



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, March 19, 2024 at 5:30 PM

**AGENDA**

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

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

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- 1. Call to Order; Determine a Quorum is Present, Pledge of Allegiance**
- 2. Citizens to be Heard**
- 3. Presentations**
  1. Presentation of the 2023 Texas Municipal Library Directors Association Achievement of Excellence in Libraries Award - R. Reed, Library Director
  2. Presentation Discussion and Possible Direction to Staff on the City's Core Values, Goals, and Objectives - Dr. C. Caldera, City Manager
- 4. Announcements by the Mayor and Council Members.** At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.
- 5. City Manager's Report**
  - 1. Upcoming Important Events:**  
  
**Regular City Council Meeting, Tuesday, April 02, 2024, at 6:30 PM, in City Council Chambers.**

**Volunteer Appreciation Dinner, Tuesday, April 09, 2024, from 6:00 PM to 8:00 PM, at the Leon Valley Conference Center.**

**Joint General Election – Early Voting, Monday, April 22, 2024 through Tuesday, April 30, 2024.**

**Job Fair, Tuesday, April 23, 2024, from 9:00 AM to 12:00 PM, at the Leon Valley Community Center.**

**Library Volunteer Party, Wednesday, April 24, 2024, from 5:00 PM to 7:00 PM, at the Leon Valley Public Library.**

**Coffee with the Mayor & City Council, Saturday, April 27, 2024, from 9:00 AM to 11:00 AM, at the Leon Valley Conference Center.**

**Household Hazardous Waste Collection, Saturday, April 27, 2024, from 8:00 AM to 1:00 PM, at the Leon Valley Fire Department. This event is only for Leon Valley residents – address verification required.**

**Joint General Election - Election Day, Saturday May 04, 2024, polls open from 7:00 AM to 7:00 PM.**

**Annual City-Wide Garage Sale, Saturday, May 25, 2024, from 8:00 AM to 6:00 PM**

**Miscellaneous other events and announcements.**

## **6. Consent Agenda**

- 1.** Discussion and Possible Action Approving of the Following City Council Minutes:
  - a. 02-20-2024 Regular City Council Meeting Minutes
  - b. 03-05-2024 Regular City Council Meeting Minutes
- 2.** Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances, Appendix A Fee Schedule, Article A2.000 - Administrative Fees, Sec. A2.003 - Municipal Park Administrative Fees, (g) Swimming Pool Fees, (1) and (2) to Increase Non-Leon Valley Resident Pool Membership Fees (1st Read was Held on 03-05-2024) - D. Dimaline, Public Works Assistant Director
- 3.** Presentation and Discussion of the Monthly Financial Report Ending February 29, 2024 - C. Goering, Finance Director
- 4.** Presentation and Discussion on the Leon Valley Police Department Racial Profiling Report for 2023 - D. Gonzalez, Police Chief
- 5.** Discussion and Possible Action on an Ordinance Authorizing a Fiscal Year 2023-24 General Fund Budget Adjustment in the Amount of \$40,000 for the Purposes of Increasing the City Manager and Council Department Budget to Pay for the City's Portion of a Street Outreach Person Through Haven for Hope (1st Reading was Held on 03-05-2024) - Dr. C. Caldera, City Manager

6. Discussion and Possible Action on a Resolution Appointing an Alternate to the Planning & Zoning Commission - S. Passailaigue, City Secretary
7. Presentation, Discussion and Possible Action of Councilor Will Bradshaw's Excused Absence for the March 05, 2024, City Council Meeting as Provided in the Charter Section 3.08, Subsection B, Part 3. - Councilor Will Bradshaw

## 7. Regular Agenda

1. Presentation, **Public Hearing**, and Discussion of an Ordinance Request to Rezone an Approximately 27-Acre Tract of Land From R-1 Single Family to a Planned Development District With R-6 Garden Home District, Being Lot 1, Block 1, CB 4430C, Good Samaritan Lodge Nursing Home Inc Subdivision, Parcel 1, Abstract 399, CB 4429, and Parcel 11, Abstract 432, CB 4430 (unplatted), Located at 6518 Samaritan Drive, Leon Valley, Texas (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director
2. Presentation, **Public Hearing**, and Discussion of an Ordinance Requesting to Rezone an Approximately 6-Acre Parcel of Land From R-1 (Single Family Dwelling) Zoning District to a Planned Development District (PDD), Being Parcel 46, Abstract 664, CB 4446 and Lot 46A & Parcel 46C, Abstract 664, CB 4446, Located at 7201 and 7205 Huebner Road, Leon Valley, Texas (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director
3. Presentation, Discussion, and Possible Action to Consider Approval of a Request by Burkett Media for a Variance to Chapter 3 Building Regulations, Article 3.04 Signs, Section 3.04.012 Off-Premises Signs, (a), New Off-Premise Signs and (12) Light Emitting Diode Signs, Located at 5902 Bandera Rd - M. Teague, Planning and Zoning Director
4. Presentation and Discussion on an Ordinance Authorizing a Fiscal Year 2023-24 General Fund Budget Adjustment in the Amount of \$50,000 for the Purposes of Increasing the Impound Lot Budget to Pay for the Relocation and Completion of the Police Impound Lot (1st Read as Required by City Charter) - D. Gonzalez, Police Chief
5. Presentation, Discussion, and Possible Action Awarding a Bid and Authorizing the City Manager to Sign a Contract with San Antonio Pool Management, Inc. in the Amount of \$68,529.00 to Manage the City of Leon Valley Forest Oaks Pool and Provide Off-Season Maintenance – D. Dimaline, Public Works Assistant Director
6. Presentation, Discussion, and Possible Action to Approve a Budget Adjustment in the Amount of \$100,740.00 From the Stormwater Fund Reserve and Authorize the City Manager to Enter into a Contract With TCL Construction for Emergency Repairs to Huebner Creek at Poss and Cherryleaf Roads (Emergency Expenditure – One Read Required) - M. Moritz, Public Works Director


8. **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.**
9. **The City Council Shall Meet in Executive Session to Discuss the Following:**
  1. Pursuant to Texas Government Code, Chapter 551, Section 551.072, Deliberations on Real Property: 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 (21 Acres)
10. **Reconvene into Regular Session**
11. **Possible Action on Issues Discussed in Executive Session If Necessary**
12. **Adjournment**

**Executive Session.** The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

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

**Attendance by Other Elected or Appointed Officials:** It is anticipated that members of other City boards, commissions and/or committees may attend the open meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These members of other City boards, commissions, and/or committees may not deliberate or act on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above **NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL** was posted at the Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at <https://www.leonvalleytexas.gov>. 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  
 MARCH 14, 2024 1:30 PM





February 1, 2024

Ms. Regina Reed  
Leon Valley Public Library  
6425 Evers Road  
Leon Valley, TX 78238

Dear Ms. Reed,

Congratulations to Leon Valley Public Library! On behalf of the Texas Municipal Library Directors Association, I am pleased to inform you that you have been awarded the 2023 Achievement of Excellence in Libraries Award.

Your application clearly demonstrated your commitment to providing exceptional service to your community. Of the 545 public library systems in Texas, your library is one of only 84 who have earned this year's award. With this honor, your library is now in the top 15% of all public libraries in the state.

We know you will want to proudly display your accolades, which include a congratulatory letter, a digital medal and an award template that can be used to order a plaque. The digital medal is an image file that can be used (but not altered) on websites, email signatures, stationery, and other official library promotional materials. The digital image can be made to be clickable to the TMLDA award site or to a page displaying your accomplishment and/or completed application.

Again, congratulations on this accomplishment, and thank you for enriching the lives of your residents and providing your community with outstanding and innovative services.

Sincerely,

*Rachel Hadidi*

Rachel Hadidi  
President, Texas Municipal Library Directors Association



# Presentation of the Texas Municipal Library Directors Association Achievement of Excellence in Libraries Award for 2023

Regina Reed  
Library Director  
City Council Meeting  
March 19, 2024

# Purpose

The Leon Valley Public Library has received the 2023 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association (TMLDA,) an affiliate of the Texas Municipal League. To successfully receive the Achievement of Library Excellence Award, the applicant must exhibit excellence in each of ten categories

# Ten Categories

1. **Services to underserved populations** through outreach, special programs, collaborations with other organizations, or special collections
2. Innovative and **effective marketing** materials highlighting services and publicity about specific library programs
3. **Collaboration with community organizations**
4. **Enhanced service** to the public either through an increase in service or additional type of services
5. **Literacy support for all ages**
6. **Digital inclusion** through public internet access, digital literacy training, and online library services
7. **Workforce development support**
8. **Cultural, topical, and educational programming** for adults and families
9. **Professional training opportunities** for staff at all levels
10. **Other services that support community** that demonstrate how the library served the community with excellence during the past year.



# S.E.E. Statement

Social Equity – The library continues serving underserved populations through outreach, special programs, and special collections while identifying service needs.

Economic Development- The library continues to work towards closing the digital divide by providing public internet access, digital literacy training, and increasing support for workforce development.

Environmental Stewardship - The library provides programming for adults and families using recyclable and upcycled materials and provides educational programming on environmental topics.

# STRATEGIC PLAN CORE VALUES



Dr. Crystal Caldera, City  
Manager

3/19/2024

Mission - The City of Leon Valley is committed to protecting quality of life, safety, and liberty while prioritizing fiscal responsibility, resiliency, sustainability and economic development.

Vision -The City of Leon Valley strives to foster a community that is resilient to challenges, sustainable for future generations, and economically dynamic, ensuring a prosperous and harmonious future for all.

*Adopted 3/5/2024*

*Core Values- As of 2/24/2024*

- Treat Citizens & Businesses in a fair, transparent and prompt manner
- Deliver Exceptional Police, Fire, EMS and Reliable Water & Sewer Services
- Provide Financial Excellence & Transparency
- Promote Economic Development & Stability
- Uphold Environmental Responsibility
- Maintain a sustainable and resilient community by....

# City of San Antonio

## Mission Statement and Core Values

### **Mission Statement**

We deliver quality City services and commit to achieve San Antonio's vision of prosperity for our diverse, vibrant, and historic community.

### **Core Values**

#### **Teamwork**

We work together to make San Antonio better.

#### **Integrity**

We model ethical behavior.

#### **Innovation**

We are driven by continuous improvement.

#### **Professionalism**

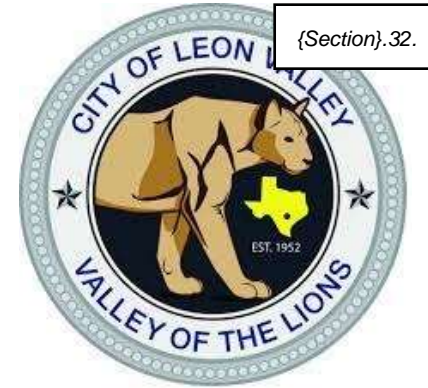
We are qualified, skilled and committed.

# Current Goals and Objectives



# Goal 1 – Economic Development

- Objectives
  - A. Revitalize declining commercial areas by creating, reviewing, and enforcing codes that impact Economic Development
  - B. Promote business-friendly practices without compromising health, safety & welfare codes
  - ~~C. Reauthorize Street Maintenance Tax program Done~~
  - ~~D. Create, review, and enforce codes that impact Economic Development, Same as A~~
  - E. Promote a plan for Bandera Road that is business & pedestrian friendly
  - F. Promote Leon Valley



## Additional Recommendations?

- Increase employment and job quality while remaining competitive within the greater San Antonio region, ultimately enhancing long-term quality of life.

## Goal #2 - Police/Fire Safety/Security



- Objectives
  - A. First responders will exceed all state & federal mandates by going above the minimum standards
  - B. Leon Valley First Responders will work as a team to ensure all necessary codes and ordinances are in place to provide a safe and healthy community.
  - C. Leon Valley First Responders will strive to equally & impartially enact & enforce all codes, ordinances & laws in order to provide the best services possible.
  - D. Leon Valley will maintain a recruitment effort to recruit & hire diverse and quality individuals committed to service.
  - E. Leon Valley First Responders will respond to all calls for service within the nationally recognized standards & will be responsive to all inquiries for service or information w/in the same day, unless under exceptional circumstances
  - F. Leon Valley will provide all first responders with superior equipment designed to ensure the safe & efficient delivery of emergency services in the community





## Additional Recommendations?

- A. Reword to: First responders will exceed all state and federal mandates as defined by the City Council based on current staffing and funding. These could include response times, training hours, equipment, and standard operating procedures.
- B. Reword to: Leon Valley First Responders will work as a team to ensure all necessary codes and ordinances are ~~in place~~ up to date to provide a safe and healthy community.
- E. Reword to: Leon Valley will respond to all request for service within nationally recognized standards as defined by City Council and will be responsive to all inquires for service or information within defined parameters set by the City Council. All inquiries should strive to be as transparent and timely as possible.
- F. Reword to: Leon Valley will strive to provide all First Responders with adequate tools, equipment and vehicles to deliver the highest quality services in the safest and most efficient manner possible.
- G. Add: Leon valley will strive to provide current and relevant training for all positions to ensure a highly trained workforce



# Additional Recommendations?

- Reduction of crime by implementing initiatives and strategies to decrease crime rates in the community.
- Improve community policing efforts by strengthening community relationships. This will be accomplished through proactive engagement, outreach programs, and partnerships with local organizations.
- Enhancement of officer development and training by providing ongoing training and professional development opportunities for officers to ensure they are equipped with necessary skills and knowledge.
- Embrace technology and innovation by incorporating advanced technology to enhance policing methods, including data-driven decision-making, predictive policing, and body-worn cameras.
- Support officer wellness and mental health by implementing programs and providing resources to support the mental and emotional well-being of officers.
- Increase transparency and accountability by establishing mechanisms for accountability, such as body cameras, oversight, internal reviews, and transparent reporting of incidents.
- Enhance emergency response and preparedness capabilities for critical incidents, natural disasters, and other emergencies through identification of available resources and additional officer training in ICS and NIMS based courses.
- Reduction of use of force incidents by implementation of de-escalation training, combined with policies and oversight to minimize the use of force while maintaining public, employee and officer safety.
- Increase community education and outreach by providing educational programs and workshops to raise awareness and promote safety within the community such as community meetings and Citizens Police Academy training.
- Utilize and employ proactive problem-solving strategies to identify and address root causes of recurring issues.
- Fiscal responsibility is necessary to efficiently manage available resources while seeking opportunities for cost-saving measures without compromising public safety through available grants.



## Goal #3 - Transportation

- Objectives
  - A. Work with TxDOT in transforming Bandera Rd, so that traffic flows smoother, pedestrians are safe, and multi-modal transportation is encouraged
  - B. Continue to use the Street Maintenance Tax for milling and overlay, street sealing, and sidewalk renovation projects. Use street ranking to ensure the appropriate streets are being funded
  - C. Further the support of public transportation and walking and cycling modes by continuing the sidewalk rehabilitation program ~~and additional VIA shuttle~~ Done



## Additional Recommendations?

A. –Reword :Continue to work with TxDOT and the City of San Antonio in transforming Bandera Rd, so that traffic flows smoother, pedestrians are safe, and multi-modal transportation is encouraged

## Goal #4 - Infrastructure/Capital Plan

- Objectives

- A. Assess ongoing capital needs necessary to maintain city services through the continuation of a 10-year capital plan, which identifies capital projects, equipment purchases, a planning schedule, and potential funding sources
- B. Define strategic investments that support community priorities
- C. Continue to investigate, obtain, and provide funding for improvements to the City's facilities and buildings, drainage system, streets and traffic control devices, and water/sewer system, to assure they are safe and in working order.
- D. Continue to mitigate flooding through Capital Improvements Planning and mandatory Stormwater reduction in new and redeveloped commercial properties





## Additional Recommendations?

- Add bond for ADA and/or Public Works buildings
- Water infrastructure needs
- Install traffic and water crossing cameras with a link to the feeds on the website. This will allow for more community awareness. Cameras will have a Solar battery for power and run off of a cellular connection. T-Mobile is ready to provide these when we are ready.
- Add surveillance cameras to City Hall, Police Department, Fire Department, Library, and Public Works. Having them all on the same platform will provide better visibility and ensure safety for the staff and public.



## Goal #5 - Environmental Sustainability

- Objectives

- ~~A. Reduce vehicle emissions & environmental hazard by products by developing a low carbon culture, which maintains our carbon neutrality for our operations~~
- B. Encourage low impact development parking areas for both city & privately-owned developments to reduce localized flooding
- ~~C. Encourage water capture and reuse by both citizens and businesses through a rebate program for rain barrels to reduce localized flooding Done~~
- D. Increase the use of our allotted acre feet of recycled water by connecting both City Hall and the Fire Station to the system
- ~~E. Maximize recycling~~



## Additional Recommendations?

- Add - cellular tracking devices to city vehicles. This will allow real time tracking of the vehicle's location and provide vehicle health information to the departments that need it.
- Add - Continue to encourage the planting of native trees and Oak wilt remediation.
- E. Reword: Encourage recycling at all City events/functions/facilities'





## Goal #6 - Citizen Involvement

- Objectives
  - ~~A. Maintain a technologically up to date website, which posts current agendas, approved minutes, and provides audio/visual access to City Council meetings Done~~
  - ~~B. Leverage technology for citizen input during City Council Meetings, such as Skype or Facebook DONE~~
  - ~~C. Combine all city portals (PubWorks, OnIt) into one user-friendly application to improve response times DONE~~
  - D. Promote Neighborhood Enhancement Programs through the Police/Fire Departments
  - E. Improve the process of recruiting, training and supporting the City Boards, Committees, Commissions
  - ~~F. Promote Youth Programs in City Venues~~
  - G. Continue to provide all forms of communication to citizens who may not want or have access to technology



{Section}.32.

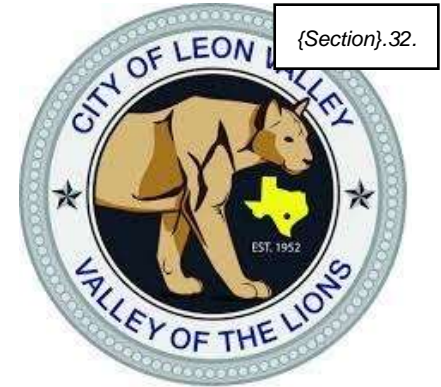
# Additional Recommendations?

- Add - Re-design the Audio-Visual system in the Council Chambers.

# Goal #7 - Provide Excellent Parks, Recreational Green Space, & Cultural Opportunities

- Objectives
  - A. Park Commission to review Master Plan & recommend updates to City Council in **2018**
  - ~~B. Encourage development of recreational programs~~
  - C. Continue to improve new park spaces
  - D. Continue to develop the hike & bike trail systems throughout the City to promote connectivity
  - ~~E. Develop a program to encourage residents to take advantage of outside amenities~~
  - F. Provide cultural opportunities to our citizens and guests





# Additional Recommendations?

- Park Commission to review Master Plan & recommend updates to City Council in 24/25



# Goal #8 - Openness, Transparency, and Accountability

- Objectives
  - A. To foster an environment in which its members are treated as stakeholders in the community & will be entrusted with responsibilities & challenges that will inspire them to commit themselves to performing their duties w/ pride & dedication
  - B. To continue to provide a culture that provides a progressive, comfortable environment for all employees
  - C. To assure responsiveness and excellent customer service to our citizens and businesses
  - D. To continue to maintain strong relationships with current partners so that collaboration is maximized and resources are utilized wisely
  - E. To seek out new partnerships to further enhance our ability to successfully coordinate situations that may require multiple resources from state, federal, local & non-profit entities



## Additional Recommendations?

- To enhance communication and collaboration between City Council, City staff, and community members by enhancing transparency, trust, and shared decision making.
- Ensure collaboration is strengthened by accessible, timely, and accurate information sharing.



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, February 20, 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](mailto:citizenstobeheard@leonvalleytexas.gov). All Other Citizen Participation May Be Provided In-Person at City Council Chambers.

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

**PRESENT**

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

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

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

**2. Citizens to be Heard**

None

**3. Presentations**

**1. Presentation and Possible Action on the Procedure to Conduct the Trash Survey - Dr. Crystal Caldera, City Manager**

Dr. Crystal Caldera, the City Manager, introduced this item regarding the procedure for conducting the Trash Survey. Dr. Caldera presented three (3) options for distribution of the survey to the public. Option 1: To use a company to distribute the survey

electronically for a cost of \$12,000 (for residential) and an additional \$1,000 (to include commercial); Option 2: To have City staff use a Google form that would be distributed electronically - one form per address (Free); and Option 3: To have City staff do a mailout with a return address envelope for a cost of \$4,979 (for residential only) or, \$5,528 (for residential and commercial).

Dr. Crystal Caldera, City Manager, introduced Mr. Lawrence, Account Executive at Polco, who gave a presentation on what his company could do for the survey as related to Option 1.

Councilor Philip Campos made a motion to move forward with Option 3 - to do a mailout, to include the businesses, and to include a QR Code. Councilor Rey Orozco seconded the motion.

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

Voting Nay: Council Place 1 Martinez

The motion passed.

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

Mayor Riley and Members of City Council made announcements.

#### **5. 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 asked that all Councilors that plan to go on the tour tomorrow let her know; congratulations to the Fire Department for a perfect score on their TCFP inspection; thanked everyone that came out to Basura Bash, especially Troop 71 and LVPD Officer Sanchez for all of their efforts; asked Council to submit their suggested Mission Statements to her in preparation for the Special Council Meeting on February 24th, Roque Salinas will be hosting a Job Fair on April 23rd at the Community Center from 9:00 AM to 12:00 PM; and the flood gates are working but they are not sending out the notification; and the marquee is working at the Library.

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

**Regular City Council Meeting, Tuesday, March 05, 2024, at 6:30 PM, in City Council Chambers.**

**Special City Council Meeting, Saturday, February 24, 2024, 9:00 AM, in City Council Chambers.**



**Earthwise Living Day, Saturday, March 02, 2024, from 9:30 AM to 1:30 PM, at the Leon Valley Events Center.**

**Trash & Treasure Event, Saturday, March 09, 2024, from 9:00 AM to 12:00 PM, at the Leon Valley Community Center.**

**Miscellaneous other events and announcements.**

## **6. Consent Agenda**

- 1. Discussion and Possible Action Approving of the Following City Council Minutes:**
  - a. 01-27-2024 Annual Town Hall Meeting Minutes**
  - b. 02-03-2024 Special City Council Meeting Minutes**
  - c. 02-06-2024 Regular City Council Meeting Minutes**
- 2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
  - a. 01-11-2024 Park Commission Meeting Minutes**
- 3. Presentation and Discussion of the Monthly Financial Report Ending January 31, 2024 - C. Goering, Finance Director**
- 4. Presentation, Discussion and Possible Action on a Resolution Continuing the Utility Assistance Program Agreement with Ascension De Paul from February 21, 2024 - March 31, 2025, or Until Funds are Depleted - R. Salinas, Economic Development Director**
- 5. Discussion and Possible Action on an Ordinance Authorizing a Fiscal Year 2023-24 General Fund Budget Adjustment in the Amount of \$5,000 for the Purpose of Increasing the City Manager & Council Department Budget to Settle the Lawsuit Between Frederick vs. City of Leon Valley (1st Read was Held on 02/06/24) - C. Goering, Finance Director**

Councilor Rey Orozco made a motion to approve the Consent Agenda as presented. Councilor Benny Martinez seconded the motion.

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

The motion passed.

## **7. Regular Agenda**

- 1. Discussion and Possible Action on a Resolution of City Council Amending the Interlocal Cooperation Contract for The City of Leon Valley Municipal Court – T. Arizola, Court Administrator**

Tiffany Arizola, Court Administrator, presented a resolution of the City Council Amending the Interlocal Cooperation Contract for The City of Leon Valley Municipal Court.

Those who spoke at this time were: Yvonne Orozco (Leon Valley); and Erick Matta (Leon Valley)

Councilor Benny Martinez made a motion to approve the resolution as presented. Councilor Philip Campos seconded the motion.

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

The motion passed.

**2. Presentation, Discussion on Amending Ordinance Article 4.03 Alcoholic Beverages by Amending Section 4.03.034 Late Hours Permit, Amending Section 4.03.035 City Fees Levy, Amending Section 4.03.036 Beverage Fee Due Date, Amending Section 4.03.038 Display of Receipt, Amending Section 4.03.041 Definitions and Amending Section A17.011 BYOB Establishments (1st Read as Required by the City Charter) - Dr. C. Caldera, City Manager**

Dr. Crystal Caldera, City Manager, presented an ordinance amending Article 4.03 Late Hours Permit, amending Section 4.03.035 City Fees Levy, amending Section 4.03.036 Beverage Fee Due Date, amending Section 4.03.038 Display of Receipt, amending Section 4.03.041 Definitions, and amending Section A17.011 BYOB Establishments. These amendments are being brought to the City Council due to recent Legislative changes.

This item will be placed on the March 05, 2024, Regular City Council Meeting in the Consent Agenda for a second reading as required by the City Charter.

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

None

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

Mayor Riley read aloud the agenda caption for Item 9.1

**1. Executive session - Pursuant to Texas Government Code, Chapter 551, Section 551.074 Personnel Matters: Regarding the City Attorney and Attendance at the City Council Meeting.**

The City Council went into Executive Session at 6:40 PM

**10. Reconvene into Regular Session**

The City Council reconvened into Open Session at 7:24 PM

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

No action was taken at this time.

**12. Adjournment**

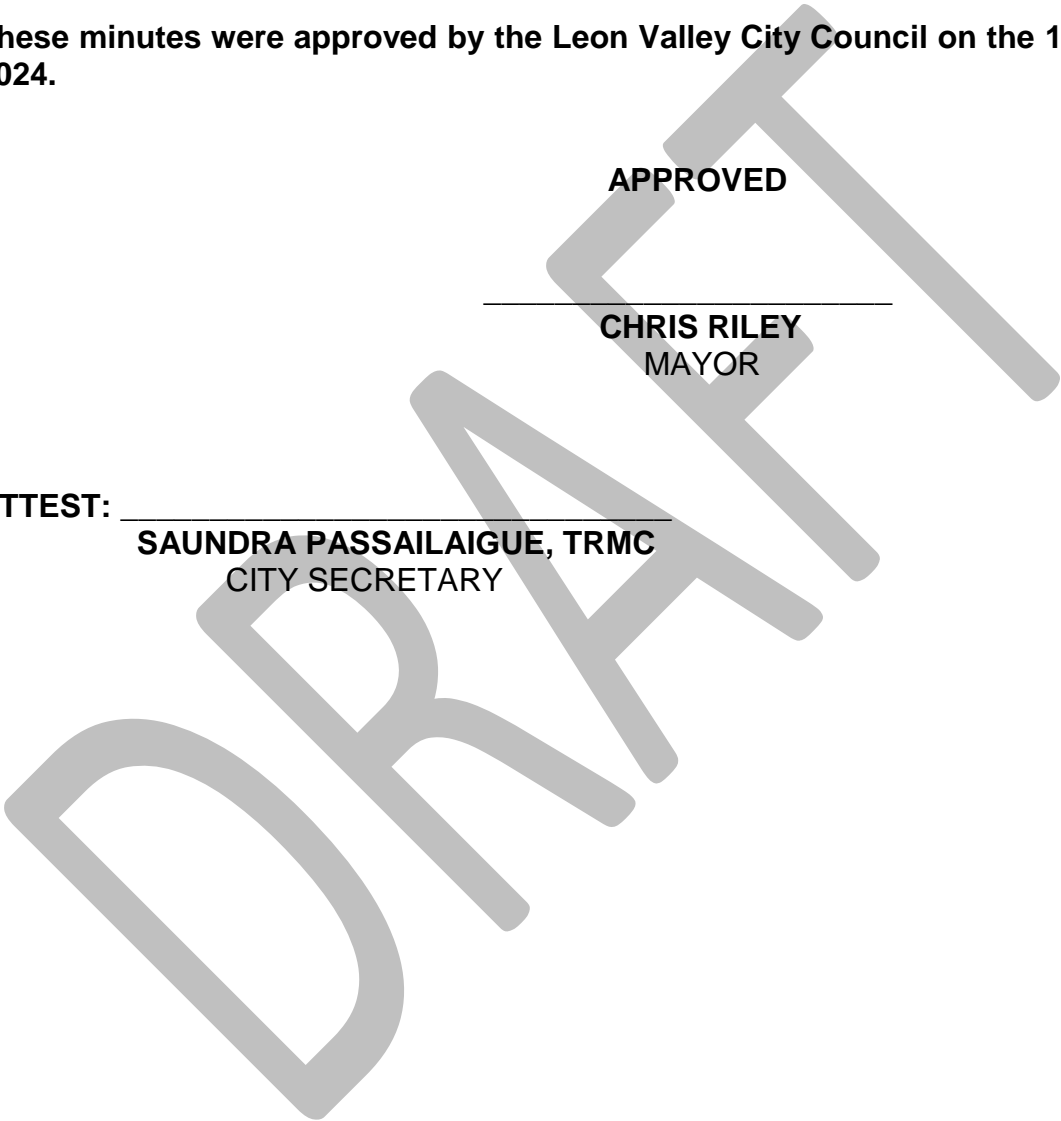
Mayor Riley announced that the meeting adjourned at 7:24 PM

**These minutes were approved by the Leon Valley City Council on the 19th of March, 2024.**

**APPROVED**

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

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





**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, March 05, 2024 at 6:30 PM

**MINUTES**

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

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

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

**PRESENT**

- Mayor Chris Riley
- Council Place 1 Benny Martinez
- Mayor Pro Tem, Council Place 2 Josh Stevens
- Council Place 3 Philip Campos
- Council Place 4 Rey Orozco

Mayor Chris Riley called the meeting to order at 6:30 PM and announced that a quorum of City Council was present in Council Chambers with the exception of Councilor Will Bradshaw who is out of town.

Mayor Riley led the Pledge of Allegiance.

**2. Citizens to be Heard**

Those who spoke at this time were: Teresa Moser (Leon Valley)

**3. Presentations**

**1. Presentation and Discussion on the Approval of the Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2023 - Debbie Fraser, CPA**

Deborah F. Fraser, CPA, CGMA from Armstrong, Vaughan & Associates, P.C., the City of Leon Valley’s third-party independent auditors, presented the Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2023.

Ms. Fraser stated that Governmental Activities assets of the City exceeded its liabilities by \$24.4 million at September 30, 2023 and our net position increased by \$5.1 million. This was due to capital grants and contributions primarily. Further she explained the Business Type Activities assets of the Water and Sewer Fund exceeded its liabilities by \$12.6 million at September 30, 2023; an increase of \$2.5 million and unrestricted net position increased \$277 thousand to \$2.06 million at September 30, 2023 due to an increase in Cash and Fixed Assets.

Overall, the General Fund's fund balance at the end of the 2023 fiscal year was \$8.2 million and the combined fund balance for all funds was \$14.9 million. The unassigned Fund Balance for the General Fund was \$5.9 million or approximately 5.7 months of average operating expenditures.

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

Mayor Riley and members of the City Council made announcements.

## 5. City Manager's Report

### 1. Upcoming Important Events:

**Regular City Council Meeting, Tuesday, March 19, 2024, at 6:30 PM, in City Council Chambers.**

**Trash & Treasure Event, Saturday, March 09, 2024, from 9:00 AM to 12:00 PM, at the Leon Valley Community Center.**

**Volunteer Appreciation Dinner, Tuesday, April 09, 2024, from 6:00 PM to 8:00 PM, at the Leon Valley Conference Center.**

**Joint General Election – Early Voting, Monday, April 22, 2024 through Tuesday, April 30, 2024.**

**Job Fair, Tuesday, April 23, 2024, from 9:00 AM to 12:00 PM, at the Leon Valley Community Center.**

**Library Volunteer Party, Wednesday, April 24, 2024, from 5:00 PM to 7:00 PM, at the Leon Valley Public Library.**

**Coffee with the Mayor & City Council, Saturday, April 27, 2024, from 9:00 AM to 11:00 AM, at the Leon Valley Conference Center.**

**Household Hazardous Waste Collection, Saturday, April 27, 2024, from 8:00 AM to 1:00 PM, at the Leon Valley Fire Department. This event is only for Leon Valley residents – address verification required.**

**Joint General Election - Election Day, Saturday, May 04, 2024, polls open from 7:00 AM to 7:00 PM.**

**Annual City-Wide Garage Sale, Saturday, May 25, 2024, from 8:00 AM to 6:00 PM**

**Miscellaneous other events and announcements.**

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 added that there will be a Special Planning and Zoning Commission Meeting to hear the PDD for privately owned property located in the Seneca West/ Grasshill area and the ACFR will be placed on the website under the Finance page.

## **6. Consent Agenda**

Councilor Rey Orozco made a motion to approve the Consent Agenda as presented. Councilor Philip Campos seconded the motion.

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

The motion passed.

- 1. Discussion and Possible Action Approving of the Following City Council Minutes:**
  - a. 02-06-2024 Regular City Council Meeting Minutes**
  - b. 02-24-2024 Special City Council Meeting Minutes**
- 2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
  - a. 10-23-2023 Economic and Community Development Advisory Committee Meeting Minutes**
  - b. 01-29-2024 Economic and Community Development Advisory Committee Meeting Minutes**
  - c. 01-23-2024 Planning & Zoning Commission Meeting Minutes**
- 3. Discussion and Possible Action on Amending Ordinance Article 4.03 Alcoholic Beverages by Amending Section 4.03.034 Late Hours Permit, Amending Section 4.03.035 City Fees Levy, Amending Section 4.03.036 Beverage Fee Due Date, Amending Section 4.03.038 Display of Receipt, Amending Section 4.03.041 Definitions and Amending Section A17.011 BYOB Establishments (1st Reading was Held 02-20-2024) - Dr. C. Caldera, City Manager**

## 7. Regular Agenda

- 1. Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Appendix A Fee Schedule, Article A2.000 - Administrative Fees, Sec. A2.003 - Municipal Park Administrative Fees, (g) Swimming Pool Fees, (1) and (2) to Increase Non-Leon Valley Resident Pool Membership Fees (1st Read as Required by City Charter) - D. Dimaline, Public Works Assistant Director**

David Dimaline Public Works Director presented an ordinance amending the Leon Valley Code of Ordinances, appendix A fee schedule, to increase non-leon valley resident pool membership fees. He proposed an increase from Adult nonresidents from \$60.00 to \$100.00, Child nonresidents from \$40.00 to \$50.00, Affordability Rate Adult nonresidents from \$30.00 to \$40.00, Child nonresidents from \$20.00 to \$30.00.

The Council agreed to amend the presented item by the following: The maximum amount per family for nonresidents will be \$400, The affordability rate will only apply to Leon Valley residents, and to increase the nonresident child rate from \$50 to \$60.

The Council agreed to place the item on the consent agenda at the next regular City Council meeting.

- 3. Presentation, Discussion, and Possible Action on a Resolution Authorizing the City Manager to Enter into a Grant Agreement with Haven for Hope in the Amount not to Exceed \$40,000 for Street Outreach Personnel - Dr. C. Caldera, City Manager**

Dr. Crystal Caldera, City Manager, presented a Resolution authorizing the City Manager to enter into a grant agreement with Haven for Hope in the amount not to exceed \$40,000 for Street Outreach personnel.

Those who spoke at this time were: Daniel Beale (Leon Valley)

Councilor Rey Orozco made a motion to approve this item as presented with the exception of removing from Article 4, Sec. 4.01 Outreach Client needs from the agreement. Councilor Philip Campos seconded the motion.

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

- 4. Presentation and Discussion on an Ordinance Authorizing a Fiscal Year 2023-24 General Fund Budget Adjustment in the Amount of \$40,000 for the Purposes of Increasing the City Manager and Council Department Budget to Pay for the City's Portion of a Street Outreach Person Through Haven for Hope (1st Read as Required by City Charter) - Dr. Crystal Caldera, City Manager**

Dr. Crystal Caldera, City Manager, presented an Ordinance authorizing a Fiscal Year 2023-24 General Fund Budget adjustment in the amount of \$40,000 for the City's Portion of a Street Outreach Person with Haven for Hope.

Those who spoke at this time were: Russell Hernandez (Leon Valley)

There was consensus among the City Council to place this item on the consent agenda for the next regular City Council Meeting.

**5. Presentation, Discussion and Possible Action on a Resolution Adopting a Revised Mission and Vision Statement for the City of Leon Valley - Dr. Crystal Caldera, City Manager**

Dr. Crystal Caldera, City Manager, presented a Resolution adopting a revised Mission and Vision Statement for the City of Leon Valley.

Dr. Caldera proposed amending the mission statement from “The City of Leon Valley will provide our community with a superior quality of life by balancing social equity, environmental stewardship and economic development to achieve sustainability” to “The City of Leon Valley is committed to protecting the quality of life, safety, and liberty while prioritizing fiscal responsibility, resiliency, sustainability and economic development”.

Dr. Caldera proposed amending the Vision Statement from “The City of Leon Valley will be a sustainable community by balancing Social Equity, Economic Development and Environmental Stewardship (S.E.E.). Social Equity - The City will promote a superior quality of life by responding to citizens in a fair and prompt manner, by providing outstanding public safety services, high quality educational, recreational, historical, and cultural amenities, and superb infrastructure. The City will encourage collaborative participation by its residents, businesses, and stakeholders. Economic Development- The City will provide a diverse and versatile business environment that supports a healthy economy. The City will exhibit a distinctive and welcoming identity at its boundaries and throughout the community. The City will attract, expand, and retain viable businesses to promote development and redevelopment, including a town-centered design, pedestrian friendly connections, and world class public transit. Environmental Stewardship -The City will become carbon-neutral by conserving and preserving natural resources and by expanding recycling initiatives and enhancing our environment with earth-friendly practices” to “The City of Leon Valley strives to foster a community that is resilient to challenges, sustainable for future generations, and economically dynamic, ensuring a prosperous and harmonious future for all”.

Councilor Philip Campos made a motion to approve this item as presented. Councilor Benny Martinez seconded the motion.

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

Councilor Rey Orozco made a motion to start the next regular City Council meeting at 5:30 PM to continue the discussion on the core values and goals and objectives for the City. Councilor Josh Stevens seconded the motion.

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



**8. 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 Josh Stevens and seconded by Benny Martinez to amend the security policy for City Council meetings. He will submit his request in writing.

**9. Adjournment**

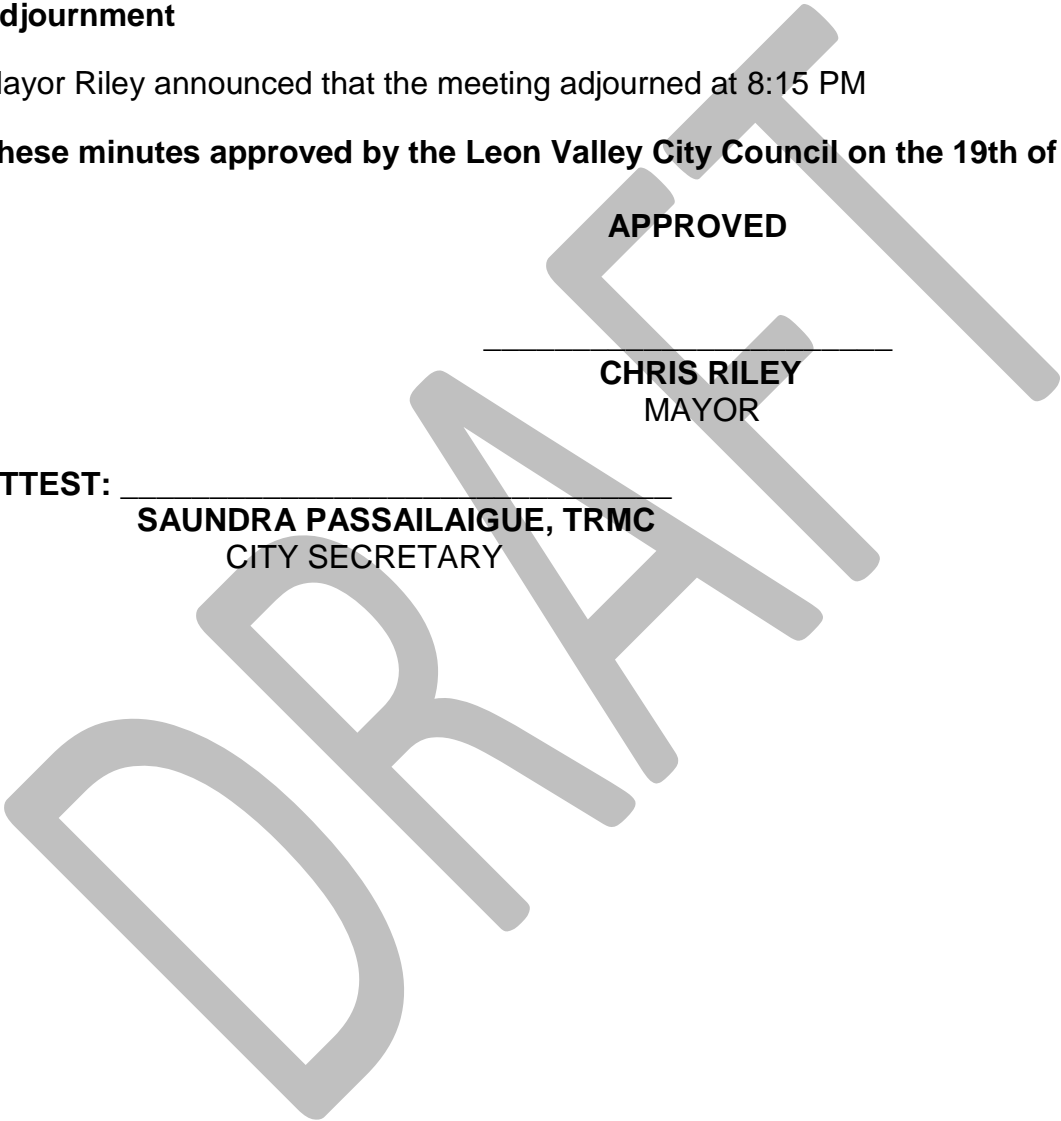
Mayor Riley announced that the meeting adjourned at 8:15 PM

**These minutes approved by the Leon Valley City Council on the 19th of March, 2024.**

**APPROVED**

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

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



**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 19, 2024  
**TO:** Mayor and Council  
**FROM:** David Dimaline, Assistant Public Works Director  
**THROUGH:** Crystal Caldera, Ph.D., City Manager

**SUBJECT:** Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances, Appendix A Fee Schedule, Article A2.000 - Administrative Fees, Sec. A2.003 - Municipal Park Administrative Fees, (g) Swimming Pool Fees, (1) and (2) to Increase Non-Leon Valley Resident Pool Membership Fees – D. Dimaline, Public Works Assistant Director

**SPONSOR(S):** Mayor and City Council

**PURPOSE & BACKGROUND**

The purpose of this item is to consider approving an amendment to the Leon Valley Code of Ordinances, Appendix A Fee Schedule to increase pool membership fees for non-Leon Valley residents. Below are the proposed new fees (in blue text):

- (1) *Daily gate fee:* \$5.00.
  - (A) Season pass - adult resident: \$40.00.
  - (B) Season pass - child (under 18), resident: \$30.00.
  - (C) Season pass - adult, nonresident: ~~\$60.00~~-\$100.00
  - (D) Season pass - child (under 18), nonresident: ~~\$40.00~~-\$60.00
  - (E) Season pass - swim team member (full use of pools): \$10.00.
  - (F) Maximum amount per resident family: \$200.00.  
Maximum amount per non-resident family: \$400.00
- (2) *Affordability rate - residents only (application required at city hall, must meet HHS guidelines)*
  - (A) Season pass - adult ~~resident~~: \$20.00.
  - (B) Season pass - child (under 18), ~~resident~~: \$15.00.

~~(C) Season pass - adult, nonresident: \$30.00-\$40.00~~

~~(D) Season pass - child (under 18) nonresident: \$20.00-\$30.00~~

**Fiscal Impact**

The increase will increase revenues by approximately \$6,000 - \$8,000 which helps to offset the cost for pool operations.

**Recommendation**

At City Council discretion.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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

ATTEST:

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

**ORDINANCE NO. 2024-**

**AN ORDINANCE AMENDING THE LEON VALLEY CODE OF ORDINANCES, ARTICLE A2.000 ADMINISTRATIVE FEES, SECTION A2.003 MUNICIPAL PARK FEES, (G) SWIMMING POOL FEES, TO REVISE USER FEES FOR THE CITY OWNED SWIMMING POOL FACILITIES; AND PROVIDING FOR A PENALTY, REPEALER, SEVERABILITY, AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Leon Valley operates two Community pools as part of the City’s Parks system, using a management company to provide staffing of lifeguards and general management during the pool season and to provide off-season maintenance; and

**WHEREAS**, the City Council directed staff to revise non-resident user fees to recoup some of the management costs to operate the City Pools; and

**WHEREAS**, in order to implement the revised fees, it is necessary to amend the Leon Valley Code of Ordinances Article A2.000 Administrative Fees, Section A2.003 Municipal Park Fees, (g) Swimming Pool Fees; and

**WHEREAS**, it is now the desire of City Council to authorize an amendment to the Leon Valley Code of Ordinances Article A2.000 Administrative Fees, Section A2.003 Municipal Park Fees, (g) Swimming Pool Fees for the City’s Community Pools;

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

**SECTION 1.** The Leon Valley Code of Ordinances Article A2.000 Administrative Fees, Section A2.003 Municipal Park Fees, (g) Swimming Pool Fees, (1) and (2) for the City’s Community Pools is hereby authorized to be amended as follows:

(Items marked as stricken and red are to be removed, items in blue are to replace)

“(1) *Daily gate fee*: \$5.00.

(A) Season pass - adult resident: \$40.00.

(B) Season pass - child (under 18), resident: \$30.00.

(C) Season pass - adult, nonresident: ~~\$60.00~~ \$100.00

(D) Season pass - child (under 18), nonresident: ~~\$40.00~~ \$60.00

(E) Season pass - swim team member (full use of pools): \$10.00.

(F) Maximum amount per resident family: \$200.00.  
Maximum amount per non-resident family: \$400.00

(2) Affordability rate, for residents only (application required at city hall, must meet HHS guidelines for 2019).

(A) Season pass - adult resident: \$20.00.

(B) Season pass - child (under 18), resident: \$15.00.

~~(C) Season pass - adult, nonresident: \$30.00.\$40.00~~

~~(D) Season pass - child (under 18) nonresident: \$20.00.\$30.00~~

**Section 1.** That the Leon Valley Code of Ordinances, Appendix A Fee Schedule be amended as stated in Exhibit A attached hereto.

**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 the Leon Valley Code of Ordinances, Appendix A Fee Schedule 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 19<sup>th</sup> day of March 2024.

**APPROVED**

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

Attest :

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

Approved as to Form:

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City Attorney



# 2024 City Pool Fee Discussion

David Dimaline

Public Works Assistant Director

City Council Meeting

March 19, 2024

# Summary

- Question: Should the City Council increase the fees for non-residents to use the city pool?
- Options
  - Increase fees
  - Other
- Declaration
  - This is at City Council discretion



# Background

- In November of 2023, staff gave a swimming pool report recapping the 2023 pool season
- The report indicated that a large number of non-Leon Valley residents were using the pool facilities
- City Council asked staff to prepare an ordinance increasing the fees for non-resident pool usage

# Purpose

- Proposed new fees:
  - Daily gate fee: \$5.00.
  - Season pass - adult resident: \$40.00.
  - Season pass - child (under 18), resident: \$30.00.
  - Season pass - adult, nonresident: ~~\$60.00~~ \$100.00
  - Season pass - child (under 18), nonresident: ~~\$40.00~~ \$60.00
  - Season pass - swim team member (full use of pools): \$10.00.
  - Maximum amount per resident family: \$200.00.
  - Maximum amount per non-resident family: \$400.00

# Purpose

- Proposed new fees:
- Affordability rate – residents only (application required at city hall, must meet HHS guidelines)
- Season pass - adult ~~resident~~: \$20.00.
- Season pass - child (under 18), ~~resident~~: \$15.00.
- ~~Season pass - adult, nonresident: \$30.00.\$40.00~~
- ~~Season pass - child (under 18) nonresident: \$20.00.\$30.00~~

# Fiscal Impact

- This will increase pool revenue by approximately \$6,000 - \$8,000

# Recommendation

- At City Council discretion

# City of Leon Valley February 2024 Financial Report

Carol Goering

Finance Director

City Council Meeting

March 19, 2024

# City of Leon Valley Monthly Financial February 2024

{Section}.63.

## General Fund

Target Percentage 41.67%

REVENUE	FY 2024 BUDGET	FY 2024 Y-T-D ACTUAL		FY 2023 Y-T-D ACTUAL	
Ad Valorem	\$ 5,470,447	\$ 4,972,615	90.9%	\$ 4,639,785	84.7%
Sales Taxes	3,789,946	957,368	25.3%	972,953	29.3%
Franchise Taxes	1,001,820	279,552	27.9%	483,495	53.6%
Licenses, Permits, Fees & Fines	1,237,800	443,160	35.8%	443,976	27.0%
Interest Income	316,000	157,841	49.9%	91,401	169.2%
Miscellaneous Revenue	1,768,894	189,656	10.7%	117,895	23.1%
Transfers In	2,133,856	2,133,856	100.0%	2,267,183	109.0%
<b>Total Revenue</b>	<b>\$ 15,718,763</b>	<b>\$ 9,134,049</b>	<b>58.1%</b>	<b>\$ 9,016,688</b>	<b>48.6%</b>

## EXPENDITURES

Municipal Court	\$ 426,289	\$ 147,000	34.5%	\$ 146,692	35.0%
Finance	465,686	176,544	37.9%	143,551	35.2%
Council & Manager	1,115,434	426,903	38.3%	541,701	40.7%
Information Technology	315,718	178,283	56.5%	112,608	35.73
Police	3,542,439	1,391,585	39.3%	1,317,883	39.8%
Impound Lot	134,402	57,144	42.5%	51,039	0.0%
Fire	3,900,408	1,338,997	34.3%	1,355,228	37.4%
Public Works	2,522,719	853,494	33.8%	758,467	34.0%
Planning and Zoning	649,790	185,779	28.6%	140,841	27.3%
Economic Development	393,099	137,782	35.1%	40,547	0.0%
Special Events	144,606	3,305	2.3%	9,851	7.0%
Parks & Recreation	2,767,490	112,750	4.1%	31,929	11.4%
Library	557,862	195,822	35.1%	171,760	30.0%
Transfers Out	-		0.0%	659,000	103.13
<b>Total Expenditures</b>	<b>\$ 16,935,942</b>	<b>\$ 5,205,389</b>	<b>30.7%</b>	<b>\$ 5,481,098</b>	<b>19.7%</b>

# City of Leon Valley Monthly Financial February 2024

## Water/Sewer/Storm Water Fund

Target Percentage 41.67%

REVENUE	FY 2024 BUDGET	FY 2024 Y-T-D ACTUAL		FY 2023 Y-T-D ACTUAL	
Water Sales	\$ 2,084,115	\$ 680,171	32.6%	\$ 737,432	37%
Sewer Sales	2,516,542	933,483	37.1%	929,617	38%
Storm Water	580,444	194,761	33.6%	174,733	46%
Connection & Platting	350	-	0.0%	-	-
Customer Fees	68,921	29,662	43.0%	34,908	62%
Tapping Fees	10,000	-	0.0%	-	-
Interest Income	50,000	91,972	183.9%	63,096	155%
Miscellaneous Revenue	10,500	-	0.0%	82,840	0.0%
<b>Total Revenue</b>	<b>\$ 5,320,872</b>	<b>\$ 1,930,050</b>	<b>19.9%</b>	<b>\$ 2,022,625</b>	<b>40.5%</b>

### EXPENDITURES

Water System	1,704,795	583,194	34.2%	459,343	49.1%
Sewer System	2,738,254	776,222	28.3%	634,827	30.2%
Storm Water	175,600	86,926	49.5%	26,517	29.8%
Other Sources/Uses	1,261,628	1,261,628	100.0%	2,269,467	105.50
<b>Total Expenditures</b>	<b>\$ 5,880,277</b>	<b>\$ 2,707,970</b>	<b>46.1%</b>	<b>\$ 3,390,154</b>	<b>25.8%</b>



# City of Leon Valley Monthly Financial February 2024

## Community Center Fund

Target Percentage 41.67%

REVENUE	FY 2024 BUDGET	FY 2024 Y-T-D ACTUAL		FY 2023 Y-T-D ACTUAL	
Hotel/Motel Taxes	\$ 84,000	\$ 11,844	14.1%	\$ 12,659	18.1%
<b>RENTAL FEES</b>					
Community Center	47,900	9,263	19.3%	9,201	18.4%
Conference Center	16,534	10,405	62.9%	4,000	-
Interest Income	7,200	4,217	58.6%	2,770	769.8%
Transfers in	-	-	-	-	-
<b>Total Revenue</b>	<b>\$ 155,634</b>	<b>\$ 35,728</b>	<b>23.0%</b>	<b>\$ 28,630</b>	<b>7.3%</b>

### EXPENDITURES

Personnel	\$ 89,338	\$ 27,850	31.2%	\$ 22,356	30.4%
Supplies	8,000	984	12.3%	147	2.0%
Contractual	59,350	16,444	27.7%	12,844	24.9%
Capital Outlay	60,000	-	-	-	0.0%
<b>Total Expenditures</b>	<b>\$ 216,688</b>	<b>\$ 45,278</b>	<b>20.9%</b>	<b>\$ 35,346</b>	<b>19.0%</b>

# City of Leon Valley Monthly Financial February 2024

## Economic/Community Development

Target Percentage 41.67%

REVENUE	FY 2024	FY 2024		FY 2023	
	Budget	Y-T-D ACTUAL		Y-T-D Actual	
Sales Tax Revenues	\$ 409,000	\$ 105,593	25.8%	\$ 107,065	16.8%
Interest Income	11,000	9,938	90.3%	6,754	68.05
<b>Total Revenues</b>	<b>\$ 420,000</b>	<b>\$ 115,532</b>	<b>27.5%</b>	<b>\$ 113,818</b>	<b>22.8%</b>

### EXPENDITURES

Personnel	\$ 172,139	\$ 53,449	31.0%	\$ 31,605	13.7%
Supplies	11,475	1,276	11.1%	616	3.2%
Contractual	209,485	83,057	39.6%	8,327	1.6%
<b>Total Expenditures</b>	<b>\$ 393,099</b>	<b>\$ 137,782</b>	<b>35.1%</b>	<b>\$ 40,547</b>	<b>5.8%</b>

## City of Leon Valley Monthly Financial February 2024

### Impound Lot

Target Percentage 41.67%

REVENUE	FY 2024 Budget	FY 2024 Y-T-D ACTUAL		FY 2023 Y-T-D Actual	
Impound Lot Fees	\$ 100,000	\$ 44,505	44.5%	\$ 30,075	37.6%
Auctions	65,000	-	0.0%	23,569	3.2%
<b>Total Revenues</b>	<b>\$ 165,000</b>	<b>\$ 44,505</b>	<b>27.0%</b>	<b>\$ 53,644</b>	<b>40.8%</b>

### EXPENDITURES

Personnel	\$ 122,502	\$ 52,651	43.0%	\$ 47,943	38.7%
Supplies	1,900	160	8.4%	401	21.1%
Contractual	10,000	4,333	43.3%	2,695	28.4%
Capital	-	-	-	-	-
<b>Total Expenditures</b>	<b>\$ 134,402</b>	<b>\$ 57,144</b>	<b>42.5%</b>	<b>\$ 51,039</b>	<b>37.5%</b>

**City of Leon Valley  
Monthly Financial  
February 2024**

{Section}.63.

Red Light Cameras (RLC)

Target Percentage 41.67%

REVENUE	FY 2024 Budget	FY 2024 Y-T-D ACTUAL		FY 2023 Y-T-D Actual	
Red Light Camera Fines	\$ 1,895,872	\$ 965,340	50.9%	\$ 1,080,455	48.4%
Late Fees/Court Costs	200,000	71,922	36.0%	86,003	-
Interest Income	25,000	14,689	58.8%	23,360	778.7%
Transfers in	-	-	-	-	-
<b>Total Revenues</b>	<b>\$ 2,120,872</b>	<b>\$ 1,051,951</b>	<b>49.6%</b>	<b>\$ 1,189,818</b>	<b>39.9%</b>

**EXPENDITURES**

*Red Light Cameras (Tier 1)*

Personnel (6 employees)	\$ 642,258	\$ 250,065	38.9%	\$ 251,035	41.1%
Supplies	3,150	-	0.0%	125	3.1%
Contractual	887,000	284,012	32.0%	283,167	31.4%
Transfers	342,558	342,558	100.0%	326,574	72%
<b>Total Tier One</b>	<b>\$ 1,874,966</b>	<b>\$ 876,635</b>	<b>46.8%</b>	<b>\$ 860,901</b>	<b>43.7%</b>

*Traffic Safety (Tier 2)*

Personnel (2 out of 3 employees)	\$ 298,227	\$ 78,313	26.3%	\$ 93,754	0.0%
Supplies	9,800	-	-	821	-
Contractual	53,997	8,117	15.0%	-	-
Capital Outlay	505,738	154,837	30.6%	126,000	0.0%
<b>Total Tier Two</b>	<b>\$ 867,762</b>	<b>\$ 241,267</b>	<b>27.8%</b>	<b>\$ 220,575</b>	<b>40.0%</b>

UNAUDITED

RLC Fines Revenue	965,340	
RLC Expenditures	(534,077)	
RLC Personnel Transfers YTD	(142,733)	Estimated for the YTD FY
	288,531	Of this 50% goes to the city the other 50% goes to the state
City 50% Revenue (Loss)	144,265	This is the 50% that comes to the city
Late Fees Revenue	71,922	City keeps 100%
Interest Income Revenue	14,689	City keeps 100%
Traffic Safety Expenditures	(241,267)	
<b>Total Net Fund Revenue (Loss)</b>	<b>(10,390)</b>	

# City of Leon Valley February 2024 Financial Report

Carol Goering

Finance Director

City Council Meeting

March 19, 2024

# Racial Profiling Report | Full

{Section}.64.

Agency Name: LEON VALLEY POLICE DEPT.  
Reporting Date: 02/26/2024  
TCOLE Agency Number: 029213

Chief Administrator: DAVID G. GONZALEZ

Agency Contact Information:  
Phone: (210) 684-6557  
Email: d.gonzalez@leonvalleytexas.gov

Mailing Address:  
6400 EL VERDE RD  
LEON VALLEY, TX 78238

This Agency filed a full report

LEON VALLEY POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the LEON VALLEY POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the LEON VALLEY POLICE DEPT. if the individual believes that a peace officer employed by the LEON VALLEY POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the LEON VALLEY POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the LEON VALLEY POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
  - a. the race or ethnicity of the individual detained;
  - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
  - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
  - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
  - e. the location of the stop;
  - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
  - a. the Commission on Law Enforcement; and
  - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The LEON VALLEY POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article 2.133

(c), Code of Criminal Procedure during the reporting period.

{Section}.64.

Executed by: KASEY K. TUCKER  
Lieutenant

Date: 02/26/2024

# Total stops: 5746

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## Street address or approximate location of the stop

City street	3446
US highway	0
County road	6
State highway	718
Private property or other	1576

## Was race or ethnicity known prior to stop?

Yes	46
No	5700

## Race / Ethnicity

Alaska Native / American Indian	39
Asian / Pacific Islander	183
Black	715
White	2398
Hispanic / Latino	2411

## Gender

<b>Female</b>	<b>2248</b>
Alaska Native / American Indian	7
Asian / Pacific Islander	53
Black	268
White	969
Hispanic / Latino	951
<b>Male</b>	<b>3498</b>
Alaska Native / American Indian	32
Asian / Pacific Islander	130
Black	447
White	1429
Hispanic / Latino	1460

## Reason for stop?

<b>Violation of law</b>	<b>397</b>
Alaska Native / American Indian	5
Asian / Pacific Islander	3
Black	48
White	268



Hispanic / Latino	73
<b>Preexisting knowledge</b>	<b>19</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	11
Hispanic / Latino	6
<b>Moving traffic violation</b>	<b>4389</b>
Alaska Native / American Indian	20
Asian / Pacific Islander	159
Black	552
White	1673
Hispanic / Latino	1985
<b>Vehicle traffic violation</b>	<b>941</b>
Alaska Native / American Indian	14
Asian / Pacific Islander	21
Black	113
White	446
Hispanic / Latino	347
<b>Was a search conducted?</b>	
<b>Yes</b>	<b>144</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	26
White	55
Hispanic / Latino	62
<b>No</b>	<b>5602</b>
Alaska Native / American Indian	38
Asian / Pacific Islander	183
Black	689
White	2343
Hispanic / Latino	2349
<b>Reason for Search?</b>	
<b>Consent</b>	<b>2</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	1

Hispanic / Latino	1
<b>Contraband</b>	<b>3</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	2
Hispanic / Latino	1
<b>Probable</b>	<b>79</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	16
White	31
Hispanic / Latino	32
<b>Inventory</b>	<b>37</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	4
White	13
Hispanic / Latino	20
<b>Incident to arrest</b>	<b>23</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	6
White	8
Hispanic / Latino	8
<b>Was Contraband discovered?</b>	
<b>Yes</b>	<b>83</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	16
White	32
Hispanic / Latino	34
<b>No</b>	<b>61</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	10
White	23
Hispanic / Latino	28

<b>Did the finding result in arrest?</b>			
(total should equal previous column)			
Yes	0	No	1
Yes	0	No	0
Yes	4	No	12
Yes	5	No	27
Yes	5	No	29

<b>Description of contraband</b>	
<b>Drugs</b>	<b>48</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	10
White	24
Hispanic / Latino	14
<b>Weapons</b>	<b>3</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	1
Hispanic / Latino	0
<b>Currency</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Alcohol</b>	<b>9</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	4
Hispanic / Latino	4
<b>Stolen property</b>	<b>4</b>
Alaska Native / American Indian	1
Asian / Pacific Islander	0
Black	2
White	1
Hispanic / Latino	0
<b>Other</b>	<b>23</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	4
Hispanic / Latino	16
<b>Result of the stop</b>	
Verbal warning	<b>0</b>

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Written warning</b>	<b>2490</b>
Alaska Native / American Indian	20
Asian / Pacific Islander	97
Black	319
White	1009
Hispanic / Latino	1045
<b>Citation</b>	<b>3219</b>
Alaska Native / American Indian	19
Asian / Pacific Islander	86
Black	389
White	1374
Hispanic / Latino	1351
<b>Written warning and arrest</b>	<b>5</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	2
Hispanic / Latino	1
<b>Citation and arrest</b>	<b>32</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	5
White	13
Hispanic / Latino	14
<b>Arrest</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Arrest based on</b>	
<b>Violation of Penal Code</b>	<b>15</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	4
White	7
Hispanic / Latino	4
<b>Violation of Traffic Law</b>	<b>4</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	3
Hispanic / Latino	1
<b>Violation of City Ordinance</b>	<b>0</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
<b>Outstanding Warrant</b>	<b>18</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	5
Hispanic / Latino	10

**Was physical force resulting in bodily injury used during stop?**

<b>Yes</b>	<b>1</b>
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	1
<b>Resulting in Bodily Injury To:</b>	
Suspect	0
Officer	0
Both	0
<b>No</b>	<b>5745</b>
Alaska Native / American Indian	39
Asian / Pacific Islander	183
Black	715
White	2398
Hispanic / Latino	2410

**Number of complaints of racial profiling**

Total 0  
Resulted in disciplinary action 0  
Did not result in disciplinary action 0

{Section}.64.

**Comparative Analysis**

Use TCOLE's auto generated analysis   
Use Department's submitted analysis

**Optional Narrative**

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement

# Racial Profiling Analysis Report

{Section}.64.

## LEON VALLEY POLICE DEPT.

01. Total Traffic Stops:	5746	
02. Location of Stop:		
a. City Street	3446	59.97%
b. US Highway	0	0.00%
c. County Road	6	0.10%
d. State Highway	718	12.50%
e. Private Property or Other	1576	27.43%
03. Was Race known prior to Stop:		
a. NO	5700	99.20%
b. YES	46	0.80%
04. Race or Ethnicity:		
a. Alaska/ Native American/ Indian	39	0.68%
b. Asian/ Pacific Islander	183	3.18%
c. Black	715	12.44%
d. White	2398	41.73%
e. Hispanic/ Latino	2411	41.96%
05. Gender:		
a. Female	2248	39.12%
i. Alaska/ Native American/ Indian	7	0.12%
ii. Asian/ Pacific Islander	53	0.92%
iii. Black	268	4.66%
iv. White	969	16.86%
v. Hispanic/ Latino	951	16.55%
b. Male	3498	60.88%
i. Alaska/ Native American/ Indian	32	0.56%
ii. Asian/ Pacific Islander	130	2.26%
iii. Black	447	7.78%
iv. White	1429	24.87%
v. Hispanic/ Latino	1460	25.41%
06. Reason for Stop:		
a. Violation of Law	397	6.91%
i. Alaska/ Native American/ Indian	5	1.26%
ii. Asian/ Pacific Islander	3	0.76%

# Racial Profiling Analysis Report

{Section}.64.

iii. Black	48	12.09%
iv. White	268	67.51%
v. Hispanic/ Latino	73	18.39%
b. Pre-Existing Knowledge	19	0.33%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	10.53%
iv. White	11	57.89%
v. Hispanic/ Latino	6	31.58%

c. Moving Traffic Violation	4389	76.38%
i. Alaska/ Native American/ Indian	20	0.46%
ii. Asian/ Pacific Islander	159	3.62%
iii. Black	552	12.58%
iv. White	1673	38.12%
v. Hispanic/ Latino	1985	45.23%

d. Vehicle Traffic Violation	941	16.38%
i. Alaska/ Native American/ Indian	14	1.49%
ii. Asian/ Pacific Islander	21	2.23%
iii. Black	113	12.01%
iv. White	446	47.40%
v. Hispanic/ Latino	347	36.88%

## 07. Was a Search Conducted:

a. NO	5602	97.49%
i. Alaska/ Native American/ Indian	38	0.68%
ii. Asian/ Pacific Islander	183	3.27%
iii. Black	689	12.30%
iv. White	2343	41.82%
v. Hispanic/ Latino	2349	41.93%
b. YES	144	2.51%
i. Alaska/ Native American/ Indian	1	0.69%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	26	18.06%
iv. White	55	38.19%
v. Hispanic/ Latino	62	43.06%

## 08. Reason for Search:

a. Consent	2	0.03%
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# Racial Profiling Analysis Report

{Section}.64.

i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	1	50.00%
v. Hispanic/ Latino	1	50.00%
b. Contraband in Plain View	3	0.05%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	2	66.67%
v. Hispanic/ Latino	1	33.33%
c. Probable Cause	79	1.37%
ii. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	16	20.25%
iv. White	31	39.24%
v. Hispanic/ Latino	32	40.51%
d. Inventory	37	0.64%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	4	10.81%
iv. White	13	35.14%
v. Hispanic/ Latino	20	54.05%
e. Incident to Arrest	23	0.40%
i. Alaska/ Native American/ Indian	1	4.35%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	6	26.09%
iv. White	8	34.78%
v. Hispanic/ Latino	8	34.78%

## 09. Was Contraband Discovered:

YES	83	1.44%
i. Alaska/ Native American/ Indian	1	1.20%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	1	
ii. Asian/ Pacific Islander	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iii. Black	16	19.28%

# Racial Profiling Analysis Report

{Section}.64.

Finding resulted in arrest - YES	4	
Finding resulted in arrest - NO	12	
iv. White	32	38.55%
Finding resulted in arrest - YES	5	
Finding resulted in arrest - NO	27	
v. Hispanic/ Latino	34	40.96%
Finding resulted in arrest - YES	5	
Finding resulted in arrest - NO	29	
b. NO	61	1.06%
i. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	10	16.39%
iv. White	23	37.70%
v. Hispanic/ Latino	28	45.90%
10. Description of Contraband:		
a. Drugs	48	0.84%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	10	20.83%
iv. White	24	50.00%
v. Hispanic/ Latino	14	29.17%
b. Currency	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Weapons	3	0.05%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	66.67%
iv. White	1	33.33%
v. Hispanic/ Latino	0	0.00%
d. Alcohol	9	0.16%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	11.11%
iv. White	4	44.44%

# Racial Profiling Analysis Report

{Section}.64.

v. Hispanic/ Latino	4	44.44%
e. Stolen Property	4	0.07%
i. Alaska/ Native American/ Indian	1	25.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	50.00%
iv. White	1	25.00%
v. Hispanic/ Latino	0	0.00%
f. Other	23	0.40%
i. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	3	13.04%
iv. White	4	17.39%
v. Hispanic/ Latino	16	69.57%
11. Result of Stop:		
a. Verbal Warning	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Written Warning	2490	43.33%
i. Alaska/ Native American/ Indian	20	0.80%
ii. Asian/ Pacific Islander	97	3.90%
iii. Black	319	12.81%
iv. White	1009	40.52%
v. Hispanic/ Latino	1045	41.97%
c. Citation	3219	56.02%
i. Alaska/ Native American/ Indian	19	0.59%
ii. Asian/ Pacific Islander	86	2.67%
iii. Black	389	12.08%
iv. White	1374	42.68%
v. Hispanic/ Latino	1351	41.97%
d. Written Warning and Arrest	5	0.09%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	40.00%
iv. White	2	40.00%
v. Hispanic/ Latino	1	20.00%

# Racial Profiling Analysis Report

{Section}.64.

e. Citation and Arrest	32	0.56%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	5	15.63%
iv. White	13	40.63%
v. Hispanic/ Latino	14	43.75%
f. Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
12. Arrest Based On:		
a. Violation of Penal Code	15	0.26%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	4	26.67%
iv. White	7	46.67%
v. Hispanic/ Latino	4	26.67%
b. Violation of Traffic Law	4	0.07%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	3	75.00%
v. Hispanic/ Latino	1	25.00%
c. Violation of City Ordinance	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Outstanding Warrant	18	0.31%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	3	16.67%
iv. White	5	27.78%
v. Hispanic/ Latino	10	55.56%

# Racial Profiling Analysis Report

{Section}.64.

## 13. Was Physical Force Used:

a. NO	5745	99.98%
i. Alaska/ Native American/ Indian	39	0.68%
ii. Asian/ Pacific Islander	183	3.19%
iii. Black	715	12.45%
iv. White	2398	41.74%
v. Hispanic/ Latino	2410	41.95%
b. YES	1	0.02%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	0	0.00%
iv. White	0	0.00%
v. Hispanic/ Latino	1	100.00%
b 1. YES: Physical Force Resulting in Bodily Injury to Suspect	0	0.00%
b 2. YES: Physical Force Resulting in Bodily Injury to Officer	0	0.00%
b 3. YES: Physical Force Resulting in Bodily Injury to Both	0	0.00%

14. Total Number of Racial Profiling Complaints Received: 0

REPORT DATE COMPILED 02/26/2024

## MAYOR AND COUNCIL COMMUNICATION

**DATE:** March 19, 2024  
**TO:** Mayor and Council  
**FROM:** David Gonzalez, Police Chief  
**THROUGH:** Dr. Crystal Caldera, City Manager  
**SUBJECT:** Presentation and Discussion on the Leon Valley Police Department Racial Profiling Report for 2023  
**SPONSOR(S):** N/A

### **PURPOSE & BACKGROUND**

The purpose of this presentation is to provide the Racial Profiling Report for 2023. Its submission to the Texas Commission on Law Enforcement and to the Leon Valley City Council is required by law.

This Agency filed a full report.

LEON VALLEY POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the LEON VALLEY POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the LEON VALLEY POLICE DEPT. if the individual believes that a peace officer employed by the LEON VALLEY POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the LEON VALLEY POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the LEON VALLEY POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information

relating to:

- a. the race or ethnicity of the individual detained;
  - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
  - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
  - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
  - e. the location of the stop;
  - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
- a. the Commission on Law Enforcement; and
  - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

State Mandated Categories of Race or Ethnicity:

- Alaska Native / American Indian
- Asian / Pacific Islander
- Black
- White
- Hispanic / Latino

The LEON VALLEY POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article 2.133 (c), Code of Criminal Procedure during the reporting period.

The Leon Valley Police Department has analyzed the data and found no racial profiling issues or concerns for 2023.

### **FISCAL IMPACT**

N/A

### **RECOMMENDATION**

For informational purposes only and Council Acceptance.

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

APPROVED WITH THE FOLLOWING AMENDMENTS: \_\_

\_\_\_\_\_

ATTEST:

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



# Leon Valley Police Department Racial Profiling Report for 2023

David Gonzalez  
Police Chief  
City Council Meeting  
March 19, 2023

# Purpose

- To provide the 2023 Racial Profiling Report.
- Submission to the Commission on Law Enforcement; and the Leon Valley City Council is required by law.

# Background

The Leon Valley Police Department:

- Filed a full report
- Adopted a detailed written policy on racial profiling
- Satisfied the statutory audit requirements
- Data was analyzed – no racial profiling issues or concerns were found for 2023

# Leon Valley Racial Profiling Report

The Leon Valley Police Department Racial Profiling Report

- Has been attached as a PDF
- Can also be found online at:

<https://www.tcole.texas.gov/content/racial-profiling-reports>

# Fiscal Impact

- N/A

# Recommendation

- For informational purposes only and Council Acceptance

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 19, 2024  
**TO:** Mayor and Council  
**FROM:** Dr. Crystal Caldera, City Manager  
**SUBJECT:** Presentation Discussion and Possible Action on an Ordinance Authorizing a Fiscal Year 2023-24 General Fund Budget Adjustment in the Amount of \$40,000 for the Purpose of Increasing The City Manager & Council Department Budget to Enter into a Grant Agreement with Haven for Hope for a Street Outreach Staff Person.

**PURPOSE**

This M & C requests approval for a budget adjustment, which will increase the City Manager & Council Department by \$40,000 to Enter into a Grant Agreement with Haven for Hope for a Street Outreach Staff Person. The Community Outreach person would assist in gathering data from our homeless population so we can better understand the resources that are needed to address this issue.

**FISCAL IMPACT**

A budget adjustment in the amount of \$40,000 is requested. The funds would come from the General Fund Reserve.

**RECOMMENDATION**

Staff recommends approval.

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

APPROVED WITH THE FOLLOWING AMENDMENTS :

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

ATTEST :

**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary



**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AUTHORIZING A FISCAL YEAR 2023-24 GENERAL FUND BUDGET IN THE AMOUNT OF \$40,000 FOR THE PURPOSE OF INCREASING THE CITY MANAGER & COUNCIL DEPARTMENT; PROVIDING FOR REPEALER, SEVERABILITY AND SAVING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

---

**WHEREAS**, the City of Leon Valley has already approved their FY 2023-2024 Budget on September 05, 2023; and

**WHEREAS**, it has been determined that funding should be added to the FY 2023-2024 Budget; and

**WHEREAS**, it is necessary to adjust the City Manager & Council Department Budget by a total amount of \$40,000

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

**SECTION 1.** The City's General Fund budget is hereby adjusted to the amount of \$40,000 to increase the City Manager & Council Department Budget to enter into a grant agreement with Haven for Hope in the amount not to exceed \$40,000 for street outreach staff person.

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

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

**SECTION 4.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

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

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley  
this the \_\_\_ day of \_\_\_, 2024.

**APPROVED**

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

Attest:

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

Approved as to Form:

\_\_\_\_\_  
City Attorney

Approval of an Ordinance Authorizing a Fiscal Year  
2022-23 General Fund Budget Adjustment in the  
Amount of \$40,000 for the Purpose of Increasing  
the City Manager & Council Department Budget.

Crystal Caldera, PhD  
City Manager  
City Council Meeting  
March 19, 2024

# Summary

- Question
  - Approve an Ordinance authorizing budget adjustment in the amount of \$40,000 for the FY 2023-2024 budget year.
- Options
  - Approve
  - Deny
- Recommendation
  - Council's Discretion

# Purpose/Background

- Consider approval of an Ordinance authorizing budget adjustments for FY 2023-2024
  - Budget adjustment will increase the City Manager & Council Department by \$40,000 to enter into a grant agreement with Haven for Hope for a Street Outreach staff person

# Recommendation

- Council's Discretion

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 19, 2024  
**TO:** Mayor and Council  
**FROM:** Sandra Passailaigue, City Secretary  
**THROUGH:** Dr. Crystal Caldera, City Manager  
**SUBJECT:** Discussion and Possible Action on a Resolution Appointing an Alternate to the Planning & Zoning Commission  
**SPONSOR(S):** (N/A)

**PURPOSE**

The purpose of this item is to present to City Council a Volunteer Application from Cynthia Koger for the position of Planning & Zoning Commission, 3<sup>rd</sup> Alternate.

**FISCAL IMPACT**

None

**STRATEGIC GOALS**

Not applicable

**RECOMMENDATION**

City Council Discretion

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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

ATTEST:

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

RESOLUTION NO. 24-0\_\_R

**A RESOLUTION OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL APPOINTING CYNTHIA KOGER AS LEON VALLEY PLANNING & ZONING COMMISSION, 3<sup>RD</sup> ALTERNATE.**

---

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

The following individual is hereby appointed to the **Planning & Zoning Commission, 3<sup>rd</sup> Alternate** with a term expiring June 30, 2025:

Cynthia Koger – 3<sup>rd</sup> Alternate

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

That the appointment of the aforementioned individual to the Leon Valley Planning & Zoning Commission and that the term become effective immediately.

**PASSED, ADOPTED, AND APPROVED** by the City Council of the City of Leon Valley on this the 19th day of March, 2024.

**APPROVED**

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

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

Approved as to Form: \_\_\_\_\_  
**ART RODRIGUEZ**  
City Attorney



## MAYOR AND COUNCIL COMMUNICATION

**DATE:** March 19, 2024  
**TO:** Mayor and Council  
**FROM:** Mindy Teague, Planning and Zoning Director  
**THROUGH:** Dr. Crystal Caldera, City Manager

**SUBJECT:** Presentation, Public Hearing, Discussion, to Consider Approval of a Request to Rezone Approximately 27-Acres of Land From R-1 Single Family to a Planned Development District (PDD) with R-6 Garden Home District Base Zoning, Being Lot 1, Block 1, CB 4430C Good Samaritan Lodge Nursing Home Inc Subdivision, Parcel 1, Abstract 399, CB 4429, and Parcel 11, Abstract 432, CB 4430, Located at 6518 Samaritan Drive, Leon Valley, Texas

### **PURPOSE**

The purpose of this item is to consider approval of a request to rezone an approximately 27-acre tract of land from R-1 Single Family Dwelling District to Planned Development District (PDD) with R-6 Garden Home District base zoning, located at 6518 Samaritan Drive, for a proposed development of 166 single family homes.

This PDD allows for flexible planning to:

1. Comply with the City Council's specific request and preference for a PDD across the Seneca West area properties.
3. Site Planning to allow for realistic future links to the adjacent properties for a potentially optimized Master Site Plan for the Seneca West properties.

### **History**

- 1971 – Area was annexed
- 1984 – Request to rezone existing Good Samaritan Nursing Home property from R-1 to B-2 (Retail) – request denied
- 1985 – Request to rezone 44 ac. from R-1 to R-6 – request denied
- 2007 – Request to rezone 68.569 acres from R-1 to R-7 (Single-Family Medium Density) – request denied
- 2007 – Residents of Seneca West petition to amend City Master Plan to remove recommendation of R-6 to only R-1 – petition approved
- 2010- Request to rezone approximately 65.704 acres from R-1 to R-6 – request denied
- 2011- The City Manager presented a TIF – proposal denied

## **VariANCES**

The applicant is requesting one variance from the Planning and Zoning Commission:

1, Minimum Lot Width – a request to decrease the minimum R-6 lot width from 45' to 40', while keeping the minimum lot size requirement at 4,500 square feet.

While not under the purview of the Planning and Zoning Commission, the applicant will be requesting a variance from the City Council to Chapter 13 Tree Preservation.

While the lots will have the required percentage of overall landscaping and trees, the applicant intends to initially clear the property to its 1995 condition by the removal of 367 medium and 725 large trees. No heritage trees are to be removed, as there are none on the land. The applicant proposes to plant 2 – 1.5" diameter tree on each of the proposed new lots, which is required by the Zoning Code. The applicant would normally be required to pay \$112,000 in fees in lieu of planting the 1,125 required number of trees upon the start of construction; however, he intends to ask the City Council to reduce that amount to \$50,000.

The applicant will be required to plat the unplatted portion of the property and provide parkland, or fees in lieu of parkland, prior to any building construction.

## **SPECIAL CONSIDERATIONS**

To meet the ingress/egress distance requirements of the Fire Code, the applicant is requesting the City provide an easement on its property at 6530 Samaritan for emergency access to the site. If the City does not agree to provide this emergency access easement, the developer will be required to fire sprinkle all homes.

The applicant is requesting that any future deviations to the plan be internally approved by the Planning and Zoning Director for subsequent development applications or amendments, as long as the deviation does not exceed 10% from the current plan. This would allow for minor deviations due to topography, drainage, etc.

## **Streets/Traffic Impact Analysis (TIA)**

The streets are proposed to have a 50' ROW, which meets the current code. The TIA indicates a total of 116 peak hour morning trips and 165 peak hour evening trips. Both Seneca and Grass Hill roads have the capacity for this amount of traffic.

If the property remained R-1 Single Family Dwelling District, there would potentially be 104 lots. The increase in traffic impact with the additional 62 homes would be an additional 0.5 vehicles per minute on both roadways (see TIA on Page 6 of revised Proposed Project Plan).

**City Master Plan**

The current City Master Plan recommends R-1 Single Family Dwelling zoning for this area. Chapter 15 Zoning, Sec. 15.02.110 - Comprehensive planning activities states:

“The zoning administrator shall assist the planning and zoning commission in the development and implementation of the city's comprehensive master plan. There shall be no amendment made to this article which is not in compliance with the city's long-range comprehensive planning program and the city's master plan.”

However, the Code also states:

“Sec. 15.02.111 - Applicant qualifications

..... The planning and zoning commission or city council may, on its own motion, initiate proceedings to consider a change to the zoning on any property or to the regulations pertaining to property, when it finds that the public interest would be served by consideration of such a request.”

The applicant states:

“Although the current Master Plan calls for a recommended R-1 zoning, the majority of the surrounding zoning is R-6. Our proposed zoning and PDD is in sync with the majority of the surrounding neighborhoods. The proposed PD district fulfills the goals and objectives of the city's long-term vision of:

- 1. Increasing its citizenship
- 2. Increasing its tax-base
- 3. Economic Development Growth
- 4. Accommodating the design and construction that adapt to Market demand and affordability in this particular area of the City
- 5. This Development will have a substantial economic impact on the City. The approximate net impact of this proposed development on the City's Property Tax budget is approximately \$325,000 annually.”

**Notification**

- Letters mailed 112
- Received in favor 0
- Letters received in opposition 2
- Letters undeliverable 9

**FISCAL IMPACT:**

The developer has paid all fees associated with the processing of this PDD. The development of a single-family housing subdivision will increase ad valorem and sales

taxes in the city.

**RECOMMENDATION**

At their March 12, 2024 meeting, the Planning and Zoning Commission recommended denial of the request.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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

ATTEST:

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

**ORDINANCE No. 2024-**

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL GRANTING A ZONE CHANGE ON AN APPROXIMATELY 27 ACRE TRACT OF LAND FROM R-1 SINGLE FAMILY DWELLING TO A PLANNED DEVELOPMENT DISTRICT, WITH R-6, GARDEN HOME DISTRICT BASE ZONING, BEING LOT 1, BLOCK 1 CB 4430C, GOOD SAMARITAN LODGE NURSING HOME INC. SUBDIVISION, PARCEL 1 ABSTRACT 399, CB 4429, AND PARCEL 11, ABSTRACT 432, CB 4430, LOCATED AT 6518 SAMARITAN, LEON VALLEY, TEXAS; PROVIDING A REPEALER CLAUSE; SEVERABILITY CLAUSE; NOTICE OF MEETING; SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.**

---

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

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

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

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

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

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

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

**SECTION 1.** The subject location – being specifically described as, being Lot 1, Block 1 CB 4430 C, Good Samaritan Lodge Nursing Home Inc. Subdivision, Parcel 1 Abstract 399, CB 4429, and Parcel 11, Abstract 432, AB 4430, located at 6518 Samaritan, Leon Valley, Texas, is hereby approved.

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

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

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

**SECTION 4. SAVINGS CLAUSE.** The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

**SECTION 5. NOTICE OF MEETING CLAUSE.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

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

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 2nd day of April 2024.

**APPROVED**

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

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

Approved as to Form: \_\_\_\_\_  
**ART RODRIGUEZ**  
City Attorney

# SAMARITAN PROPERTY REVISED TREE INVENTORY AND MITIGATION PLAN

March 5, 2024

We made One Change to the original submission:

We doubled our proposed number of replacement trees from 1 x 1.5" to 2 x 1.5" trees per lot.



{Section}.71.

One Stop Group, LP

## LAND HISTORY

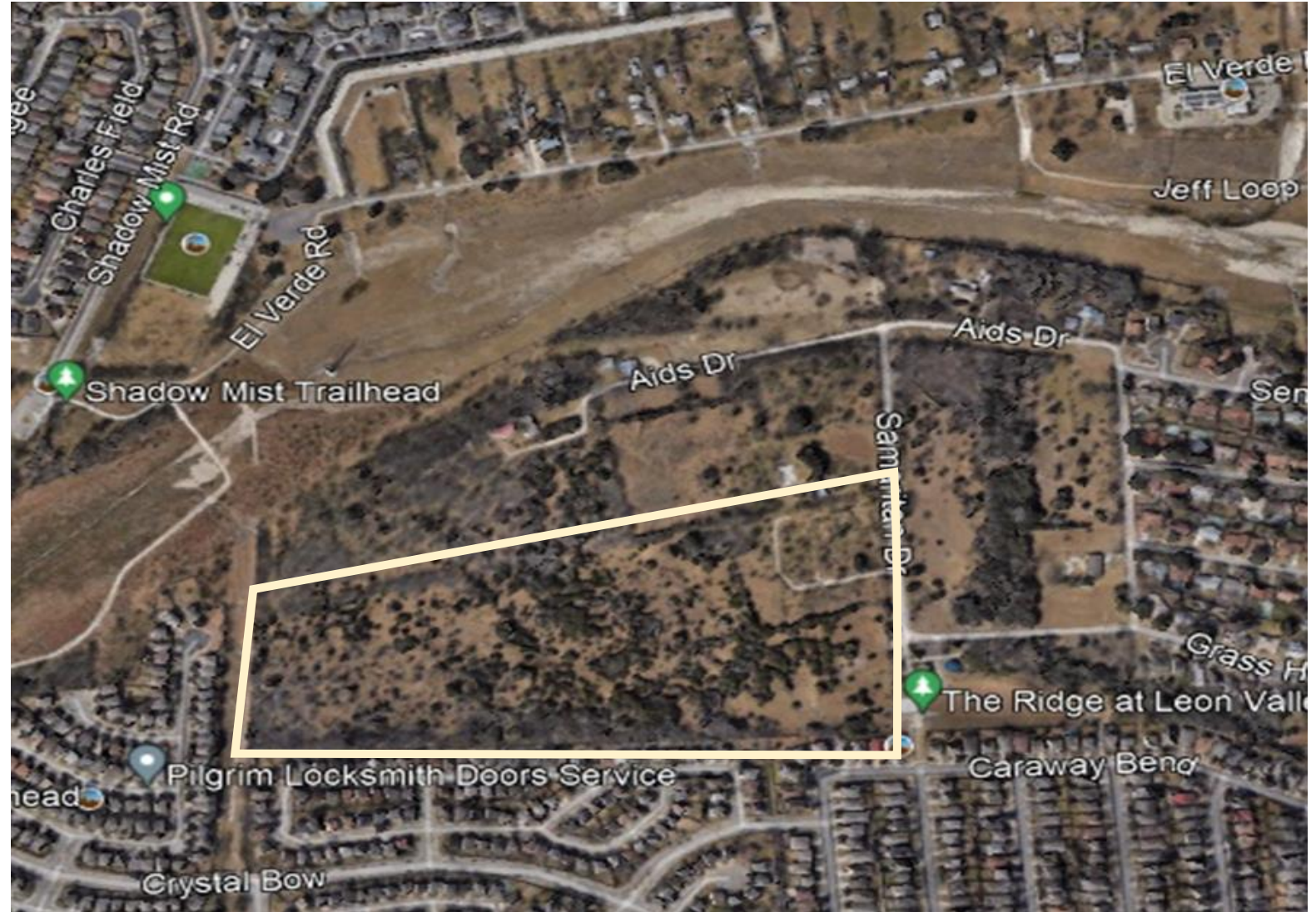
**THIS 1995 AERIAL MAP  
SHOWS THE PROPERTY AS  
FARMLAND**





# LAND HISTORY

## CURRENT AERIAL MAP



# KEY TREE STATISTICS

TREE INVENTORY SUMMARY		
SIZE	# HEALTHY	# EXEMPT
HERITAGE	6	10
LARGE	752	28
MEDIUM	367	6
<b>TOTAL</b>	<b>1125</b>	<b>44</b>

\* EXEMPT = Diseased, Dead, or Hazardous

HERITAGE TREES		
Specie	DBH	Health
Arizona Ash	26	Hazardous
Arizona Ash	27	Hazardous
Ashe Juniper	34	
Ashe Juniper	35	
Ashe Juniper	36	
Hackberry	24	Hazardous
Hackberry	24	
Hackberry	24	
Hackberry	24	
Ligustrum	26	Dead
Ligustrum	27	Dead
Mesquite	26	Dead
Mesquite	27	Dead
Mesquite	27	Dead
Mesquite	35	Dead
Mesquite	36	Dead

# DETAILED TREE INVENTORY

SPECIE	OVERALL			HERITAGE		LARGE		MEDIUM	
	TOTAL / SPECIE	HEALTHY	EXEMPT	HEALTHY	EXEMPT	HEALTHY	EXEMPT	HEALTHY	EXEMPT
Arizona Ash	4	0	4	0	2	0	2	0	0
Ashe Juniper	675	671	4	3	0	438	3	230	1
Chinaberry	8	2	6			2	6		
Crape Myrtle	4	4				4			
Elm	8	8				8			
Hackberry	290	269	21	3	1	162	15	104	5
Huisache	20	20				20			
Ligustrum	49	47	2		2	44		3	0
Mesquite	105	98	7		5	70	2	28	
Pecan	6	6				4		2	
<b>TOTAL</b>	<b>1169</b>	<b>1125</b>	<b>44</b>	<b>6</b>	<b>10</b>	<b>752</b>	<b>28</b>	<b>367</b>	<b>6</b>

\* EXEMPT = Diseased, Dead, or Hazardous

## OUR PROPOSED TREE MITIGATION PLAN

As we showed earlier, the 1995 aerial of this property shows it as bare farmland. There are not any Oak trees on this property. Most of the trees belong to invasive species.

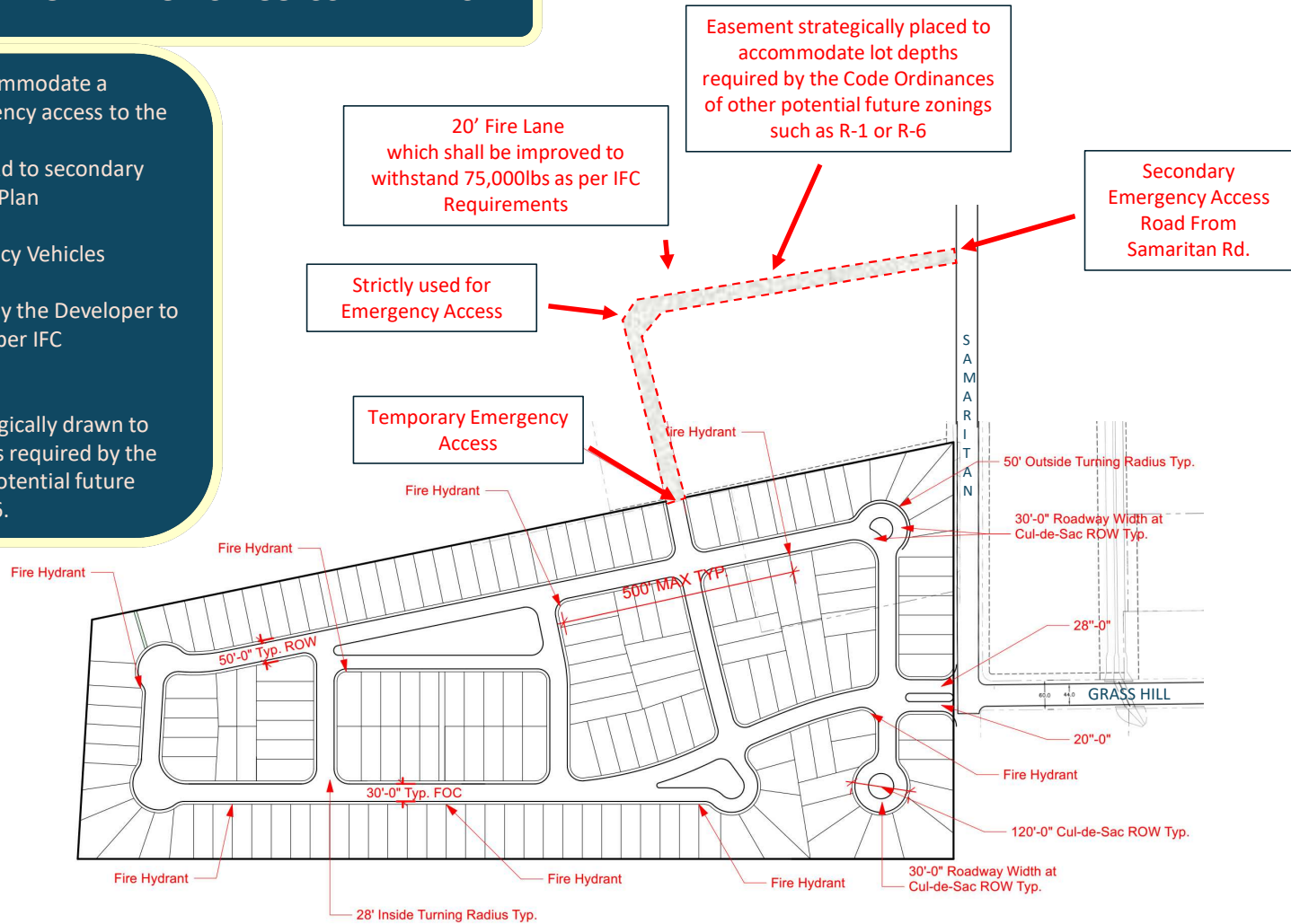
We propose:

1. Clearing the property to its original 1995 state,
2. Plant new healthy trees: 2 x 1.5" trees per lot, and
3. Pay \$50,000 towards the Tree Preservation fund upon construction start.

## SECONDARY EMERGENCY VEHICLES ACCESS: DETAILS

Temporary Easement to accommodate a temporary secondary emergency access to the Development:

- Access from Samaritan Rd to secondary access as shown on this Plan
- Strictly used by Emergency Vehicles
- 20' Fire Lane improved by the Developer to withstand 75,000 lbs as per IFC requirements
- Easement shall be strategically drawn to accommodate lot depths required by the Code of Ordinances of potential future zoning such as R-1 or R-6.





March 4, 2014

Ms. Mindy Teague and Ms. Melinda Moritz  
City of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238

Re: Our **REVISED** PDD Rezoning Application for the +/- 27 Acre Tract 6000 Block of Samaritan Drive, in the Seneca West area in the City of Leon Valley. This property is also referred to as the Good Samaritan Lodge property (the "Property").

**Revisions were made to the following previously submitted documents:**

<b>PREVIOUSLY SUBMITTED DOCUMENTS</b>	<b>REVISED OR NEW DOCUMENTS</b>
05. 2024-02-14 - Samaritan Property - Proposed PDD Project Plan	05. 2024-03-01 - Samaritan Property - Revised PDD Project Plan
EXHIBIT C. Proposed Fire Plan	EXHIBIT C. Revised Proposed Fire Plan
	EXHIBIT G. Sec. 15.02.312 - R6 - Garden House - Modification
	EXHIBIT H. Temporary Easement over City-Owned Prop

PDD Project Plan - Samaritan Property

**EXECUTIVE SUMMARY**

Dear Ms. Teague and Ms. Moritz,

The Property’s current zoning is R-1. We are seeking Council’s approval of this proposed Planned Development District (“PDD”) zoning.

**LAND USE STATEMENT:**



Our PDD’s zoning application is submitted requesting approval to change the Land Use of the Property from R-1 and otherwise, to be:

The Land Use of the Property shall be changed as follows:

A. Base Zoning

The base zoning shall be changed to R-6. The use and development of the Property shall comply with the zoning requirements in Sec. 15.02.312 - R-6 Garden House District Zoning Ordinance as revised and attached to this Plan under Exhibit “G”.

B. Supplemental Use Regulations

Additional Allowed Uses: The development of a Site Plan with approximately 166 Lots, substantially similar to the one attached as EXHIBIT B.

**SUBJECTS WE ADDRESS IN OUR PDD PROJECT, INCLUDING THE COMMISSION’S AND THE NEIGHBORS’ COMMENTS FROM THE PREVIOUS P&Z COMMISSION MEETING (FEB 27):**

- A. We present our proposed Tree Mitigation Plan
- B. We discuss the logic and terms of our request of a Temporary Easement on the City-Owned property allowing for a Temporary Emergency Access to the development.
- C. We explain that we are submitting our **rezoning Application in a PD format, instead of a simple R-6 zoning application**, based on Council’s preference and request. We further discuss the compliance of our Application with the PD ordinance. We seek the Commission’s support, approval, and favorable recommendation of our application. If the Commission is satisfied with the overall compliance and merits of our Application, with the exception of the PD Application Standards, we respectfully ask that the Commission grant us CONDITIONAL APPROVAL, pending Council’s approval of this deviation.
- D. We present why we believe our proposed rezoning is a good fit with the City’s long-term vision.
- E. We discuss the overall incremental impact on the neighbors from the current R-1 base zoning which allows the development of 104 residences By-Right, to our proposed R-6



base zoning which allows for 166 residences, an increment of 62 residences. We contend that an R-1 development would have a substantially similar impact of that of an R-6 development when it comes to:

- Tree preservation,
- Wildlife preservation,
- A change in the neighbors’ current lifestyle, and
- Short-term construction nuisance.

F. We analyse the **overall Traffic Impact on the Neighbors**. For that purpose, we have commissioned an additional Trip Distribution calculation based on the 11<sup>th</sup> edition of the ITE Trip Generation Manual for 104 residences. We quantified the incremental traffic impact of an R-6 development (166 residences) over that of an R-1 development (104 Residences) as follows:

**Increment in Trip Distribution from 104 Residences to 166 Residences**

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
<b>Seneca Drive</b>	75%	8	24	28	16
<b>Grass Hill Drive</b>	25%	3	8	9	5

*Calculated as per ITE TRIP GENERATION MANUAL, Eleventh Edition*

We demonstrate with certainty that the Trip Distribution increment translates into an insignificant increase of less than 0.5 vehicles per minute on both roads with a 60’ Right of Way each.

G. **We present our projected development schedule** showing a projected project completion date of December 2029.

**INCLUDED IN THIS APPLICATION:**

1. Complete and notarized Rezoning Application
2. Complete and notarized Mailing List of Property Owners within 200ft of Property
3. Complete and notarized Landowner’s Authorization Letter
4. Our Revised PDD Project Plan,
5. Attached EXHIBITS:
  - A. Site survey





- 
- B. Proposed Site Plan
  - C. Our Revised Proposed Fire Plan
  - D. Detailed Tree Survey and proposed Mitigation Plan
  - E. Traffic Impact Analysis
  - F. Land Location
  - G. Sec. 15.02.312 - R6 - Garden House - One Modification (NEW EXHIBIT)
  - H. Temporary Easement over City-Owned Property (NEW EXHIBIT)

Our proposed PD zoning will not permanently injure the property rights of owner(s) of all real property affected by the proposed zoning change. This request will not adversely affect the health, safety, or welfare of the general public. This rezoning request is consistent with the City's vision to grow its citizenship, increase its tax-base, and achieve long-term economic growth.

Sincerely,

A handwritten signature in blue ink, appearing to be "S. Chehade", is written over a horizontal line.

BY: \_\_\_\_\_

Samir Chehade  
Managing Partner  
One Stop Group, LP

EXHIBIT \_\_  
To Ordinance \_\_\_\_\_  
Of The City of Leon Valley

SAMARITAN PROPERTY DEVELOPMENT  
@ SENECA WEST

Submitted by: ONE STOP GROUP

**PLANNED DEVELOPMENT DISTRICT  
PROPOSED PROJECT PLAN**



Approved \_\_\_\_\_, 2024

## **Article 1. GENERAL**

The property is a +/- 27-Acre tract generally Located in the Seneca West area, 6000 Block Samaritan Drive, in the City of Leon Valley.

### **Property Information (the “Property”):**

Address: +/- 27 Acre Tract 6000 Block Samaritan Drive, Leon Valley  
Legal Description: **CB 4430C BLK 1 LOT 1 GOOD SAMARITAN LODGE NURSING HOME INC (+/- 3 Ac) CB 4429 P-1 ABS 399 CB 4430 P-1 ABS 432 (+/- 24.27 Ac)**  
Current Owner: **Good Samaritan Lodge and Nursing Home Inc**  
Tract under contract by: **One Stop Group, LP**  
Current Zoning: **R-1**  
Tract: **As illustrated in Exhibit A (Site Survey)**

## **Article 2. LAND USE**

The Land Use of the Property shall be changed as follows:

### **A. Base Zoning**

The base zoning shall be changed to R-6. The use and development of the Property shall comply with the zoning requirements in Sec. 15.02.312 - R-6 Garden House District Zoning Ordinance as revised and attached to this Plan under Exhibit “H”.

### **B. Supplemental Use Regulations**

Additional Allowed Uses: The development of a Site Plan with approximately 166 Lots, substantially similar to the one attached as EXHIBIT B.

### **Article 3. TREE MITIGATION PLAN**

Exhibit D details our proposed Tree Mitigation Plan, including the planting of new healthy trees, a minimum of 1 x 1.5" trees per lot. Further, a \$50,000 fee shall be paid towards the Tree Preservation Fund upon the start of construction.

### **Article 4. SPECIAL PROVISIONS**

#### **A) A Temporary Emergency Access to the property from the adjacent City-owned property:**

The City shall grant a Temporary Easement on the adjacent City-owned property, described as BCAD Property ID 217834 (the "Temporary Easement"), to accommodate a Temporary Emergency Access to the development, through an agreement between the City and the Developer which includes the following terms:

- The Temporary Easement shall stretch from Samaritan Rd to the Temporary Emergency Access to the development as shown in EXHIBIT "H";
- It shall be strictly used by Emergency Vehicles;
- It shall accommodate a 20' Fire Lane which shall be improved by the Developer, and shall withstand 75,000 lbs as per IFC requirements;
- It shall be strategically drawn to accommodate lot depths required by the Code of Ordinances of potential future zoning such as R-1 or R-6; And
- It shall expire upon the completion of a new development on this City-owned property, and upon this Temporary Easement turning into a permanent street linking the two developments.

The granting of this Temporary Easement is in line with Section 2 the City Code of Ordinances Sec 10.02.251, Applicable Standards and Specifications. It states:

(2.B) **Relation to adjoining street system.** Where necessary to the neighborhood pattern, existing streets in adjoining areas shall be continued and shall be at least as wide as such existing streets and in alignment therewith.

(2.C) **Projection of streets.** Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such unsubdivided areas.

**B) Deviation to this Plan:**

As per standard practice and Code requirements, a deviation to this plan may be internally approved by the Planning and Zoning Director for subsequent development applications or amendments, if such deviation does not exceed 10% from the current plan.

**Article 5. RELEVANT TO THIS PROJECT PLAN**

**A. PURPOSE OF THIS PDD AND COMPLIANCE WITH THE PD ORDINANCE**

This rezoning application is submitted in a PD format instead of a standard R-6 rezoning application to comply with City Council’s expressed request for a PDD rezoning across all three Seneca West Property. This approach ensures that the Developer is committed to an agreed upon Site Plan that is consistent with Council’s vision for all three properties and provides further assurances to the City and the neighbors. This will not otherwise be achieved with a standard R-6 rezoning application.

**As to the strict and literal compliance of this PDD with the PD Ordinance:**

This PDD complies with the Purpose of the PD Ordinance. It allows for:

1. Flexible planning to allow for:
  - a) Realistic future links and an optimized Master Site Plan for future development of the two adjacent properties.
  - b) An additional Emergency Access for greater safety of the future residents of this development. development
2. Economic Development and Growth

This PDD arguably meets the following Applicability Standard:

“The land is located in close proximity to established residential neighborhoods where standard zoning classifications may not adequately address neighborhood

concerns regarding the quality or compatibility of the adjacent development, and where it may be desirable to the neighborhood, the developer, or the city to develop and implement mutually agreed, enforceable development standards. “

## **B. FIT WITH THE CITY’S LONG-TERM VISION**

Although the current Master Plan calls for a recommended R-1 zoning, the majority of the surrounding zoning is R6. Our proposed zoning and PDD is in line with the majority of the surrounding neighborhoods.

Our proposed PD district fulfills the goals and objectives of the City's long-term vision of:

1. Increasing its citizenship
2. Increasing its tax-base
3. Economic Development Growth
4. Accommodating the design and construction that adapt to Market demand and affordability in this particular area of the City
5. This Development will have a substantial economic impact on the City

The approximate **net impact** of this proposed development on the City’s Property Tax budget is approximately **\$325,000 annually.**

## **C. OVERALL INCREMENTAL IMPACT OF R-6 BASE ZONING VS. THE CURRENT R-1 BASE ZONING FOR THE NEIGHBORS**

The current R-1 base zoning of this property allows the development of approximately 104 residences, By-Right. An R-1 development would have a substantially similar impact of that of an R-6 development when it comes to:

- Tree preservation,
- Wildlife preservation,
- A change in the neighbors’ current lifestyle, and
- Short-term construction nuisance.

The main incremental impact of an R-6 development is the increment in traffic caused by the development of approximately 166 residences (R-6) as compared to 104 residences (R-1), an increment of 62 additional residences.

**D. INCREMENTAL TRAFFIC IMPACT OF AN R-6 DEVELOPMENT OVER THAT OF AN R-1 DEVELOPMENT**

The incremental Traffic Impact of this PDD rezoning over the current zoning is equivalent to that of an additional 62-residence development. The Code does not require a TIA for this size development for its negligible influence, even on streets narrower than Seneca Dr. and Grass Hill, each with 40’ width curb to curb. Below are three tables quantifying this increment in traffic.

**Table 1 below details the Traffic Distribution for 104 lots:**

**Table 1. Trip Distribution for proposed development with 104 Lots**

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	14	41	46	27
Grass Hill Drive	25%	5	14	15	9

*Calculated as per ITE TRIP GENERATION MANUAL, Eleventh Edition*

**Table 2 below details the Traffic Distribution for 166 lots:**

**Table 2. Trip Distribution for proposed development with 166 Lots**

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	22	65	74	43
Grass Hill Drive	25%	7	22	25	14

*Calculated as per ITE TRIP GENERATION MANUAL , Eleventh Edition*

**Table 3 below details the increment in Traffic Distribution from 104 to 166 lots:**

**Table 3. Increment in Trip Distribution from 104 lots to 166 lots**

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	8	24	28	16
Grass Hill Drive	25%	3	8	9	5

*Calculated as per ITE TRIP GENERATION MANUAL, Eleventh Edition*

This Trip Distribution increment translates into an insignificant increase of less than 0.5 vehicles per minute on both roads with a 60’ Right of Way each.

However, this increment in density also results in:

- An increment in annual property tax revenues of approximately \$120,000, and
- It reduces the Average Sale Price per residence to an affordable level for the target demographic, and as it compares to that of the surrounding neighborhoods.

**E. ESTIMATED DEVELOPMENT SCHEDULE AND COMPLETION TIMETABLE**

- December 2024: Complete Platting
- August 2025: Complete Infrastructure Construction
- December 2029: Complete Home Construction of the Entire project; approximately 36 homes per year absorption – Project completion.

Our proposed PD zoning will not permanently injure the property rights of owner(s) of all real property affected by the proposed zoning change. This request will not adversely affect the health, safety, or welfare of the general public. This rezoning request is consistent with the City’s vision to grow its citizenship, increase its tax-base, and achieve long-term economic growth.

Respectfully submitted.  
ONE STOP GROUP

**ATTACHED EXHIBITS**

This Proposed PDD Project Plan includes the following Exhibits:

- A. Property Site Survey
- B. Proposed Site Plan
- C. Revised Proposed Fire Plan
- D. Detailed Tree Survey and proposed Mitigation Plan
- E. Traffic Impact Analysis
- F. Land Location
- G. Sec. 15.02.312 - R6 - Garden House - One Modification
- H. Temporary Easement over City-Owned Prop



**EXHIBIT G**

**Summary of Requested Revisions to Sec. 15.02.312 – R6 Garden House District:**

Paragraph	Section 15.02.312 - R-6 Single Family Dwelling – Zoning Ordinances	Current R-6 Standard	Requested Revision
b.5	Minimum Frontage	45ft	40ft

**Text highlighted in yellow.**

**Sec. 15.02.312 "R-6" garden house district**

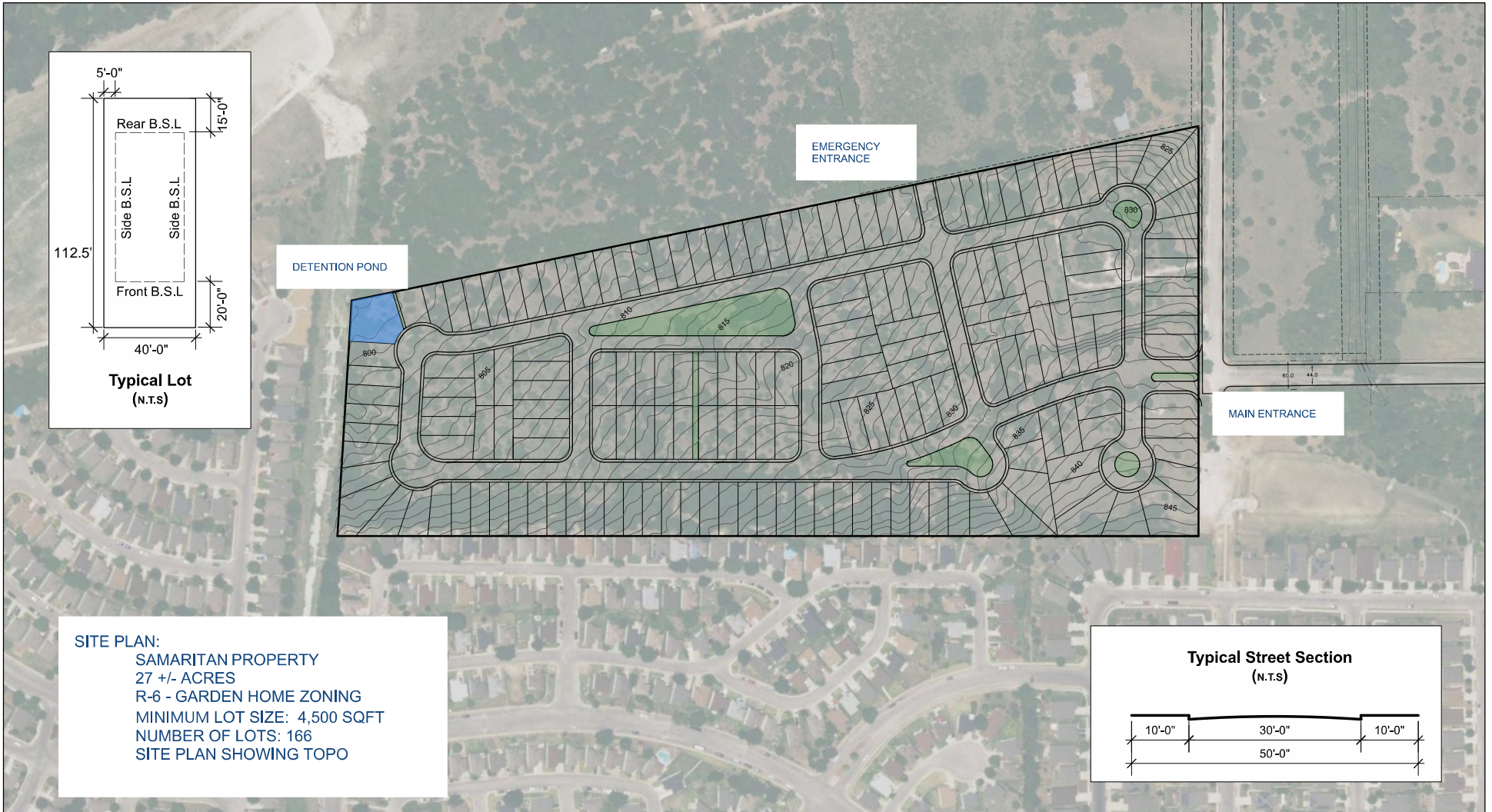
- (a) *Purpose and description.* The R-6 district is composed mainly of areas containing single-family dwellings. The R-6 district regulations implement the policies of the master plan by 1) protecting the residential character of the areas by prohibiting commercial and industrial activities, apartments, two-family dwellings and manufactured homes; 2) encouraging a suitable neighborhood environment; 3) preserving the openness of the area by requiring that certain minimum yard and area standard requirements be met, however, with greater density being permitted than in the R-1 district.
- (b) *Lot regulations.*
  - (1) *Area of total development.* Not less than three lots with common side lot lines will be zoned for "R-6" garden house. When facing on the same street within the same block, "R-1" single-family dwellings and "R-6" garden houses will not be mixed. However, this does not preclude "R-1" on one side of a street with an "R-6" on the opposite side of the street within the same block or different blocks.
  - (2) *Area of each lot.* 4,500 square feet.
  - (3) *Depth.* A minimum of 100 feet.
  - (4) *Floor space.* There shall be a heated living area in each garden house of not less than the following: one story - 1,000 square feet; two story - 1,400 square feet; two and one-half story - 1,800 square feet. When "R-6" is mixed with "R-1" in the same subdivision, the average heated living area of "R-6" housing shall be at least 75 percent of the average size of the "R-1" structures, but in no event shall the minimum square footage be less than as described above.
  - (5) **Frontage. A minimum of 40 feet on a public right-of-way is required.**
  - (6) *Height.* A maximum of 2-1/2 stories is allowed.
- (c) *Setback requirements.*
  - (1) *Front yard.* There shall be a front yard having a minimum depth of 20 feet, except as hereinafter provided.
  - (2) *Rear yard.* There shall be a rear yard having a minimum depth of 15 feet except where the garage is entered from the rear in which case the minimum rear yard shall be 25 feet exclusive of the area used as a garage. Total square footage of accessory buildings exclusive of a detached garage shall not exceed 150 square feet.

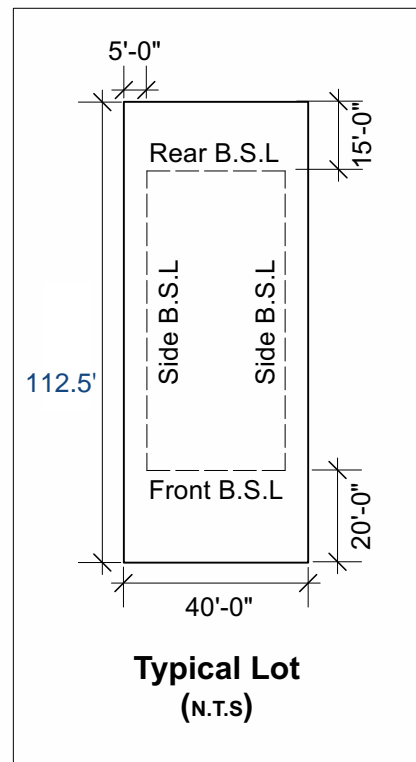
- (3) *Side yard.* There shall be a side yard on each side of all lots of not less than five feet, except on corner lots on which external side yard shall not be less than ten feet. Alternatively, one side yard may be reduced to zero feet provided the other side yard is increased to ten feet. However, in no event shall the outside walls of a structure be closer than ten feet to the outside walls of a structure built on an adjacent lot.
  - (4) *Zero lot line exterior wall.* When a structure is built with a side yard of zero feet, no windows or doors will be built into an exterior side wall so situated. In addition, a six-foot privacy fence will be constructed and maintained by the owner from the rear-most point of such an exterior wall to the rear lot line of the property.
  - (5) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.
  - (6) *Double frontage.* Where lots front upon two parallel streets or front upon two streets that do not intersect at the boundaries of the lot, a rear yard shall be provided on the street side equal to the front yard.
  - (7) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.
- (d) *Other.*
- (1) *Accessory building.* Shall be allowed, but shall be located no closer than five feet from any property line, and must be located in the rear yard. In no case shall an accessory building occupy more than 20 percent of the total open space in the rear yard.
  - (2) *Landscaping.* A total of 35 percent of street yard area must be landscaped. 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.
  - (3) *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 percent of the distance from the front property line to the main structure.
  - (4) *Masonry required.* Garden houses shall be constructed of masonry or other similar noncombustible materials to the extent of not less than 75 percent of overall exterior walls.
  - (5) *Nonconforming dwellings.* The provisions above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.
  - (6) *Parking.* A total of two off-street parking spaces shall be provided.
  - (7) *Public facilities.* "R-6" garden houses are permitted only on lots that are connected to the city's water and public sewage disposal system and must conform to the regulations in article 10.02 (subdivision ordinance).
  - (8) *Storage.* Outside storage is not allowed in the R-6 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 shall be completely contained in either the main structure, garage or an accessory building.

Figure 7 (R-6 Garden Home)

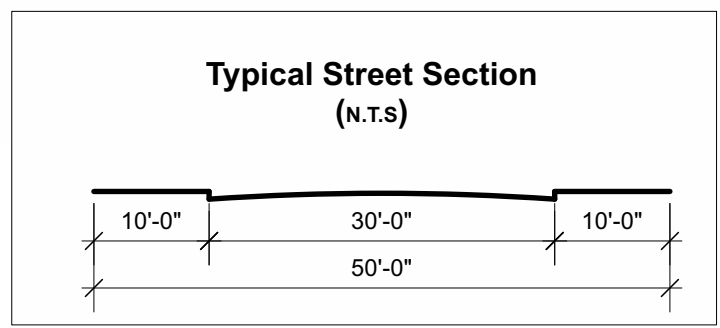
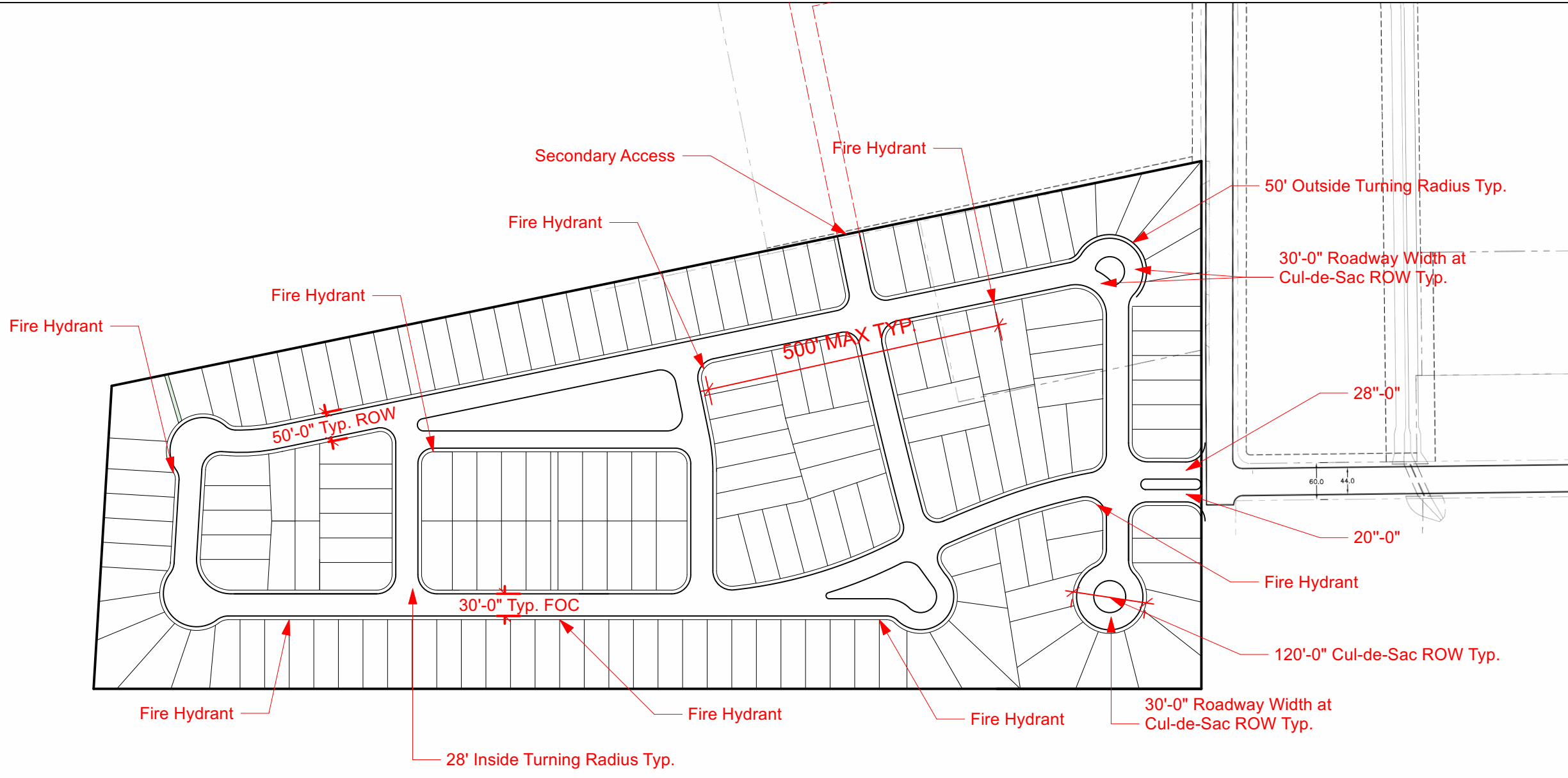


(1972 Code, sec. 30.612; 2008 Code, sec. 14.02.312)





**FIRE PLAN NOTES:**  
 1. All Fire Hydrants to be spaced no more than 500' apart, measured as the hose lays.  
 2. All inside corner radii of internal fire lanes nto be no less than 25'.



PZ-2024-6  
Rezone - PDD  
6518 Samaritan

Mindy Teague  
Planning & Zoning Director  
City Council Meeting  
March 19, 2024

# Purpose

- To conduct a public hearing on a request to rezone approximately 27 acres of land from R-1 Single Family Dwelling District to Planned Development District (PDD) with R-6 Garden Home as the base zoning district
- The property is located at 6518 Samaritan Drive and is partially platted

# Background

- 1971 – Area was annexed
- 1984 – Request to rezone from R-1 to B-2 (retail) - denied
- 1985 – Request to rezone from R-1 to R-6 - denied
- 2007 – Residents petition to amend City Master Plan to remove R-6 & recommend only R-1 - approved



# Background

- 2010 – Request to rezone from R-1 to R-6 – denied
- 2011 – City Manager proposed a Tax Increment Financing District (TIF) – denied
  - TIF - local taxing bodies make joint investment in development of an area, intent is for any short-term gains to be reinvested & leveraged so that all taxing bodies receive larger future financial gains - funds are from future tax revenues, not otherwise expected to occur

# Variations

- The applicant is requesting one variance from the Zoning Code:
- R-6 Minimum Lot Width – decrease minimum lot width from 45' to 40' - lots will conform to minimum lot size of 4,500 sq. ft.
- The applicant will be requesting a variance from the City Council to Chapter 13 Tree Preservation
  - The applicant intends to ask City Council to reduce the \$112,000 tree mitigation fee to \$50,000

# Special Considerations

- To meet the ingress/egress distance of the Fire Code, the applicant is requesting the City provide an emergency access only easement at 6530 Samaritan
- The applicant is also requesting that any future deviations to the plan be internally approved as long as the deviation does not exceed 10 percent of approved plan

# Traffic Impact Analysis (TIA)

- Internal streets are proposed to have a 50' ROW, which meets code
  - Grass Hill, Samaritan, Aids, and William Rancher do not
- TIA indicates development will create additional 116 peak hour morning trips & 156 peak hour evening trips along Seneca and Grass Hill
  - 75% would use Seneca Drive and 25% would use Grass Hill Drive
- Both Seneca and Grass Hill roadways (above William Rancher) are capable of supporting traffic increase

# Traffic Impact Analysis (TIA)

**Table 1. Trip Generation for proposed development (166 lots)**

TRIP GENERATION						
ITE Code	Weekday 24 Hours		Weekday AM Peak		Weekday PM Peak	
<b>210</b>	<b>Single-Family Detached Housing</b>					
Rate / Unit	9.43		0.7		0.94	
Units	166		166		166	
Trips	1565		116		156	
% Enter/Exit	50%	50%	25%	75%	63%	37%
# Enter/Exit	783	783	29	87	98	58

Source: *ITE Trip Generation Manual, Eleventh Edition*

**Table 2. Trip Distribution for proposed development with 166 Lots**

TRIP DISTRIBUTION					
Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	22	65	74	43
Grass Hill Drive	25%	7	22	24	15

# Traffic Impact Analysis (TIA)

- Property is currently zoned R-1 and if developed would have approximately 104 lots – increase by zone change is 62 lots
- Results in an additional 0.5 vehicles per minute on both roadways

# Traffic Impact Analysis (TIA)

**Table 1. Trip Distribution for proposed development with 104 Lots**

Street		AM Direction		PM Direction	
		Enter	Exit	Enter	Exit
Seneca Drive	75%	14	41	46	27
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Seneca Drive	75%	8	24	28	16
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*Calculated as per ITE TRIP GENERATION MANUAL, Eleventh Edition*

# City Master Plan

- The current plan recommends R-1 for this area
- The code states: The planning and zoning commission or city council may initiate proceedings to consider a change to the zoning on any property
- The applicant states: The majority of the surrounding zoning is R-6. Our proposed zoning and PDD is in sync with the surrounding neighborhoods

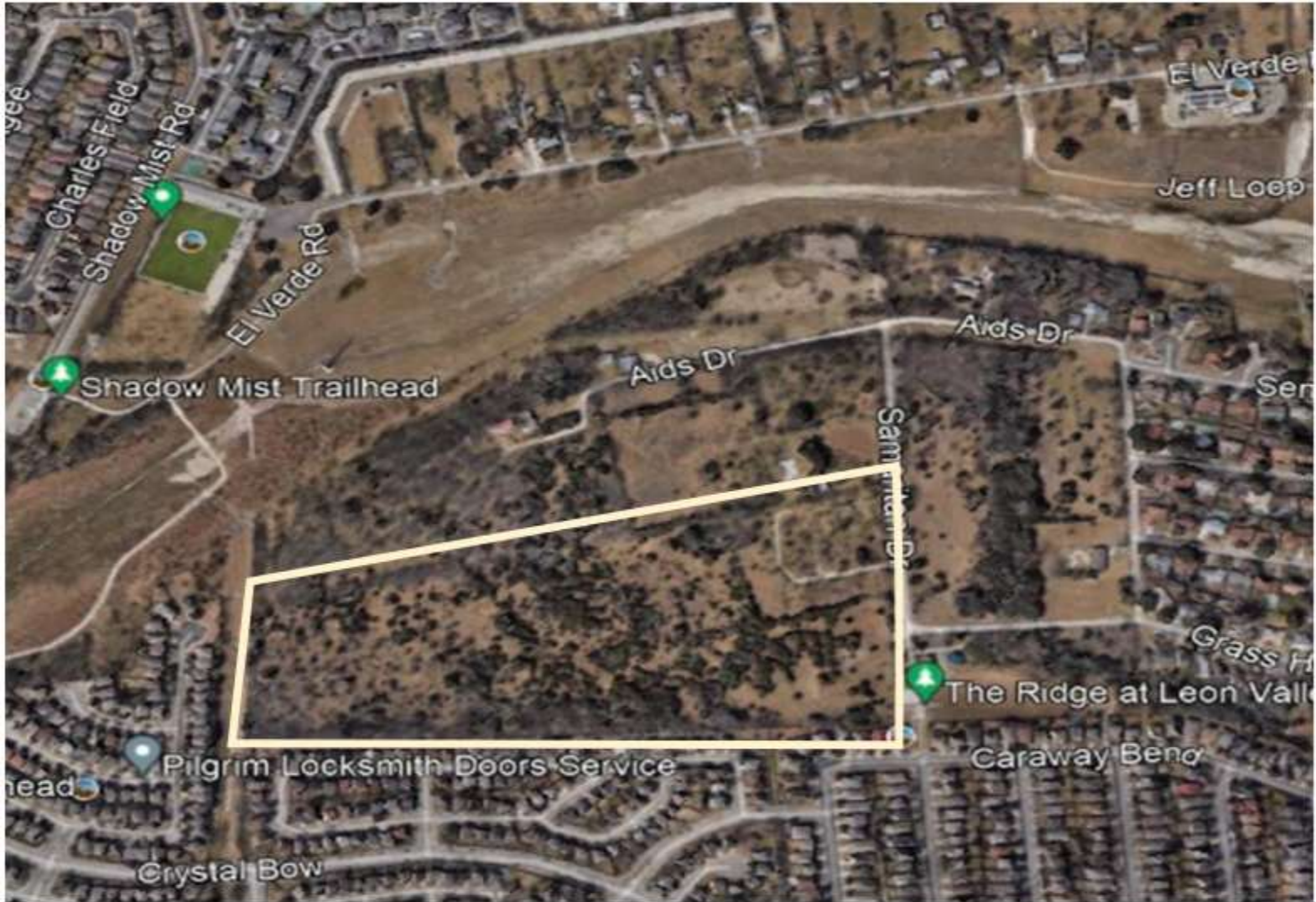


# Notification

- 112 Letters were sent out
  - 0 - In favor
  - 2 - Opposed
  - 9 - Undeliverable

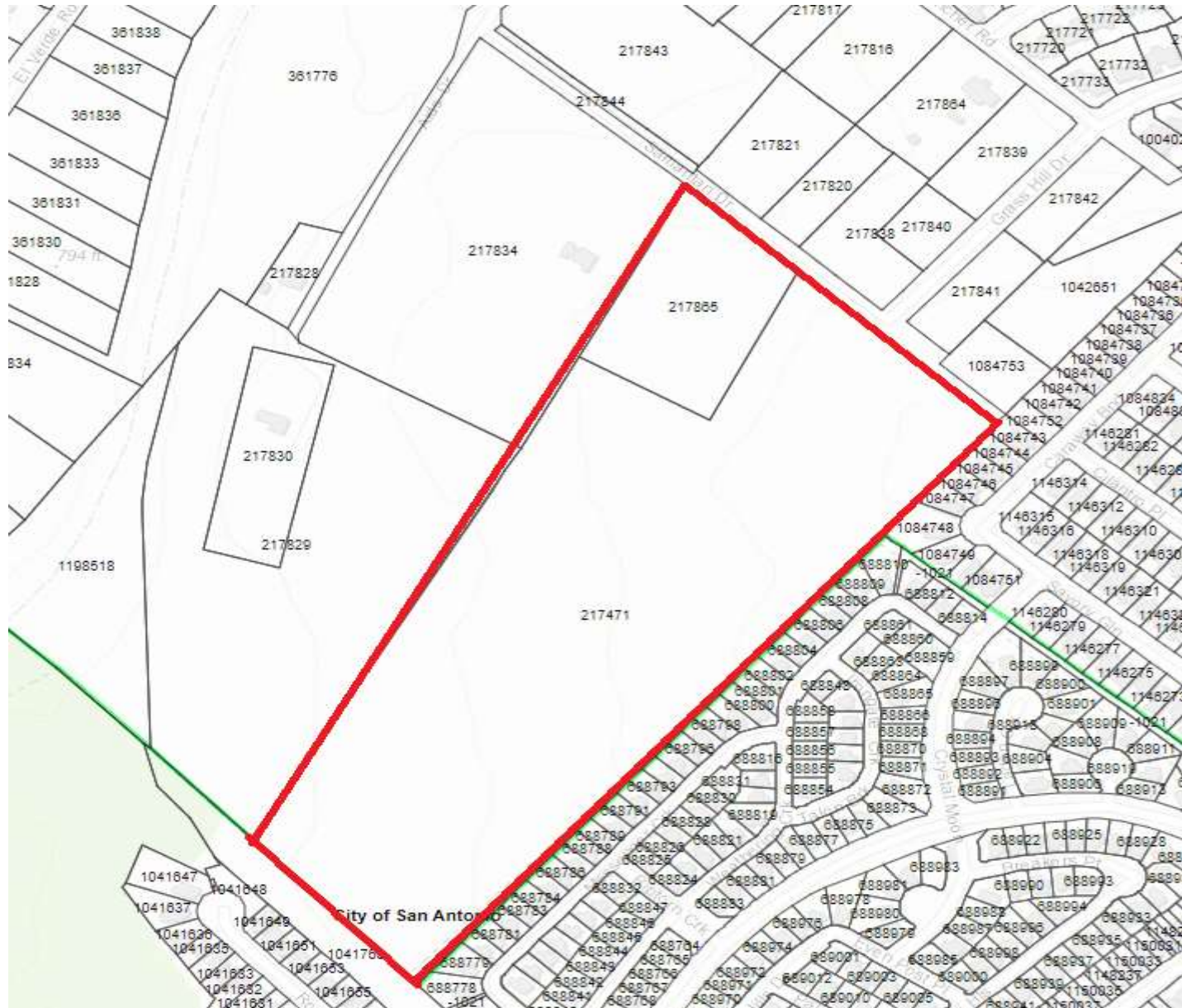
# Aerial View

{Section}.71.



# Location Map

{Section}.71.



# Fiscal Impact

- All fees associated with this rezone request have been paid
- The development of a single-family subdivision will increase ad valorem and sales tax in the city

# Recommendation

- At their March 12, 2024 meeting, the Planning and Zoning Commission recommended denial of the rezoning request

## MAYOR AND COUNCIL COMMUNICATION

**DATE:** March 19, 2024  
**TO:** Mayor and Council  
**FROM:** Mindy Teague, Planning and Zoning Director  
**THROUGH:** Dr. Crystal Caldera, City Manager

**SUBJECT:** Presentation, Public Hearing, Discussion, to Consider an Approval to Rezone Approximately 6-Acres of Land From R-1 (Single Family Dwelling) Zoning District to a Planned Development District (PDD) with R-6 Garden Home District Base Zoning, Being Lot 46A, P-46, and P-46C, CB 4446, Located at 7201 and 7205 Huebner Road, Leon Valley, Texas

### **PURPOSE**

The purpose of this item is to consider approval of a request to rezone an approximately 6-acre parcel of land from R-1 to PDD with R-6 Base Zoning at 7201 and 7205 Huebner Road.

### **History**

This parcel was owned and occupied prior to the City being incorporated as the Poss Family Homestead and has been zoned as R-1 since its incorporation into the city limits.

The owner of the adjacent 10-acre subdivision (Poss Landing) is in the process of constructing a PDD single family home subdivision, but the ingress/egress requirements in the Fire Code required that the developer either provide secondary ingress/egress or fire sprinkle all homes. After investigating the costs for fire sprinkling, the developer decided to purchase this adjacent lot and develop it as Phase II of what was Poss Landing (the developer has since changed the name to Senna Phase I). This will not only provide the necessary second access point for the Senna I project, it will also provide the required ingress/egress points for this property.

### **City Master Plan**

The City Master Plan, Huebner Road Corridor 5CC states:

The Huebner Road Corridor area of land is primarily Single-Family Dwelling, Multiple Family Retirement Dwelling, and Garden House Dwelling Uses with some Small Business and Retail Uses. The land use in this area encourages all of the vacant areas located on the east side of Huebner Road across from the Elementary School be zoned R-1 (Single-Family). R-3A (Multiple-Family Retirement Dwelling) and R-6 (Garden House) should be considered as alternatives. Vacant areas zoned B-2 (Retail) should be rezoned

to R-1 (Single family), R-3A (Multiple-Family Retirement Dwelling), R-6 (Garden House), R-7 (Single Family Medium Density), and MX-1 (Mixed Use).

The proposed zoning is in compliance with the Master Plan recommendations.

**Variances**

The developer is requesting to match the first phase of the development with a lot size reduced to 3,010 square feet, a lot frontage of 35 feet, and have a 16' front setback, 3' side setback, and 10' rear setback. The development will consist of 49 homes. The developer will be planting 2 trees on each lot.

The developer will be requesting a variance to Chapter 13 Tree Mitigation for the removal of on-site existing trees at a later date.

**Streets/Traffic Impact Analysis (TIA)**

Internal street right-of-way is proposed at 38' with 28' of asphalt. The TIA indicates 49 peak hour trips.

**Notification**

Notification letters mailed	12
Received in favor	0
Received in opposition	0
Returned undeliverable	1

**FISCAL IMPACT:**

The developer has paid all fees associated with the processing of this PDD. The development of a single-family housing subdivision will increase ad valorem and sales taxes in the city.

**RECOMMENDATION**

At their March 12, 2024 meeting, the Planning and Zoning Commission recommended approval of the rezoning request.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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

---

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ATTEST:

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary



**ORDINANCE No. 2024-**

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL GRANTING A ZONE CHANGE ON AN APPROXIMATELY 6 ACRE TRACT OF LAND FROM R-1 SINGLE FAMILY DWELLING TO A PLANNED DEVELOPMENT DISTRICT, WITH R-6, GARDEN HOME DISTRICT BASE ZONING, BEING PARCEL 46, ABSTRACT 664, CB 4446, LOT 46A AND PARCEL 46C ABSTRACT 664, CB 4446, LOCATED AT 7201 AND 7205 HUEBNER ROAD, LEON VALLEY, TEXAS; PROVIDING A REPEALER CLAUSE; SEVERABILITY CLAUSE; NOTICE OF MEETING; SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.**

---

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

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

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

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

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

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

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

**SECTION 1.** The subject location – being specifically described as, Parcel 46, Abstract 664, CB 4446, Lot 46A and Parcel 46C Abstract 664, CB 4446, located at 7201 and 7205 Huebner Road, Leon valley, Texas, is hereby approved.

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

hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.

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

**SECTION 4. SAVINGS CLAUSE.** The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

**SECTION 5. NOTICE OF MEETING CLAUSE.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

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

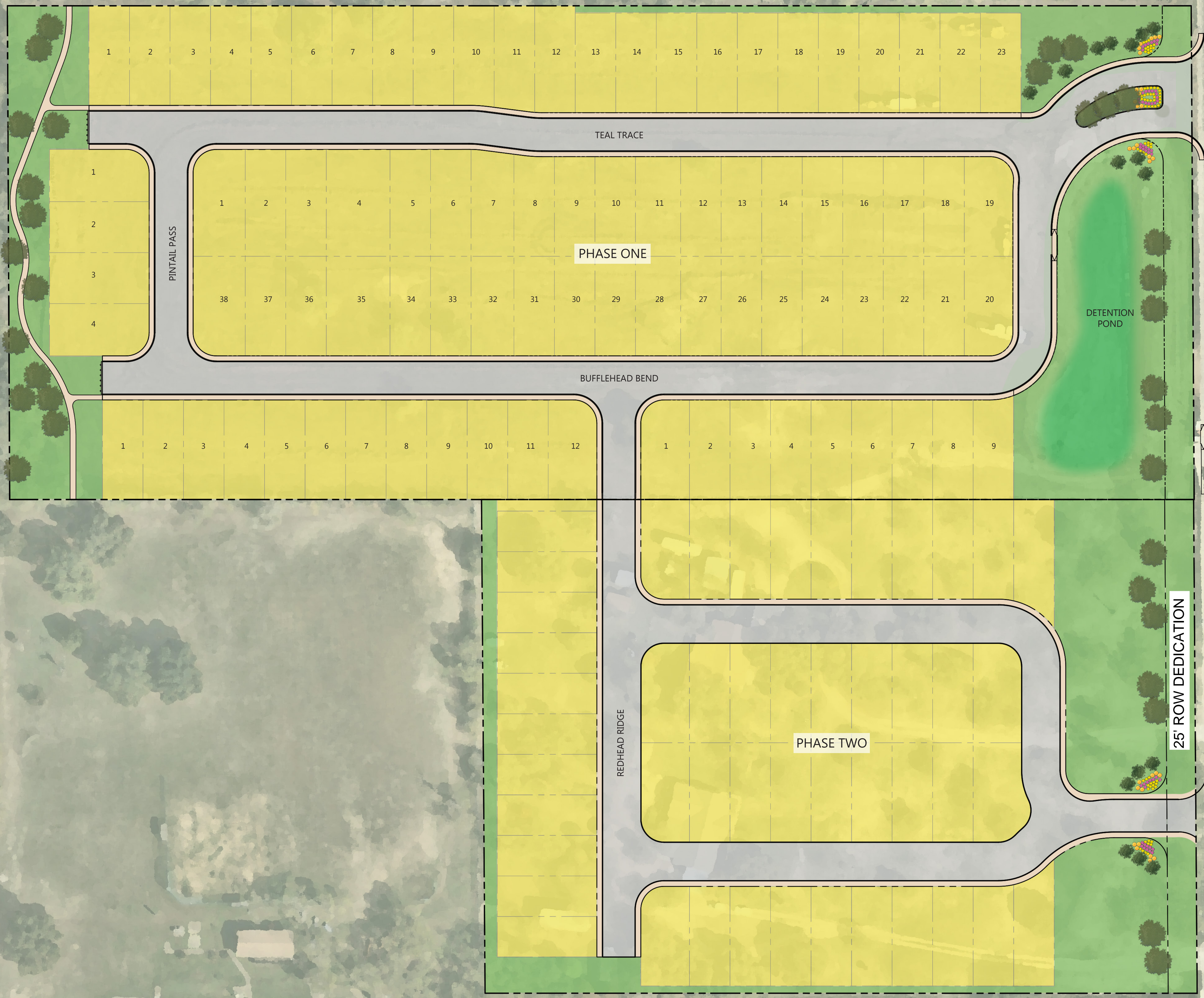
**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 2nd day of April 2024.

**APPROVED**

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

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

Approved as to Form: \_\_\_\_\_  
**ART RODRIGUEZ**  
City Attorney



# SENNA



LOT SUMMARY	
LOT COUNT	ACRES
49	6.0 Ac.

10' B.S.L.

3' B.S.L.

PAD  
29' X 60'

16' B.S.L.

38' PRIVATE STREET

LOT DETAIL  
35' X 86'

POSS LANDING - PHASE 1

DETECTION

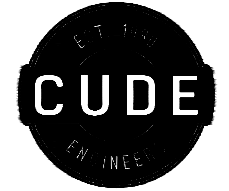
25' ROW DEDICATION

BARNEYWOOD ST

PEACH TREE ST

HUEBNER RD

CHERRYLEAF DR



**CUDE ENGINEERS**  
4122 Pond Hill Road, Suite 101  
San Antonio, Texas 78231  
P:(210) 681.2951 F:(210)523.7112

# POSS LANDING - PHASE 2 / R1 SITE PLAN

LEON VALLEY, TEXAS

JANUARY 2024



SCALE: 1"=100'

0 50 100

TAG NO.	DESCRIPTION
1736	35" MESQUITE (26-18")
1737	26" MESQUITE
1738	30" MESQUITE
1739	20" MESQUITE
1740	14" HACKBERRY
1741	20" MESQUITE
1742	17" MESQUITE (SICK)
1743	13" PERSIMMON TREE (5-4-3-3-3")
1744	29" MESQUITE (21-16")
1745	6" PERSIMMON TREE
1746	12" PERSIMMON TREE (9-6")
1747	7" MESQUITE
1748	12" MESQUITE
1749	14" PERSIMMON TREE (9-9")
1750	9" MESQUITE (SICK/DEAD)
1751	12" MESQUITE (SICK/DEAD)
1752	26" MESQUITE (19-13")
1753	21" MESQUITE
1754	14" HACKBERRY
1755	16" MESQUITE
1756	25" CEDAR (9-6-6-5-5-3")
1757	24" CEDAR (10-6-6-5-5-5")
1758	10" PERSIMMON TREE (5-5-4")
1759	11" PERSIMMON TREE (7-7")
1760	8" PERSIMMON TREE
1761	9" PERSIMMON TREE
1762	23" MESQUITE
1763	30" CEDAR (23-9-5")
1764	33" LIVE OAK (23-20")
1765	17" PERSIMMON TREE (7-7-6-4-3")
1766	23" LIVE OAK
1767	4" (UNKNOWN) TREE
1768	4" (UNKNOWN) TREE
1769	18" HACKBERRY (SICK)
1770	19" MESQUITE (SICK/DEAD)
1771	19" MESQUITE
1772	23" MESQUITE
1773	10" PERSIMMON TREE (7-6")
1774	9" PERSIMMON TREE (6-5")
1775	17" MESQUITE
1776	20" MESQUITE (13-13")
1777	12" MESQUITE (SICK)
1778	12" MESQUITE (SICK)
1779	15" MESQUITE (SICK)
1780	17" MESQUITE (SICK)
1781	13" MESQUITE (9-8")
1782	16" MESQUITE (12-7")
1783	21" MESQUITE
1784	16" MESQUITE (SICK)
1785	16" MESQUITE
1786	12" MESQUITE
1787	12" PERSIMMON TREE (9-5")
1788	12" MESQUITE
1789	19" MESQUITE (13-11")
1790	22" HACKBERRY
1791	18" HACKBERRY (12-11")
1792	10" HACKBERRY
1793	12" PERSIMMON TREE
1794	12" MESQUITE (8-7")
1795	20" MESQUITE
1796	16" PERSIMMON TREE (12-8")
1797	16" MESQUITE
1798	6" PERSIMMON TREE (4-3")
1799	5" BURR OAK
1800	13" PERSIMMON TREE (9-7")
1801	28" MESQUITE (20-16")
1802	7" GUMBULLY TREE
1803	5" BURR OAK
1804	28" LIVE OAK
1805	7" PERSIMMON TREE
1806	18" HACKBERRY
1807	17" HACKBERRY (13-7")
1808	17" HACKBERRY
1809	24" ASH (15-9-9")
1810	6" (UNKNOWN) TREE
1811	5" (UNKNOWN) TREE
1812	24" LIVE OAK
1813	13" ASH
1814	30" LIVE OAK
1815	13" LIVE OAK
1816	39" CEDAR (23-12-12-8")

TAG NO.	DESCRIPTION
1817	17" MESQUITE
1818	18" MESQUITE (12-11")
1819	21" HACKBERRY (15-12")
1820	14" CEDAR (9-5-4")
1821	10" MESQUITE
1822	23" ASH (19-8")
1823	13" MESQUITE
1824	7" SHUMARD OAK (4-3-3")
1825	8" LIVE OAK (6-3")
1826	14" CREPE MYRTLE
1827	13" MESQUITE
1828	13" ASH
1829	34" MESQUITE (23-22")
1830	26" MESQUITE (21-9")
1831	19" MESQUITE
1832	22" MESQUITE
1833	19" MESQUITE
1834	17" MESQUITE
1835	4" ASH
1836	17" ASH
1837	26" ASH
1838	14" MESQUITE
1839	9" PERSIMMON TREE (5-4-4")
1840	19" MESQUITE
1841	17" HACKBERRY
1842	18" ASH
1843	14" HACKBERRY
1844	27" MESQUITE (20-14")
1845	34" MESQUITE (22-13-11")
1846	13" MESQUITE
1847	16" HACKBERRY (12-8")
1848	16" MESQUITE
1849	19" HACKBERRY
1850	17" MESQUITE
1851	15" MESQUITE
1852	4" LIVE OAK
1853	16" LIVE OAK (11-10")
1854	31" LIVE OAK
1855	5" PERSIMMON TREE
1856	15" PERSIMMON TREE (9-4-4-3")
1857	12" PERSIMMON TREE (6-6-6")
1858	17" LIVE OAK (13-8")
1859	13" LIVE OAK
1860	11" PERSIMMON TREE (7-7")
1861	5" PERSIMMON TREE
1862	5" BLACK OAK
1863	6" BLACK OAK
1864	7" HACKBERRY (5-3")
1865	11" HACKBERRY
1866	6" HACKBERRY
1867	5" BLACK OAK
1868	8" HACKBERRY
1869	5" BLACK OAK
1870	5" BLACK OAK
1871	12" PERSIMMON TREE (7-5-4")
1872	8" PERSIMMON TREE
1873	12" PERSIMMON TREE (8-7")
1874	8" HACKBERRY
1875	8" HACKBERRY
1876	13" HACKBERRY
1877	12" HACKBERRY (9-5")
1878	25" HACKBERRY
1879	12" PERSIMMON TREE (8-7")
1880	5" PERSIMMON TREE
1881	25" HACKBERRY (18-14")
1882	5" PERSIMMON TREE
1883	5" BLACK OAK
1884	8" WHITE OAK
1885	16" HACKBERRY
1886	9" (UNKNOWN) TREE
1887	33" ASH
1888	14" HACKBERRY
1889	16" HACKBERRY
1890	9" PERSIMMON TREE (5-4-3")
1891	6" PERSIMMON TREE
1892	16" PERSIMMON TREE (5-5-4-3-3-3")
1893	18" PERSIMMON TREE (8-8-6-5")
1894	5" PERSIMMON TREE
1895	11" PERSIMMON TREE (8-5")
1896	8" PERSIMMON TREE
1897	10" CEDAR



**LEGEND**

- BCAD: BEXAR COUNTY APPRAISAL DISTRICT
- B.S.L.: BUILDING SETBACK LINE
- D.P.R.B.C.T.: DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- ESMT.: EASEMENT
- FND.: FOUND
- I.: IRON
- NO.: NUMBER
- O.P.R.B.C.T.: OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
- PG.: PAGE
- R.O.W.: RIGHT-OF-WAY
- U.E.: UTILITY EASEMENT
- VOL.: VOLUME
- FOUND 1/2-INCH I. ROD (UNLESS OTHERWISE NOTED): FOUND 1/2-INCH I. ROD (UNLESS OTHERWISE NOTED)
- Δ: CALCULATED POINT

SCALE IN FEET: 0' 25' 50' 100'

- GENERAL NOTES:**
- BEARING ORIENTATION IS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM OF 1983 (NAD 83), 2011 ADJUSTMENT, EPOCH 2010.00.
  - MEASUREMENTS ARE IN U.S. SURVEY FEET. DISTANCES SHOWN HEREON ARE IN SURFACE AND MAY BE CONVERTED TO GRID BY USING THE COMBINED ADJUSTMENT FACTOR OF 1.00017.
  - SURVEYOR WAS CONTRACTED TO LOCATE TREES GREATER THAN OR EQUAL TO 4-INCHES. SURVEYOR DOES NOT MAKE ANY GUARANTEE AS TO THE TYPES OF TREES LISTED HEREON. IF CRITICAL, IT MAY BE PRUDENT TO HAVE AN ARBORIST VERIFY THIS INFORMATION.
  - THIS TREE EXHIBIT IS NOT A BOUNDARY SURVEY. BOUNDARY LINES SHOWN HEREON WERE TAKEN FROM AN ALTA/NSPS LAND TITLE SURVEY PERFORMED BY CUDE ENGINEERS DATED JANUARY 8, 2024.
  - THIS TREE EXHIBIT DOES NOT INCLUDE DEPICTIONS OF EXISTING IMPROVEMENTS.
  - FIELDWORK WAS COMPLETED ON FEBRUARY 05, 2024.

**LEGAL DESCRIPTION:**

TRACT 1: 3.090 ACRES OF LAND IN THE MD DE LOS SANTOS SURVEY 82, ABSTRACT 664, BEXAR COUNTY, TEXAS, OUT OF THAT CALLED 138.72 ACRE TRACT RECORDED IN VOLUME 4219, PAGE 248 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS.

TRACT 2: 2.858 ACRES OF LAND LOCATED IN THE MD DE LOS SANTOS SURVEY 82, ABSTRACT 664, BEXAR COUNTY, TEXAS, BEING ALL OF THAT CALLED 1.794 ACRE TRACT, LOT 46A OF THE POSS SUBDIVISION RECORDED IN VOLUME 6700, PAGE 180 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND ALL OF THAT CALLED 1.078 ACRE TRACT RECORDED IN IN DOCUMENT 20210300205 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS

**SUMMIT GEOMATICS, INC.**  
 4603 N STAHL PARK SUITE 103  
 SAN ANTONIO, TEXAS 78217  
 Tel: 210-971-4870 • summit-geomatics.com  
 TBPELS FIRM NO. 10194657

**TREE EXHIBIT**  
 TRACT 1 - 3.090 ACRES  
 TRACT 2 - 2.858 ACRES  
 SITUATED IN THE  
 MD DE LOS SANTOS SURVEY NO. 82  
 ABSTRACT NO. 664  
 BEXAR COUNTY, TEXAS

SCALE: 1"=50'    JOB NO.: 24.0045    DATE: 02/08/2024    149 OF 1

X:\03\_Summit\_P\Projects\2024-Projects\24\_0045\_CenturyCommunities\_PossLandExp\Extensio\_SanAntonio\_03\_Final\01\_CAD\_PossLandExp\2\_Trees\TreeSrv(S).dwg - 2/08/2024 11:37 AM, C:\Users\Bernal

PZ-2024-2  
Rezone - PDD  
7201 & 7205 Huebner

Mindy Teague  
Planning & Zoning Director  
City Council Meeting  
March 19, 2024

# Purpose

- This is a request to rezone approximately 6 acres of land at 7201 and 7205 Huebner Road from R-1 Single Family Dwelling District to Planned Development District with RT-6 Garden Home base zoning
- Property will have to be platted and conform to all stormwater regulations prior to being issued any building permits
- Developer will also be requesting a variance to Chapter 13 Tree mitigation for on-site existing trees at a later date

# Background

- Parcels were owned/occupied prior to the City being incorporated, as the Poss Family Homestead
- The owner of the adjacent 10-acre subdivision (former Poss Landing) is in the process of constructing PDD/R-6 based single family homes
- Ingress/egress requirements in the Fire Code required that the developer either provide secondary ingress/egress or fire sprinkle all homes in that development
- After investigating costs, developer decided to purchase adjacent lot & develop as Phase II (the original subdivision has since changed name to Senna Phase I)
- This not only provides the necessary second access point for the Senna I project, but will also provide the required ingress/egress to the subject property



# Purpose

- The Master Plan, Huebner Road Corridor 5CC states:
  - The land use in this area encourages all the vacant areas located on the east side of Huebner Road across the school be zoned R-1, with R-3A and R-6 considered as alternatives
- The developer is requesting to match the first phase of the development with a lot size of 3,010 square feet, frontage of 35 ft, 16 ft front set back, 3 ft side set back & 10 ft rear set back
- Development will consist of a total of 49 lots with two trees per lot
- TIA indicates 49 peak hour trips

# Site Plan

{Section}.72.



## POSS LANDING - PHASE 2 / R1 SITE PLAN

LEON VALLEY, TEXAS

JANUARY 2024



SCALE: 1"=100'



# Notification

- 12 Letters were sent out
  1. 0 – In favor
  2. 0 - Opposed
  3. 1 - Undeliverable

# Fiscal Impact

- All fees associated with this rezone request have been paid
- The development of a single-family subdivision will increase ad valorem and sales tax in the city

# Recommendation

- At the March 12, 2024 meeting, the Planning and Zoning Commission recommended approval of the rezoning request

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 19, 2024  
**TO:** Mayor and Council  
**FROM:** Mindy Teague, Planning and Zoning Director  
**THROUGH:** Dr. Crystal Caldera, City Manager  
**SUBJECT:** Presentation, Discussion and Possible Action to Consider Approving a Request by Burkett Media for Two Variances to Chapter 3 Building Regulations, Article 3.04 Signs, Section 3.04.012 Off-Premises Signs, (a) New Off-Premise Signs and Section 3.04.014 Prohibited Signs (12) Light Emitting Diode (LED) and Static Electronic Digital Display Signs. Both are Prohibited by Code, Located at 5902 Bandera Rd – M. Teague, Planning and Zoning Director  
**SPONSOR(S):** N/A

**PURPOSE & BACKGROUND**

The applicant, Burkett Media, is requesting two variances to allow construction of an off-premise sign (billboard), to be located at 5902 Bandera Road. Off-premise signs are prohibited by Leon Valley City Code, Chapter 3 Building Regulations, Article 3.04 Signs, Section 3.04.012 Off-Premise Signs, (a) New Off-Premise Signs.

Prohibited Signs (12) Light emitting diode (LED) and static electronic digital display signs, except as allowed on-premises for freestanding, multitenant, window and door signs (only one per storefront) and government signs as regulated and defined in the article.

The proposed sign would be 14 feet by 48 feet, is electronic, and will be located over 500' from any other off-premise signs in this area. The sign site is accessible by a private driveway.

Burkett Media does have an approved sign permit issued by TxDot on 12/14/2023, permit #PMT-23-00646. They also have the landowner's authorization, being Highway 410 Shell, LLC.

**FISCAL IMPACT**

The granting of the variances may increase visitors and tax revenue to the city, as the owner intends to advertise the city on the sign.

**RECOMMENDATION**

At the discretion of the City Council.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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

PZ-2024-7  
Sign Variance Request  
5902 Bandera Rd  
Construction of Digital Off-Premise  
Sign

Mindy Teague  
Planning & Zoning Director  
City Council Meeting  
March 19, 2024



# Summary

- Question
  - City Council is being asked to consider a request for two variances to the Sign Code to allow an off-premise electronic sign at 5902 Bandera Road
- Options
  - Recommended:
    1. Grant the variances
    2. Deny the variances
    3. Other
- Declaration
  - At City Council discretion

# Purpose

- Burkett Media is requesting variances to LVCC, Chapter 3 Building Regulations, Article 3.04 Signs, Section 3.04.012 Off-Premise Signs
- To erect an electronic off-premise sign (billboard) Section 3.04.014
- Sign would be 14 ft high by 48 ft wide
- To be located at 5902 Bandera Rd

# Aerial View

{Section}.73.

## Site Plan: TXDOT - 5902 Bandera Rd (Loop 410 Read) Leon Valley, TX



# Proposed Sign

{Section}.73.

**BURKETT MEDIA**

**LEON VALLEY**  
*DEEP ROOTS. BIG IDEAS.*

**BURKETT MEDIA**

**CITY OF LEON VALLEY**  
VALLEY OF THE LIONS

- \$100,000 Impact Payment to the City
- 14x48 Back to Back Digital Gateway Sign
- Free Advertising to the City of Leon Valley
- Discounted Ad Rates to Local Businesses
- Increase Visitors and Tax Revenue to the City
- Located @ Western City Limits on Loop 410
- Burkett Media Fully Funds the Project

Loop 410 @ Bandera Rd  
5902 Bandera Rd • Leon Valley, TX 78238

**BEAU BURKETT**  
**BEAU@BURKETTMEDIA.COM**  
**512-787-2375**

# Fiscal Impact

- All fees associated with this variance have been paid
- The sign may increase visitors and sales tax revenue, as the company will be advertising the City of Leon Valley on its sign

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 19, 2024

**TO:** Mayor and Council

**FROM:** David Gonzalez, Police Chief

**THROUGH:** Dr. Crystal Caldera, City Manager

**SUBJECT:** Presentation, Discussion and Possible Action on an Ordinance Authorizing a Fiscal Year 2023-2024 General Fund Budget Adjustment in the Amount of \$50,000 for the purpose of completing the relocation of the Police Impound Lot.

**PURPOSE & BACKGROUND**

Discussion on approval for moving the Police Impound Lot was initiated in 2023. Direction to move toward completion was granted.

**FISCAL IMPACT**

A budget adjustment in the amount of \$50,000 is requested. The funds will come from the General Fund Reserve.

**RECOMMENDATION**

Council's Discretion

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AUTHORIZING A FISCAL YEAR 2023-24 GENERAL FUND BUDGET ADJUSTMENT IN THE AMOUNT OF \$50,000 FOR THE PURPOSE OF INCREASING THE IMPOUND LOT BUDGET; PROVIDING FOR REPEALER, SEVERABILITY AND SAVING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Leon Valley has already approved their FY 2023-2024 Budget on September 05, 2023; and

**WHEREAS**, it has been determined that funding should be added to the FY 2023-2024 Budget; and

**WHEREAS**, it is necessary to adjust the Police Impound Budget by a total amount of \$50,000

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

**SECTION 1.** The City's General Fund budget is hereby adjusted to the amount of \$50,000 to increase the Police Impound Lot Budget to complete the relocation of the Police Impound Lot.

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

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

**SECTION 4.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

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



**PASSED, ADOPTED AND APPROVED** by the City Council of Leon Valley  
this the \_\_\_ day of \_\_\_, 2024.

# Police Impound Lot – Budget Adjustment

David Gonzalez  
Police Chief  
City Council Meeting  
March 19, 2024

# Summary

- Question
  - Approve an Ordinance authorizing budget adjustment in the amount of \$50,000 for the FY 2023-2024 budget year.
- Options
  - Approve
  - Deny
- Recommendation
  - Council's Discretion

# Purpose

- Consider approval of an Ordinance authorizing budget adjustment for FY 2023-2024
- Budget adjustment will pay for the relocation and completion of the Police Impound Lot

# Purpose / Background

- Discussion and approval for moving the Police Impound Lot began in 2023.
- Require budget adjustment for completion.

# Fiscal Impact

- A budget adjustment in the amount of \$50,000 is requested. The funds would come from the General Fund Reserve.

# Recommendation

- Council's Discretion



# 2024 Pool Management Bid Award

David Dimaline

Public Works Assistant Director

City Council Meeting

March 19, 2024



# Summary

- Question: Should the City Council award a Bid and authorize the City Manager to sign a contract with San Antonio Pool Management to manage the Forest Oaks Pool and provide off-season maintenance?
- Options
  - Approve
  - Other
- Declaration
  - This is at City Council discretion

# Background

- 2024 swim season opens Memorial Day weekend on May 25<sup>th</sup> , and runs through Labor Day, September 2<sup>nd</sup>
- City advertised bids to provide management of the Forest Oaks pool from Memorial Day to Labor Day, and provide off-season maintenance
- The bid opening was held on February 27, 2024 with 3 companies submitting

# Bids

Company	RFP Amount
San Antonio Pool Management	\$68,529.00
USA Management	\$87,722.00
Pool Management, LLC	\$84,703.00

# Fiscal Impact

- San Antonio Pool Management submitted the lowest bid at \$68,529
- The FY 23-24 Public Works budget includes \$130,000 for management and pool operations

# Recommendation

- Staff recommends awarding a bid and authorizing the City Manager to sign a contract with San Antonio Pool Management, Inc. in the amount of \$68,529.00 to manage the Forest Oaks pool for the upcoming 2024 pool season and provide off-season maintenance

## SWIMMING POOL MANAGEMENT AGREEMENT

**This Agreement**, between **San Antonio Pool Management** (the “Company”) **City of Leon Valley** (the “Customer”), is to provide for the staffing, water chemistry maintenance and cleaning by the Company at the Customer’s pool located at 6620 Evers Road Forest Grove, Leon Valley, TX 78238 Leon Valley, Texas (hereinafter referred to as “Pools”)in accordance with the specifications, conditions, and terms set forth herein and in Appendices attached to this Agreement. Company has no duties with regard to pool or facilities other than those explicitly stated herein.

1. **EFFECTIVE DATE**. This Agreement, when executed by both parties hereto, shall become effective on January 1<sup>st</sup>, 2024 for the 2024 Pool Year extending from January 1<sup>st</sup>, 2024 through December 31<sup>st</sup>, 2024.

2. **PROPOSAL EXPIRATION OPTION**. This contract is voidable at the Company’s option if not executed by the Customer and returned to the Company by March 20<sup>th</sup>, 2024.

3. **PERSONNEL**. Company will provide lifeguards, on call pool supervisor and Certified Pool Operator for operation of Customer’s pool. The Company will provide training and testing of the lifeguards working at Customer’s facility. Company will provide appropriate uniforms for staff.

*\*Please see Exhibit B for more details on personnel.*

4. **INSURANCE/LIABILITY**. The company will maintain a comprehensive insurance package including General Liability, Professional Liability & Punitive coverage with \$20 million dollar limits. While this is a significant limit, Company asserts it is adequate and not an extravagance, as swimming pool pose substantial risk.

The company agrees to maintain, at a minimum, \$20 million liability insurance coverage for the length of this Agreement.

*\*Please see and initial Exhibit C for more information on the liability insurance.*

5. **SERVICES.** Service components that are provided as part of this Agreement.

Services	Description
<b>Summer Safety Campaign</b>	Posters are placed at facilities (and information posted on-line) as part of our annual pool safety campaign aimed at pool patrons. The safety campaign is designed to increase awareness of pool hazards and prevent drowning.
<b>Body on the Bottom Testing</b>	Proprietary testing is completed at pools throughout the season to enhance lifeguards' ability to identify and save bodies underwater.
<b>National Safety Advisors</b>	Collectively, with The Pool Management Group family of companies, we contract with prominent safety advisors, including Dr. Tom Griffiths, to ensure our water safety standards remains at high levels.
<b>National Back Up Team</b>	In the event of a need, we will utilize back up personnel available through The Pool Management Group. From President to pool technician, our team is backed up in the event of injury or other emergency.
<b>National Parts Sourcing</b>	When local parts distributors do not carry a part needed to keep your pool up and running, we will utilize the support team at The Pool Management Group for a nationwide search to find the right part and order it promptly.
<b>Up to Date Information</b>	Through The Pool Management Group, important governmental decisions and water safety developments are monitored so we can provide accurate timely information.
<b>Risk Reduction</b>	Our safety and training standards increase safety and reduce risk at your pool. However, even at the safest pools, accidents can happen, so we carry Professional Liability Insurance with \$20 million of coverage.

6. **EXHIBITS.** The attached exhibits, which are material to and included as part of this Agreement, detail the following:

Exhibit A - DATES AND HOURS OF OPERATION AND STAFFING

Exhibit B – PERSONNEL

Exhibit C – INSURANCE AND LIABILITY

Exhibit D - OPERATIONAL PARAMETERS

Exhibit E - POOL MAINTENANCE AND REPAIRS

Exhibit F – OFF-SEASON SERVICE

Exhibit G - SWIMMING LESSONS

Exhibit H – CUSTOMER CONTACT INFORMATION

Exhibit I – TERMS AND CONDITIONS

Exhibit J – PAYMENT SCHEDULE

7. **FEES.** The Company hereby proposes to perform the work and services set forth in this document including all exhibits for the price of **\$68,529.00** upon the specifications, conditions and terms as set forth herein.

8. **ACCEPTANCE.** Acceptance of this Agreement by Customer and Company through signatures below will constitute a contract entered into in accordance with the specifications, terms and conditions and addenda attached hereto.

**San Antonio Pool Management**

By: \_\_\_\_\_

Officer

**<Customer>**

By: \_\_\_\_\_

Title of Officer:\_\_\_\_\_

Attest:\_\_\_\_\_

Title of Officer:\_\_\_\_\_

Date: \_\_\_\_\_



**Exhibit A**

**Dates and Hours of Operation and Staffing**

**1. DATES OF OPERATION.**

The pool will be open on the following days:

May 25, 2024 through September 2, 2024.

**2. HOURS OF OPERATION.**

The pools to be open during the following hours during School Season:

May 25<sup>th</sup> through May 31<sup>st</sup>

August 19<sup>th</sup> through September 2<sup>nd</sup>

Saturday 12:00 p.m. to 8:00 p.m.

Sunday 12:00 p.m. to 8:00 p.m.

Monday Closed

Tuesday Closed

Wednesday Closed

Thursday Closed

Friday Closed

Holidays 12:00 p.m. to 8:00 p.m.

The pools to be open during the following hours during Summer Season:

June 1<sup>st</sup> through August 18<sup>th</sup>

Saturday 12:00 p.m. to 8:00 p.m.

Sunday 12:00 p.m. to 8:00 p.m.

Monday 12:00 p.m. to 8:00 p.m.

Tuesday 12:00 p.m. to 8:00 p.m.

Wednesday Closed

Thursday 12:00 p.m. to 8:00 p.m.

Friday 12:00 p.m. to 8:00 p.m.

Holidays 12:00 p.m. to 8:00 p.m.

**3. STAFFING.**

- **Two (2) Lifeguards and one (1) Gate Attendant will be provided at all times the Pools are open (per schedule above). Company will provide two (2) Lifeguards during swim team practices and meets, swim instruction, water exercise classes, lap swimming, the cost of which is in addition to the contract price.**

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

Customer agrees to indemnify and hold Company harmless for any claims arising from the use of the pool(s) other than during those times specified above, except when such claims are the result of acts of omission or negligence of the Company.

On days when attendance at the pool is very low, Company may reduce the number of lifeguards on duty to as few as one.

Company shall be excused from providing staff on the schedule above upon the occurrence of any circumstance beyond its control to the extent that such circumstance makes it impossible to provide swimming pool staffing at the level detailed above, and in such circumstance Company and Customer shall work together to establish a new staffing schedule based on available staff. In such circumstance Company shall reimburse Customer for staffing hours that are not provided.

**SAFETY BREAK.** The pool water will be completely cleared for a period of 10 minutes at 3:00 PM, 5:00 PM and 7:00 PM. During this break, lifeguards will not be on patron surveillance. Wading pool and main pool will be closed. The lifeguards will be responsible for supervising the pool and deck area. When heat index is 100 degrees or higher, the lifeguards may call additional Safety Breaks on the hour (ie. 4:00, 6:00, etc.).

**VANDALISM.** Additional reasonable charges for cleanup required as the result of vandalism, and approved by the Customer, shall be paid by the Customer to the Company. Any vandalism shall be reported to the Customer's designated representative immediately upon discovery.

**SUPERVISION.** Company management personnel will inspect the pool at least twice each week during the full-time operation of the pool. Additional inspections and/or visits to the pool will be made by Company's management personnel as needed in order to assure Customer's satisfaction.

**POST CLOSING DAY STAFFING.** At the request of the Customer, the Company may, if staff is available, staff and maintain the pool and provide all necessary services to allow swimming with a Lifeguard on duty after the last day of operation specified above (Closing Day). The Customer will notify Company at least two (2) weeks in advance concerning post-Closing Day openings. The cost for post-Closing Day operation shall be billed to the Customer at the prevailing rate, which may change from year to year. The current cost is \$35.00 for each day (including days the pool is closed) from Closing Day through the final day the pool is open for swimming, plus \$35.00 per Lifeguard hour for time worked on or before September 18. The cost for Lifeguard hours worked after September 18 is currently \$41.00 per Lifeguard hour. Amount shall be payable to the Company on the initial day of post-Closing Day operation. This cost is to be extra to the contract in addition to the fees as provided hereinafter.

**WEATHER CONDITIONS.** Pool water will be closed if:

- (a) air temperature at or below 68 degrees Fahrenheit
- (b) heavy rain and unable to see the bottom of the pool
- (c) lightning, thunder, tornado warning, high winds causing pool surface turbulence

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

Company will reopen the pool water when weather becomes suitable for swimming. When pool water is closed patrons will be allowed to remain at the facility and fate and bathrooms will remain open.

AFTER-HOURS EVENTS. The Company will provide lifeguards for after-hours events subject to the following:

Lifeguard hours provided by the Company, other than those specified in this contract, shall be billed to the Customer at the prevailing rate.

Company shall provide no lifeguard beyond the hour of 11:00 PM.

For after-hours events, the Customer is not required to use Company lifeguards; however, Customer assumes full responsibility and liability for the pool in the event any individuals are within the pool area when the Company lifeguards are not scheduled to work. Customer agrees to indemnify and hold Company harmless for any and all claims for damages or injuries, or both arising from the use of the pool during hours other than those specified in this contract unless Company's lifeguards have been scheduled according to the policies set forth herein.

For after-hours events, for which the Company is to provide lifeguards, the Customer is responsible for giving the Company seven (7) days' prior written notice as to:

- (a) The time and date of the event.
- (b) The number of people who are scheduled to attend.
- (c) The type of group scheduled to attend (ie. Youth group, family celebration, social club, business organization).
- (e) Any special admission instructions.

The following scale shall be used to determine the number of lifeguards required at an after-hours event:

<u>Number of People Expected</u>	<u>Number of Lifeguards Required</u>
At Pool	
1 to 50	2
51 to 75	3
76 to 100	4
101 or more	5, plus one (1) more for each additional 25 people or portion thereof. Example: 153 attendees would require 7 lifeguards.

One additional lifeguard shall be required for any teenage event, college age event, or for any event involving alcoholic beverages. Customer agrees to provide one adult chaperone for each ten (10) people at a teenage or college age event. The Company will not schedule lifeguards for any fraternity parties.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

Billing shall include any time spent cleaning up after use by any special group or party. The Customer shall make payment of fees to the Company within ten (10) days after billing by Company.

4. **WADING POOL.** Company lifeguards will not provide patron surveillance of wading pool. Company will clean and maintain water chemistry in wading pool and backwash wading pool filter .

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

**Exhibit B****Personnel**

1. **PERSONNEL.** All Company personnel who will work at the Customer's pool in fulfilling the terms of this Agreement, including all lifeguards, shall be employed solely by the Company and be employees of the Company. No lifeguard shall be engaged by the Company as an "Independent Contractor" to fulfill the terms of this Agreement.

- (a) Company is solely responsible for selecting competent and qualified lifeguards for the safe operation of the Customer's swimming pool.
- (b) The Company agrees to pay the following for Company's employees, including all lifeguards:
  - Wages
  - Income tax withholdings
  - Social Security withholdings
  - State unemployment insurance
  - Federal unemployment insurance
  - Workmen's Compensation insurance
- (c) Personnel will be trained by the Company. Personnel not performing up to the standards of the Customer will be replaced by the Company within **24 hours**.
- (d) All lifeguards employed by the Company shall have current American Red Cross Lifeguarding Certificates or the equivalent, which includes CPR and first aid training.
- (e) Company will provide 60 minutes of inservice training for lifeguards for every 40 hours of employment.
- (f) Lifeguards shall have the authority to educate and discipline swimmers and any and all patrons within the pool facility who violate pool rules. Customer agrees to support Company's lifeguards in enforcing the rules with Customer's patrons.
- (f) Company is responsible for exercising control over the activities performed by the lifeguards. Lifeguards will be supervised by Company management personnel. Company management personnel will visit the pool at least twice each week to check performance of lifeguards.
- (g) Whereas, Company will invest substantial resources to train and convey information concerning operational techniques and management procedures to its employees at Customer's facility and Customer acknowledges that such information and investment is a valuable asset of Company's business, Customer agrees not to hire or consult (without the prior written consent of

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

Company) any employee or former employee of the Company for a period of one year from the date of expiration or cancellation of this agreement.

- (h) Whereas, Company has responsibility for providing lifeguards, water chemistry maintenance and cleaning of Customer's swimming pool, various Company personnel will be responsible for the following duties:
- (1) Lifeguarding main pool.
  - (2) Checking water chemistry and recording readings every two (2) hours.
  - (3) Maintaining chemical balance of pool water in main pool and wading pool; following CDC recommendations for fecal release, diarrhea or vomit in pool water.
  - (4) Vacuuming pool and skimming pool surface with net.
  - (5) Cleaning tiles around pool edge.
  - (6) Backwashing filter system.
  - (7) Checking and recording filter pressure gauge readings and flow meter readings daily. Taking corrective measures as indicated.
  - (8) Cleaning bathhouse daily and maintaining tidy bathhouse throughout the day.
  - (9) Cleaning enclosed swimming pool area.
  - (10) Picking up trash and emptying trash into large cans.
  - (11) Straightening deck furniture and cooking grills.
  - (12) Replenishing bathhouse supplies.
  - (13) Enforcing rules of the Customer.
  - (14) Assisting Customer in collecting guest fees and monitoring membership, as long as the task does not interfere with lifeguarding.

PRE-SEASON STAFF MEETING WITH STAFF. At Customer's request, Company's designated Pool Manager shall meet with Customer's representative prior to opening day. The Pool Manager and all lifeguards, as feasible, will meet with Customer's representative.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

## Exhibit C

### Insurance and Liability

1. **INSURANCE/LIABILITY**. The Company shall maintain and keep in full force the following coverage:

- (a) **Professional Liability Insurance and General Liability Insurance** in the amount of **\$20,000,000.00**.
- (b) **Worker's Compensation insurance** covering all persons engaged on behalf of the Company in the performance of the terms of this Agreement.

Company agrees to indemnify and hold Customer, its officers, committees, and agents harmless from and against any claims caused by or arising out of the acts, omissions and/or negligence of the Company or its employees. This indemnity does not require Company to indemnify Customer for Customer's own negligence.

Company agrees to supply copies of the certificates of insurance to the Customer verifying the above-mentioned insurance coverage. It is the responsibility of the Customer to provide all other insurance coverage.

Except due to acts of omission or negligence on the part of the Company or its employees, Company assumes no liability for damage or injury to persons or property arising from or caused by Acts of God. Except as to the employees of Company, Company assumes no liability for damage or injury to persons or property arising from or caused by physical or mental incapacity, physical or mental diminution, or intoxication from alcoholic or other substances, whether legal or illegal, nor for the acts of "Good Samaritan" by any employees of Company. The Company shall not be liable or responsible for any injuries or damages that arise at any time that is not within the hours of operation as stated in this Agreement.

Company shall not be held liable for any damages resulting from faulty equipment, mechanical failure, weather, flooding, or defective workmanship or design by others. Company accepts no responsibility for hydrostatic lifting. Any risks associated with draining the pool shall be solely the Customer's.

Further, the Company shall not be held liable for any personal effects of any person or persons utilizing the pool facilities.

The Customer shall maintain and keep in full force and effect the following coverage:

- (a) **Premises liability insurance.**
- (b) **Comprehensive general liability insurance** in the amount of \$1,000,000.00 each accident and \$1,000,000.00 each person.

2. **COMPANY'S INDEPENDENT CONTRACTOR STATUS**. Company is, and at all times shall be deemed to be, an independent contractor in the performance of services under this agreement. Company and its representatives are not, and shall not be considered or permitted to be, employees, agents, servants, joint venturers or partners of Customer.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

**Exhibit D****Operational Parameters**

1. **ACCESS AND UTILITIES.** The Customer will permit and maintain free access to the pool site and, upon signing Agreement, Customer will provide six (6) sets of keys to Company to open any and all locks required to operate the pool. Company shall keep and safeguard keys and release keys only to authorized personnel. Keys shall be returned to Customer in the event of termination of this Agreement.

Customer further agrees to furnish without cost to Company:

- (a) Water.
- (b) Electricity.
- (c) 110 volt electrical outlet in pump room.
- (d) Garbage pick-up service.
- (e) Lifeguard stand(s) and umbrella(s) for lifeguard stand(s).
- (f) Telephone with emergency phone numbers and contacts.
- (g) A secure and cooperative working environment at Customer's pool.

2. **TELEPHONE.** Customer shall be responsible for providing an operational telephone (not a pay phone) accessible to Company's lifeguards at pool site. Consistent with health department regulations and for the safety of pool patrons the pool will only be open when the pool telephone is operational.

3. **OPENING.** Company agrees to make pool "ready to swim" by completing the following services, where applicable:

- (a) Order, store, and inject all necessary chemicals to establish proper levels for:
  - free chlorine
  - total alkalinity
  - pH
  - calcium hardness
  - cyanuric acid
- (b) Vacuum pool.
- (c) Clean pool enclosure area.
- (d) Inspect chemical feeders.
- (e) Inspect all filtration equipment.
- (f) Inspect flow meters, pressure gauges, and valves.
- (g) Remove pool furniture from storage, clean, set out around pool area.
- (h) Thoroughly clean bathhouse (If applicable)

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_



- (i) Inspect and re-supply water testing supplies that are expired.
- (j) Inspect underwater lights.
- (j) Perform requisite repair work as authorized by Customer (see "Repair Work").

PRE-SEASON SWIMMING POOL REVIEW MEETING. At the Customer's request, Company will walk-through with a representative of the Customer prior to opening to develop a list of items needed for operation of the pool and to review items identified by the Health Department as deficient from the previous year. Company shall stand ready, at the Customer's request, to perform repairs needed for compliance with Health Department regulations. The cost for any such repairs shall be additional to the price of this Agreement.

INITIAL TAKEOVER OF POOL BY COMPANY. Customer agrees pool will be clean and free of algae on the date of signing. If pool is not clean and free of algae, Customer agrees to pay reasonable additional charges for cleanup and chemical treatment of pool.

PERMIT. The Company will assist the Customer in obtaining Customer's Swimming Pool Operation Permit from the local Health Department.

The Company shall:

- (a) Clean and chemically balance pool to health department standards.
- (b) For the convenience of Customer, complete the Operating Permit Application and return it to the Health Department with the Permit Fee.
- (c) Schedule pre-season health department inspection and meet the health department inspector at Customer's pool to walk through the inspection with the health department inspector.

The Customer shall be responsible for:

- (a) Reimbursing Company for the actual Permit Fee required by the health department.
- (b) Complying with all health department regulations.

MINIMUM FACILITY STANDARDS. Customer agrees and acknowledges that it is the Customer's responsibility to maintain Customer's pool, equipment and associated facilities within established minimum standards. Texas Laws Health and Safety Code Section 341 and Texas Administrative Code Chapter 265 Subchapter L, the National Electrical Code, and the Virginia Graeme Baker Pool and Spa Safety Act shall be included as minimum standards.

4. **EMERGENCY CLOSING OF POOL**. The Customer and/or Company may close the pool in an emergency situation, whether the emergency be caused by breakdown of equipment, or by other causes outside of the Company's control; this shall not require any change or adjustment in any of the provisions of this Agreement. Should a time lapse of more than five (5) days be necessary to perform repairs and/or restore pool to normal operations, the Company shall refund fifty percent (50%) of the daily operating cost from the fifth day on a pro-rated basis. For purposes of this section, the daily operating cost is to be computed at one percent (1%) of the total contract cost until such time as the pool is reopened for normal operation. If the pool

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

is not reopened for normal operation within thirty (30) days, Customer may cancel this Agreement by written notice to Company.

5. **CLOSING.** The pool will be considered closed to swimmers at end of the day on the last day of operation as specified in Exhibit A and Company will close the pool as soon after that date as Company deems possible. The Company will complete the following services, where applicable:

- (a) Move, stack and store in covered bathhouse area: pool deck furniture, lane lines and reel, safety equipment and maintenance supplies.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

## Exhibit E

### Pool Maintenance and Repairs

#### 1. POOL CHEMICALS.

Company agrees to supply, at its expense:

- (a) Chlorine and pH control chemicals throughout the period of this agreement.

2. WATER QUALITY. Company will be responsible for maintaining the following chemical levels of the swimming pool water within the tolerances of the local health department while pool is open to swimmers:

Free Chlorine	1.0 to 3.0 PPM
pH	7.0 to 7.8
Total Alkalinity	80 to 120 PPM
Calcium Hardness	200 to 300 PPM
Chlorine Stabilizer	less than 100 PPM

At no time will the water chemistry cause a failure of permission to operate the pool granted by the local health department. In the event the local health department revokes permission to operate the pool due to improper water chemistry, Customer shall be entitled to a partial refund of the contract price set forth herein computed by the following formula:

Number of days closed times the average daily portion of the contract price (total price divided by number of days pool is to be in operation as determined by this Agreement).

All of the foregoing notwithstanding however, the Company shall be excused from maintaining water quality as established herein and the Customer shall be entitled to no refund in the event of any Act of God, repairs, interference by Customer, together with any and all other reasons beyond the control of Company.

Any work performed by Company shall be subject to the conditions in the "Repair Work" provision of this Agreement.

3. REPAIR WORK. During the term of this Agreement, the Company recommends compliance with the Virginia Graeme Baker Pool and Spa Safety Act. The Company also recommends that Customer have its pool inspected annually by a licensed electrician and have all recommended electrical repairs completed by the inspecting electrician. During the term of this Agreement, the Company stands ready to perform any other installations or repairs needed to preserve Customer's pool aesthetics and/or to comply with State, Federal or local regulations, but Customer shall have the option of using its chosen contractor to perform any recommended repairs. The Customer agrees to indemnify, defend, and hold the Company harmless from all claims, injuries, damages, attorney's fees, and defense costs arising out of 1) repairs or renovations performed by any entity other than the Company, or 2) the failure of Customer to complete a) repair(s) or installations needed to comply with State, Federal or local regulations, or b) the above-described annual electrical inspection and recommended repair(s).

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

Work will be billed as follows:

- (a) Any repairs required as the result of error or negligence by Company shall be paid for by Company with no cost to Customer. Additionally, Company shall reimburse Customer for volume of water lost as a result of error or negligence.
- (b) Company will perform minor repairs to the pool and recirculation system, as part of the service provided; however, the Customer shall pay for parts and/or materials.
- (c) For repair work or necessary equipment wherein the cost does not exceed \$175.00, the Company shall bill Customer.
- (d) Any work or equipment in excess of \$175.00 to be provided by the Company or Company's subcontractors will be provided and billed to Customer. Such work or equipment shall be provided only upon the authorization of the designated representative of Customer, or in the event the Customer elects not to have such work performed or equipment provided, Company may cancel this Agreement if said election interferes with the Company's ability to carry out its responsibilities under this Agreement.

#### 4. SUPPLIES.

Company agrees to supply, at its expense:

- (a) Chlorine and pH control chemicals throughout the period of this agreement.
- (b) The following pool and janitorial supplies:
  - Soap
  - Disinfectant
  - Paper towels
  - Deodorizer
  - Toilet tissue
  - Correct size trash can liners for the pool area and bathrooms
  - Sponges and rags
  - Glass cleaner

Customer shall be responsible for providing, at no cost to Company, other equipment such as:

- |                   |                         |
|-------------------|-------------------------|
| Water hoses       | Ring buoys with ropes   |
| Vacuum pump       | Safety rope with floats |
| Pool vacuum heads | Shepherd's crooks       |
| Vacuum poles      | Pool rules signs        |
| Pool vacuum hoses | Trash receptacles       |
| Rescue tubes      | Water test kit          |

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

Test kit reagents	Buckets
First Aid Kit	Sponges
First Aid supplies	Pool brushes with pole
Blood Borne Pathogens Kit	Leaf skimmer net
AED	Algaecides
Light bulbs	Algae brushes
Safety goggles	Lifeguard stand(s)
Chemical resistant gloves	Umbrella for each lifeguard station
Mops	Back board with three straps
Brooms	Head immobilizers
Dust pan	Clock
Brushes	Bag Valve Mask
Toilet brush	Disposable Gloves

For Customer's convenience and for the efficient operation of the pool, Company will provide and invoice Customer for any of the items listed above that are not at the pool. Customer agrees to pay invoices for said supplies within thirty (30) days after invoicing.

**ADDITIONAL CHEMICALS.** If additional chemicals are required to maintain or correct pool water chemistry due to a failure or breakdown of Customer's equipment, or loss of water (leak) due to a defect in Customer's pool or recirculation system, which are not attributable to negligence of Company, Customer agrees to pay as an additional charge, the reasonable expense of all said additional chemicals.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

**Exhibit F**  
**Off Season Service**

**1. OFF-SEASON SERVICE.**

The Company shall perform the following services at the Customer's pool during the off-season:

**Uncovered Off-Season Service with Filter System Running** – 1 visits per week during Off Season

- (a) Check chemicals and adjust as needed.
- (b) Vacuum as needed.
- (c) Clean skimmer baskets as needed.
- (d) Backwash filters & cleans strainer pots as needed.
- (e) Report any off-season vandalism to Customer.
- (f) Pool will be kept reasonably clean, but not up to Summer Season standards.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

**Exhibit G****Swimming Lessons**

1. **INSTRUCTIONS.** Swimming instruction will be offered by Company. Instruction shall be given by trained instructors, while not on patron surveillance. Company shall have rights to swimming lessons at Customer's pool during the term of this Agreement. All Company insurance as described in Exhibit C shall apply to Company's swimming instructors.

Arrangements for any instruction shall be made between individual requesting instruction and the Company. Any resulting agreement shall be considered a contract between that individual and the Company; and Customer shall not be held liable for its enforcement nor for the collection of any fees due Company under the terms of that contract. Company shall be entitled to all fees paid for instruction provided by Company's employee(s).

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

**Exhibit H**  
**Customer Contact Information**

**PRIMARY CONTACT:**

Name \_\_\_\_\_

Title or Position: \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone (      ) \_\_\_\_\_

Email: \_\_\_\_\_

**PRESIDENT:**

Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone (      ) \_\_\_\_\_

Email: \_\_\_\_\_

**TREASURER:**

Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone (      ) \_\_\_\_\_

Email: \_\_\_\_\_

**BILLING ADDRESS:**

Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**FACILITY INFORMATION:**

Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone (      ) \_\_\_\_\_

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_



**Exhibit I****Terms and Conditions**

1. **CANCELLATION**. The Customer shall have the right to cancel this Agreement based on Company's non-performance of duties and responsibilities as follows:

- (a) Customer shall notify Company by certified mail of any problem regarding performance as detailed in this Agreement. Company shall have 48 hours following Company's receipt of notification to remedy stated violation of contract.
- (b) If Company fails to remedy violation and continues to not perform as detailed in this Agreement; Customer may terminate Agreement by providing five (5) days' written notice to Company by certified mail.
- (c) In the event that Customer terminates contract by procedure stated above, the Customer shall either be entitled to a refund for money paid in advance or shall be responsible for a balance owed to the Company. Refund to be computed as follows:

A daily portion of the contract price shall be computed by dividing the total contract price by the number of days pool was to be open to members as determined by this Agreement. This daily price shall be multiplied by the number of days pool was operated under this Agreement. That amount shall be subtracted from the total amount of contract price paid to Company by Customer as of termination date. The resulting figures shall either be the refund to which the Customer is entitled or remaining balance owed to Company.

- (d) Refund or balance owed shall be paid within five (5) business days after termination.

2. **MISCELLANEOUS**.

- (a) The Company may display a sign on the pool premises designating the responsibility to the Company for the quality of the pool and the performance of the pool staff.

3. **EXTENSION OF CONTRACT**. This Agreement shall automatically renew on the same terms and conditions herein at the contract amount in effect for the immediate preceding year, plus an amount not to exceed 5% thereof, at the sole option of Company. In the event that Customer desires not to renew and extend this Agreement as provided herein, Customer shall provide Company with written notice thereof on or before December 31<sup>st</sup> of the current year.

4. **GOVERNING LAW**. This Agreement shall be governed by the laws of the State of Texas.

5. **STRICT COMPLIANCE**. No failure of Company to exercise any power or right granted hereunder or to insist upon strict compliance by Customer with its obligations and duty hereunder shall constitute a waiver of Company's right to demand strict compliance with the provisions hereof at any time.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

6. **TIME OF ESSENCE.** Time is of the essence of this Agreement.
7. **ENTIRE AGREEMENT, MODIFICATION, BINDING EFFECT.** This Agreement constitutes the entire agreement of the parties and supersedes any prior agreements, understandings or negotiations, written or oral. This Agreement may not be modified or amended except in writing, signed by both parties hereto. This Agreement shall be binding upon and enure to the benefit of the Customer and Company and to their respective heirs, successors and assigns.
8. **RIGHTS CUMULATIVE.** All rights and powers under this Agreement shall be cumulative and, except as otherwise provided herein, shall be in addition to any and all other provided at law or in equity.
9. **EXTENSIONS.** Unless other agreed to by Customer and Company in writing, the terms of this Agreement shall apply to all extensions and renewals hereof.
10. **SEVERABILITY.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
11. **ATTORNEYS FEES.** In the event of any legal proceeding or arbitration between the parties, each party shall be responsible for paying its own attorney's fees.
12. **COMPANY'S OPTION IN THE EVENT OF CHANGE IN LAWS.** If there is a change in local, state, or federal law concerning any cost aspect relating to this proposal, the company may present a new contract amount to Customer, which new Contract shall supersede and replace this Agreement. Customer shall have 30 days from the date of receipt of the new contract in which to accept or reject the new contract. In the event the Customer elects to reject the new contract, this contract may be terminated at the sole option of the company.
13. **COMPANY'S OPTION IN THE EVENT OF INCREASE IN COSTS.** If there is an increase of fifteen percent (15%) or more in any cost aspect (including necessary increases in wages paid to pool staff) relating to this Agreement, Company may present to Customer a reasonable increase in the price of this Agreement based solely on Company's additional cost of providing the services provided for herein. Customer may, at its sole option, choose to refuse to pay an increase in price. In the event the Customer elects not to pay the increase, this contract may be terminated with 10 days written notice to Customer at the sole option of the company.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

## Exhibit J

### Payment Schedule

Payments by Customer to Company shall be made in accordance with the following schedule:

<u>Month</u>	<u>Management Payments</u>	<u>Off-Season Service Payments</u>	<u>Total Payments Due</u>
(a) One (1%) percent upon <b>signing of Agreement</b>	\$643.00		\$643.00
(b) Off-season Maintenance on or before <b>January 1</b> of each year		\$600.00	\$600.00
(c) Nine (9%) percent plus off-season maintenance on or before <b>February 1</b> of each year.	\$11,580.00	\$600.00	\$12,180.00
(d) Off-season Maintenance on or before <b>March 1</b> of each year		\$600.00	\$600.00
(e) Off-season Maintenance on or before <b>April 1</b> of each year		\$600.00	\$600.00
(f) Fifteen (15%) percent plus off-season maintenance on or before <b>May 1</b> of each year	\$9,649.00		\$9,649.00
(g) Twenty-four (24%) percent on or before <b>June 1</b> of each year	\$15,439.00		\$15,439.00
(h) Twenty-six (26%) percent on or before <b>July 1</b> of each year	\$16,726.00		\$16,726.00
(i) Twenty (20%) percent on or before <b>August 1</b> of each year	\$12,866.00		\$12,866.00
(j) Five (5%) percent plus off-season maintenance on or before <b>September 1</b> of each year	\$3,216.00		\$3,216.00
(k) Off-season Maintenance on or before <b>October 1</b> of each year		\$600.00	\$600.00

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

(l) Off-season Maintenance on or before <b>November 1</b> of each year		\$600.00	\$600.00
(m) Off-season Maintenance on or before <b>December 1</b> of each year		\$600.00	\$600.00
<b>TOTAL</b>	<b>\$64,329.00</b>	<b>\$4,200.00</b>	<b>\$68,529.00</b>

Payments are due as indicated above. All payments as specified above, not made on or before ten (10) days after the due date shall be subject to delinquent payment fees of 1% per month, or any part of a month, of the amount due or any portion thereof. Payments for repairs, equipment or labor, not made on or before thirty (30) days after the due date shall be subject to delinquent payment fees of 1% per month, or any part of a month, of the amount due or any portion thereof. In the event payments are not received within ten (10) days from the due date for contract payments, and thirty (30) days from the due date for other payments, the Company shall have the right, at its option, and within its sole discretion to suspend, until all overdue payments are received, or terminate its services under this Agreement and in either case to withdraw and remove all personnel from Customer's pool facilities without any further or additional notice to Customer. During a period of suspension or after termination, control of the pool and premises will be surrendered to the Customer and, if operated, it is at the Customer's sole risk and liability. Customer agrees to indemnify and hold Company harmless for any claims arising from the use of the pool(s) during a period of suspension or after termination due to payment(s) not being received on time. Any such suspension or termination notwithstanding, Customer shall be fully responsible for all payments provided herein.

In the event that Company elects to pursue collection of any amounts due under this Agreement, Customer shall pay all said amounts, together with interest at the rate of 12% per annum from the date the same became due, together with any and all cost of collection, including and together with any and all reasonable litigation expenses, including reasonable attorneys fees.

Company Initials: \_\_\_\_\_; Customer Initials: \_\_\_\_\_

**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 19, 2024  
**TO:** Mayor and Council  
**FROM:** David Dimaline, Assistant Public Works Director  
**THROUGH:** Dr. Crystal Caldera, City Manager

**SUBJECT:** Presentation and Discussion to Consider Awarding a Bid and Authorizing the City Manager to Sign a Contract with San Antonio Pool Management, Inc. in the Amount of \$68,529.00 to Manage the City of Leon Valley Forest Oaks Pool and Provide Off-Season Maintenance. – D. Dimaline, Public Works Assistant Director

**SPONSOR(S):** Mayor and City Council

**PURPOSE & BACKGROUND**

The purpose of this item is to consider awarding a bid and authorizing the City Manager to sign a contract with San Antonio Pool Management, Inc. in the amount of \$68,529.00 to manage the Forest Oaks Pool and provide off-season maintenance for the upcoming 2024 pool season.

Bids were advertised for 30 days to manage and provide lifeguards for the Forest Oaks Pool located at 6620 Evers Rd. for the 2024 swim season, and to provide off-season pool maintenance. The bid was advertised on the City’s web site, and utilizing Public Purchase. The bid opening was held on February 27, 2024 with three companies submitting bids. They are:

Company	Bid Amount
San Antonio Pool Management	\$68,529.00
USA Management	\$87,722.00
Pool Management, LLC	\$84,703.00

San Antonio Pool Management submitted the lowest bid of \$68,529.00.

**Fiscal Impact**

The cost of the contract to manage and operate the Forest Oaks pool for the 2024 swim season is \$68,529. The FY 23-24 budget includes \$130,000 for the pool operations and management. Pool revenue from memberships, gate fees, and concessions is collected to help offset the cost for pool operations.

**Recommendation**

Staff recommends awarding the bid and authorizing the City Manager to enter into a contract with San Antonio Pool Management, Inc. in the amount of \$68,529.00 to manage the Forest Oaks Pool and provide off-season maintenance for the upcoming 2024 pool season.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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

ATTEST:

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

## MAYOR AND COUNCIL COMMUNICATION

**DATE:** March 19, 2024

**TO:** Mayor and Council

**FROM:** Melinda Moritz, Public Works Director

**THROUGH:** Dr. Crystal Caldera, City Manager

**SUBJECT:** Presentation, Discussion, and Possible Action to Approve a Budget Adjustment in the Amount of \$100,740.00 From the Stormwater Reserve Fund and Authorize the City Manager to Enter into a Contract With TCL Construction for Emergency Repairs to Huebner Creek at Poss and Cherryleaf Roads (Emergency Expenditure – One Read Required)

**SPONSOR(S):** None

### **PURPOSE & BACKGROUND**

The purpose of this item is to approve an Ordinance authorizing a budget adjustment in the amount of \$100,740.00 from the Stormwater Fund Reserve and authorize the City Manager to enter into a contract with TCL Construction for emergency repairs to Huebner Creek at Poss and Cherryleaf Roads.

The low water crossing to the park small pavilion has slowly eroded over the years, but recent rains have caused the erosion to greatly expand, undercutting Poss Road and the crossing. It is the opinion of the City Engineer that repairs need to be performed as quickly as possible to prevent any danger to the public from a collapsed roadway. Poss is a heavily traveled roadway, as it connects Evers Road to Bandera Road.

The banks of the south side of the creek on both of the sidewalls will be recompacted with base material in lifts. The bottom and sides of the creek will then be armored in concrete.

The Leon Valley City Charter, Section 3.11 Ordinances, states that any ordinance necessary to protect the public's peace, health, safety and general welfare, may be passed as an emergency and become effective at once upon one (1) reading of the City Council, upon the approval of a majority vote of the City Council members that it is an emergency at said reading and the finding of an emergency shall be stated within the ordinance.

In an effort to comply with local and state law, but still have the repairs performed quickly, three quotes were requested from companies that have worked for the city in the recent past:

H.L. Zumwalt (Year 6 Street Maintenance):	\$167,798.00
J3 Construction (Seneca West Drainage Project):	\$ 89,231.96
TCL Construction (Hike & Bike Trail Segment 1):	\$ 87,600.00

**Fiscal Impact**

It is recommended the city select TCL Construction:

Construction Cost	\$ 87,600
Contingency (15%)	<u>\$ 13,140</u>
Total	\$100,740

Funds would be taken from the Stormwater Reserve Fund, which had a balance of \$1,418,398.00 as 9/30/23.

**Recommendation**

Staff recommends approval an Ordinance authorizing a budget adjustment in the amount of \$100,740.00 from the Stormwater Reserve Fund and authorize the City Manager to enter into a contract with TCL Construction for emergency repairs to Huebner Creek at Poss and Cherryleaf Roads.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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



**ORDINANCE NO. 24-\_\_**

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS CITY COUNCIL AUTHORIZING A FISCAL YEAR 2023-2024 BUDGET ADJUSTMENT TO THE ENTERPRISE FUND – STORMWATER IN THE AMOUNT OF \$100,740 FOR THE PURPOSE OF PERFORMING EMERGENCY REPAIRS TO HUEBNER CREEK AT POSS AND CHERRYLEAF ROADS TO PREVENT A ROADWAY COLLAPSE; PROVIDING FOR REPEALER, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City is responsible for the maintenance of its creeks and drainageways and budgets annually for routine maintenance of both; and

**WHEREAS**, recent heavy rains have caused Huebner Creek to rapidly erode and undermine Poss Road at Cherryleaf Street; and

**WHEREAS**, the City Engineer has deemed repairs to this area of the creek an emergency as the roadway is in danger of collapse; and

**WHEREAS**, the Leon Valley City Charter, Section 3.11 Ordinances, states that any ordinance necessary to protect the public's peace, health, safety and general welfare, may be passed as an emergency and become effective at once upon one (1) reading of the City Council, upon the approval of a majority vote of the City Council members that it is an emergency at said reading and the finding of an emergency shall be stated within the ordinance.

**WHEREAS**, it is necessary to adjust the Stormwater Fund Budget in the amount of \$100,740 in order to pay for these emergency repairs;

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

**SECTION 1.** The City's Enterprise Fund Stormwater budget is hereby adjusted in the amount of \$100,740 to fully fund the emergency repairs to Huebner Creek at Poss and Cherryleaf Roads.

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

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

**SECTION 4.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

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

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 19th day of March 2024.

**APPROVED**

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

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

Approved as to Form: \_\_\_\_\_  
City Attorney

# Consider Approval of Budget Adjustment Emergency Drainageway Repairs Huebner Creek at Poss Road

Melinda Moritz  
Public Works Director  
City Council Meeting  
March 19, 2024

# Summary

- Question
  - City Council is asked to authorize an emergency budget adjustment of \$100,740 (Stormwater Fund) & allow the City Manager to enter into a contract with TCL Construction to perform immediate repairs to the Huebner Creek low water crossing at Poss and Cherryleaf Roads
- Options
  - Approve
  - Deny
- Declaration
  - Staff recommends approval

# Background

- Low water crossing to the park small pavilion has slowly eroded over the years, but recent rains have caused the erosion to greatly expand, undercutting Poss Road and the crossing
- It is the opinion of the City Engineer that repairs need to be performed as quickly as possible to prevent any danger to the public from a collapsed roadway
- Poss is a heavily traveled roadway as it connects Evers Road to Bandera Road

# Purpose

- The banks of the south side of the creek on both of sidewalls will recompact with base material in lifts
- The bottom and sides will then be armored in concrete
- In an effort to comply with local and state law, but still have the repairs performed quickly, 3 quotes were requested from companies that have performed this type of work for the city in the recent past

# Fiscal Impact

- H.L. Zumwalt (Year 6 Street Maintenance): \$167,798.00
- J3 Construction (Seneca West Drainage Project): \$ 89,231.96
- TCL Construction (Hike & Bike Trail Segment 1): \$ 87,600.00
- It is recommended the city select TCL Construction
- Cost \$ 87,600
- Contingency (15%) \$ 13,140
- Total \$100,740
- Funds would be taken from the Stormwater Reserve Fund, which had a balance of \$1,418,398.00 as 9/30/23

# Recommendation

- Staff recommends:
  - Approval of an Ordinance authorizing a budget adjustment in the amount of \$100,740 from the Stormwater Reserve Fund
  - Authorize the City Manager to enter into a contract with TCL Construction for emergency repairs to Huebner Creek at Poss Road at Cherryleaf Street



## **OUTSTANDING CITY COUNCIL ITEMS**

- **Review of the Water Rates**
  - 6/20/2023 Postpone council requested this be a retreat item for 7/22/23.
  - Council will be looking at a 1% increase at a future meeting.
  - This will be discussed at the Town Hall meeting- on 11/21/2023, the Council decided on a workshop.
  - 12/5/2023 City Council reviewed the presentation from Waterworth. The next workshop is scheduled for 2/20/2023 (the date has been moved). We were waiting on the audited numbers. We just received them. We will be setting a new date for review.
- **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.
  - 11/21/2023 – PW Director will provide an update and receive direction – Council decided to have a field trip to look at the creek layout TBD.
  - The Council decided to conduct a field trip in the Natural Area
  - 12/6/2023 the Council walked the steaked-out creek realignment
  - 1/16/2023 – The Council will revisit the project.
  - 2/24/2023- the Council will have a workshop to discuss with the engineer.
    - The council directed the engineer to look at a plan that leaves the creek alignment alone, a new tree survey, and build a retaining wall for erosion.

- **Legal review of the Sign Code**
  - Councilor Orozco and Bradshaw will work on this item.
  - Look into sign flippers in the median on Bandera
  - The council requested this item go to the Economic Development Advisory Committee. Economic Development Advisory Committee completed its review and a recommended version will come to council in April.
- **Seneca West R6 Zone change**
  - 3/7/2023
    - Council requested some prices to replat as larger lots, not in favor of R6.
    - Staff will be getting prices to plat larger lots and bring them back to the Council.
    - Staff has received the plans and probable cost and will review them with the Council at the retreat.
  - 08/10/2023 Discuss at the retreat. The Council would just like to plat and sell as is.
  - 11/7/2023 Executive session on four options.
  - 11/21/2023 Executive session on two options.
  - This Will be discussed at the town hall meeting.
  - Executive session on 2/6/24
  - Executive Session 3/19/2024
- **Tiger brush and bulk issues- Contract ends January 1, 2025 (Item Remaining from Retreat)**
  - 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 manage 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
    - The Council considered two options to manage 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.
  - On 9/19/2023 the staff took a draft survey to the Council. Staff will amend it and bring it back to the Council at a later time.
  - Will ask for input at the Town Hall meeting. The council decided on the final survey on 12/19/2023.
  - The Council presented the Survey at the Town Hall meeting. The majority of Participants are satisfied with their trash service
  - 02/20/2024- The Council will discuss the distribution of the survey.
    - The council decided to mail the survey out to the businesses and residents.
- **Discussion of updating the Strategic Plan, Mission, & Vision Statement**
  - Will be placed on the Town Hall meeting for discussion decided at the 11/21/23 Council meeting to hold a workshop.
  - February 3, 2024, workshop scheduled. At the council chambers. The Council changed the date to 2/24/24 to coincide with another workshop.
  - The Council decided to amend the mission and vision statements. Holding another workshop for the goals and objectives and core values.
  - Core values will be discussed at 3/19/2024
- **Silo design per request of the adjacent property owner**
  - 5/2/2023 – Moved by CM due to the number of items on the agenda.
  - 5/16/2023 – Scheduled
    - Council Requested outreach to local universities.
    - Melinda is working on quotes.
- **Sustainability Overlay**
  - 6/6/2023 Staff is not ready and has been postponed until September.
  - 725/2023 – Zoning Commission started to review. The item is with the Attorney.
- **Stray Animal Ordinance**
  - Currently being reviewed by the City Attorney – we cannot require private industry to take in and adopt our stray animals.
  - Looking at a possible interlocal agreement.
  - Staff has met with the county for a long-term solution.
- **Neighborhood/Citizen Survey**
  - Will be tied to the solid waste survey. The council decided to keep these two separate items.
- **Looking at an amendment to Section 15.02 Appendix C (I), D Structural Nonconformity to add a matching percentage from Economic Community Development funds.**
  - After the sustainability review.
- **Four-way stop at Forest Meadow and Evers.**

- To be evaluated upon the development of the Evers property.
- **Interlocal Agreement with the County regarding an Outreach Coordinator.**
  - Bexar County is asking the City to sign a separate agreement with Haven for Hope. They will be completing a draft and sending it over for council approval in March 5, 2024.
    - Council approved
    - Budget adjustment 3/19/24
- **Consumer protection mandate on refunds**
  - Sent request to attorney. Attorney feels that we have the laws in place.
- **Speed hump policy changes- (Item Remaining from Retreat)**
  - This was added by Mr. Campos who wants to review the policy before adding.
- **Review of the Personnel Manual**
- **Discussion on large capital projects – Possible Bond**
  - Public Works Building
  - ADA requirements
  - Crystal Hills Park
  - Pool
  - Dog Park
  - Library Annex
- **City Council Meeting Building Security**

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

- **John Marshall Traffic Plan – CR, JH**
  - Discussed at the following Council meeting.
  - 12/14/2022 Next steps
  - NISD engineers are still working on the plan, collecting traffic counts, and coordinating with CoSA Traffic Department.
  - Once complete, additional meetings will be held with the City to determine the feasibility and appropriateness.
  - Once plans are final, the proposal will be presented to City Council for approval.
  - John Marshal Update on 3/15 based on 2/14 meeting.
  - The City received feedback on possible neighborhood suggestions on 5/09/2022. Joint meeting to be determined.
  - Heard by City Council to possible street closures on 8/23/20. Engineers will develop a report, and PD and Fire will review it.
  - Taking to Council on 10/3/2022.
  - 2/7/2023 council will review speed pads and school zones.
    - Council decided to move forward with the speed pads and wait on the school zone. The delineators will also be left alone.

- Speed pads have been installed and school zone on Huebner is being addressed.
- Interlocal agreement with San Antonio is complete. A budget adjustment of \$74,000 was approved by the Council for the mast traffic arms.
- We met with the contractor, The Levy Company, and they informed us that the mast arms will take 16-24 weeks for delivery, so work will not start until December or January.
- 1/10/2023- installation has begun
- **Red-light Cameras first available contract end term is May 2037**
  - City Council adopted a Resolution declaring the intent to phase out redlight cameras 4/6/2021 – Resolution # 21-009R.
  - The RLC Contract would be difficult to terminate without financial obligation from the City.
  - City Council supports HB 1209 and physically delivers letters in support to Cortez, Biederman, Canales, Menendez
  - Funds – Eligible projects – CR
    - Will be discussed at the Town Hall Meeting on January 22, 2022.
  - Discussed at the retreat Council has decided not to spend funds until we know what the legislature is doing.
  - Resolution supporting SB 446-2/21/2023.
  - The item was not approved during the legislation process the Council will try again in 2025.
- **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 Town Hall meeting update to the Council on 4/19/2022.
    - Council would like us to use our future land use map.
  - Establish neighborhood boundaries
  - Council has opted not to Update Master Plan.
  - P & Z Director investigating a university conducting the plan.
  - Boundaries of the neighborhood
- **Sewer Service Charge Adjustments**
  - Council meeting 2/15/22.
  - Impact Fees Removed.
  - Sewer Charges will be brought back at a later time.
- **Apartments Finley And Sierra Royale, Forest Oaks, Vista Del Rey- BM**
  - Update on one of the Apartment Complexes at the CC mtg 3/15.
    - Presentation was given on Vista Del Rey.

- Next apartment review is on 5/3/2022.
  - Staff received legal advice in the executive session.
- Executive session 8/2/2022
  - Council decided to file a Chapter 54 lawsuit against Vista Del Rey, filed on 8/5/2022.
  - TRO was granted on 8/8/2022.
  - Administrative warrant executed on 8/17/2022.
  - Temporary Injunction was granted on 8/22/2022.
    - They have 6 months to comply.
  - 8/31/2022 Vista got new attorneys.
  - 9/9/2022 Vista filed a motion to dissolve the temporary injunction.
  - C of Os issued Shed, Maintenance Shop, Laundry 1-3, Vista, Gym.
  - 9/19/2022 hearing set and canceled.
- Executive Session 9/20/2022
- Vista Del Rey is 50% compliant. Council agreed to settle on 4/18/2023.
- Vista has completed all inspections and received their C of Os.
- **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.
  - This item could not be purchased out of ARP funds.

**COMPLETED**