining Park, Tree and Earthwise living committee- WB**
 - City Council Meeting
 - 11/15/2022
 - 12/6/2022
 - Council voted to combine tree and the park commission and to lay out duties for the Earthwise living committee
- **Amazon HUB Project**
 - Waiting on site visit and approval
 - Waiting for the delivery
 - Delivery confirmed for 12/14/2022
- **Ordinance Amending the City of Leon Valley Code of Ordinances, Chapter 4 Business Regulations, Article 4.03 Alcoholic Beverages, Division 1. Generally, and Division 2. License and Permit Fees**
 - First read on 11/1/2022
 - Second Read on 11/15/2022 postponed until 12/6/2022
 - Council approved unanimously