



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, August 06, 2024 at 6:00 PM

MINUTES

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

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

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

PRESENT

Mayor Chris Riley
Council Place 1 Benny Martinez
Council Place 2 Betty Heyl
Mayor Pro-Tem, Council Place 3 Philip Campos
Council Place 4 Rey Orozco
Council Place 5 Will Bradshaw

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

Mayor Riley asked Councilor Philip Campos to lead the Pledge of Allegiance.

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

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

- 1. The City Council shall meet in Executive Session Pursuant to Texas Local Government Code Section 551.071: Consultation with the Attorney and Section 551.087 Deliberation regarding Economic Development negotiations regarding a possible 380 agreement with 6400 Bandera, LLC.**

2. The City Council shall meet in Executive Session Pursuant to Texas Local Government Code Section 551.071: Consultation with the Attorney and Section 551.087 Deliberation regarding Economic Development negotiations regarding an agreement with Global Gate USA.

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

3. Reconvene into Regular Session

The City Council reconvened into Open Session at 6:31 PM

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

Councilor Will Bradshaw motioned to allow the city manager to enter into negotiations for a 380 agreement with 6400 Bandera LLC. Councilor Rey Orozco seconded the motion.

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

The motion passed unanimously.

Councilor Philip Campos motioned to allow the city manager to enter into a grant agreement negotiations with Global Gate USA for the amount of \$4,755.00. Councilor Rey Orozco seconded the motion.

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

The motion passed unanimously.

5. Citizens to be Heard

Citizens wishing to address the City Council for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the City Council is restricted from discussing or acting on items not listed on this agenda.

Those who spoke at this time were Drew Power, Richard Blackmore, Charles Matthews, and Erick Matta

Mayor Riley moved Agenda Item 10.11 up on the agenda at this time.

6. Regular Agenda

1. Presentation, Discussion, and Possible Action on an In-Kind Grant Application from American Legion for their September 11 Ceremony. - C. Miranda, Community Relations Director

Crystal Miranda, Community Relations Director, presented this item.

Councilor Rey Orozco motioned to grant the request from the American Legion as presented. Councilor Benny Martinez seconded the motion.

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

The motion passed unanimously.

7. Presentations

1. Presentation and Discussion on an Ordinance Authorizing the Proposed 2024 Property Tax Rate and Call for Public Hearing and Adopt Tax Hearing (1st Reading as Required by City Charter) - Dr. Caldera, City Manager

Dr. Crystal Caldera, City Manager, presented the item.

The majority of City Council wanted to keep the tax rate at .484739. This item will be brought back to the August 20, 2024 City Council meeting for a second read.

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.

Mayor Chris Riley and members of the City Council made announcements.

9. City Manager's Report

Dr. Crystal Caldera, City Manager, announced that the City Manager's Report was printed and available on the table in the foyer, as well as posted on the website. Dr. Caldera, City Manager, informed everyone that this year's Trash & Treasure will be held October 26, 2024 and that next year it will be held in September; and that Tiger Sanitation had an employee fall ill today so if your solid waste was not picked up, it will be tomorrow.

1. Upcoming Important Events

- **Regular City Council Meeting, Tuesday, August 20, 2024, at 6:30 PM, in City Council Chambers.**
- **Movies in the Park featuring Kung Fu Panda 4 , Friday, August 16, 2024, at Dusk, at Veteran's Park near the Community/Conference Center Grassy Area, 6421 Evers Road.**
- **Crime Control & Prevention Board of Directors Meeting, Tuesday, August 20, 2024, at 5:45 PM, in City Council Chambers.**
- **Trash & Treasure Event, Saturday, October 26, 2024, from 9:00 AM to 12:00 PM, at the Leon Valley Community Center.**
- **Arbor Day Event, Saturday, October 26, 2024, from 9:00 AM to 12:00 PM, at the Leon Valley Community Center.**
- **Leon Valley Night Out, Tuesday, October 01, 2024.**

- **Miscellaneous other events and announcements.**

10. Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of a Consent Agenda item unless a member of City Council requests that the item be pulled from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

Councilor Benny Martinez requested that item 9.9 be pulled for discussion.

Councilor Will Bradshaw motioned to accept the Consent Agenda as presented, with the exception of 9.9. Councilor Rey Orozco seconded the motion.

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

The motion passed unanimously.

- 1. Discussion and Possible Action Approving of the Following City Council Minutes:**
 - a. 07-16-2024 Regular City Council Meeting Minutes**
- 2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
 - a. 05-09-2024 Park Commission Meeting Minutes**
 - b. 06-25-2024 Planning & Zoning Commission Meeting Minutes**
- 3. Presentation, Discussion and Possible Action of Councilor Rey Orozco's Excused Absence for the August 20, 2024, City Council Meeting as Provided in the Charter Section 3.08, Subsection B, Part 3**
- 4. Discussion and Possible Action to Appoint Members to the Planning & Zoning Commission - S. Passailaigue, City Secretary**
- 5. Discussion and Possible Action of an Ordinance on a Request for a Specific Use Permit (SUP) on an Approximately 2.75 Acre Tract of Vacant Land, Located in the 5300 Block of Wurzbach Road, Being Lots 5, 24, and 25, Block 4, CB 9904, Rollingwood Ridge Subdivision, and Zoned B-3 Commercial with Commercial/Industrial Overlay Zoning, for the Construction of a "Church and Learning Center" (1st Read was Held on 07-16-2024) - R. Salinas, Economic Development Director**
- 6. Discussion and Possible Action of an Ordinance Authorizing a Zone Change from B-3 Commercial with the Sustainability Overlay District to B-3 Commercial Zoning District on an Approximately 1.05 Acre Tract of Vacant Land, Located in the 6400 Block of Grissom Road, Being Lot 73, CB 5784 Leon Valley Addition Glass Service Subdivision (1st Read was Held 7-16-24) - R. Salinas, Economic Development Director**

7. **Discussion and Possible Action to Deny an Ordinance Requesting a Zone Change From R-1 (Single Family Dwelling) District with Sustainability Overlay to B-3 (Commercial) Zoning District, on Approximately 0.4028-Acre Tract of Vacant Land, Located at 7704 and 7708 Eckhert Road, Being Lots 13 and 14, Block 1, CB 4446A, Linkwood Addition Subdivision (1st Read was Held 07-16-2024) - R. Salinas, Economic Development Director**
8. **Discussion and Possible Action on a Resolution Rejecting a Bid Received for the CDBG East of Wurzbach Sewer Main Project from Allteam Solutions in the Amount of \$109,665.00 and Authorizing the City Manager to Re-advertise for bids - D. Dimaline, Assistant Public Works Director**
9. **Presentation, Discussion, and Possible Action to Consider Approval of a Request by Spirit Halloween for a Variance to Chapter 3 Building Regulations, Article 3.04 Signs, Section 3.04.013 Temporary signs, (b), to Display a Temporary Sign for Longer Than Allowed by the Code, Located at 6808 Huebner Rd - M. Teague, Planning and Zoning Director**

11. Regular Agenda

1. **Discussion and Possible Action on a Resolution Awarding the Lowest Qualified Bid in the Amount of \$895,626.73, with 15% for Contingency and Authorizing the City Manager to Enter into a Contract with Clark Construction of Texas, Inc. for the FY 2024 Street Maintenance Program - D. Dimaline, Assistant Public Works Director**

David Dimaline, Assistant Public Works Director, presented the item.

Councilor Benny Martinez requested that Mr. Dimaline make an amendment to the contract by replacing the "owner" with "City of Leon Valley or CoLV".

Councilor Benny Martinez motioned to approve the resolution with the requested amendment. Councilor Philip Campos seconded the motion.

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

The motion passed unanimously.

2. **Presentation, Discussion, and Public Hearing, to Consider Approval of an Ordinance Requesting to Rezone Approximately 32-Acres of Land From R-1 (Single Family Dwelling) and RE-1 (Residential Estate) Zoning Districts to a Planned Development District (PDD) with R-6 (Garden Home) District Base Zoning, on a 19.614 Acre Tract, Being Lots 1 and 2, Block 1, CB 4430 Grass Hill Estates Subdivision and an Unplatted 11.37 Acre Tract, Being Parcel 13, Abstract 432, CB 4430, Located in the 6500 Block of Samaritan and a Portion Surrounded by Aids, Samaritan, Grass Hill, and William Rancher Streets, Leon Valley, Texas,**

Being a Total of Approximately 30.984-Acres (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director

Mindy Teague, Planning and Zoning Director, presented this item.

Mr. Samir Chehade gave a presentation as well.

Mayor Chris Riley opened the Public Hearing at 7:52 PM

Those who spoke were Charles Matthews, Russell Hernandez, Olen Yarnell, Mary Ruth Fernandez, Cynthia Hernandez, Abraham Diaz, Mark Ferris, Theresa Moser, Erick Matta, Sharon Hendricks, Tina Chasan

Mayor Riley closed the Public Hearing at 8:35 PM

There was a consensus among members of City Council to place this item in the Consent Agenda of the August 20, 2024, Regular City Council Agenda for a second read.

3. Presentation, Public Hearing, and Discussion to Consider an Approval of an Ordinance Requesting a Specific Use Permit (SUP) on an approximately 0.3444 Acre Tract of Vacant Land, Located at 7125 and 7129 Bandera Road, Being Lots 8 and 9, Block A, Linkwood Addition Subdivision, for the Construction of an Office Building (1st Read as Required by City Charter) - M. Teague, Director of Planning and Zoning

Mindy Teague, Planning and Zoning Director, presented this item.

Mr. Jay Castaneda gave a presentation as well.

Mayor Chris Riley opened the Public Hearing at 8:40 PM

Those who spoke were Drew Power

Mayor Riley closed the Public Hearing at 8:42 PM

There was a consensus among members of City Council to place this item in the Consent Agenda of the August 20, 2024, Regular City Council Agenda for a second read.

4. Presentation and Discussion to Consider Approval of an Ordinance Authorizing a Budget Adjustment in the Amount of \$168,723 from the Stormwater Fund Reserve to Provide Additional Funding for the Huebner Creek Erosion Control Project Segment 1 (1st Read as Required by City Charter) - M. Moritz, Public Works Director

Melinda Moritz, Public Works Director presented the item.

Those who spoke were Olen Yarnell.

Councilor Will Bradshaw motioned to move Agenda Item 9.9 up on the agenda as the applicant was waiting. Councilor Rey Orozco seconded the motion.

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

The motion passed unanimously.

There was a consensus among members of City Council to place this item in the Consent Agenda of the August 20, 2024, Regular City Council Agenda for a second read.

5. Presentation and Discussion to Consider Approval of an Ordinance Granting a Variance to the Leon Valley Code of Ordinances, Chapter 8 Offenses and Nuisances, Article 8.09.022, Placing a fence or other obstacle in drain or easement, at Northwest Industrial and Bandera (1st Read as required by City Charter) - M. Teague - Director of Planning and Zoning

Mindy Teague, Planning and Zoning Director, presented this item.

Ms. Brittany Sanchez was present on behalf of the applicant.

There was a consensus among members of City Council to place this item in the Consent Agenda of the August 20, 2024, Regular City Council Agenda for a second read.

6. Discussion and Possible Action to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Appendix A Fee Schedule, Article A16 Water and Wastewater Impact Fees, Section A16.002 Sewer Impact Fees, 4. San Antonio Water System, to Allow Direct Payment to the San Antonio Water System (SAWS) by Developers for SAWS Sewer Impact Fees (1st Read as Required by City Charter) - M. Moritz, Public Works Director

Melinda Moritz, Public Works Director, presented the item.

There was a consensus among members of City Council to place this item in the Consent Agenda of the August 20, 2024, Regular City Council Agenda for a second read.

7. Presentation and Discussion to Consider Approval of an Ordinance Amending Chapter 10 Subdivision Regulations, Division 4. Additional Regulations, Section 10.02.151 Additional Regulations, Subsection (c) to Allow Deferral of Water Meter and Sidewalk Installation to the Building Phase of a Subdivision Project (1st Read as Required by City Charter) - M. Moritz, Public Works Director

Melinda Moritz, Public Works Director, presented this item.

There was a consensus among members of City Council to place this item in the Consent Agenda of the August 20, 2024, Regular City Council Agenda for a second read.

8. **Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 14 Utilities, Article 14.11 Water Conservation and Drought Management, Division 3 Drought Management, Section 14.11.073 Definitions and Section 14.11.074 Demand Reduction Measures to Revise the Definition of "Stage", Revise Allowed Watering Hours, Add a Surcharge to (C), and Add (1) (E) Stage V and (3) (E) Stage V; and Amend Appendix A Fee Schedule, Article A11.000 Water and Sewer Fees, Section A11.001 Generally to Add a Subsection (s) Critical Period Drought Management Surcharges, to Create Fees for Certain Water Usage Thresholds During Stages III, IV, and V Critical Period Drought Management (1st Read as Required by City Charter) - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director, presented the item.

Those who spoke were Charles Mathews, Theresa Moser, and Olen Yarnell

There was a consensus to bring back appeal processes and to provide the Council with a detailed report on how this would impact the City budget.

9. **Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 6 Health and Sanitation, Article 6.03 Weeds, High Grass, and Debris, Section 6.03.002 Prohibited Conditions, (a) to Mandate the Removal of Dead Trees (1st Read as Required by City Charter) - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director, presented the item.

Mayor Riley mentioned that the City Council did receive an email about a dead tree, to which Ms. Moritz responded.

There was a consensus among members of City Council to place this item in the Consent Agenda of the August 20, 2024, Regular City Council Agenda for a second read.

10. **Presentation and Discussion on an Ordinance Authorizing the Amendment of the General Fund Budget for Fiscal Year 2023-2024 in the Amount of \$38,760.46 for the Household Hazardous Waste Event (1st Read as Required by City Charter) - C. Miranda, Community Relations Director**

Dr. Crystal Caldera, City Manager, presented the item.

There was a consensus among members of City Council to place this item in the Consent Agenda of the August 20, 2024, Regular City Council Agenda for a second read.

11. Presentation, Discussion and Possible Action for Preliminary Acceptance of the Public Improvements for Senna Phase I, Located at 7213 Huebner - M. Teague, Planning and Zoning Director

Mayor Riley announced that this item has been withdrawn and will be brought back at a future meeting.

12. Requests from Members of City Council to Add Items to Future Agendas – Per Section 3.10 (A) of the City of Leon Valley’s Code of Ordinances, at a Meeting of City Council, a Member of City Council May Place an Item on an Agenda by Making a Motion to Place the Item on a Future Agenda and Receiving a Second. No Discussion Shall Occur at the Meeting Regarding the Placement of the Item on a Future Agenda.

13. Adjournment

Mayor Riley announced that the meeting adjourned at 9:39 PM

These minutes approved by the Leon Valley City Council on the 20th of August, 2024.

APPROVED

CHRIS RILEY
MAYOR

ATTEST: _____
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY