



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, September 17, 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- Excused

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

Mayor Riley led the Pledge of Allegiance.

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

Mayor Riley read aloud the caption for Agenda Item 2.1

- 1. Pursuant to Texas Local Government Code Section 551.071: Consultation with the Attorney and Section 551.087 Deliberation regarding the Amendment to the Purchase contract between the City of Leon Valley and One Stop Group , LP.**

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

3. Reconvene into Regular Session

The City Council reconvened into Open Session at 6:32 PM.

4. **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 Darby Riley; Kathy Hill; and Lyn Joseph.

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

City Council will continue the Executive Session at the end of the meeting to have further discussion.

6. Presentations

1. **Presentation and Discussion Over the Allocation of Personnel Services Shared from the Enterprise Fund Back to the General Fund for Fiscal Year 2026 - Dr. Crystal Caldera, City Manager**

Dr. Crystal Caldera, City Manager, presented. She explained that if the Council wished to move over additional salaries from the Enterprise Fund to the General Fund, it would cost the General Fund an additional \$358,253.00.

2. **Presentation, Discussion and Prioritization of Future City Infrastructure Needs - Dr. Caldera, City Manager**

Dr. Crystal Caldera, City Manager, presented.

Those who spoke at this time were Olen Yarnell, Tina Chasan, and Olen Yarnell again.

Councilor Benny Martinez said his top three would be the public works building, the park restrooms, and the natural area erosion.

Councilor Rey Orozco said his top three are the Conference Center restrooms, natural area erosion, and the pools.

Councilor Betty Heyl's top three are water and sewer, public works building, and the natural area erosion.

Councilor Philip Campos' top three are water and sewer, natural area erosion, and the equipment.

Mayor Chris Riley's top three are water and sewer, natural area erosion, and the pools.

Dr. Caldera, City Manager, said she would compile this input and bring back the top three.

- 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.

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

8. 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, thanked everyone that attended the 9-1-1 Remembrance; asked City Council to consider the Coffee with the Mayor & City Council meeting because there is a lot going on that day - asked for topics for discussion or would they like to keep it an open forum. There was a consensus to keep the Coffee as scheduled and keep an open forum; lastly, thank you to Officer Greco for a job well done.

1. Upcoming Important Events:

- **Regular City Council Meeting, Tuesday, October 15, 2024, at 6:30 PM, in City Council Chambers.**
- **Reminder: The Regular City Council Meeting of October 01, 2024 has been cancelled.**
- **Leon Valley Night Out, Tuesday, October 01, 2024.**
- **November 05, 2024 Joint General, Special and Charter Election for Early Voting and Election Day - Early voting begins Monday, October 21, 2024.**
- **Coffee with the Mayor & City Council, Saturday, October 26, 2024, 9:00 AM to 11:00 AM, at the Leon Valley Conference Center.**
- **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.**
- **Miscellaneous other events and announcements**

2. Discussion and Possible Action Adding Topics to the October 26, 2024, Coffee with the Mayor & City Council Meeting - S. Passailaigue, City Secretary

- 9. 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.

Mayor Chris Riley asked for a correction to be made on the Coffee minutes.

Councilor Philip Campos asked to pull Item 7 of the Consent Agenda for further discussion.

A motion was made by Council Place 4 Orozco, and seconded by Mayor Pro-Tem, Council Place 3 Campos.

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

1. **Discussion and Possible Action Approving of the Following City Council Minutes:**
 - a. **07-27-2024 Coffee with the Mayor & City Council Minutes**
 - b. **09-03-2024 Regular City Council Meeting Minutes**
2. **Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
 - a. **08-14-2024 Earthwise Living Committee Meeting Minutes**
3. **Discussion and Possible Action on an Ordinance Authorizing a Budget Adjustment to the General Fund Budget for Fiscal Year of 2023-2024 on Behalf of the Earthwise Living Committee (1st Read was Held on 09/03/2024) - C. Miranda, Community Relations Director**
4. **Presentation and Discussion of the Monthly Financial Report Ending August 31, 2024 - C. Goering, Finance Director**
5. **Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 15 Zoning, Article 15.02 Zoning Ordinance, Division 7 Permitted Use Table, Section 15.02.381 - Permitted Use Table, To Regulate the Location of CBD Retail Establishments (1st Read was Held on 09-03-2024) - M. Moritz, Public Works Director**
6. **Discussion and Possible Action on a Resolution Appointing Members to the Earthwise Living Committee – Mayor Chris Riley**

10. Regular Agenda

1. **Presentation, Discussion, and Possible Action of a Petition for Preliminary Acceptance of Public Improvements on a 9.180-Acre Tract in the 6300 Block of Evers Road, Being the Trilogy at Huebner Creek Planned Development District Subdivision - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director, answered questions from Councilor Philip Campos.

A motion was made by Council Place 1 Martinez, to approve the petition for preliminary acceptance conditioned upon Item C, that they meet that requirement and if not, then it is not approved, and seconded by Mayor Pro-Tem, Council Place 3 Campos.

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

2. **Discussion and Possible Action of a Request by CJC Life Church - Nextgen Learning Center for a Variance to Chapter 3 Building Regulations, Article 3.04 Signs, Sec. 3.04.011 - On-premises Signs, (b).Building-mounted Signs, (2) Marquee signs, Located at 6401 Bandera Rd - R. Salinas, Economic Development Director**

Roque Salinas, Economic Development Director, presented this item.

A motion was made by Council Place 2 Heyl, and seconded by Council Place 4 Orozco.

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

3. **Discussion and Possible Action on a Request for a Variance to Chapter 13, Tree Preservation, Article 13.02 Tree Preservation Ordinance, Division 3. Requirements and Restrictions, Sec. 13.02.074 Preservation requirements, Sec. 13.02.075 Removal, Replacement or Relocation of Medium and Large Trees, Sec. 13.02.076 Replacement Trees Required, and Sec. 13.02.080 Heritage Tree Removal Prohibited; Penalties, (a) and (b), to Allow the Removal of 24 Medium, 21 Large, and 36 Heritage Trees, and Pay a Reduced Amount in Tree Mitigation Fees, Located in the Vicinity of Aids Drive, Being Grass Hill Estates Subdivision and P-13, ABS 432, CB 4430, on Approximately 32-Acres of Land - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director, presented.

A motion was made by Council Place 4 Orozco to approve with an increase of \$50,000.00 instead of \$25,000 for tree mitigation, and seconded by Council Place 1 Martinez.

Those who spoke on this item were Tina Chasan.

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

4. **Discussion and Possible Action on an Ordinance Authorizing a Budget Adjustment in the Amount of \$696,758.00 from the Enterprise Fund Balance and \$320,000 from the General Fund Balance to Purchase 100 Acre Feet of Water Rights (1st Reading was Held on 09-03-2024) - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director, presented.

Councilor Will Bradshaw requested via e-mail to have this item postponed to the next meeting.

A motion was made by Council Place 4 Orozco to postpone the item to October 15, 2024, as requested, and seconded by Council Place 2 Heyl.

Voting Yea: Council Place 4 Orozco

Voting Nay: Council Place 1 Martinez, Council Place 2 Heyl, Mayor Pro-Tem, Council Place 3 Campos

Samir Chehade spoke on this item.

A motion was made by Council Place 1 Martinez to approve as presented, and seconded by Councilor Place 4 Orozco.

Those who spoke at this time were Olen Yarnell.

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

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

Councilor Philip Campos asked for clarification and feedback on the water and sewer of the assessment of the lines at the October 19th meeting.

Mayor Riley asked that history on the Enterprise Fund be added to that meeting as well. Mayor Riley also said the Mission Vision and Goals still needs to be completed. There was a consensus to add it to the Town Hall Meeting in January.

12. The City Council Shall Meet in Executive Session to Continue Discussion on Agenda Item 2.1.

The City Council went back into Executive Session to continue discussion on Agenda Item 2.1 as previously stated.

The City Council went into Executive Session at 8:36 PM.

13. Reconvene into Regular Session

The City Council reconvened into Open Session at 9:54 PM.

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

A motion was made by Council Place 1 Martinez to approve the redaction and inclusion as provided between the City of Leon Valley and One Stop Group, LP, and seconded by Council Place 4 Orozco.

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

The agreement is to be placed into the minutes of this meeting.

15. Adjournment

Mayor Riley announced that the meeting adjourned at 9:55 PM.

These minutes were approved by the Leon Valley City Council on the 15th of October, 2024.

APPROVED



**CHRIS RILEY
MAYOR**

ATTEST:



**SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY**





COMMERCIAL CONTRACT AMENDMENT

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.
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AMENDMENT TO COMMERCIAL CONTRACT BETWEEN THE UNDERSIGNED BUYER AND SELLER CONCERNING THE PROPERTY AT

6140 William Ranch Rd, Leon Valley, TX 78238

Effective September 6, 2024, Seller and Buyer amend the contract as follows: *(Check all applicable boxes.)*

- A. **Sales Price:** The sales price in Paragraph 3 of the contract is changed to:
 - Cash portion payable by Buyer at closing. \$ _____
 - Sum of all financing described in the contract. \$ _____
 - Sales price (sum of cash portion and sum of all financing) \$ _____

- B. **Property Description:** The Property's legal description in Paragraph 2A of the contract is changed to the legal description described on the attached Exhibit _____ or as follows:

- C. **Repairs:** Buyer accepts the Property in its present condition except that Seller, at Seller's expense, will complete the following before closing:

- D. **Extension of Feasibility Period:** Prior to the expiration of the feasibility period, Buyer may extend the feasibility period until 11:59 p.m. on _____ (date) by delivering \$ _____ to the title company as additional earnest money.

(1) \$ _____ of the additional earnest money will be retained by Seller as additional independent consideration for Buyer's unrestricted right to terminate, but will be credited to the sales price only upon closing of the sale. If Buyer terminates under this Paragraph D, the additional earnest money will be refunded to Buyer and Seller will retain the additional independent consideration.

(2) Buyer authorizes escrow agent to release and deliver to Seller the following at any time upon Seller's request without further notice to or consent from Buyer:

(a) The additional independent consideration.

(b) *(Check no boxes or only one box.)*

all or \$ _____ of the remaining portion of the additional earnest money, which will be refunded to Buyer if Buyer terminates under this Paragraph 7B or if Seller defaults under the contract.

If no dollar amount is stated in this Paragraph D as additional earnest money or as additional independent consideration, or if Buyer fails to timely deliver the additional earnest money, the extension of the feasibility period will not be effective.

(TXR-1932) 07-08-22 Initialed for Identification by Seller _____, _____ and Buyer 



Amendment to Commercial Contract concerning 6140 William Ranch Rd, Leon Valley, TX 78238

- E. Extension of Financing Deadline: The deadline for Buyer to give notice of inability to obtain the:
 - (1) Third party loan(s) described in Subparagraph A(2) of the Commercial Contract Financing Addendum is extended until _____ (date).
 - (2) Assumption approval described in Subparagraph B(6) of the Commercial Contract Financing Addendum is extended until _____ (date).
 - (3) Buyer has paid Seller additional consideration of \$ _____ for the extension financing deadline. This additional consideration will will not be credited to the sales price upon the closing of the sale.
- F. Closing: The closing date in Paragraph 10A of the contract is changed to _____.
- G. Expenses: At closing Seller will pay the first \$ _____ of Buyer's expenses under Paragraph 13 of the contract.
- H. Waiver of Right to Terminate: Upon final acceptance of this Amendment, Buyer waives the right to terminate under Paragraph 7B of the contract.
- I. Counterparts: If this amendment is executed in a number of identical counterparts, each counterpart is an original and all counterparts, collectively, constitute one agreement.
- J. Other Modifications:
SEE FOLLOWING PAGE


Seller: _____

Buyer: _____

By: _____

By: _____

By (signature): _____
Printed Name: _____
Title: _____

By (signature): 
Printed Name: **SAMIR CHEHADE**
Title: **PARTNER**

By: _____

By: _____

By (signature): _____
Printed Name: _____
Title: _____

By (signature): _____
Printed Name: _____
Title: _____

(TXR-1932) 07-08-22

Aids Drive In Leon


ent addresses the offsite public infrastructure improvements, road and utility required for the development of the Master Site Plan for the planned Seneca ment project. This project is made up of three properties including this oproved in City of Leon Valley Ordinances No. 2024-19 and No. 2024-36 (the ese improvements are further defined in the attached Scope of Work, EXHIBIT ovements”).

ree to the following:

ope of Work for these Improvements as laid out at the end of this dment,

ty Engineer’s estimates of the City’s apportioned costs of these ovements is approximately \$732,000;

ty is absolved of these financial obligations and the Buyer, or in the alternative her entity developing this project (the “Developer”), shall assume all costs d to these Improvements;

~~ount of \$732,000 of the Purchase Price shall be placed in Escrow upon g;~~

~~funds shall be released to Buyer within 15 days after the start of the uction of this Project.~~ The start of the construction of this Project is hereby d as the first day tree clearing is initiated;

~~gh the Buyer and/or Developer is assuming the responsibility and obligation- costs related to these Improvements, it is the City’s responsibility and tion to secure all required private and public easements necessary for these- ements (the “Easements”); and,~~

he execution of this Amendment, the City shall provide Buyer a letter ning this obligation to secure these “Easements”.

verbal additions hereby attached



Crystal Caldera

From: Art Rodriguez <art@txmunicipallaw.com>
Sent: Tuesday, September 17, 2024 9:49 PM
To: Crystal Caldera
Subject: On Stop Group

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

1. Amend the contract to reflect that an amount of \$732,000 of the Purchase Price will be placed in a dedicated, segregated City account upon closing and a commitment letter reflecting this action be provided to the Purchaser.
2. The \$732,000 will be released to the Buyer in three progress payments: 30% at the time tree clearing on the Property is initiated; 30% at the time of the beginning of construction of the public improvements; and 40% at the completion of the Public Improvements. The progress payments and scope of work shall be agreed to by the parties in a separate agreement. The scope of work shall generally follow the Scope of Work attached hereto. Removal of Aids drive provision in the attached General Scope of Work. Without such agreement, the City may void this agreement.
3. Amend the contract to reflect that the Buyer is assuming the responsibility and obligation of all costs related to the Improvements and the City shall commit, including the use of eminent domain, if necessary, for right of way acquisition and easement acquisition for City utility easements for the Public Improvements, but all such costs, including City's expenses, shall be borne solely by the Buyer. The City shall provide such commitment letter to the Buyer at Closing.

Arturo D. 'Art' Rodriguez Jr.
Partner



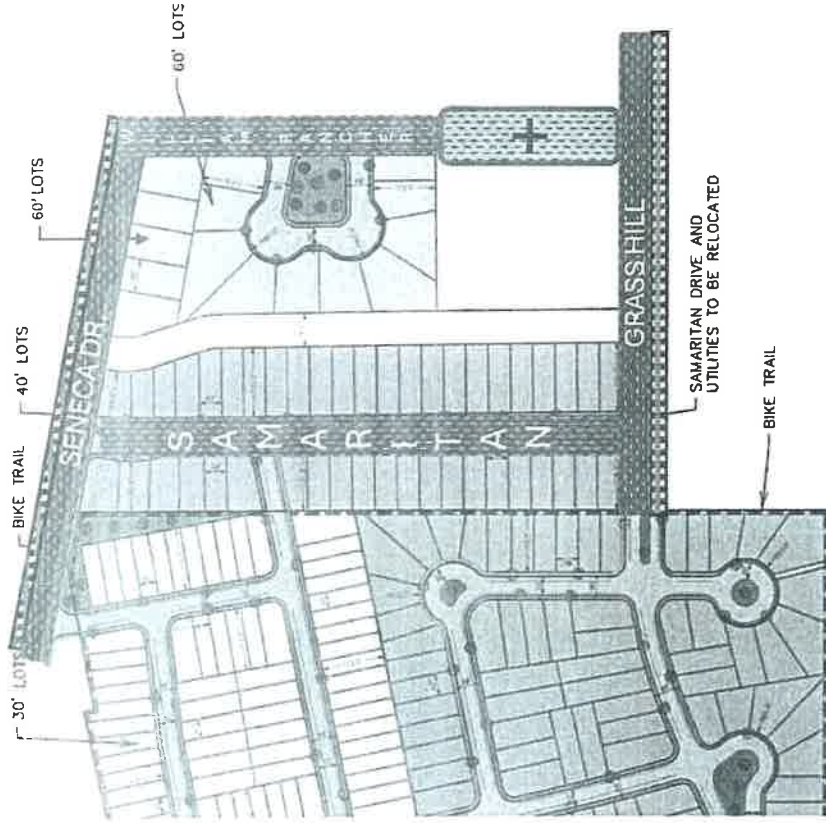
MESSER * FORT

THE MUNICIPAL LAW FIRM

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OFF SITE IMPROVEMENTS – ROADS AND UTILITIES EXTENSIONS



SCOPE OF WORK

ROAD EXTENSIONS:

- ◇ SENECA DR. EXTENSION (MIN 50' ROW)
 - ◇ Aids Drive remains as current, subject to the City Engineer's Approval upon Platting
- ◇ GRASS HILL DR. EXTENSION (MIN 50' ROW)
- ◇ WILLIAM RANCHER EXTENSION-1 (MIN 50' ROW)
 - From Seneca Dr. to the property line
- ◇ WILLIAM RANCHER EXTENSION (Optional - in collaboration with the City and neighbors for easements)
- ◇ SAMARITAN DR. RELOCATION (48' ROW)

WATER AND SEWER EXTENSIONS:

- ALL WORK AS REQUIRED BY THE CODE AND MASTER PLAN