



**CITY OF LEON VALLEY**  
**CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, March 04, 2025 at 6:00 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. **The City Council Shall Meet in Executive Session to Discuss the Following:**
  1. Pursuant to Texas Local Government Code Section 551.071: Consultation with the Attorney and Section 551.087 regarding possible litigation with Kenjoh Outdoor, LLC and regarding an Memorandum of Understanding with Arca FV Properties LLC (Soccer Field)
3. **Reconvene into Regular Session**
4. **Citizens to be Heard** - Citizens wishing to address the City Council for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the City Council is restricted from discussing or acting on items not listed on this agenda.
5. **Possible Action on Issues Discussed in Executive Session If Necessary**
6. **Presentations**
  1. Presentation to Albert San Miguel for 39 Years of Service to the City of Leon Valley - Mayor Chris Riley
  2. Presentation and Discussion on the Town Hall Meeting Survey Results - Dr. Caldera, City Manager

3. Presentation, Discussion, and Direction to Staff Regarding Consideration of Increasing Water and Sewer Rates — M. Moritz, Public Works Director

## 7. City Manager's Report

### 1. Upcoming Important Events:

- Regular City Council Meeting, Tuesday, March 18, 2025, at 6:30 PM, in City Council Chambers.
- Library Volunteer Party, Wednesday, April 23, 2025, from 5:00 PM to 7:00 PM, at the Leon Valley Public Library.
- Last Day to Register to Vote for the May 03, 2025 General Election, Thursday, April 03, 2025.
- Last Day to Register to Apply for a Mail Ballot for the May 03, 2025 General Election, Tuesday, April 22, 2025.
- Coffee with the Mayor and City Council, Saturday, April 26, 2025, from 9:00 AM to 11:00 AM, at the Leon Valley Conference Center.
- Early Voting in Personal Appearance, Tuesday, April 22-Tuesday, April 29, 2025.
- General Election, Saturday, May 03, 2025, voting from 7:00 AM to 7:00 PM, at the Leon Valley Conference Center.
- Annual City-Wide Garage Sale, Saturday, May 24, 2025, from 8:00 AM to 6:00 PM.
- City Council Retreat with City Manager, Saturday, May 31, 2025, at 9:00 AM.
- Miscellaneous other events and announcements.

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

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

1. Discussion and Possible Action Approving of the Following City Council Minutes:
  - a. 02-18-2025 Regular City Council Meeting Minutes

2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:
  - a. 01-09-2025 Park Commission Meeting Minutes
  - b. 01-15-2025 Planning Zoning Commission Meeting Minutes
  - c. 01-28-2025 Planning Zoning Commission Meeting Minutes

3. Discussion and Possible Action Excusing Councilor Will Bradshaw from the February 18, 2025 Regular City Council Meeting in Accordance with the City of Leon Valley Charter, Article III - The City Council and Mayor - Mayor Chris Riley

4. Discussion and Possible Action of an Ordinance Amending Chapter 6 Health and Sanitation, Article 6.05 Smoking Regulations to Incorporate Electronic Smoking Devices (ESDs) (1st Read was Held on 02-18-2025) - S. Huerta, Planning and Zoning Director

## 10. Regular Agenda

1. Presentation and Discussion of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12.03 Parking, Stopping and Standing, Section 12.03.006, Parking Restrictions on Specific Streets, to Prohibit Parking Along Thistle Dr. (1st Read as Required by City Charter) - D. Gonzalez, Police Chief
2. Presentation, Discussion, and Direction to Staff on the Disposition of the Leon Valley Community Pool Facility - M. Moritz, Public Works Director
3. Presentation and Discussion of an Ordinance Authorizing a Budget Adjustment in the Amount of \$27,847.00 for the Purchase and Installation of an Intersection Conflicting Warning System (ICWS) on Evers Road at Adair Street (1st Reading as Required by City Charter) - D. Dimaline, Assistant Public Works Director

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

## 12. Adjournment

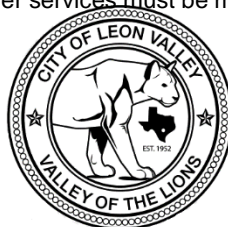
**Executive Session.** The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation 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 arrange for assistance, call (210) 684-1391, Extension 212.

*Saundra Passailaigue*  
SAUNDRA PASSAILAIGUE, TRMC  
City Secretary  
February 27, 2025 10:51 AM







**PROCLAMATION OF APPRECIATION HONORING 39  
YEARS OF SERVICE**

*WHEREAS, Albert San Miguel has dedicated thirty-nine years of service to the Leon Valley Public Works Department, faithfully serving the City of Leon Valley and its residents;*

*WHEREAS, throughout his tenure, Albert San Miguel has demonstrated outstanding commitment and professional growth, beginning as a Laborer in December 1986, advancing to Operator in 1987, rising to Crew Leader in the Water Department in 2003, and attaining the rank of Foreman in 2007;*

*WHEREAS, the City of Leon Valley recognizes the dedication and invaluable contributions of long-serving employees and believes such milestones deserve public acknowledgment and appreciation;*

*NOW, THEREFORE, I, Chris Riley, Mayor of the City of Leon Valley, Texas, along with the Leon Valley City Council, do hereby extend our deepest gratitude and sincere appreciation to Albert San Miguel for his unwavering dedication, hard work, and commitment to our community over the past thirty-nine years.*

*Signed by my hand on the 18<sup>th</sup> day of February, 2025.*



*Chris Riley*  
\_\_\_\_\_  
Mayor Chris Riley

# Town Hall Meeting Survey Summary Results

2/18/2025

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# Participant Age

- At the THM, there were 46 respondents with an average age between 60 and 69.
- The online survey had 74 respondents, with an average age of 30-39.

# Participant Sex

- At the THM, there were 50 respondents with the majority being Female.
- The online survey had 72 respondents, with the majority being Female.

# Leon Valley Residency Ownership

- At the THM, there were 49 respondents with the majority being residents.
- The online survey had 70 respondents, with the majority being residents.
- At the THM, there were 54 respondents with the majority owning their homes.
- The online survey had 71 respondents, the majority owning their homes.



# What do you love about Leon Valley

- At the THM there were 49 respondents with 120 responses
  - Most popular
    - Parks (10), Community (8), Security (5)
- The online survey there were 48 respondents with 130 responses
  - Most popular
    - Community (12), location (8)

# What Leon Valley Services can be Improved

- At the THM there were 52 respondents with 98 responses
  - Most Popular
    - Animal control (6), code enforcement (6), police (6) city council (4)
- The online survey there 43 respondents with 112 responses
  - Most popular
    - Skate park (8) Parks (4) police (4)

# Water Provider

- At the THM there were 52 respondents with the majority using LV.
- The online survey there were 56 respondents with equal usage of LV and SAWS.
  - Total LV uses 66 users

# Maintaining current rate tiers with annual 2% Increase over 5 years

- At the THM, there were 48 respondents with the majority in support of the 2% increase.
- The online survey had 47 respondents, with the majority in support of the 2% increase

# Adopting SAWS Tiers in crease collections by 2% per year over the next 5 years

- At the THM, there were 48 respondents, with the majority of residents being in support.
- The online survey had 45 respondents, with the majority of residents not being in support (this was only by one vote)



# Support adding a flat capital improvements Fee

- At the THM, there were 55 respondents with the majority of residents being in support.
- The online survey had 47 respondents, with the majority of residents not being in support.

Supporting a capital  
improvements fee to the  
volumetric charge?

- At the THM, there were 47 respondents with the majority of residents being in support.
- The online survey had 47 respondents, with the majority of residents not being in support.

Would you have supported a  
250% increase on the lowest  
bill and 60% on the average  
bill

- At the THM, there were 54 respondents with the majority of residents not being in support.
- The online survey had 46 respondents, with the majority of residents not being in support.

If you do not agree with any rate increase, how would you suggest funding it

- At the THM, there were 35 respondents
  - Common responses - bond (9), grants (6)
- The online survey had 31 respondents
  - Common responses - donations & fundraising (10), grants (6)

# Prioritizing Projects

- At the THM, there were 55 respondents
  - Ranking: Water and Sewer infrastructure, Streets, Staffing and Equipment
- The online survey had 157 respondents – I believe this to be a survey error I have reached out to Menti Meter to provide IP Addresses.
  - Ranking: Skate Park and Parking lot, Sidewalks, Streets, water and sewer infrastructure.



# Prioritizing without water and sewer

- At the THM, there were 50 respondents
  - Ranking: Streets, Staffing and Equipment, PW building
- The online survey had 158 respondents – I believe this to be a survey error I have reached out to Menti Meter to provide IP Addresses.
- Ranking: Skate Park and Parking lot, Streets, Sidewalks, staffing and equipment.

# Prioritizing City Infrastructure

- At the THM, there were 53 respondents
  - Ranking: Streets, PW Building, Sidewalks,
- The online survey had 43 respondents
  - Ranking: Streets, Sidewalks, PW Building

# Prioritizing Quality of Life

- At the THM, there were 50 respondents
  - Ranking: Natural Area Erosion, H & B III, Pools
- The online survey had 153 respondents – I believe this to be a survey error I have reached out to Menti Meter to provide IP Addresses.
  - Ranking: Skate Park and Parking lot, Natural Area Erosion, Pools, H & B III

# Other Projects

- At the THM, there were 43 respondents
  - Common Responses: Dog park (6), Street Infrastructure (6), Pickle Ball (4),
- The online survey had 24 respondents – I believe this to be a survey error I have reached out to Menti Meter to provide IP Addresses.
  - Common Responses: Dog Park (6), skate park (3)

# Goals and Objectives

- Police Department
  - THM results agreed with the Police department's goals and objectives
    - Crime reduction, improve community policing, Enhancement of Officer dev and training, Efficient Resource Allocation, Fiscal responsibility.
    - Common Additions - Enforcement of the code, park patrol, speed enforcement
  - Online Results agreed with the Police department's goals and objectives
    - Common additions - Speed enforcement, more community events, code compliance,



# Goals and Objectives

- Fire Department
  - THM results agreed with the Fire department's goals and objectives
    - Promote a good work environment, meet national response times, prepare for a growing city, Develop outreach programs, improve fire prevention
    - Common Additions - Increase Fire Dept. Budget and community outreach
  - Online Results agreed with the Fire department's goals and objectives
    - Common additions - increase community outreach, look at the brush in natural area

# Goals and Objectives

- Public Works Department
  - THM results agreed with the Public Works department's goals and objectives
    - First-rate parks, become accredited, provide sustainable water and wastewater services, comply with stormwater management program, and improve streets.
    - Common Additions - water and sewer priority, street sweeping, coordination with SA and TxDOT
  - Online Results agreed with the Public Works department's goals and objectives
    - Common additions - utilizing community partners

# Goals and Objectives

- Administrative Departments
  - THM results agreed with the Administrative department's goals and objectives
    - Maintain transparency, enhance community engagement, maintain a financially stable city, increase employee recruitment, increase the city's sales tax, Increase Library programming, up-to-date library resources, and increase library standards
    - Common Additions - N/A
  - Online Results agreed with the Administrative department's goals and objectives
    - Common additions - N/A

# Current Goals and Objectives

- THM and online survey agree that all the following should stay
  - Economic Development
  - Police Safety and security
  - Transportation
  - Infrastructure and capital plan
  - Environmental Sustainability
  - Citizen Involvement
  - Excellent parks
  - Transparency

# What other goals would you like to see?

- THM
  - Stronger enforcement of the codes, trail and foot patrols
- Online
  - Stronger enforcement of the codes and skateparks

**ESTIMATED BILL FOR A RESIDENTIAL CUTOMER USING 5,000 GALLONS IN A MONTH (WATER & SEWER)**

| <b>Existing Rates</b> |                 |
|-----------------------|-----------------|
| Water Meter Fee       | \$ 11.76        |
| Water Usage Charge    | \$ 20.80        |
| EAA Fee               | \$ 3.10         |
| Sewer Base Charge     | \$ 15.08        |
| Sewer Usage Charge    | \$ 24.96        |
| TCEQ Fee              | \$ 0.38         |
| <b>Estimated Bill</b> | <b>\$ 76.08</b> |

**Adjust Water Usage Charge Tiers and Raise All Fees 2% Annually for 5 Years (City Council's Request)**

| <b>Year 1</b>         |                 |
|-----------------------|-----------------|
| Water Meter Fee       | \$ 12.00        |
| Water Usage Charge    | \$ 19.69        |
| EAA Fee               | \$ 3.50         |
| Sewer Base Charge     | \$ 15.38        |
| Sewer Usage Charge    | \$ 31.80        |
| TCEQ Fee              | \$ 0.41         |
| <b>Estimated Bill</b> | <b>\$ 82.77</b> |

| <b>Year 2</b>         |                 |
|-----------------------|-----------------|
| Water Meter Fee       | \$ 12.24        |
| Water Usage Charge    | \$ 20.08        |
| EAA Fee               | \$ 3.50         |
| Sewer Base Charge     | \$ 15.69        |
| Sewer Usage Charge    | \$ 32.44        |
| TCEQ Fee              | \$ 0.42         |
| <b>Estimated Bill</b> | <b>\$ 84.36</b> |

| <b>Year 3</b>      |          |
|--------------------|----------|
| Water Meter Fee    | \$ 12.48 |
| Water Usage Charge | \$ 20.48 |
| EAA Fee            | \$ 3.50  |
| Sewer Base Charge  | \$ 16.00 |

| <b>Year 4</b>      |          |
|--------------------|----------|
| Water Meter Fee    | \$ 12.73 |
| Water Usage Charge | \$ 20.89 |
| EAA Fee            | \$ 3.50  |
| Sewer Base Charge  | \$ 16.32 |

|                       |                 |
|-----------------------|-----------------|
| Sewer Usage Charge    | \$ 33.08        |
| TCEQ Fee              | \$ 0.43         |
| <b>Estimated Bill</b> | <b>\$ 85.98</b> |

|                       |                 |
|-----------------------|-----------------|
| Sewer Usage Charge    | \$ 33.75        |
| TCEQ Fee              | \$ 0.44         |
| <b>Estimated Bill</b> | <b>\$ 87.63</b> |

| <b>Year 5</b>         |                 |
|-----------------------|-----------------|
| Water Meter Fee       | \$ 12.98        |
| Water Usage Charge    | \$ 21.31        |
| EAA Fee               | \$ 3.50         |
| Sewer Base Charge     | \$ 16.65        |
| Sewer Usage Charge    | \$ 34.42        |
| TCEQ Fee              | \$ 0.44         |
| <b>Estimated Bill</b> | <b>\$ 89.31</b> |

**Keep Existing Water Usage Charge Tiers and Raise All Fees 2% Annually for 5 Years**

| <b>Year 1</b>         |                 |
|-----------------------|-----------------|
| Water Meter Fee       | \$ 12.00        |
| Water Usage Charge    | \$ 21.22        |
| EAA Fee               | \$ 3.50         |
| Sewer Base Charge     | \$ 15.38        |
| Sewer Usage Charge    | \$ 31.80        |
| TCEQ Fee              | \$ 0.42         |
| <b>Estimated Bill</b> | <b>\$ 84.31</b> |

| <b>Year 2</b>         |                 |
|-----------------------|-----------------|
| Water Meter Fee       | \$ 12.24        |
| Water Usage Charge    | \$ 21.64        |
| EAA Fee               | \$ 3.50         |
| Sewer Base Charge     | \$ 15.69        |
| Sewer Usage Charge    | \$ 32.44        |
| TCEQ Fee              | \$ 0.43         |
| <b>Estimated Bill</b> | <b>\$ 85.93</b> |

| <b>Year 3</b>   |          |
|-----------------|----------|
| Water Meter Fee | \$ 12.48 |

| <b>Year 4</b>   |          |
|-----------------|----------|
| Water Meter Fee | \$ 12.73 |

|                       |                 |
|-----------------------|-----------------|
| Water Usage Charge    | \$ 22.07        |
| EAA Fee               | \$ 3.50         |
| Sewer Base Charge     | \$ 16.00        |
| Sewer Usage Charge    | \$ 33.08        |
| TCEQ Fee              | \$ 0.44         |
| <b>Estimated Bill</b> | <b>\$ 87.58</b> |

|                       |                 |
|-----------------------|-----------------|
| Water Usage Charge    | \$ 22.51        |
| EAA Fee               | \$ 3.50         |
| Sewer Base Charge     | \$ 16.32        |
| Sewer Usage Charge    | \$ 33.75        |
| TCEQ Fee              | \$ 0.44         |
| <b>Estimated Bill</b> | <b>\$ 89.26</b> |

| <b>Year 5</b>         |                 |
|-----------------------|-----------------|
| Water Meter Fee       | \$ 12.98        |
| Water Usage Charge    | \$ 22.96        |
| EAA Fee               | \$ 3.50         |
| Sewer Base Charge     | \$ 16.65        |
| Sewer Usage Charge    | \$ 34.42        |
| TCEQ Fee              | \$ 0.45         |
| <b>Estimated Bill</b> | <b>\$ 90.97</b> |

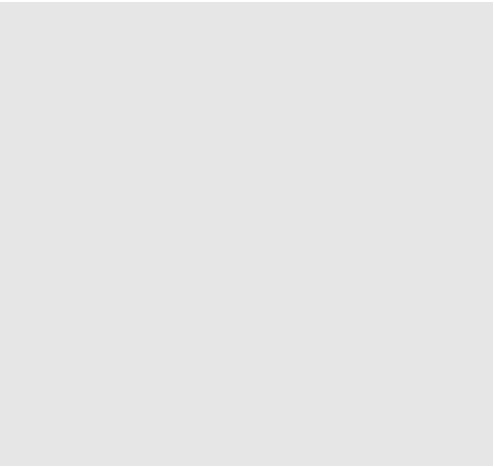
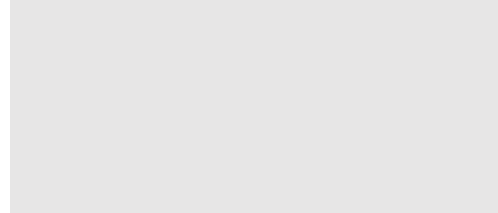
**Existing Rates Remain, Add Additional Flat Fee for Capital Improvements**

| <b>Flat CIP Fee</b>            |                  |
|--------------------------------|------------------|
| Water Meter Fee                | \$ 11.76         |
| Water Capital Improvements Fee | \$ 15.76         |
| Water Usage Charge             | \$ 20.80         |
| EAA Fee                        | \$ 3.50          |
| Sewer Base Charge              | \$ 15.08         |
| Sewer Capital Improvements Fee | \$ 16.55         |
| Sewer Usage Charge             | \$ 24.96         |
| TCEQ Fee                       | \$ 0.54          |
| <b>Estimated Bill</b>          | <b>\$ 108.95</b> |

**Existing Rates Remain, Add Capital Improvements Fee Enacted Based on Usage**



| <b>Flat CIP Fee</b>            |                 |
|--------------------------------|-----------------|
| Water Meter Fee                | \$ 11.76        |
| Water Usage Charge             | \$ 20.80        |
| Water Capital Improvements Fee | \$ 8.15         |
| EAA Fee                        | \$ 3.50         |
| Sewer Base Charge              | \$ 15.08        |
| Sewer Usage Charge             | \$ 31.80        |
| Sewer Capital Improvements Fee | \$ 4.42         |
| TCEQ Fee                       | \$ 0.48         |
| <b>Estimated Bill</b>          | <b>\$ 95.99</b> |

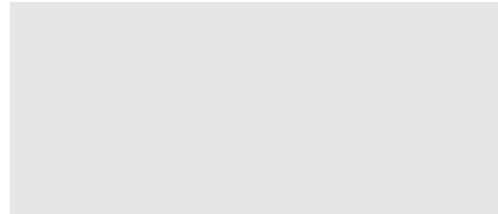
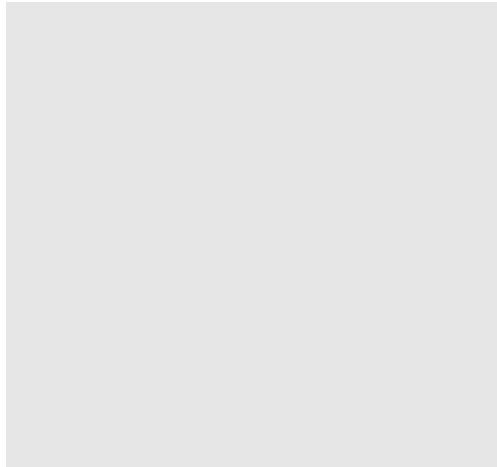


# LEON VALLEY 2025 PROPOSED RATES REVIEW







James Hoelscher, PE  
Byron Sanderfer, PE, CPM  
Phillip Givens, Superior Management



ARDURRA



# AGENDA

-  Rate Study Scope
-  Examine Current Rates
-  Assumption in Projections
-  Rate Proposal As Requested
-  Other Options to Consider
-  Preliminary Examinations of Options

# RATES PROPOSAL - SCOPE

- City has requested Ardurra and team to evaluate existing rates for sustainability and potential rate adjustments to cover system operating costs.
- City of Leon Valley Water & Sewer Capital Improvement Plan (in process), has potential to require an additional ~\$500,000 per year to water and sewer budgets once enacted. (\$1,000,000 total)



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**Water Charges**

| Meter Size | Deposit Amount | Residential Meter Fee | Non-Residential Meter Fee |
|------------|----------------|-----------------------|---------------------------|
| 5/8"       | \$70.00        | \$11.76               | \$12.30                   |
| 3/4"       | \$70.00        | \$13.39               | \$15.08                   |
| 1"         | \$100.00       | \$19.06               | \$19.06                   |
| 1 1/2"     | \$170.00       | n/a                   | \$30.72                   |
| 2"         | \$500.00       | n/a                   | \$45.28                   |
| 3"         | \$770.00       | n/a                   | \$129.41                  |
| 4"         | \$1,010.00     | n/a                   | \$164.71                  |
| 8"         | \$1,520.00     | n/a                   | \$616.73                  |
| 10"        | \$2,420.00     | n/a                   | \$1,165.23                |

**Residential/Irrigation Water Rates per 1,000 Gallons:**

| Tier 1 | Tier 2      | Tier 3       | Tier 4        | Tier 5  |
|--------|-------------|--------------|---------------|---------|
| 0-3000 | 3,001-6,000 | 6,001-10,000 | 10,001-17,000 | 17,001+ |
| \$3.56 | \$5.06      | \$6.56       | \$8.06        | \$9.56  |

**Nonresidential Water Rates per 1,000 Gallons:**

|               |        |
|---------------|--------|
| 0-500,000     | \$3.70 |
| Above 500,001 | \$3.95 |

**Sewer Charges**

|                         |                    |                          |
|-------------------------|--------------------|--------------------------|
| Residential Service     | 0-1,000 gallons    | \$15.08 minimum          |
| Residential Service     | Over 1,000 gallons | \$6.24 per 1,000 gallons |
| Non-Residential Service | 0 gallons          | \$15.08 minimum          |
| Non-Residential Service | 0 gallons          | \$6.24 per 1,000 gallons |



## CURRENT RATES – SAMPLE BILL & NOTES

- **City requested presenting average residential water bill**
  - *Average residential customer uses about 5,000 gallons per month*
  
- **Note: there are fees not noted in the previous table that are accounted for in real bills (and sample bill)**
  - **Edwards Aquifer Availability Fee**
    - \$0.62 / 1,000 gallons usage
  - **TCEQ Fee**
    - 0.5% of total bill



## CURRENT RATES - SAMPLE RESIDENTIAL BILL

| 5,000 GAL/MONTH                        | \$             |
|----------------------------------------|----------------|
| Water – Base Fee                       | \$11.76        |
| Water – Usage Charge                   | \$20.80        |
| EAA Fee                                | \$3.10         |
| Sewer – Base Fee (Includes 1,000 gal)  | \$15.08        |
| Sewer – Usage Charge (above 1,000 gal) | \$24.96        |
| TCEQ Fee                               | \$0.38         |
| <b>TOTAL</b>                           | <b>\$76.08</b> |

# REVENUE PROJECTION ASSUMPTIONS

- Revenue projections are based on usage data from 2022
  - 301,245,000 gallons billed for by LV
  - 2,643 total meters in water system
  - 2,518 total customers in sewer system
  
- Revenue from meter fees are calculated as shown on the right.
  - Meter count provided by city, 2022 data

| Meter Size                           | # of cust. | Meter Fee | Rev/Yr              |
|--------------------------------------|------------|-----------|---------------------|
| 5/8", 3/4"                           | 2,305      | \$11.76   | \$342,921.60        |
| 1"                                   | 59         | \$19.06   | \$13,494.48         |
| 1-1/2"                               | 86         | \$30.72   | \$31,703.04         |
| 2"                                   | 55         | \$45.28   | \$29,884.80         |
| 3"                                   | 11         | \$129.41  | \$17,082.12         |
| 4"                                   | 1          | \$164.71  | \$1,976.52          |
| 8"                                   | 1          | \$616.73  | \$7,400.76          |
| <b>Total Revenue Water Meter Fee</b> |            |           | <b>\$444,463.32</b> |

| Meter Size                          | # of cust. | Base Fee | Rev/Yr              |
|-------------------------------------|------------|----------|---------------------|
| All Cust.                           | 2,518      | \$15.08  | \$455,657.28        |
| <b>Total Revenue Sewer Base Fee</b> |            |          | <b>\$455,657.28</b> |



# CURRENT RATES – REVENUE PROJECTIONS

| <b>WATER UTILITY</b>         | <b>\$</b>             |
|------------------------------|-----------------------|
| Meter Fee                    | \$444,463.32          |
| Usage Charge                 | \$1,548,082.20        |
| <b>Revenue Estimate</b>      | <b>\$1,992,545.52</b> |
| <i>Actual Sales (22-23)</i>  | <i>\$2,020,985.00</i> |
| <i>Budgeted Sales (2025)</i> | <i>\$2,119,100.00</i> |

| <b>SEWER UTILITY</b>         | <b>\$</b>             |
|------------------------------|-----------------------|
| Base Rate Charge             | \$455,657.28          |
| Usage Charge                 | \$1,691,220.96        |
| <b>Revenue Estimate</b>      | <b>\$2,146,878.24</b> |
| <i>Actual Sales (22-23)</i>  | <i>\$2,563,039.00</i> |
| <i>Budgeted Sales (2025)</i> | <i>\$2,508,000.00</i> |

- Usage is calculated based on the average cost per 1,000 gallons for 9,500 gallons of usage / month
  - (301,245,000 gallons/yr)/(2,643 total meters)
    - ~9,500 gallons/month
      - \$5.14 / 1,000 gal in current rates
- Actual revenue from 2022-2023 is given to show how our projections are conservative

# SUMMARY – FIRST PROPOSAL

- For sake of cost security and sustainability, all expenses the system defines as necessary to keep system running will be considered “fixed costs”
- GOAL: Ensure system will have all fixed costs, upcoming CIP costs included, covered even in low usage years by raising base rate revenue
  - Residential water meter fee proposed:
    - Existing: \$11.76
    - Proposed: \$44.91
  - Sewer base rate proposed:
    - Existing: \$15.08
    - Proposed: \$75.79
  - Usage fee adjusted to \$0.50 / 1,000 gallons for all tiers
- Current sewer charge structure has first 1,000 gallons of usage included in base rate.
  - *It is recommended to change this so all usage is accounted and paid for.*

# FIRST PROPOSAL

- Lowest bill would go up 250%
  - (0 gallons of usage)
- Average bill would rise 60%
  - (5,000 gallons of usage)
- After declining first proposal, City Council requested Ardurra to evaluate:
  - **Raising Meter Fee and Usage Charge 2% annually for 5 years**
  - **Matching Water Usage Tiers to SAWS**
  - **Raise EAA fee from \$0.62 to \$0.70/1,000 gal**
    - Edwards Aquifer Authority is raising charge to city, this is a pass-through charge.



{Section}.63.

# PROPOSED WATER RATES FOR STANDARD RESIDENTIAL METER

| Water    | Base Rate | \$/1,000 gallons |             |              |               |         |
|----------|-----------|------------------|-------------|--------------|---------------|---------|
|          |           | 0-3,000          | 3,001-6,000 | 6,001-10,000 | 10,001-17,000 | 17,001+ |
| Existing | \$11.76   | \$3.56           | \$5.06      | \$6.56       | \$8.06        | \$9.56  |

| Water  | Base Rate | \$/1,000 gallons |             |              |               |         |
|--------|-----------|------------------|-------------|--------------|---------------|---------|
|        |           | 0-4,000          | 4,001-7,000 | 7,001-12,000 | 12,001-20,000 | 20,001+ |
| Year 1 | \$12.00   | \$3.63           | \$5.16      | \$6.69       | \$8.22        | \$9.75  |
| Year 2 | \$12.24   | \$3.70           | \$5.26      | \$6.83       | \$8.39        | \$9.95  |
| Year 3 | \$12.48   | \$3.78           | \$5.37      | \$6.96       | \$8.55        | \$10.15 |
| Year 4 | \$12.73   | \$3.85           | \$5.48      | \$7.10       | \$8.72        | \$10.35 |
| Year 5 | \$12.98   | \$3.93           | \$5.59      | \$7.24       | \$8.90        | \$10.56 |

Flat 2% increase on base rate and usage charge rates annually

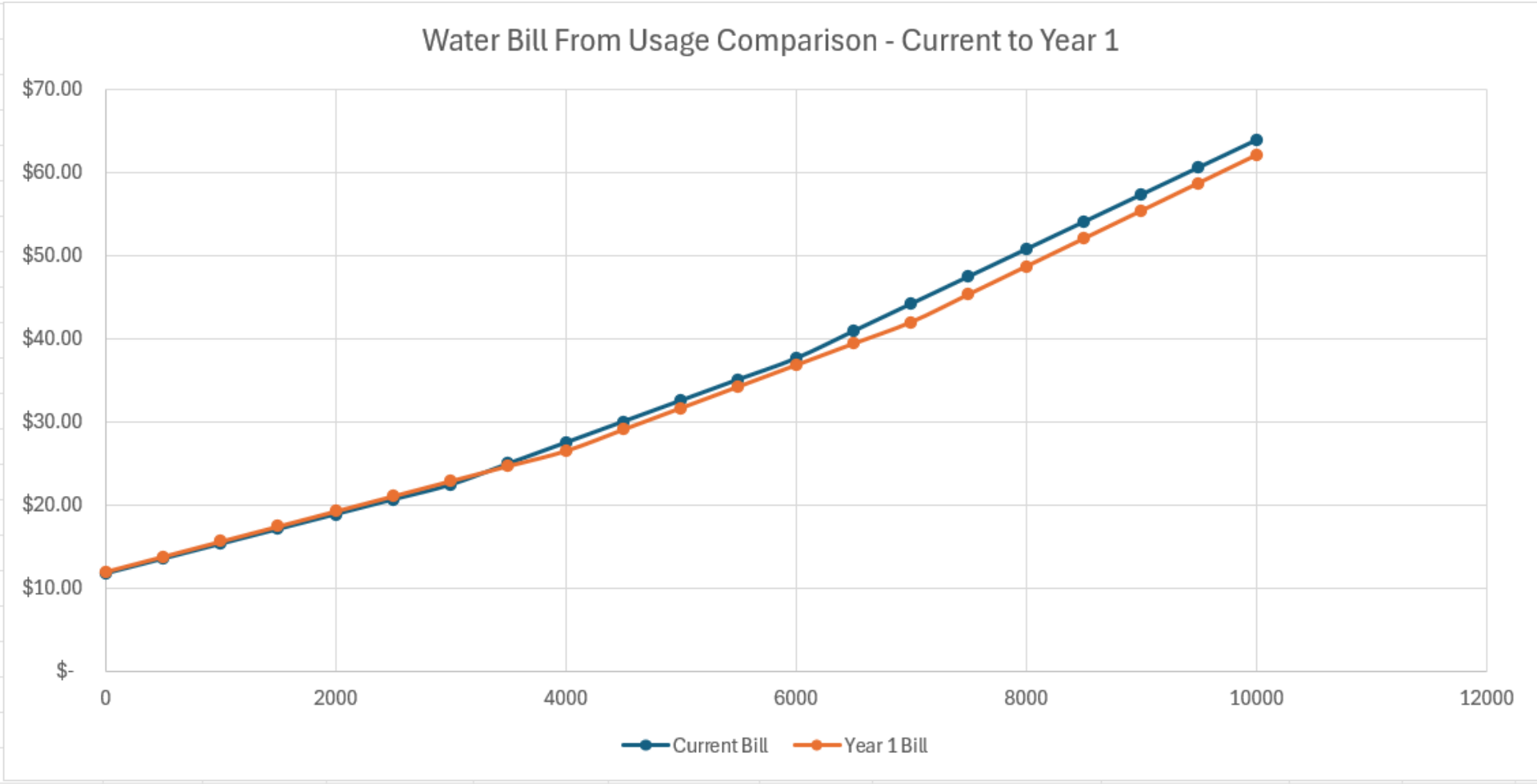
# SAMPLE WATER BILL & WATER REVENUE PROJECTIONS

| 5,000 gallons                  | \$      |
|--------------------------------|---------|
| Existing                       | \$32.56 |
| Year 1                         | \$31.68 |
| Year 2                         | \$32.31 |
| Year 3                         | \$32.96 |
| Year 4                         | \$33.62 |
| Year 5                         | \$34.29 |
| <i>Only accounts for water</i> |         |

|          | Projected Revenue | % Change |
|----------|-------------------|----------|
| Existing | \$1,992,545.52    | -        |
| Year 1   | \$1,935,363.83    | -2.9%    |
| Year 2   | \$1,974,071.11    | -0.9%    |
| Year 3   | \$2,013,552.53    | 1.1%     |
| Year 4   | \$2,053,823.58    | 3.1%     |
| Year 5   | \$2,094,900.05    | 5.1%     |

# EFFECT OF USAGE TIERS ADJUSTMENT IN CONJUNCTION WITH % INCREASE PROPOSED

| Gallons Used | Current Bill | Year 1 Bill | % +/- |
|--------------|--------------|-------------|-------|
| 0            | \$ 11.76     | \$ 12.00    | 2.0%  |
| 500          | \$ 13.54     | \$ 13.81    | 2.0%  |
| 1000         | \$ 15.32     | \$ 15.63    | 2.0%  |
| 1500         | \$ 17.10     | \$ 17.44    | 2.0%  |
| 2000         | \$ 18.88     | \$ 19.26    | 2.0%  |
| 2500         | \$ 20.66     | \$ 21.07    | 2.0%  |
| 3001         | \$ 22.45     | \$ 22.89    | 2.0%  |
| 3500         | \$ 24.97     | \$ 24.70    | -1.1% |
| 4001         | \$ 27.51     | \$ 26.53    | -3.6% |
| 4500         | \$ 30.03     | \$ 29.10    | -3.1% |
| 5000         | \$ 32.56     | \$ 31.68    | -2.7% |
| 5500         | \$ 35.09     | \$ 34.26    | -2.4% |
| 6001         | \$ 37.63     | \$ 36.85    | -2.1% |
| 6500         | \$ 40.90     | \$ 39.42    | -3.6% |
| 7001         | \$ 44.19     | \$ 42.01    | -4.9% |
| 7500         | \$ 47.46     | \$ 45.35    | -4.4% |
| 8000         | \$ 50.74     | \$ 48.69    | -4.0% |
| 8500         | \$ 54.02     | \$ 52.04    | -3.7% |
| 9000         | \$ 57.30     | \$ 55.39    | -3.3% |
| 9500         | \$ 60.58     | \$ 58.73    | -3.1% |
| 10000        | \$ 63.86     | \$ 62.08    | -2.8% |





## OTHER OPTIONS TO CONSIDER

- Continue utilizing existing Usage Tiers
  - Evaluate  $x\%$  annual increase
- Keep rates as current and add a “Capital Improvements Fee”
  - As additional flat fee or based on usage
- Utilize SAWS Usage Tiers and adjust Usage Charges to better match existing billing.
  - Evaluate annual  $x\%$  increase after



# EXISTING USAGE TIERS REMAIN WITH 2% INCREASE PROPOSED WATER RATES FOR STANDARD RESIDENTIAL METER

| Water    | Base Rate | \$/1,000 gallons |             |              |               |         |
|----------|-----------|------------------|-------------|--------------|---------------|---------|
|          |           | 0-3,000          | 3,001-6,000 | 6,001-10,000 | 10,001-17,000 | 17,001+ |
| Existing | \$11.76   | \$3.56           | \$5.06      | \$6.56       | \$8.06        | \$9.56  |

| Water  | Base Rate | \$/1,000 gallons |             |              |               |         |
|--------|-----------|------------------|-------------|--------------|---------------|---------|
|        |           | 0-3,000          | 3,001-6,000 | 6,001-10,000 | 10,001-17,000 | 17,001+ |
| Year 1 | \$12.00   | \$3.63           | \$5.16      | \$6.69       | \$8.22        | \$9.75  |
| Year 2 | \$12.24   | \$3.70           | \$5.26      | \$6.83       | \$8.39        | \$9.95  |
| Year 3 | \$12.48   | \$3.78           | \$5.37      | \$6.96       | \$8.55        | \$10.15 |
| Year 4 | \$12.73   | \$3.85           | \$5.48      | \$7.10       | \$8.72        | \$10.35 |
| Year 5 | \$12.98   | \$3.93           | \$5.59      | \$7.24       | \$8.90        | \$10.56 |



# EXISTING USAGE TIERS REMAIN WITH 2% INCREASE PROPOSED SEWER RATES FOR STANDARD RESIDENTIAL METER

| Sewer    | Base Rate | \$/1,000 gallons                     |  |
|----------|-----------|--------------------------------------|--|
|          |           | Per 1,000 gallons over 1,000 gallons |  |
| Existing | \$15.08   | \$6.24                               |  |

| Sewer  | Base Rate | \$/1,000 gallons |  |
|--------|-----------|------------------|--|
| Year 1 | \$15.38   | \$6.36           |  |
| Year 2 | \$15.69   | \$6.49           |  |
| Year 3 | \$16.00   | \$6.62           |  |
| Year 4 | \$16.32   | \$6.75           |  |
| Year 5 | \$16.65   | \$6.88           |  |

# EXISTING USAGE TIERS REMAIN WITH 2% INCREASE

## SAMPLE BILL PROJECTIONS

| 5,000 GAL/MONTH                | Existing       | Year 1         | Year 2         | Year 3         | Year 4         | Year 5         |
|--------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Water – Base Fee               | \$11.76        | \$12.00        | \$12.24        | \$12.48        | \$12.73        | \$12.98        |
| Water – Usage Charge           | \$20.80        | \$21.22        | \$21.64        | \$22.07        | \$22.51        | \$22.96        |
| EAA Fee                        | \$3.10         | \$3.50         | \$3.50         | \$3.50         | \$3.50         | \$3.50         |
| Sewer – Base Fee               | \$15.08        | \$15.38        | \$15.69        | \$16.00        | \$16.32        | \$16.65        |
| Sewer – Usage Charge           | \$24.96        | \$31.80        | \$32.44        | \$33.08        | \$33.75        | \$34.42        |
| TCEQ Fee                       | \$0.38         | \$0.42         | \$0.43         | \$0.44         | \$0.44         | \$0.45         |
| <b>TOTAL</b>                   | <b>\$76.08</b> | <b>\$84.31</b> | <b>\$85.93</b> | <b>\$87.58</b> | <b>\$89.26</b> | <b>\$90.97</b> |
| <i>% Change from Existing</i>  | -              | 11%            | 13%            | 15%            | 17%            | 20%            |
| <i>\$ Change from Existing</i> |                | \$8.23         | \$9.85         | \$11.50        | \$13.18        | \$14.89        |

# EXISTING USAGE TIERS REMAIN WITH 2% INCREASE COMP TO SAWS (OUTSIDE CITY LIMITS)

| 5,000 GAL/MONTH               | Existing       | Year 5         |
|-------------------------------|----------------|----------------|
| Water – Base Fee              | \$11.76        | \$12.98        |
| Water – Usage Charge          | \$20.80        | \$22.96        |
| EAA Fee                       | \$3.10         | \$3.50         |
| Sewer – Base Fee              | \$15.08        | \$16.65        |
| Sewer – Usage Charge          | \$24.96        | \$34.42        |
| TCEQ Fee                      | \$0.38         | \$0.45         |
| <b>TOTAL</b>                  | <b>\$76.08</b> | <b>\$90.97</b> |
| <i>% Change from Existing</i> | -              | 20%            |

| Charges                               |              |
|---------------------------------------|--------------|
| Water Service Charge                  | 11.70        |
| Tier 2 Usage Fixed Charge             | 2.60         |
| Water Volume Charge                   | 6.90         |
| Stage 3 Drought Surcharge             | -            |
| Stage 4 Drought Surcharge             | -            |
| Water Supply Fee                      | 9.54         |
| Uplift Assistance Program Fee - Water | 0.56         |
| Sewer Service Charge                  | 12.00        |
| Sewer Volume Charge                   | 17.52        |
| Uplift Assistance Program Fee - Sewer | 0.56         |
| EAA Fee                               | 1.71         |
| City Stormwater Fee                   | 0.00         |
| TCEQ Fee                              | 0.24         |
| <b>Total Bill</b>                     | <b>63.33</b> |

# EXISTING USAGE TIERS REMAIN WITH 2% INCREASE REVENUE PROJECTIONS

|                               | Existing       | Year 1         | Year 5         | \$ Difference Year 5 to Existing |
|-------------------------------|----------------|----------------|----------------|----------------------------------|
| <b>Proj Rev Water</b>         | \$1,992,545.52 | \$2,032,396.43 | \$2,199,931.26 | <b>\$207,385.74</b>              |
| <i>% Change from Existing</i> |                | 2.0%           | 10.4%          |                                  |
| <b>Proj Rev Sewer</b>         | \$2,146,878.24 | \$2,380,688.63 | \$2,576,933.93 | <b>\$430,055.69</b>              |
| <i>% Change from Existing</i> |                | 10.9%          | 20.0%          |                                  |
| <b>Proj Rev Total</b>         | \$4,139,423.76 | \$4,413,085.06 | \$4,776,865.19 | <b>\$637,441.43</b>              |
| <i>% Change from Existing</i> |                | 6.6%           | 15.4%          |                                  |

# CAPITAL IMPROVEMENTS FEE

- Keep rates as current and add a “Capital Improvements Fee” as a flat fee to both water and sewer
- \$15.76 water fee
  - (\$500,000/ 2,643 meters / 12 months)
- \$16.55 sewer fee
  - (\$500,000/ 2,518 meters / 12 months)
- *Lowest bill raised 120% (0 gallons used)*
- *Average bill raised 43% (5,000 gallons)*

| 5,000 GAL/MONTH        | Existing       | CIP Fee         |
|------------------------|----------------|-----------------|
| Water – Base Fee       | \$11.76        | \$11.76         |
| Water – Usage Charge   | \$20.80        | \$20.80         |
| EAA Fee                | \$3.10         | \$3.50          |
| Sewer – Base Fee       | \$15.08        | \$15.08         |
| Sewer – Usage Charge   | \$24.96        | \$24.96         |
| TCEQ Fee               | \$0.38         | \$0.54          |
| CIP Water Fee          | -              | \$15.76         |
| CIP Sewer Fee          | -              | \$16.55         |
| <b>TOTAL</b>           | <b>\$76.08</b> | <b>\$108.95</b> |
| % Change from Existing | -              | 43%             |

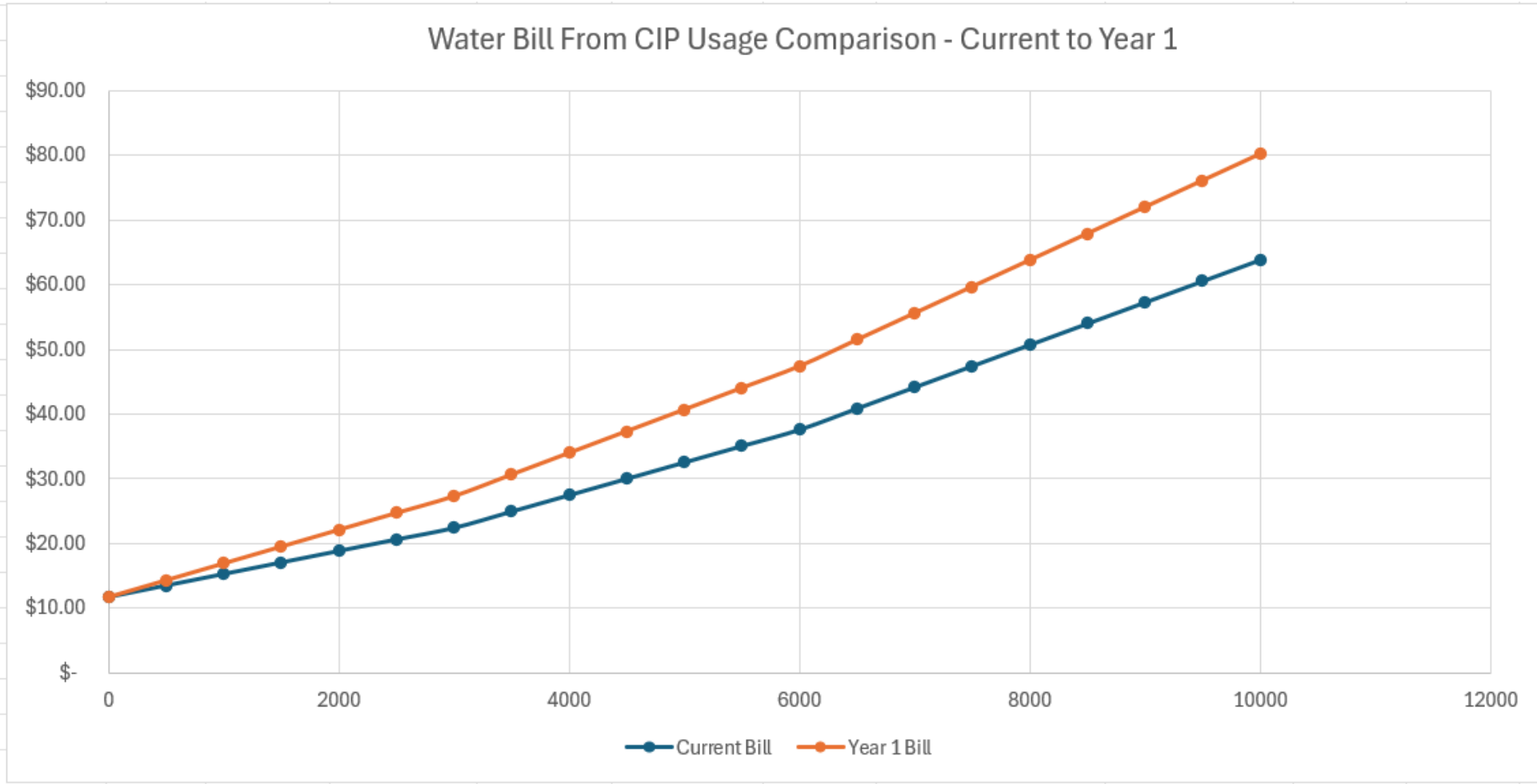
# CAPITAL IMPROVEMENTS USAGE FEE

- Keep water rates as current.
- Charge for all sewer usage
  - *Remove base fee coverage for first 1,000 gallons*
- Add a “Capital Improvements Fee” based on usage
- Water CIP Fee - \$1.63 / 1,000 gallons
- Sewer CIP Fee - \$0.88 / 1,000 gallons

| 5,000 GAL/MONTH        | Existing       | CIP Fee        |
|------------------------|----------------|----------------|
| Water – Base Fee       | \$11.76        | \$11.76        |
| Water – Usage Charge   | \$20.80        | \$28.95        |
| EAA Fee                | \$3.10         | \$3.50         |
| Sewer – Base Fee       | \$15.08        | \$15.08        |
| Sewer – Usage Charge   | \$24.96        | \$36.22        |
| TCEQ Fee               | \$0.38         | \$0.48         |
| <b>TOTAL</b>           | <b>\$76.08</b> | <b>\$95.99</b> |
| % Change from Existing | -              | 26%            |

# EFFECT OF USAGE TIERS ADJUSTMENT IN CONJUNCTION WITH % INCREASE PROPOSED

| Gallons Used | Current Bill | Year 1 Bill | % +/- |
|--------------|--------------|-------------|-------|
| 0            | \$ 11.76     | \$ 11.76    | 0.0%  |
| 500          | \$ 13.54     | \$ 14.36    | 6.0%  |
| 1000         | \$ 15.32     | \$ 16.95    | 10.6% |
| 1500         | \$ 17.10     | \$ 19.55    | 14.3% |
| 2000         | \$ 18.88     | \$ 22.14    | 17.3% |
| 2500         | \$ 20.66     | \$ 24.74    | 19.7% |
| 3001         | \$ 22.45     | \$ 27.34    | 21.8% |
| 3500         | \$ 24.97     | \$ 30.68    | 22.9% |
| 4001         | \$ 27.51     | \$ 34.03    | 23.7% |
| 4500         | \$ 30.03     | \$ 37.37    | 24.4% |
| 5000         | \$ 32.56     | \$ 40.71    | 25.0% |
| 5500         | \$ 35.09     | \$ 44.06    | 25.6% |
| 6001         | \$ 37.63     | \$ 47.41    | 26.0% |
| 6500         | \$ 40.90     | \$ 51.50    | 25.9% |
| 7001         | \$ 44.19     | \$ 55.60    | 25.8% |
| 7500         | \$ 47.46     | \$ 59.69    | 25.8% |
| 8000         | \$ 50.74     | \$ 63.78    | 25.7% |
| 8500         | \$ 54.02     | \$ 67.88    | 25.7% |
| 9000         | \$ 57.30     | \$ 71.97    | 25.6% |
| 9500         | \$ 60.58     | \$ 76.07    | 25.6% |
| 10000        | \$ 63.86     | \$ 80.16    | 25.5% |



# CIP USAGE FEE REVENUE PROJECTIONS

|                       | Existing       | CIP Use Fee    | \$ Difference  |
|-----------------------|----------------|----------------|----------------|
| <b>Proj Rev Water</b> | \$1,992,545.52 | \$2,492,545.52 | \$500,000.00   |
|                       |                | 25.1%          |                |
| <b>Proj Rev Sewer</b> | \$2,146,878.24 | \$2,646,878.24 | \$500,000.00   |
|                       |                | 23.3%          |                |
| <b>Proj Rev Total</b> | \$4,139,423.76 | \$5,139,425.76 | \$1,000,000.00 |
|                       |                | 24.2%          |                |



**THANK YOU FOR YOUR  
TIME TODAY**

Questions?



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, February 18, 2025 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
- Council Place 2 Betty Heyl
- Mayor Pro-Tem, Council Place 3 Philip Campos
- Council Place 4 Rey Orozco

**EXCUSED**

- Council Place 5 Will Bradshaw

Mayor Chris Riley called the meeting to order at 6:30 PM and confirmed that a quorum of the City Council was present in the Council Chambers.

Mayor Riley asked Council Place 1, Martinez to lead the Pledge of Allegiance.

Mayor Riley introduced Christina Demirs, an attorney who is filling in for Attorney Art Rodriguez this evening.

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

The following individuals spoke at this time: Olga Salazar, Danny Bocanegra, and Pat Martinez.

### 3. Presentations

#### 1. Presentation to Albert San Miguel for 39 Years of Service to the City of Leon Valley - Mayor Chris Riley

This item was postponed to the March 04, 2025 Regular City Council Meeting.

#### 2. Presentation and Discussion on the Approval of the Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2024 - Debbie Fraser, CPA

Debbie Fraser, CPA, presented the Annual Comprehensive Financial Report for Fiscal Year 2024.

#### 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 Chris Riley and members of the City Council shared announcements.

### 5. City Manager's Report

Dr. Crystal Caldera, City Manager, announced that the City Manager's Report was available in print on the table in the foyer and posted on the City website.

She congratulated the Library for once again receiving the Library of Excellence Award; reminded everyone to submit their feedback on the Park Master Plan, which is available online; wished the LVFD luck as they recertify their entire EMS Program; informed everyone that Gilbert Santos, Animal Control and Code Enforcement, has officially retired, with his last day being last week; noted that interviews have begun to fill his position; and announced that the kennels have been installed at Public Works.

#### 1. Upcoming Important Events:

- Regular City Council Meeting, Tuesday, March 04, 2025, at 6:30 PM, in City Council Chambers.
- City Offices and Municipal Court will be closed Monday, February 17, 2025, in observance of Presidents' Day.
- Basura Bash, Saturday, February 22, 2025, from 9:00 AM until 12:00 PM.
- Spring Brush and Bulky Item Pickup, February 24, 2025 through February 28, 2025.
- Drawing for a Place on the Ballot, Monday, February 24, 2025, at 8:30 AM, in City Council Chambers.
- 35th Annual Earthwise Living Day, March 01, 2025, from 9:00 AM to 1:30 PM, at the Community Center.
- Movies in the Park Coming in March and May of 2025. More Details Coming Soon.
- Last Day to Register to Vote for the May 03, 2025 General Election, Thursday, April 03, 2025.

- Last Day to Register to Apply for a Mail Ballot for the May 03, 2025 General Election, Tuesday, April 22, 2025.
- Early Voting in Personal Appearance, Tuesday, April 22-Tuesday, April 29, 2025.
- Miscellaneous other events and announcements.

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

A motion to approve the Consent Agenda as presented was made by Council Place 4, Orozco, and seconded by Mayor Pro Tem, Council Place 3, Campos.

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

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

- a. **02-04-2025 Regular City Council Meeting Minutes**

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

- a. **11-12-2024 Planning & Zoning Commission Meeting Minutes**

**3. Presentation and Discussion of the Monthly Financial Report Ending January 31, 2025 - C. Goering, Finance Director**

**4. Discussion and Action on the Approval of Bank Signature Cards for Frost Bank and Amending the Resolution of Authorized Representatives for Texpool. - C. Goering, Finance Director**

**7. Regular Agenda**

**1. Presentation and Discussion of an Ordinance Amending Chapter 6 Health and Sanitation, Article 6.05 Smoking Regulations to Incorporate Electronic Smoking Devices (ESDs) (1st Read as Required by City Charter) - S. Huerta, Planning and Zoning Director**

Susana Huerta, Director of Planning and Zoning, presented this item at the request of Council Place 1, Martinez, and Mayor Pro Tem, Council Place 3, Campos.

There was a consensus to bring this item back on the March 4, 2025, City Council agenda under Consent. The second reading will include penalties and food establishment guidelines as discussed this evening.

**2. Presentation, Discussion, and Possible Action to Authorize the City Manager to Expend Funds from the Economic Development Department and Stormwater Fund in the Amount of \$17,500.00 for Maintenance of Zarzamora Creek - R. Salinas, Executive Director**

Roque Salinas, Executive Director, presented this item.

Mr. Salinas provided City Council members with a letter submitted by the School of Technology regarding this location.

Council Place 1, Martinez, requested that the City move forward with condemnation and bring back information on the process. The motion was seconded by Mayor Pro Tem, Council Place 3, Campos.

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

Christina Demirs, Attorney, provided guidance on condemnation, including statutory requirements, but stated she would need more information. However, she noted that the process could be accomplished.

Jennifer, H-E-B Operations Manager, spoke on behalf of the Leon Valley H-E-B location.

Council Place 4, Orozco, motioned to approve the item as presented. The motion was seconded by Council Place 1, Martinez.

Voting Yea: Council Place 1, Martinez; Council Place 2, Heyl; Mayor Pro Tem, 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.**

Mayor Pro Tem, Council Place 3, Campos, requested an update on the PEG Funds. Dr. Crystal Caldera, City Manager, provided a brief update.

Mayor Chris Riley requested an Oak Wilt presentation. Dr. Crystal Caldera, City Manager, responded that she is working with the Public Works Director to schedule the presentation, which is conducted annually.

**9. Adjournment**

Mayor Riley announced that the meeting adjourned at 7:51 PM.

**These minutes were approved by the Leon Valley City Council on the 4th of March, 2025.**

**APPROVED**

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

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

DRAFT



## Leon Valley Park Commission Meeting Minutes

The Park Commission of the City of Leon Valley, Texas met on the 9th day of January 2025, at 6:30 p.m., at Conference Center, 6427 Evers Road, Leon Valley, Texas, 78238 for the purpose of the following business, to-wit:

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

Chairman Christensen called the meeting to order at 6:30 p.m., with the following members in attendance: Vice-Chairwoman Danielle Bolton and Commissioners Diana Frazier, Elaine Valdez. Absent were Commissioners Ann Sawyer and Joyce Trent.

Also present were Staff Liaison David Dimaline, Public Works Assistant Director and Kathy Hill, President of the Leon Valley Historical Society (LVHS).

### 2. Review and Consider Approval of the December 12, 2024, Park Commission Meeting Minutes.

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

### 3. Citizens to be Heard.

Ms. Hill spoke, thanking the Park Commission for their work on the Park Master Plan and noted that the LVHS was very concerned with the erosion occurring along the banks of Huebner Creek directly behind the Huebner-Onion Homestead, the Triangle Park, and within the Huebner-Onion Natural Area Park (HONAP). She explained that the continuing erosion was alarming, as after each rain event, the banks eroded more, and the LVHS would like to preserve as much of the park as possible. She stated that she wanted to make sure the concern was addressed in the Park Master Plan. She then stated that their other concerns included the SAWS water line that crosses the creek near the Huebner-Onion Homestead and the erosion occurring closer to the Bandera Rd. bridge.

Chairman Christensen thanked Ms. Hill for her input. He stated that the Plan adoption had already occurred, and that the last remaining piece of the Plan was to adopt a Foreword, but that he looked forward to working with the LVHS on addressing plans for the drainage within the HONAP.

Mr. Dimaline provided handouts from the Park Master Plan that highlighted community recommendations to address Huebner Creek. He explained that items in the Plan included repairing erosion along Huebner Creek, adopting an annual

maintenance plan, and addressing drainage issues. He also provided copies of the current plan for the Huebner Creek Drainage Project and noted that the project called for concrete riprap on the south side of the creek and an earthen channel that would vary in width. He explained that approximately 404 trees would need to be removed, however, there could be an opportunity to replant native trees with the Bexar Branches Alliance.

#### **4. Old Business**

##### **a. Discussion and Recommendation – Final Draft Park Master Plan**

Mr. Dimaline reported that a draft Foreword had been written by Public Works Director Melinda Moritz and was included in everyone's packets. Commissioner Elaine Valdez stated that she had also written a Foreword and that it had been copied and handed out. The Park Commission was directed to review both and decide if they preferred one over the other, or a combination of the two.

Chairman Christensen recommended that Commissioner Valdez work with Public Works and the consultant to finalize the Foreword, and to bring the final version back to the next Park Commission meeting for approval.

##### **b. Reports – Tree and Swimming Pool Subcommittee**

Mr. Dimaline said there was nothing to report at this time.

#### **5. New Business**

##### **a. None**

#### **6. Commissioner's and Staff Comments**

Mr. Dimaline said he looked forward to working with everyone in the new year, and to please let him know if there are any concerns that Public Works could address.

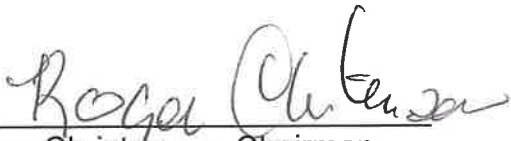
Commissioner Frazier asked if the Park Master Plan had been posted on the City's web site. Commissioner Bolton said that after the final draft was completed, the Park Master Plan would be uploaded to the City's web site.

Chairman Christensen said job well done to the Public Works Department on the Holiday lighting.

#### **7. Adjourn.**

Chairman Christensen asked for a motion to adjourn. Commissioner Bolton made a motion to adjourn the meeting, which was seconded by Commissioner Valdez. The vote carried unanimously. The meeting was adjourned at 7:07 p.m.



  
\_\_\_\_\_  
Roger Christensen, Chairman

2-13-25  
Date



**City of Leon Valley  
PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
6:00 PM – JANUARY 15, 2025  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238**

**1. CALL TO ORDER AND ROLL CALL**

1<sup>st</sup> Vice-Chair Mary Ruth Fernandez called the Planning and Zoning Commission meeting to order at 6:00 PM.

**PRESENT**

|                            |                     |                       |
|----------------------------|---------------------|-----------------------|
| 2 <sup>nd</sup> Vice Chair | Andrea Roofe        | Place 2 Voting member |
| Commissioner               | Hilda Gomez         | Place 3 Voting member |
| Commissioner               | Pat Martinez        | Place 4 Voting member |
| 1 <sup>st</sup> Vice-Chair | Mary Ruth Fernandez | Place 5 Voting member |
| Commissioner               | Cynthia Koger       | Place 7 Voting member |
| 1 <sup>st</sup> Alternate  | Abraham Diaz        | Nonvoting member      |
| 2 <sup>nd</sup> Alternate  | Beth Mursch         | Nonvoting member      |
| 3 <sup>rd</sup> Alternate  | Olen Yarnell        | Nonvoting member      |
| Council Liaison            | Benny Martinez      | Nonvoting member      |

**ABSENT**

|              |             |                       |
|--------------|-------------|-----------------------|
| Commissioner | David Perry | Place 1 Voting member |
| Chair        | Erick Matta | Place 6 Voting member |

Also in attendance were Planning and Zoning Director Susana Huerta, City Attorney Art Rodriguez.

**1. NEW BUSINESS**

1. Planning and Zoning Training Meeting - Art Rodriguez, City Attorney and Susana Huerta, Planning and Zoning Director

City Attorney Art Rodriguez presented a Planning and Zoning Training/Work Session for the Planning and Zoning Commission. Commissioners were given opportunities to ask questions, and a brief discussion was held and topics covered. No action was taken.

**4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF**

No announcements

**5. ADJOURNMENT**

1<sup>st</sup> Vice-Chair, Mary Ruth Fernandez announced the meeting adjourned at 7:20 PM.

*These minutes were approved by the Leon Valley Planning & Zoning Commission on the 28<sup>th</sup> of January 2025.*

APPROVED

  
ERICK MATTA  
CHAIR

ATTEST:   
SUSANA HUERTA, AICP  
PLANNING AND ZONING DIRECTOR



**City of Leon Valley  
PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
6:30 PM – JANUARY 28, 2025  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238**

**1. CALL TO ORDER AND ROLL CALL**

Chair Erick Matta called the Planning and Zoning Commission meeting to order at 6:30 PM.

**PRESENT**

|                            |                     |                       |
|----------------------------|---------------------|-----------------------|
| 2 <sup>nd</sup> Vice Chair | Andrea Roofe        | Place 2 Voting member |
| Commissioner               | Hilda Gomez         | Place 3 Voting member |
| Commissioner               | Pat Martinez        | Place 4 Voting member |
| 1 <sup>st</sup> Vice-Chair | Mary Ruth Fernandez | Place 5 Voting member |
| Commissioner               | Cynthia Koger       | Place 7 Voting member |
| 1 <sup>st</sup> Alternate  | Abraham Diaz        | Nonvoting member      |
| 2 <sup>nd</sup> Alternate  | Beth Mursch         | Nonvoting member      |
| 3 <sup>rd</sup> Alternate  | Olen Yarnell        | Nonvoting member      |
| Council Liaison            | Benny Martinez      | Nonvoting member      |
| Commissioner               | David Perry         | Place 1 Voting member |
| Chair                      | Erick Matta         | Place 6 Voting member |

Also in attendance were Planning and Zoning Director Susana Huerta and Executive Director Roque Salinas.

**1. CALL TO ORDER AND ROLL CALL**

Chair Erick Matta called the meeting to order at 6:30 PM with all members present.

**2. APPROVAL OF ZONING COMMISSION MINUTES**

1. Discussion and Action to Consider Approval of the November 12, 2024, Planning and Zoning Commission Minutes - S. Huerta, Planning and Zoning Director

1<sup>st</sup> Vice-Chair Fernandez made a motion to approve the minutes which was seconded by Commissioner Perry. The motion carried unanimously.

2. Discussion and Action to Consider Approval of the January 15, 2025, Planning and Zoning Commission Meeting Minutes - S. Huerta, Planning and Zoning Director

First Alternate Diaz made a request for correction to the minutes to show him present at the meeting. Second Vice Chair Roofe made a motion to approve the minutes with

corrections which was seconded by First Vice Chair Fernandez. The motion carried unanimously.

**3. NEW BUSINESS**

- 1. Presentation, **Public Hearing**, and Possible Action to Approve a Replat of Lots 24 and 25, Block 4, CB 9904, Rollingwood Ridge Subdivision and the West 250' of Lot 5, Block 4, CB 9904, Rollingwood Estates Unit I Subdivision, Establishing Lot 30R on Approximately 2.62 Vacant Acres, Located at 5307 Wurzbach Road - S. Huerta, Planning and Zoning Director

3<sup>rd</sup> Alternate Yarnell asked a question about the development of adjacent properties.  
2<sup>nd</sup> Alternate Mursch asked a question about the traffic impact to the adjacent residential properties.

1<sup>st</sup> Vice Chair Fernandez made a motion to approve the proposed replat with Commissioner Perry seconding the motion. The motion carried unanimously.

**4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF**

2<sup>nd</sup> Vice Chair Roope announced that the AARP would be helping with income tax returns at the Conference Center starting on the 4<sup>th</sup> of February.

**5. ADJOURNMENT**

Chair Matta announced the meeting adjourned at 6:56 PM.

*These minutes were approved by the Leon Valley Planning & Zoning Commission on the 25<sup>th</sup> of February 2025.*

ATTEST:   
**SUSANA HUERTA, AICP**  
 PLANNING AND ZONING DIRECTOR

APPROVED  
  
**ERICK MATTA**  
 CHAIR

## MAYOR AND COUNCIL COMMUNICATION

**DATE:** March 4, 2025

**TO:** Mayor and Council

**FROM:** Susana Huerta, Planning and Zoning Director

**THROUGH:** Crystal Caldera, Ph.D., City Manager

**SUBJECT:** Discussion and Possible Action to Consider Approval of an Ordinance Amending Chapter 6 Health and Sanitation, Article 6.05 Smoking Regulations to Incorporate Electronic Smoking Devices (ESDs)

**SPONSOR(S):** Council Place 1, Martinez and Mayor Pro Tem, Council Place 3, Campos

### **PURPOSE & BACKGROUND**

The Leon Valley Smoking Regulations, adopted in 2008 and contained in Chapter 6 Health and Sanitation, Article 6.05, provides for smoke-free air in public places. The ordinance addresses smoke only from combustible smoking devices (i.e. cigarettes and cigars). In 2014, electronic smoking devices (ESDs), such as e-cigarettes or vapes, entered the market, therefore, ESDs were not included in the original Ordinance.

This amendment would include ESDs and would prohibit the use of ESDs in the same places where smoking is currently prohibited.

The amendment will contain three changes related to ESDs and one change due to the preemption of state law.

1. Add the definition of Electronic Smoking Devices (ESDs) to the Section. 6.05.003 - Definitions.
2. Add Section. 6.05.009 - Posting of Signs.: Establishments will be required to include the electronic smoking device icon on signs, along with the traditional cigarette icon. Both icons would be enclosed in the standard red circle with a red bar across them. This signage will be required for every public place and place of employment where smoking is currently prohibited.
3. Section 6.05.008 - Distribution, display, and sale of tobacco products; and cigarette machines. Our ordinance had set the age of sale to 21 years. This was preempted by the State's law passed in 2019 (still at 21 yrs), so current code language is not needed.
4. Requires restaurants to provide areas for nonsmoking patrons.

The amendment to the Leon Valley Smoking Regulations Ordinance benefits the community by prohibiting exposure to both secondhand smoke and the vapor from electronic smoking devices in public places. This protects employees and patrons from exposure to dangerous substances. Many tobacco and vaping products contain harmful chemicals, which can damage lungs and

affect brain development and can be especially troubling for young people.

The Texas State Law applies to purchasing vapes, by dictating age restrictions and still applies fines for purchase, use and possession of vapes by persons under a certain age.

The amendment restricts vaping in the same places where smoking is restricted. Restrictions and penalties for vaping are the same as for smoking. The amendment does not change those current rules.

In 2019, the 86th Legislature passed Senate Bill 21, which increases the legal age for the purchase of cigarettes, e-cigarettes or tobacco products, from 18 to 21, including:

- sale
- distribution
- possession
- purchase
- consumption
- receipt

**FISCAL IMPACT**

None, with the exception of some sales tax.

**RECOMMENDATION**

Approval of the ordinance amendment.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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**SAUNDRA PASSAILAIGUE, TRMC**  
 City Secretary

**ORDINANCE NO 2025-**

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS, CITY COUNCIL, AMENDING THE LEON VALLEY CODE OF ORDINANCES, CHAPTER 6 HEALTH AND SAFETY, ARTICLE 6.05 SMOKING REGULATIONS TO INCORPORATE ELECTRONIC SMOKING DEVICES (ESDs); PROVIDING AN EFFECTIVE DATE OF THE REVISION WITH PUBLICATION, AS REQUIRED BY LAW, PROVIDING A SAVINGS CLAUSE; AND PROVIDING A CONFLICTS PROVISION.**

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**WHEREAS**, In 2014, electronic smoking devices (ESDs), such as e-cigarettes or vapes, entered the market, therefore, ESDs were not included in the 2008 version of Chapter 6 Health and Sanitation, Article 6.05 Smoking Regulations; and

**WHEREAS**, many tobacco and vaping products contain harmful chemicals, which can damage lungs and affect brain development, which can be especially troubling for young people; and

**WHEREAS**, In 2019, the 86th Texas Legislature passed Senate Bill 21, which increases the legal age for the purchase of cigarettes, e-cigarettes or tobacco products, from 18 to 21, including sale, distribution, possession, purchase, consumption, and receipt; and

**WHEREAS**, the City of Leon Valley wishes to not only adhere to State Law, but also protect the general public from noxious fumes from ESD's; and

**WHEREAS**, an amendment to the Leon Valley Smoking Regulations Ordinance benefits the community by prohibiting exposure to both secondhand smoke and the vapor from electronic smoking devices in public places;

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

**SECTION 1.** That the Leon Valley Code of Ordinances, Chapter 6 Health and Safety, Article 6.05 Smoking Regulations is hereby repealed and replaced 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, Chapter 6 Health and Sanitation not revised or amended herein shall remain in effect.

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**APPROVED**

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**CHRIS RILEY**  
MAYOR

Attest:

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

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**ARTURO ART RODRIGUEZ, JR.**  
City Attorney

## Exhibit A

### Chapter 6 Health and Sanitation Amendments

#### ARTICLE 6.05 SMOKING REGULATIONS

##### Sec. 6.05.001 Penalties

Each violation of this article if a first offense shall be punished by a penalty of a fine of not less than \$25.00 nor more than \$200.00; a second conviction shall be punished by a penalty of a fine of not less than \$50.00 nor more than \$500.00 for a second conviction; and shall be fined an amount no less than \$100.00 for third or more convictions nor more than \$2,000.00.

##### Sec. 6.05.002 Purpose

The Surgeon General of the United States has declared that smoking is the number one public health issue. The United States Environmental Protection Agency has concluded that passive smoking poses a public risk larger than the hazardous air pollutants from all industrial emissions combined. The city recognizes the evidence that smoke creates a danger to the health of some citizens and is a cause of annoyance and discomfort to those who are in confined spaces where the same is present. The city also recognizes that it is the right of citizens to choose whether or not to smoke actively or passively and it is the policy of the city to encourage food service establishments that have enclosed dining areas to provide adequate seating for patrons and employers and employees of such establishments who prefer a smoke-free environment. In order to protect the health, safety and welfare of the general public as well as protect the rights of smokers and non-smokers, this article has been created to restrict smoking in public places, except in areas designated as smoking areas.

##### Sec. 6.05.003 Definitions

*Administrative areas.* The area of an establishment not generally accessible to the public, including but not limited to individual offices, stockrooms, employee lounges, or meeting rooms.

*Electronic Smoking Device (ESD) means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, dab rig or vape pen, or under any other product name or descriptor.*

*Employee.* Any person employed by any employer for direct or indirect monetary wages or profit or is in a position that would lead one to believe that such person is employed.

*Employer.* Any person, partnership, corporation, association, or other entity that employs one or more persons.

*Enclosed.* Closed in by a roof and walls with appropriate openings for ingress and egress, but does not include areas commonly described as public lobbies.

*Food establishment.* Any operation defined as such in section 6.02.003 of this Code.

*Hospital.* Any institution that provides medical, surgical, and overnight facilities for patients.

*Movie theater.* Any establishment engaged in the business of exhibiting motion pictures to the public.

*Public-owned facilities.* All buildings or structures whatsoever owned or operated by the city, including the entirety thereof, where the public has access or not.

*Public place.* Any enclosed indoor area that may be used by the general public, and includes, but is not limited to: stores, offices, and other commercial establishments; restaurants; public and private institutions of higher education; and health care facilities.

*Retail and service establishments.* Any establishment which offers goods or services for sale to the general public.

*Service line.* Any indoor service line at which one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

*Smoking* means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, including marijuana/cannabis, in any manner or in any form. Smoking includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Chapter.

*Workplace.* Any enclosed area of a structure, or portion thereof, intended for occupancy by employees who provide primarily clerical, professional or business services of a business entity, or who provide primarily clerical, professional, or business services to other business entities, or to the public, at that location. The enclosed indoor area under the control of the employer shall include those areas to which employees have access during the course of employment, including but not limited to work areas, employee lounges, employee restrooms, employee conference rooms, and employee cafeterias. A private residence is not considered a place of employment.

**Sec. 6.05.004 Smoking prohibited in certain public areas**

- (a) A person commits an offense if he smokes or possesses a burning tobacco, weed or other plant product or any lighted burning pipe, cigar or cigarette of any kind, or smoking equipment or device, in any of the following indoor or enclosed areas:
  - (1) An elevator used or that may be used by the public;
  - (2) A hospital or nursing home corridor providing direct access to patients;
  - (3) Any publicly owned facility or operated by the city as defined in section 6.05.003 above;

- (4) All retail or service establishments and financial institutions serving the general public, including but not limited to any department store, grocery store, drugstore, clothing store, shoe store, hardware store, bank, savings and loan, laundromat, hair salon or barbershop, and shall include all public areas and waiting rooms of public transportation facilities, including but not limited to common areas of city-owned theaters, concert halls, and cultural facilities; provided that smoking may be allowed in common areas of the shopping malls and designated areas of public facilities;
  - (5) An area marked with a no smoking sign in accordance with section 6.05.005 by the owner or person in control of a hospital, nursing home, or retail or service establishment serving the general public; or
  - (6) Any facility of a public primary or secondary school; or an enclosed theater, motion picture theater, library, museum, and transportation vehicles, such as buses and taxicabs, except on charter buses for private hire or in taxicabs clearly designated by the operator to permit smoking;
  - (7) All rooms in which meetings and/or hearings are open to the public.
- (b) The owner or person in control of an establishment or area designated in this section shall post a sign, conspicuous to ordinary public view, at or near each public entrance to the establishment. The sign shall contain the words "No Smoking Except in Designated Areas, City of Leon Valley Ordinance," the universal symbol for no smoking, or other language that clearly prohibits smoking.
  - (c) The owner of a person in control of an establishment or areas described in subsection (a)(4) or (a)(6) may designate an area, including but not limited to lobbies, meeting rooms, waiting rooms, or lounges, as a smoking area; provided that the designated smoking area may not:
    - (1) Include the entire establishment;
    - (2) Include cashier areas, over-the-counter service or sales areas, or service lines;
    - (3) Include the viewing area of any theater or motion picture theater.
  - (d) It is the defense to prosecution under this section if the person was smoking:
    - (1) In a location that is not a designated nonsmoking area of a facility or establishment described in subsection (a)(4) or (a)(6) of this section;
    - (2) In a location that is an administrative area or office area of an establishment described in subsection (a)(4) or (a)(6) of this section;
    - (3) In a location that is a retail or service establishment serving the general public with less than 750 square feet of public showroom or service space or having one employee on duty, unless posted as designated in subsection (b) of this section;
    - (4) In a location that is a retail or service establishment that is primarily engaged in the sale of tobacco, tobacco products or smoking implements;

- (5) In a retail or service establishment, which is a food service establishment regulated by section 6.05.005;
- (6) As a participant in an authorized theatrical performance; or
- (7) In a situation in which the person is present at an event in which an entire room or hall is used for a social function, seating arrangements are under the control of the sponsor of the function and not the proprietor or person in charge of the place. However, the sponsor of the social function may designate a nonsmoking area.

**Sec. 6.05.005 Regulation of smoking in food establishments**

- (a) *A food service establishment that has indoor or enclosed dining areas shall provide areas for nonsmoking patrons.*
- (b) A nonsmoking area must:
  - (1) Be separated from the smoking areas by a minimum of four feet of contiguous floor space, a partition or a wall;
  - (2) Be ventilated and situated so that air from the smoking area is not drawn into or across the nonsmoking area, or the smoking area shall be separately ventilated;
  - (3) Be clearly designated by appropriate signs visible to patrons within the dining area indicating the area that is designated nonsmoking; and
  - (4) Have ashtrays or other suitable containers for extinguishing smoking materials at the perimeter of the nonsmoking area.
- (c) Each food establishment which has a dining area shall:
  - (1) Have and implement a written policy on smoking which conforms to this article;
  - (2) Make the policy available for inspection by employees; and
  - (3) Have signs, conspicuous to ordinary public view, at each public entrance to the establishment indicating that nonsmoking seating is available.
- (d) Non-dining areas of any food establishment affected by this section to which the public has general access, including, but not limited to, food order areas, food service areas and restrooms, shall be designated as nonsmoking areas.
- (e) It is a defense to the prosecution under this section that the food establishment is:
  - (1) An establishment which has indoor seating arrangements for less than 50 patrons;
  - (2) An establishment which has more than 70 percent of its annual gross sales in alcoholic beverages; or
  - (3) A physically separated bar area of a food service establishment otherwise regulated.
  - (4) The establishments covered in subsections (1) through (3) above shall post a sign, conspicuous to the ordinary public view, at each public entrance to the

establishment which shall contain the words "This Establishment Does Not Provide for a Nonsmoking Section."

**Sec. 6.05.006 Regulation of smoking in the workplace**

Notwithstanding the provisions of sections 6.05.004 and 6.05.005, any employer may designate a portion of the workplace as a nonsmoking area. Any employer who chooses to designate any portion thereof as a nonsmoking area shall:

- (1) Have and implement a written policy on smoking which conforms to this article;
- (2) Make the policy available for inspection by employees;
- (3) Prominently display reasonably sized signs conspicuous to ordinary public view, indicating that smoking is prohibited in certain areas; and
- (4) Provide facilities in sufficient numbers and at such locations to be readily accessible, for the extinguishment of smoking materials.

**Sec. 6.05.007 Reporting of violations not required**

This article does not require the owner, operator, employer, manager or any employee of an establishment to report a violation or to take any action against any individual violating sections 6.05.002 through 6.05.006 of this article.

(Ordinance 08-053 adopted 11-18-08; 2008 Code, sec. 6.05.007)

**Sec. 6.05.008 Distribution, display and sale of tobacco products; and cigarette machines**

(a) *Definition.* For purposes of this section only:

*Tobacco products.* Any product that is made from or derived from tobacco and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or an electronic smoking device or liquids used in electronic smoking devices. Tobacco products do not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

(b) *Prohibited.* Distribution, display, and sale of smoking tobacco products, or smoking paraphernalia on any public right-of-way, city park or any city-owned building or facility is hereby prohibited.

(c) The sale of tobacco products to persons under twenty-one (21) years of age is prohibited by Chapter 161 of the Texas Health and Safety Code.

(d) Each person who sells tobacco products at retail or by vending machine shall post a sign as required by Texas Health and Safety Code Section 161.084.

(e) *Cigarette vending machines.*

- (1) Subject to the defenses provided in subsection (2) below, it shall be unlawful for any business owner, manager and employee in control of cigarette vending machines within the city to intentionally, knowingly, recklessly, or with criminal negligence allow the display or use of any cigarette vending machine upon any property within the city.
  - (2) It is a defense to prosecution under the provision of subsection (f)(1) that:
    - (A) The cigarette vending machine is situated in a premises where entry by any person under 21 years of age is prohibited by law; or
    - (B) The cigarette vending machine is located in a workplace with the permission of the employer, provided that the employer has no persons under the age of 21 years employed at the workplace, and further provided that the cigarette vending machine is situated at a location within the workplace to which persons other than those employed at the workplace are not permitted to have access.
- (f) *Penalty.* A violation of any subsection of this section is hereby declared to be a misdemeanor crime, and upon conviction, shall be punishable as set out below:
- A violation of subsections (b) or (e) shall be punishable by a fine of not more than \$2,000.00.

#### **Sec. 6.05.009 Posting of signs.**

- (a) "No Smoking" signs shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this chapter, by the owner, operator, manager, or other person in control of that place. The City Manager shall prescribe the content of the "No Smoking" sign required to be posted under this article and have an example sign available on the City's website.
- (b) Every public place and place of employment where smoking is prohibited by this chapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.
- (c) All ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited by this chapter by the owner, operator, manager, or other person having control of the area.
- (d) Areas which are exempt from the provisions of sections 6.05.004 and 6.05.005 of this chapter shall post a standard sign at each entrance, to be designated by the city informing potential patrons that the area allows smoking, and warning patrons of the negative health effects associated with secondhand smoke, inhaling vapor and aerosol from electronic smoking devices.

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(e) The owners or operators will provide the signs required under subsection 6.05.009 (d) at their own expense following City sign posting guidelines within 90 days of the adoption of the ordinance.

**Sec. 6.05.010 Governmental agency cooperation.**

The city manager shall annually request other governmental and educational agencies having facilities within the city to establish local operating procedures in cooperation and compliance with this chapter. This includes urging all federal, state, county and school district agencies to update their existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke and vapors and aerosols from electronic smoking devices.



Consider Amending Leon Valley City Code  
Chapter 6 Health & Sanitation  
Article 6.05 Smoking Regulations

Susana Huerta, AICP  
Planning and Zoning Director  
City Council Meeting  
March 4, 2025

# Summary

- Question
  - Should the City Council consider amending the Smoking Regulations Ordinance to include Electronic Smoking Devices (ESDs - Vaping)
- Options
  - Approval
  - Denial
  - Other
- Declaration
  - This amendment will benefit the community by prohibiting exposure to secondhand smoke & vapor from ESD's

# Purpose

- Adopted in 2008, Article 6.05, provides for smoke-free air in public places
- Current Code only addresses smoke from combustible smoking devices (i.e. cigarettes and cigars) and not ESD's
- In 2014, ESDs, such as e-cigarettes or vapes, entered the market & became very popular with teens and young adults
- The amendment would include ESDs & prohibit use of ESDs in the same areas where smoking is currently prohibited
- The amendment would be effective 90 days after adoption

# Purpose / Background

## Changes:

- Adds the definition of Electronic Smoking Devices (ESDs)
- Adds requirement to include the ESD icon on signs, along with with the traditional cigarette icon
  - Both icons would be enclosed in the standard red circle with a red bar across them
- Remove the age statute - current ordinance states persons age of sale at 21 years, but State law already references age at 21 – so proposed amendment would omit any age reference
- Requires restaurants to provide areas for nonsmoking patrons

# Signage Examples



# Purpose / Background

- Many tobacco & vaping products contain harmful chemicals, which can damage lungs & affect brain development - this is especially troubling for young people
- Texas State Law applies to purchasing vapes, by dictating age restrictions & applies fines for purchase, use and possession of vapes by people under a certain age
- The amendment restricts vaping in the same places where smoking is restricted
- Restrictions and penalties for vaping are the same as for smoking
- The amendment does not change those current rules

# Fiscal Impact

- None to the City, other than sales tax

# Recommendation

- Staff recommends approval of the ordinance amendment



**MAYOR AND COUNCIL COMMUNICATION**

**DATE:** March 4, 2025  
**TO:** Mayor and Council  
**FROM:** David Gonzalez, Police Chief  
**THROUGH:** Crystal Caldera, Ph.D., City Manager

**SUBJECT:** Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12.03 Parking, Stopping and Standing, Section 12.03.006 Parking Restrictions on Specific Streets, to prohibit parking along Thistle Dr. (1st Read as Required by City Charter).

**SPONSOR(S):**

**PURPOSE**

The purpose of this M & C is to consider approval of an Ordinance amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12.03 Parking, Stopping and Standing, Section 12.03.006 Parking Restrictions on Specific Streets, to prohibit parking along Thistle Dr.

Businesses located on Bandera Road are using Thistle Dr. to park vehicles; this activity reduces the usable width of the street. People living in The Ridge at Leon Valley Subdivision and emergency vehicles have a difficult time traversing the street due to this condition, which impedes vision and causes unsafe traffic conditions, as residents and first responders drive in and out of their subdivision.

**FISCAL IMPACT**

Signage would cost approximately \$200, which would be taken from the Public Works existing budget.

**RECOMMENDATION**

Council Discretion

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

\_\_\_\_\_

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ATTEST:

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

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LEON VALLEY AMENDING THE LEON VALLEY CODE OF ORDINANCES, CHAPTER 12 TRAFFIC AND VEHICLES, ARTICLE 12.03 PARKING, STOPPING AND STANDING, SECTION 12.03.006 PARKING RESTRICTIONS ON SPECIFIC STREETS, TO PROHIBIT PARKING ALONG THISTLE DRIVE; PROVIDING FOR REPEALER; SEVERABILITY; SAVINGS; AN EFFECTIVE DATE; NOTICE OF MEETING AND A PENALTY CLAUSE**

---

**WHEREAS**, providing the citizens with additional traffic safety measures adds to the overall quality of life; and

**WHEREAS**, the City of Leon Valley has received numerous complaints and concerns from property owners and residents of the Ridge at Leon Valley subdivision that vehicle owners and operators are parking along the sides of Thistle Dr. and said vehicles are blocking the street and limiting vision for people using and traveling along the roadway into the Ridge at Leon Valley subdivision; and

**WHEREAS**, the City finds the complaints and concerns are valid and on-street parking along Thistle Dr. not only creates a nuisance but also interferes with safe driving conditions along this street.

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

**SECTION 1.** That Chapter 12 Traffic and Vehicles, Article 12.03 Parking, Stopping and Standing, Section 12.03.006 Parking Restrictions on Specific Streets, be amended as follows:

Thistle Drive. The parking, standing, or stopping of any motor vehicle, whether attended or unattended, at any time, on Thistle Street, between Bandera Road and Watercross Drive, is prohibited.”

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

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

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

**SECTION 5. EFFECTIVE DATE.** That this Ordinance shall take effect after its passage and publication as required by law.

**SECTION 6. NOTICE OF MEETING CLAUSE.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 7. PENALTY.** Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Chapter 1. General Provisions, Article 1.01 Code of Ordinances, Section 1.01.009 General penalty for violations of code: continuing violations of the City of Leon Valley Code, and/or applicable state law.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 4th day of March, 2025.

**APPROVED**

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**CHRIS RILEY**  
Mayor

Attest:

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

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**ARTURO D. "ART" RODRIGUEZ, JR.**  
City Attorney

# Consider Ordinance Amending Chapter 12 Traffic & Vehicles No Parking Zone – Thistle Drive

David Gonzalez

Police Chief

City Council Meeting

March 4, 2025

# Summary

- Question
  - Should the City Council prohibit on-street parking along Thistle Drive
- Options
  - Approve
  - Deny
  - Other
- Declaration
  - Prohibiting parking along this street will greatly increase traffic visibility for residents and emergency vehicles

# Purpose

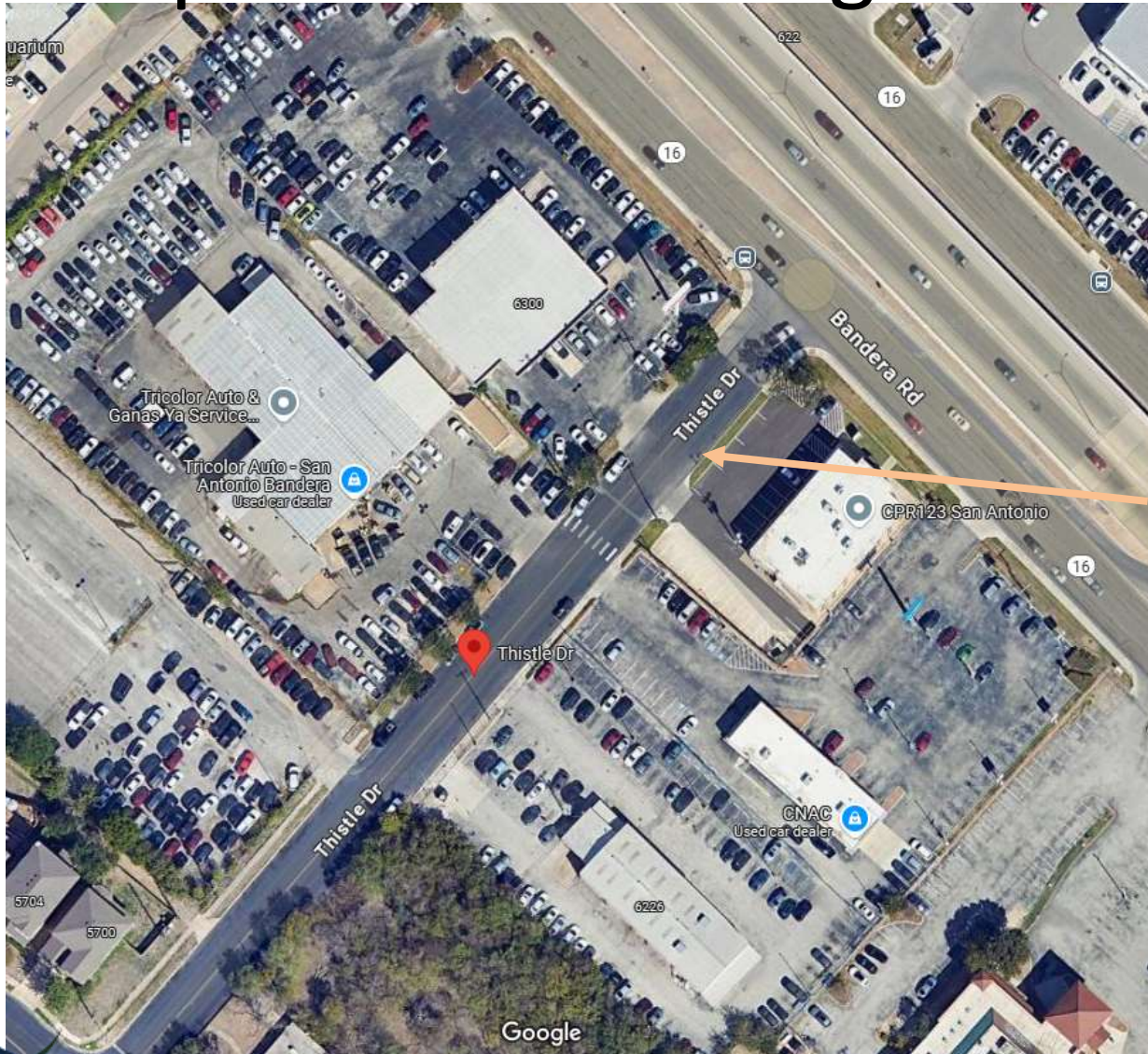
- To consider approval of an Ordinance amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12.03 Parking, Stopping and Standing, Section 12.03.006 Parking Restrictions on Specific Streets
- To prohibit on-street parking along Thistle Drive

# Background

- Residents of both The Ridge at Leon Valley subdivision and Brisa Estates use this street to access Bandera Road
- The businesses along Bandera Road use this street to park excess vehicles
- Concern is that on-street parking impedes vision, causing unsafe traffic conditions as residents drive in and out of their subdivisions
- This also affects emergency vehicle services



# Proposed No Parking Zone

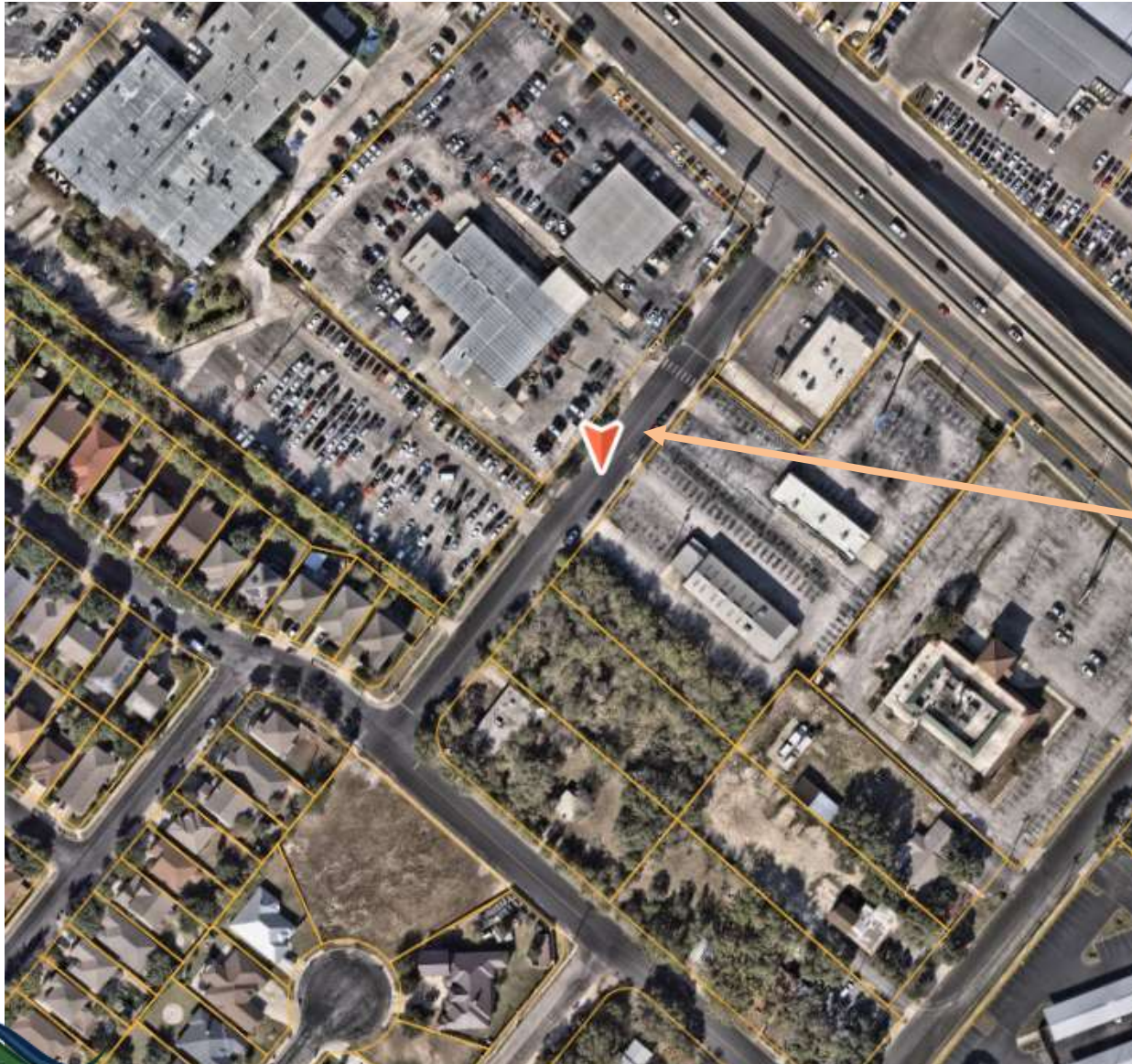


Thistle Street



# Proposed No Parking Zone

{Section}.101.



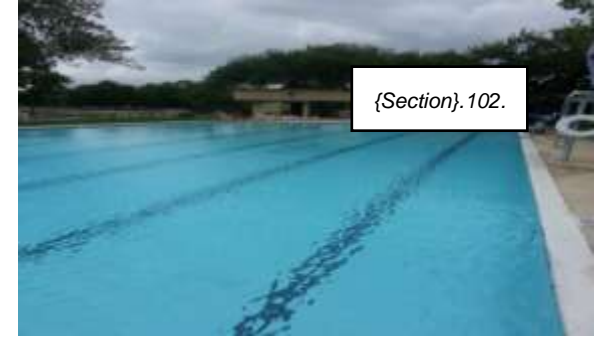
Thistle Street

# Fiscal Impact

- Signage would cost approximately \$200
- Taken from the Public Works existing signage budget

# Recommendation

- Council Discretion



# Leon Valley Swimming Pool Condition Discussion

City Council Meeting  
Melinda Moritz, Public Works Director  
March 4, 2025

# Background/Purpose

- The LV Community Pool was built in 1968 as an amenity for the Grass Valley Subdivision & was donated to the City shortly after
  - 50 + years old
- Facilities need to be updated for ADA compliance & repairs
- Was closed last season due to need for repairs

# Pool Repairs

- Pool needs to be replastered
- Pool and grounds need numerous other repairs
- The concession building is not ADA accessible, nor are the concrete walkway areas
- Previous proposal was to replace with a manufactured building & other amenities

# Fiscal Impact

| Item                            | Estimated Cost       |
|---------------------------------|----------------------|
| Pool Replaster                  | 68,142.00            |
| Replace pool coping             | 14,350.00            |
| Replace waterline tile          | 22,006.00            |
| Replace lights                  | 13,125.00            |
| Replace skimmers                | 21,875.00            |
| Replace handrails               | 3,000.00             |
| Replace pool plumbing           | 18750.00             |
| Deck repairs                    | 24,594.00            |
| Baby pool replaster             | 3,500.00             |
| Partial pump room renovation    | 16,481.00            |
| <b>Total</b>                    | <b>\$205,823.00</b>  |
| New Concession Stand (estimate) | \$ 250,000.00        |
| <b>Grand total</b>              | <b>\$ 455,823.00</b> |



# LV Community Pool

- Options:
  - Authorize a budget adjustment from the General Fund & repair the pool & facility
    - Make concession & decks ADA compliant
  - Keep the facility closed one more season, until a decision can be made
  - Demolish pool & concession stand, remove concrete decks, repurpose land as pickleball court or dog park

# Conceptual Design Estimated Costs

- Pool Area, \$2.5 million; includes the pool, both buildings, concrete decking, fencing, lighting, landscape, and irrigation
- Spray Ground Area, \$750,000; includes spray ground, decking, fencing, landscape and irrigation
- Parking Lot, \$250,000; includes parking lot, lighting, landscape and irrigation

# LV Pool Conceptual Design



LEON VALLEY POOL AT PEACH TREE STREET

TERRA DESIGN GROUP  
CONCEPT PLAN - AUGUST 24, 2020



# Pickleball Court

- 60' x 60' court
- Pricing based on clear, level, accessible site compacted and sloped to 1" per 10' by owner
- In-house work by PW \$34,125
- Court estimate \$62,500
- Total \$96,625

# Dog Park

- Demolish existing pool & buildings, fill in pool (in-house) \$34,125
- Purchase of benches, dog waste stations
  - Other amenities as requested by City Council
- Estimated \$15,000
- Estimated total \$49,125

# Recommendation

- None – this is at Council discretion

## MAYOR AND COUNCIL COMMUNICATION

**DATE:** March 4, 2025

**TO:** Mayor and Council

**FROM:** David Dimaline, Public Works Assistant Director

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

**SUBJECT:** Presentation and Discussion on an Ordinance Authorizing a Budget Adjustment for Fiscal Year 2025 Red Light Camera Fund Budget in the Amount of \$27,847 for the Purpose of Increasing the Traffic and Safety Department Budget to Provide Funding for the Purchase and Installation of an Intersection Conflict Warning System (ICWS) at the Intersection of Evers Rd. and Adair Dr. (1<sup>st</sup> Reading as Required by City Charter)

**SPONSOR(S):** N/A

### Purpose

This M & C is to consider approval of an Ordinance authorizing a budget adjustment to provide additional funding for the purchase and installation of an Intersection Conflict Warning System at the Intersection of Evers Rd. and Adair Dr.

A traffic safety assessment was conducted to re-evaluate existing traffic conditions at the Evers Rd. and Adair Dr. intersection. This intersection provides a single access point for 27 properties located along Adair Dr. and Countess Adria to Evers Rd. The existing speed limit along Evers Rd. is 30 m.p.h. In the month of December 2024, the traffic counts were approximately 8,500 cars per day, with an average speed limit of 32 m.p.h. The 95<sup>th</sup> percentile was 39 m.p.h., meaning 5% of vehicles on the road traveled at or below 39 m.p.h. Two other data sets from previous months show the 95<sup>th</sup> percentile to be 32 m.p.h. and 35 m.p.h.

The traffic engineer analyzed intersection crash frequency, and stopping and intersection sight distance. Crash data from the Leon Valley Police Department showed no accidents were reported between March 2017 and March 2022. Considering the crash frequency observed as well as the low traffic volumes from the 27-lot subdivision, stopping sight distance would not be of significant concern.

As a proposed sight distance mitigation alternative, the traffic engineer recommends a dynamic warning sign, or Intersection Conflicting Warning System (ICWS). The system would detect vehicles on the main road (Evers Rd.) utilizing cameras and indicate their presence to drivers on the minor roadway (Adair Dr.), when signage is flashing.

The Crash Modification Factors Clearinghouse lists a 32% reduction for all crash types when installing a “Vehicles Entering When Flashing” system.

**Fiscal Impact**

Project Costs

|               |                    |
|---------------|--------------------|
| ICWS :        | \$18,050.00        |
| Construction: | <u>\$ 9,797.00</u> |
| Total:        | \$27,847.00        |

**Total Budget Adjustment Needed: \$27,847.00**

Red Light Camera Fund Balance (as of 09/30/24): \$944,822

**Recommendation**

It is recommended the City Council approve the request for a budget adjustment to purchase an Intersection Conflict Warning System at Evers Rd. and Adair Dr.

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

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

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



November 29, 2024

City of Leon Valley  
Ms. Melinda Moritz  
Public Works Director  
6400 El Verde Road  
Leon Valley, Texas 78238

**RE: TECHNICAL MEMORANDUM**  
**Follow Up Traffic Safety Assessment of the Evers Road and Adair Drive**  
**Leon Valley, Texas**

**Background:**

A traffic safety assessment was conducted to re-evaluate existing traffic conditions at the Evers Road and Adair Drive intersection in Leon Valley, Texas. A previous safety assessment was conducted in April of 2022 and followed-up with this safety assessment. The intersection provides the single-access point for the 27 properties located along Adair Drive and Countess Adria Lane to Evers Road. The posted speed limit along Evers Road is 30 miles per hour. Figure 1 below illustrates the location of the Evers Road and Adair Drive intersection in Leon Valley, Texas.



**Figure 1. Evers Road and Adair Drive Intersection**

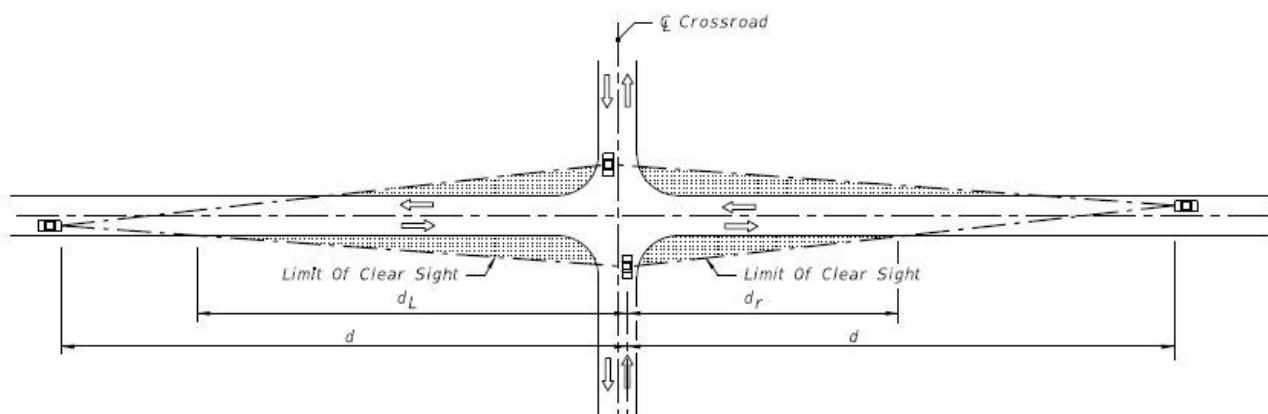
**Intersection Crash Frequency:**

Previously, the City of Leon Valley had queried the city’s police crash logs for crash history at the Evers Road and Adair Drive intersection between March 2017 and March 2022 and found no intersection related crashes during that time period. Additional crash data was queried for the adjacent intersections along Evers Road and it was determined that 18 crashes have occurred during the same timeframe with all crashes related to some level of driver inattention. Crash frequency is not believed to be the safety factor necessitating this assessment.

**Stopping and Intersection Sight Distance Assessment:**

Also discussed in the previous intersection assessment, Stopping Sight Distance (SSD) is the length of roadway ahead that is visible to the driver approaching an intersection. The available sight distance on a roadway should be sufficiently long to enable a vehicle traveling at or a near the design speed to stop before reaching a stationary object on its path. Given the current posted speed limit along Evers Road (30 miles per hour), drivers approaching the intersection along Evers Road would need approximately 200’ of sight distance as established in the American Association of State Highway Transportation Officials (AASHTO) *Policy on Geometric Design of Highways and Streets* to come to a complete stop if an obstruction is observed at the intersection, specifically a vehicle exiting the subdivision from Adair Drive and turning onto Evers Road. Considering the crash frequency observed between March 2017 and 2022 as well as the low traffic volumes from the 25-lot subdivision, stopping sight distance would not be of significant concern.

Intersection Sight Distance (ISD) is the length of roadway visible to the driver at a stopped condition, typically at the stop bar of a stop-controlled intersection. Intersection sight distance is measured from a point located approximately 3.5’ above ground level (driver’s eye height for passenger cars) and approximately 14.5’ from the edge of travel lane to a point located approximately 335’ (assuming 30 miles per hour) from the intersection and 3.5’ above ground level. Figure 2 below illustrates the intersection sight distance triangles for vehicles at a stop-controlled intersection. Intersection sight distance for the Adair Drive approach to Evers Road is observed to be less than the required 335’ and may benefit from warning signage. Figure 3 illustrates the existing intersection sight distance, facing west along Evers Road.



**Figure 2. AASHTO Intersection Sight Distance Triangles**



Sight distance is also obstructed by an existing privacy fence at the south-west corner of the intersection, further limiting visibility of vehicles approaching along eastbound Evers Road towards Adair Drive, shown in Figure 3.



**Figure 3. View from the Adair Drive approach to Evers Road**

**Existing Pavement Markings:**

Currently, the Evers Road approaches to Adair Drive are striped for two-lanes in each direction of travel and no shoulders. Adair Drive does not currently have any pavement markings. It may be beneficial to provide a stop bar at the Adair Drive approach to Evers Road to increase sight distance around the existing privacy fence however; a stop bar located much closer to the Evers Road travel lanes would also conflict with the existing pedestrian ramps. The placing of a stop bar closer to the travel lanes would require adjustments to the existing pedestrian ramps to remain between the Evers Road travel lanes and the Adair Drive approach stop bar.

**Existing Warning Signage:**

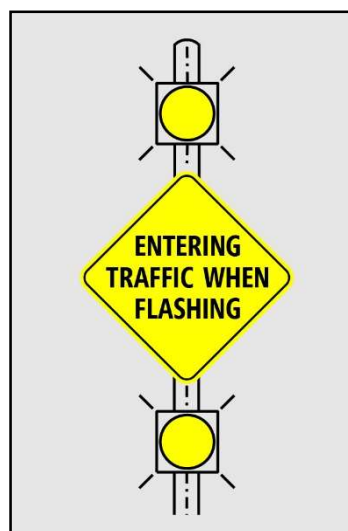
Currently, there is a “Side Road” advanced warning sign (MUTCD W2-2R Designation) located approximately 560’ from the intersection along the eastbound Evers Road approach to Adair Drive however the Texas Manual on Uniform Traffic Control Devices (MUTCD) does allow for closer spacing between the intersection and sign location. Table 2C-4 (Guidelines for Advanced Placement of Warning Signs) of the Texas MUTCD does allow for a minimum of 100’ from the intersection to provide for a driver to search for the side street following observation of the advanced warning sign. The current 550’ upstream placement of the advanced warning sign may be adjusted to 250’ to adequately serve the purpose of a warning sign at a 30 mile per hour operating speed.



**Figure 4. Side Road Advanced Warning Sign (MUTCD W2-2R)**

**Proposed Sight Distance Mitigation Alternatives**

Another option for an intersection with limited sight distance is a dynamic warning sign, as shown in Figure 5 below. The Intersection Conflicting Warning System (ICWS) can be designed to either detect vehicles on the minor roadway (Adair Drive) and indicate their presence to drivers on the main road (Evers Road), or indicate to the driver on the minor road when there is oncoming traffic on the main roadway. The Crash Modification Factors (CMF) Clearinghouse lists a 32-percent reduction for all crash types when installing a “Vehicles Entering When Flashing” system (advanced post-mounted signs on the major road and detection on the minor roadway at stop-controlled intersections). Appendix A includes an Unsignalized Intersection Improvement Guide for the Install of an Intersection Conflict Warning System.



**Figure 5. Traffic Entering When Flashing Warning Sign (MUTCD W2-10)**

In addition to the installation of signage and conflicting warning system, it may be recommended that a clear zone be established using the intersection sight distance sight triangles, specifically along the eastbound Evers Road approach to Adair Drive which may require the removal of a wooden picket fence on the south-west corner of the intersection, shown in Figure 6 below.



**Figure 6. Wooden Fence Obstruction on South-West Corner of Intersection**

**Conclusions and Recommendations:**

Based on the existing 30 mile per hour speed limit along Evers Road and the lack of crash history at the intersection of Evers Road and Adair Drive, there remains insufficient evidence to warrant the implementation of additional roadway improvements at the intersection. However, in addition to the previously relocated “Side Road” advanced warning sign from its previous 560’ from Adair Drive to approximately 250’ from Adair Drive, consideration may be given to the installation of an Intersection Conflicting Warning System and the clearing of the Adair Drive sight distance triangles.

If you have any questions regarding this traffic safety assessment, please feel free to contact me by phone at 210.535.3558 or by e-mail at [r-arredondo@acgroupllc.com](mailto:r-arredondo@acgroupllc.com).



Rene Arredondo, P.E., PTOE  
Traffic Engineer



Attachments:      Appendix A – UIIG Sheet for the Installation of Intersection Conflict Warning System  
                            Appendix B – UIIG Sheet for the Clearing of Intersection Sight Triangles

**Appendix A**  
**UIIG Sheet for Installation of Intersection Conflict Warning System**



# Install an Intersection Conflict Warning System (ICWS)

{Section}.103.

*Intelligent Transportation System (ITS) technology used to warn motorists approaching an intersection of potential conflicts with other approaching vehicles. Such systems include detection of vehicles on the major road, minor road, or both.*



Source: Terry Berends (WSDOT)

This ICWS employs ground-mounted signing and Warning Beacons to warn major road drivers that one or more vehicles may be entering from the minor road.



Source: VHB

This ICWS utilizes overhead signing and Warning Beacons to warn major road drivers that one or more vehicles may be entering from the minor road.

### Targeted Crash Types

- Right-angle
- Rear-end (major road)

### Problems Addressed

- Inadequate visibility of intersection or intersection traffic control devices
- Inadequate intersection sight distance
- Misjudgment of gaps
- Speeding

### Conditions Addressed

- Crash history involving vehicles entering or crossing major road.
- Difficulty among drivers in determining appropriate gaps in traffic.
- Awareness of the intersection is lacking.
- High running speeds are typical of major road traffic.

### Considerations

- There are applications designed for the major road approaches only, the minor road approaches only, or the approaches of both roads.
- Requires similar equipment to a traffic signal: controller, cabinet, detection devices (loops or video), and possibly LED message signs.
- Message should be simple and easily understood.
- Place at a distance from the intersection that would provide the approaching driver time to react.
- When ICWS design incorporates dynamic messages, some agencies program their devices to display random dots on the message screen when they are not working properly.

### Other Resources

[Stop-Controlled Intersection Safety: Through Route Activated Warning System, FHWA](#)

[Innovative Operational Safety Improvements at Unsignalized Intersections, Florida DOT](#)

[NCHRP 613: Guidelines for Selection of Speed Reduction Treatments at High-Speed Intersections](#)

### Select Examples

[US 24 & MO 15, Paris, MO](#)

[NC 42 & Castleberry Rd., Clayton, NC](#)

[Salem Church Rd. & Kingsland Rd., Richmond, VA](#)





**Appendix B**  
**UIIG Sheet for the Clearing of Intersection Sight Triangles**

# Clear the Intersection Sight Triangles

{Section}.103.

*Removal of overgrown foliage or other objects (e.g., signs, vehicular parking, utility poles, fences) obstructing the sight triangle without involving major construction.*



Source: Lee Engineering, LLC



Source: Lee Engineering, LLC

In both images, sight triangles were improved by creating a buffer area between the approaching through lane and near edge of roadway.



Source: VHB

Site distance could be improved at this intersection by trimming the vegetation.

### Targeted Crash Types

- Right-angle
- Rear-end (major road)

### Problems Addressed

- Inadequate intersection sight distance
- Inadequate visibility of intersection or intersection traffic control devices

### Conditions Addressed

- Inadequate sight distance at intersection due to obstructions in the sight triangle (in the median or on the roadside).
- Crash history or observed conflicts due to inadequate sight distance.

### Considerations

- Removal of obstructions on private property will require coordination with property owners.
- Agency policy or local ordinances regarding planting and landscaping features on property corners should be reviewed, revised as necessary, and enforced.
- The position of the minor road stop line may be adjusted to improve visibility from the minor road approach.
- If adequate sight distance cannot be maintained, consider appropriateness of an all-way stop condition.

### Industry Standard

*AASHTO Green Book*  
Section 9.5.2: Sight Triangles

### Other Resources

[NCHRP 500 Volume 5: A Guide for Addressing Unsignalized Intersections](#)  
[Intersection Safety: A Manual for Local Rural Road Owners, FHWA](#)



ORDINANCE NO. 2024-\_\_\_\_

**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AUTHORIZING BUDGET ADJUSTMENTS FOR FY 2025 RED LIGHT CAMERA FUND BUDGET IN THE AMOUNT OF \$27,847 FOR THE PURPOSE OF INCREASING THE TRAFFIC AND SAFETY DEPARTMENT BUDGET TO PROVIDE FUNDING FOR THE PURCHASE AND INSTALLATION OF AN INTERSECTION CONFLICTING WARNING SYSTEM (ICWS) AT THE INTERSECTION OF EVERS RD. AND ADAIR DR.; 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 passed their FY 2024-2025 Budget on August 20<sup>th</sup>, 2024; and

**WHEREAS**, it has been determined that funding should be added to the FY 2024-2025 Budget; and

**WHEREAS**, it is necessary to adjust the Red Light Camera Budget by a total amount of \$27,847; and

**WHEREAS**, a traffic safety assessment was conducted to re-evaluate existing traffic conditions at the Evers Rd. and Adair Dr. intersection; and

**WHEREAS**, this intersection provides a single access point for twenty-seven properties located along Adair Dr. and Countess Adria to Evers Rd.; and

**WHEREAS**, the City Traffic Engineer recommends an Intersection Conflicting Warning System (ICWS) to detect vehicles on Evers Rd. and indicate their presence to drivers on Adair Dr. when signage is flashing; and

**WHEREAS**, the Crash Modification Factors Clearinghouse lists a 32% reduction for all crash types when installing a Vehicles Entering When Flashing system; and

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

**SECTION 1.** The City's Red Light Camera Fund budget is hereby adjusted in the amount of \$27, 847 to increase the Traffic and Safety Department Budget to pay for the installation of an Intersection Conflicting Warning System at the intersection of Evers Rd. and Adair Dr.

**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 4<sup>th</sup> day of March, 2025.

**APPROVED**

---

**CHRIS RILEY**  
MAYOR

Attest:

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**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

Approved as to Form:

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**ARTURO D. "ART" RODRIGUEZ**  
City Attorney

# Budget Adjustment Intersection Conflict Warning System Evers & Adair Intersection

David Dimaline  
Public Works Assistant Director  
City Council Meeting  
March 4, 2025

# Summary

- Question
  - City Council is being asked to approve an Ordinance authorizing a budget adjustment to purchase and install an Intersection Conflicting Warning System (ICWS) at Evers Rd. and Adair Dr.
- Options
  - Approve
  - Deny
  - Other
- Declaration
  - At City Council Discretion

# Background

- Castle Estates subdivision residents have reported difficulty turning onto Evers Rd. from Adair due to the hill on Evers Rd. & sight distance
- The City installed a blinking right intersection ahead sign & a speed indicator sign on the southbound Evers Rd. lanes just before Adair Dr.
- A traffic safety assessment was also conducted to re-evaluate existing traffic conditions at the intersection of Evers Rd. and Adair Dr.
- Intersection provides the single access point for 27 properties located along Adair Dr. & Countess Adria to Evers Rd.



# Background





# Background

- The posted speed limit along Evers Rd. is 30 mph
- Current traffic counts are approximately 8500 cars per day, with an average speed limit of 32 mph (December 2024)
- For the month of December, the 95<sup>th</sup> percentile was 39 mph, meaning 5% of vehicles traveled at or below 39 mph. Two other data sets from previous months show the 95<sup>th</sup> percentile to be 32 mph and 35 mph
- The traffic engineer looked at Intersection Crash Frequency, & Stopping & Intersection Sight Distance
- Considering crash frequency observed (2017 & 2022), and low traffic volumes subdivision, stopping sight distance was not of a significant concern

# Background

- As a mitigation alternative, traffic engineer recommends a dynamic warning sign, or Intersection Conflicting Warning System (ICWS)
- System would detect vehicles on Evers Rd. using cameras & indicate their presence to drivers on Adair Dr. when signage is flashing
- Crash Modification Factors Clearinghouse lists a 32% reduction for all crash types when installing a “Vehicles Entering When Flashing” system

# Fiscal Impact

## Project Costs

|   |                      |                 |
|---|----------------------|-----------------|
| : | Intersection Warning |                 |
|   | System:              | \$ 18,050       |
|   | Construction:        | <u>\$ 9,797</u> |
|   | TOTAL:               | \$ 27,847       |

- ***Total Budget Adjustment Needed: \$27,847***
- Red Light Camera Fund Balance (as of 09/30/24): \$944,822

# Recommendation

- At City Council Discretion

## **OUTSTANDING CITY COUNCIL ITEMS**

- **Review of the Water and Sewer 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.
  - 7/16/2024, the council will hear a new presentation
    - Some Councilmembers expressed concern that the water rate does not match SAWS. Some Councilmembers expressed concern that that by not increasing water rates the water infrastructure will not get addressed.
    - Everyone agreed on the surcharge and looking at the affordability rate
  - Staff will bring back the Surcharge on 8/6/2024.
  - New rates will be brought back to the council in September 2024.
  - Second Read on the Surcharge 8/20/2024.
  - Council passed unanimously
  - Water workshop on Saturday in October 19, 2024.
    - Look at the rates with the TX Water Board Low interest Loans
    - Look at the rates with the EPA Low interest Loan
    - Look at rates to exactly match SAWS structure
    - Will have another workshop in est. 30 days
    - 11/12/2024 next workshop
    - The Council decided to present at the town hall meeting
  - Melinda will be presenting on 2/18/2025 for an increase
- **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.
  - 8/6/2024 – budget adjustment will be presented to the council in the amount of \$168,000
  - Second Read on the Budget Adjustment is scheduled for 8/20/2024.
  - After council approval, the following is the timeline:
    - Preliminary Design – 1.5 months (45 days) from NTP
    - Final Design – 3-4 months (90-120 days)
    - Environmental – TBD – 3-6 months and will be concurrent with design
    - Bidding and Construction – TBD based on funding – Not Authorized at this time
    - Approved
  - Chanel bank options 11/19
    - Council decided to proceed with Rip Rap option and have staff proceed with SAWS addressing the exposed recycled water line.
  - The Mayor requested that an item be added to have the engineers mark the trees that would be removed with the projects this item is on 1/17/2024 council meeting to be added for approval
    - City Council did not approve the expending of these funds and also had no objection to continuing the project
  - Mayor, City Manager, Mayor Pro Tem and Engineer met with SAWS on 1/30/2025. To see what they would be willing to assist with. The City Manager asked if they would be willing to participate in an alternative that they engineered.
- **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. Goals will return after the council retreat.
- This item is still pending. The council did not get this item at the retreat.
- This item was going to be added to the townhall meeting.
- The City Manager is looking for the next goals and Objectives Meeting
- **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.
  - New Planning and zoning Director and the City Manager met with the attorney on 1/8/2024. The item should be coming forward soon.
- **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.
  - Will be discussed on 7/13/2024 council retreat
  - Waiting until after the development or until it is added by the city council.
- **Review of the Personnel Manual**
  - Administrative changes will be coming in April
- **Discussion on large capital projects – Possible Bond**
  - Public Works Building
  - ADA requirements

- Crystal Hills Park
- Pool
- Dog Park
- Library Annex
- Will be discussed at the council retreat on 7/13/2024
- This item was briefly discussed and will be brought back to city council. September 17, 2024, council meeting.
- Add to the townhall meeting for discussion
- **Ordinance on Amending the PDD**
  - Scheduled to go to the zoning commission meeting on 4/23/2024
  - The zoning commission tabled the item. Will revisit 5/28/2024
  - Zoning commission revisited on 6/5/2024
  - The Zoning Commission will revisit in September
  - New Planning Zoning Director is working with the City Attorney.
- **Veterans Monument**
  - Waiting for two council members to add this item.
  - Price quote was \$24,000
  - Added in FY 26 capital budget
- **Planning and Zoning Ordinance**
  - Martinez and Heyl
  - 12/5/2024
  - Postpone until after the new year.
- **Vaping: Making it illegal in Public Areas**
  - 2/18/2024 Council meeting
  - 3/4/2024 Second read

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

- **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.
  - The Council decided at the retreat not to address this issue.
- **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 has decided not to spend the funds on this project at this time.
- This will be discussed during the town hall meeting update with the council on 4/19/2022.
  - The council would like us to use our future land use map.
- Establish neighborhood boundaries
- The council has opted not to Update the Master Plan.
- P & Z Director investigating a university conducting the plan.
- Boundaries of the neighborhood
- This has been placed in the FY 2025 budget.
  - The Council has decided to move the \$250,000 to the city's emergency fund.
- **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.