



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, October 19, 2021

MINUTES

5:30 PM Call to Order; Determine a Quorum is Present, Pledge of Allegiance.

Attendee Name	Organization	Title	Status
Chris Riley	City of Leon Valley	Mayor	Present
Benny Martinez	City of Leon Valley	Council Place 1	Present
Josh Stevens	City of Leon Valley	Council Place 2	Present
Jed Hefner	City of Leon Valley	Council Place 3	Present
Rey Orozco	City of Leon Valley	Council Place 4	Present
Will Bradshaw	City of Leon Valley	Mayor Pro-Tem, Council Place 5	Present

Mayor Chris Riley welcomed everyone and asked Councilor Josh Stevens to lead the Pledge of Allegiance.

Sandra Passailaigue, City Secretary informed Mayor Riley and Councilors that there was an internet issue effecting the live stream but that she would continue to work to get it resolved while the Council was in Executive Session.

THE CITY COUNCIL SHALL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

Mayor Chris Riley read the captions for Agenda Items 2.1; 2.2; and 2.3

City Council went into Executive Session at 5:35 PM

Pursuant to Texas Government Code, Chapter 551, Section 551.071 Consultation with Attorney on Legal Matters: To Receive Legal Advice from the City Attorney on the Rule 11 Agreement with the San Antonio Aquarium related to Cause No. 2017-CI-15078; San Antonio Aquarium, L.L.C. v. The City of Leon Valley; pending in the 408th Judicial District of Bexar County, Texas

Pursuant to Texas Government Code 551.071 Consultation with Attorney, Regarding Possible Pending Litigation, Concerning an EEOC Complaint Charge Number 451-2021-02356

Pursuant to Texas Government Code, Chapter 551, Section 551.071 Consultation with Counsel: To Receive Legal Advice Regarding Proposed Amendments to the Leon Valley Code of Ordinances, Article 14.02 Solid Waste Collection

RECONVENE INTO REGULAR SESSION

The City Council reconvened into Open Session at 7:50 PM

CITIZENS TO BE HEARD

Those who spoke at this time were: Richard Blackmore (Leon Valley); Evan Bohl (Leon Valley); and Olen Yarnell (Leon Valley)

Councilor Josh Stevens read an e-mail that was submitted by: Tina Chasan (Leon Valley)

Councilor Will Bradshaw read an e-mail that was submitted by: Justin Pulliam (Fort Bend)

POSSIBLE ACTION ON ISSUES DISCUSSED IN EXECUTIVE SESSION IF NECESSARY

There was no action taken on Agenda Items 2.1; 2.2; and 2.3

PRESENTATIONS

Presentation and Discussion of the Monthly Financial Report Ending September 30, 2021 (M&C # 2021-11-02-4494 V. Wallace)

ACM/HR Director Crystal Caldera pointed out that due to the time, Council may want to table this item to move to more pressing agenda items.

A motion was made by Councilor Benny Martinez to table this item until the next meeting. The motion was seconded by Councilor Josh Stevens with the amendment that questions be emailed to ACM/HR Director Caldera.

RESULT:	TABLED [UNANIMOUS]	Next: 11/2/2021 5:30 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco, Will Bradshaw	

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

- Mayor Chris Riley began by saying announced early voting at the Conference Center on the Constitutional Amendments through Friday, November 1, 2021. Election Day, November 7, 2021, voting will also be held at the Conference Center; Census numbers have come in: April of 2010 we were a population of 10,151 and in April of 2020 we had a population of 11,542; and several of us on the board including City Manager Perales attended the Annual TML Conference last week and we want to thank the citizens for allowing us to continue our educational process.

- Councilor Rey Orozco passed.
- Councilor Jed Hefner also passed.
- Councilor Josh Stevens apologized on behalf of the City of Leon Valley that an article in the Lion's Roar was incorrect regarding animals and an interpretation. Councilor Stevens added that he will be adding multiple agenda items in the near future to ensure this will be corrected.
- Councilor Benny Martinez spoke about the unveiling of a mural for former Mayor Marcy Meffert at the Leon Valley Public Library.
- Councilor Will Bradshaw thanked everyone who participated in the Walk for Alzheimer's. Councilor Bradshaw's group raised \$650 and the whole San Antonio area raised over \$600,000, so thank you all.

CITY MANAGER'S REPORT

City Manager Gilbert Perales supplemented his report which can be found on the City's website but also made two points: there are forty-eight (48) homes signed up for the October 30th City-Wide Garage Sale as of today with the deadline being next Thursday to sign up; also, please remember that next Saturday is the Coffee with the Mayor and City Council.

Mayor Riley announced that the website (Live stream) was back up; and she welcomed everyone just joining the meeting.

Upcoming Important Events:

- a. Tuesday, November 02, 2021, at 6:00 PM, Regular City Council Meeting in Council Chambers.
- b. Monday, October 18, 2021 through Friday, October 29, 2021, Early Voting Period for the Joint Constitutional Amendment, General, Special, and Bond Election.
- c. Saturday, October 23, 2021, from 9:00 AM to 11:00 AM, Coffee with the Mayor & City Council, at the Leon Valley Conference Center.
- d. Saturday, October 30, 2021, at 9:00 AM, Arbor Day-Tree Adoption Event, outside at the Leon Valley Community Center.
- e. Saturday, October 30, 2021, Northwest Seniors Trash & Treasure Event, from 9:00 AM until 2:00 PM, at the Leon Valley Community Center.
- f. Saturday, October 30, 2021, City-Wide Garage Sale (more details to come).
- g. Saturday, October 30, 2021, from 10:00 AM to 12:00 PM, The Library's Annual Halloween Party, at the Leon Valley Public Library.
- h. Saturday, October 30, 2021, from 9:00 AM to 2:00 PM, Free COVID-19 Flu Vaccine Pop-up Clinic, at the Leon Valley Conference Center
- i. Saturday, October 30, 2021, from 11:00 AM to 3:00 PM, Bark-Tober Fest Pet

- Costume Contest hosted by Meals on Wheels, at Veterans Park - 6427 Evers Road
- j. Tuesday, November 02, 2021, Election Day.
 - k. Sunday, November 07, 2021, at 2:00 PM, at the Leon Valley Public Library - Mural Unveiling and Dedication
 - l. Thursday, November 11, 2021, City Offices will be closed in observance of Veterans' Day.
 - m. Miscellaneous other events and announcements.

RESULT: PRESENTED

CONSENT AGENDA

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

Those who spoke on Consent Agenda Item 9.5 were: Olen Yarnell (Leon Valley); and Richard Blackmore (Leon Valley)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jed Hefner, Council Place 3
SECONDER: Rey Orozco, Council Place 4
AYES: Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco, Will Bradshaw

Consideration of the Following City Council Minutes:

- a. **Special Meeting- September 18, 2021 9:00 AM**
- b. **Regular Meeting- September 21, 2021 5:30 PM**
- c. **Special Meeting- October 12, 2021 5:30 PM**

Acceptance of Board/Committee/Commission Minutes:

- a. **03-20-2021 Planning Zoning Commission Minutes**
- b. **06-14-2021 Economic and Community Development Advisory Committee Minutes**
- c. **06-22-2021 Planning Zoning Commission Minutes**
- d. **07-13-2021 Planning Zoning Commission Minutes**
- e. **07-19-2021 Economic and Community Development Advisory Committee Minutes**
- f. **07-26-2021 Tree Advisory Board Minutes**
- g. **08-09-2021 Economic and Community Development Advisory Committee Minutes**
- h. **08-12-2021 Joint Park Commission and Capital Facilities Oversight Committee Minutes**
- i. **08-23-2021 Capital Facilities Oversight Committee Minutes**
- j. **08-24-2021 Planning Zoning Commission Minutes**

Presentation, Discussion and Possible Action on the Annual Review; and Adoption of a Resolution Approving the Investment Policy for the City of Leon Valley With no Changes (M&C # 2021-10-19-4439 V. Wallace)

Discussion and Possible Action of the Quarterly Investment Report for the Quarter Ended September 30, 2021 (M&C # 2021-10-19-4438 V. Wallace)

Discussion and Possible Action to Authorize the City Manager to Execute the Settlement, Easement/Right-of-Way Joint Use Agreement with Robert and Gail Tribble and Approve the Subsequent Ordinance Authorizing a Budget Adjustment for FY 2021-2022 General Fund in the Amount of \$25,000 (2nd Read) (M&C # 2021-10-19-4482 G. Perales)

Second Reading, Public Hearing, and Final Approval of an Ordinance Granting a Specific Use Permit to Yahaira Delacruz, for a Mobile Food Unit, at 6503 Bandera Road; Generally Located at the Corner of Bandera Road and Seneca Road (M&C # 2021-10-19-3418 B. Melland)

City Council revisited this item later in the agenda to open up the Public Hearing that was missed earlier.

Mayor Chris Riley opened the Public Hearing at 10:06 PM

There being no public comment; Mayor Riley closed the Public Hearing at 10:06 PM

City Council voted on this item again.

ORDINANCE

Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances, Article 14.02 Solid Waste Collection, Eliminating Leon Valley's Ability to Enforce Certain Requirements and Easing Restrictions for Businesses and Residents (2nd Read) (M&C # 2021-10-19-4441 Councilor Josh Stevens and Councilor Will Bradshaw)

A motion was made by Councilor Josh Stevens to table this item to the next meeting. The motion was seconded by Councilor Benny Martinez.

RESULT:	TABLED [UNANIMOUS]	Next: 11/2/2021 5:30 PM
MOVER:	Josh Stevens, Council Place 2	
SECONDER:	Benny Martinez, Council Place 1	
AYES:	Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco, Will Bradshaw	

A motion was made by Councilor Benny Martinez to move to Agenda Item 11.4 next. The motion was seconded by Councilor Jed Hefner.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Benny Martinez, Council Place 1
SECONDER:	Jed Hefner, Council Place 3
AYES:	Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco, Will Bradshaw

REGULAR AGENDA

First Reading and Public Hearing on an Ordinance Granting a Zone Change to St. John Baptist Church, on Approximately 2 Acres, Generally Located at 6800 Evers Road, from R-1 District to B-2 District with SO Sustainability Overlay District (M&C # 2021-12-07-4488 B. Melland)

Brandon Melland, Planning and Zoning Director along with applicant Pastor Price and his attorney, Paul Fletcher presented this item.

Presentation and the meeting packet was included for the City Council and the public to view.

After the presentation, City Attorney Roxana Perez Stevens informed the Mayor and City Council that since the request has changed since the original request was noticed to the public, she believes that the item needs to go back to the Planning & Zoning Commission and that a new notice would need to be sent out.

Those who spoke on this item were: Joseph Wilson (Leon Valley); Evan Bohl (Leon Valley); James Brandenburg (Leon Valley); Liz Maloy (Leon Valley); Gary Barr (Leon Valley); Olen Yarnell (Leon Valley); Erick Matta (Leon Valley)

Mayor Chris Riley read an e-mail that was submitted by Margaret Malouff

Councilor Jed Hefner read an e-mail that was submitted by Louise Malouff

Councilor Will Bradshaw read an e-mail that was submitted by David Malouff

RESULT:	FIRST READ
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Second Reading, Public Hearing, and Final Approval of an Ordinance Granting a Specific Use Permit to Valentin Batta, for Entertainment Indoor Use at 5716 Wurzbach Road; Generally Located on the South Side of Wurzbach Road Approximately 600 Feet East of Bandera Road (M&C # 2021-10-19-3414 B. Melland)

Brandon Melland, Planning and Zoning Director presented the item.

Applicant Valentin Batta was present for questions.

RESULT: FIRST READ

First Reading of an Ordinance Granting a Zone Change to Tomas Camacho on Approximately 0.60 Acres at 5314 Blackberry Drive, Generally Located on the South Side of Blackberry Drive, East of Seville Drive, From B-2, Retail District, With SO, Sustainability Overlay District Zoning, To R-1, Single Family Dwelling District (M&C # 2021-10-19-3419 B. Melland)

Mayor Riley announced that this item was withdrawn by the applicant.

Second Reading, Public Hearing, and Final Approval of an Ordinance Granting a Specific Use Permit to Patrick Christiansen for Firearm and/or Ammunition Sales at 6228 Bandera Road, Generally Located at the Corner of Bandera Road and Thistle Drive (M&C # 2021-10-19-4449 B. Melland)

Brandon Melland, Planning and Zoning Director presented the item.

Applicant Sam Unesian and his representative Patrick Christiansen were present for questions.

RESULT: FIRST READ

Second Reading, Public Hearing, and Final Approval of an Ordinance Granting a Zone Change to Jonah Obassi on Lot 3, We Care Shopping Center Subdivision, Generally Located at 7228 Bandera Road, from B-2 District with GO Gateway Overlay District to PD, Planned Development District (M&C # 2021-10-19-4492 B. Melland)

Brandon Melland, Planning and Zoning Director presented the item.

Applicant Jonah Obassi were present for questions.

RESULT: FIRST READ

Presentation and Discussion on Approving an Ordinance Authorizing a Budget Adjustment for FY 2021-2022 General Fund, Designated Line-Item American Rescue Plan Funds, in the Amount of \$316,000 (2nd Read) (M&C # 2021-10-19-4509 G. Perales)

Gilbert Perales, City Manager presented this item.

There was a lengthy discussion related to non-essential worker pay and a resident assistant program.

RESULT: FIRST READ

A motion was made Councilor Josh Stevens to this agenda item, an additional line item of \$50,000 for citizen utilities assistance, \$25,000 for the library air conditioning repairs for a grand total of \$316,000 for the second read. The motion was seconded by Councilor Will Bradshaw.

Mayor Chris Riley announced that it was now 10:00 PM and asked the Council how they wanted to proceed.

Councilor Jed Hefner stated that earlier in the evening, ACM/HR Director Caldera gave him a list of items that needed to be addressed this evening and there is only 11.9 remaining from that list.

Councilor Josh Stevens asked that the Council at least try to come to a consensus on the dog park which is Item 11.12

Mayor Riley stated that the Council would proceed with Agenda Items 11.9 and 11.12 and that Agenda Items 11.7, 11.8, 11.10, 11.11, and 11.13 would be moved to the next meeting. Members of City Council asked to just move through them all tonight.

Councilor Will Bradshaw stated his objection.

The Council agreed to take some items and see where they were after a couple items.

ACM/HR Director Caldera interjected that the Council would need to go back to Consent Agenda Item 9.6 because it should have had a public hearing and did not. Council went back to Agenda Item 9.6.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Will Bradshaw, Mayor Pro-Tem, Council Place 5
AYES:	Martinez, Stevens, Hefner, Orozco, Bradshaw

Presentation and Discussion to Consider Approval of an Ordinance Authorizing Budget Adjustments for the FY 2021-2022 General Fund in the amount of \$1,371,002, Street Maintenance Fund in the Amount of \$643,839, and Enterprise Fund in the Amount of \$3,034,795, for Carryover Capital Projects (1st Read as Required by City Charter). (M&C #2021-10-19-4481 M. Moritz)

Melinda Moritz, Public Works Director presented this item beginning with a correction.

RESULT:	FIRST READ
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Presentation, Discussion, and Possible Action on the Park Commission's Recommendation for a Dog Park (M&C # 2021-10-19-4432 M. Moritz)

Melinda Moritz, Public Works Director reminded City Council that she presented this item at

the last meeting and all she needed was for City Council to choose the location.

Those who spoke on this item were: Evan Bohl (Leon Valley); Erick Matta (Leon Valley); and Olen Yarnell (Leon Valley)

A motion was made by Councilor Josh Stevens to accept the Park Commission's recommendation for a dog park; and to declare Option #3 as the site for the Leon Valley Dog Park. The motion was seconded by Councilor Jed Hefner.

Councilor Josh Stevens suggested that two (2) members of City Council be assigned to work with Public Works Director Moritz on this project as Temporary Liaisons for the purpose of executing the implementation of the dog park. Councilor Jed Hefner recommended that those liaisons be dog owners.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Jed Hefner, Council Place 3
AYES:	Martinez, Stevens, Hefner, Orozco, Bradshaw

A motion was made by Councilor Jed Hefner that the two (2) Temporary, Council Liaisons assigned to work with Public Works Director Moritz on the dog park be Councilor Josh Stevens and Councilor Rey Orozco. The motion was seconded by Councilor Rey Orozco.

Mayor Chris Riley informed members of City Council that it was now 10:40 PM and asked them what their pleasure was.

Councilor Jed Hefner replied that he would like to take Agenda Item 11.8

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jed Hefner, Council Place 3
SECONDER:	Rey Orozco, Council Place 4
AYES:	Martinez, Stevens, Hefner, Orozco, Bradshaw

Presentation and Discussion on an Ordinance Amending the Leon Valley Code of Ordinances, Appendix A Fee Schedule, Article A6.001 Food Establishment Fees to add Section A6-001 (c), to Provide Fees for Mobile Food Vending and to Establish a Policy for Mobile Food Vendors (1st Read as Required by City Charter) (M&C #2021-10-19-4490 M. Moritz)

Melinda Moritz, Public Works Director presented.

Those who spoke on this item were: Evan Bohl (Leon Valley)

Mayor Chris Riley informed members of City Council that it was now 11:00 PM and asked what the pleasure of the Council was.

Councilor Rey Orozco replied that they should take Agenda Item 11.10 and table Agenda Item 11.7 and 11.13 without objection.

RESULT: FIRST READ

Presentation, Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances, Appendix A, Article A2.000 Administrative Fees Section A2.006 Library Fees Subsection G Fines and fees for Materials (1st Read as Required by City Charter) (M&C # 2021-10-19-4505 R. Reed)

Regina Reed, Library Director presented this item in response to a request from Councilor Jed Hefner.

Those who spoke on this item were: Erick Matta (Leon Valley)

RESULT: FIRST READ

Presentation and Discussion to Consider an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 14 Utilities, Article 14.04 Water Service, Section 14.04.013 Rates Equal and Uniform and Appendix A Fee Schedule, Article A11.001 Water and Sewer Fees, Section A11.001 Generally, (a) Monthly Water Rates and Charges, All Customers Residential or Nonresidential, (2) Monthly Volumetric Rate (per Thousand Gallons) to Provide Relief for Water Customers Who Experience a High Water Charge Due to a Water Leak (1st Read as Required by City Charter). (M&C # 2021-10-19-4498 M. Moritz as requested by Councilor Rey Orozco and Councilor Benny Martinez)

Melinda Moritz, Public Works Director presented this item that was requested by Councilor Rey Orozco and Councilor Benny Martinez.

RESULT: FIRST READ

Presentation and Discussion on an Ordinance Amending the City of Leon Valley Code of Ordinances, Section 1.06.003 Leon Valley Police Department Citizens Police Advisory Committee (1st Reading as Required by City Charter) (M&C # 2021-10-19-4503 Councilor Rey Orozco)

RESULT: TABLED WITHOUT OBJECTION Next: 11/2/2021 5:30 PM

Discussion and Possible Action on a Resolution Making Appointments to the Planning & Zoning Commission and the Library Board of Trustees (M&C # 2021-10-19-4500 S. Passailaigue)

RESULT: TABLED WITHOUT OBJECTION**Next: 11/2/2021 5:30 PM****CITIZENS TO BE HEARD**

Those who spoke on this item were: Evan Bohl (Leon Valley); and Olen Yarnell (Leon Valley)

Mayor Chris Riley read an e-mail that was submitted by: Lyn Joseph (Leon Valley)

REQUESTS FROM MEMBERS OF CITY COUNCIL TO ADD ITEMS TO FUTURE AGENDAS

Councilor Jed Hefner requested an item regarding water deposit refunds.

Councilor Will Bradshaw request and item for discussion and possible action for a new law firm.

Councilor Josh Stevens requested the following items:

- 1) Discussion and possible action on amending Leon Valley Code of Ordinances Section 2.01 regarding stray, abandoned, and found animals
- 2) Discussion and direction to city manager on implementation of written policy correcting current practices regarding stray animals and correctly applying existing Leon Valley Ordinances regarding onus of care of stray animals
- 3) Presentation, discussion, and possible action on fluoride survey results
- 4) Presentation and discussion on status of implementation of TPCA Best Practices for law enforcement policies, including mandatory provision of mental health PTO in accordance with Texas legislative changes
- 5) Discussion and possible action on amending ordinance related to fence height? (if not already in pipeline)
- 6) Discussion and possible action on amending variance criterion in accordance with Texas legislative changes? (if not already in pipeline)
- 7) Discussion and Possible Action on Hiring Flood Manager or Flood Consultant to Evaluate Flood Mitigation Strategies

Mayor Chris Riley requested the following items:

1. red-light camera update
2. Huebner Creek Park update
3. Huebner Creek restroom project

Councilor Benny Martinez requested a status of upstream (same as Councilor Steven's number 7)

PENDING FUTURE POSSIBLE COUNCIL ACTION**Attachment**

Mayor Riley and City Council members prioritized the "pipeline".

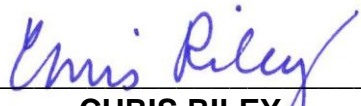
RESULT: PRESENTED

ADJOURNMENT


Mayor Riley announced that the meeting adjourned at 11:28 PM.

These minutes approved by the Leon Valley City Council on the 7th of December, 2021.

APPROVED



CHRIS RILEY
MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY



On March 23, 2021, the Leon Valley City Council unanimously voted to adopt Ordinance No. 2021-13, amending the Leon Valley Code of Ordinance, Section 1.04.001 (d) (2) saying that “All written comments shall be included in the meeting minutes.”

The Presiding Chair, the Mayor, has sole discretion on the appropriateness of which comments are and are not allowed.

The following comments have been reviewed and approved as “appropriate” to be included in the October 19, 2021 Leon Valley Regular City Council Meeting Minutes by Mayor Chris Riley.

From: [WPB Florida](#)
To: [Saundra Passailaigue](#); [Citizens to be heard](#)
Cc: emaloy@sabx.rr.com; [Rey Orozco](#); [Benny Martinez](#); [Mom](#)
Subject: Fwd: FW: FW: [?] ZONING CASE NO. 2021-04
Date: Monday, October 18, 2021 12:53:56 AM
Attachments: [image001.png](#)

Greetings Saundra,

My name is David Malouff, I am the son and caregiver to my mother Margeret Malouff who is 89 years old and owner of our home on Fontana Point. This matter involves me dearly as upon her passing, I will inherit the house and plan to have a continuous future here. I am writing to you today to have my voice be heard in regards to Zoning Case No. 2021-04 as I will be out of town on Tuesday night and will not be able to attend.

In 2018 I was an alternate on the zoning committee when the church first brought this option to table. During that time, we all denied the request for zoning change from R1 to B2 for various reasons. During that time, the church asked for zone change as they still are today so they can build a new church. No one has ever denied the church the opportunity to build their new church, we just agree there is no reason to change the zoning.

The church states that with B2 zoning they can get more money from the bank in order to get the loan. THIS IS TOTALLY INCORRECT and a FLAT OUT LIE!!!!.. A bank or lender will only give a loan per the value of what the land is worth and nothing more, yet they still insist on requesting the zone to be changed.

This leads me to many questions about the church. If you are able to build the church you want on the existing zone and even under the different zones the property sets on, then why are they so persistent on getting zone B2? Why? Because they have other ideas with the property instead of building the church.

Changing the zoning will not only have a negative impact on Leon Valley, but will also have a negative impact on Pavona Place more than any other community nearby. Why is it that only homes within the 200' of the property line are asked for their vote when it affects the whole community not just 15 houses.

I was at the zoning committee meeting when a few members of city council stepped up and voiced their opinion in favor of the zone change when they don't even live near the affected area or community. I believe these members should be removed during this hearing and their voices should not be heard on the basis of possible corruption. I say this as there is no reason to have nor should a council person be allowed to speak at a zoning meeting in support of such a change that does not affect them directly or personally. This only believes the members may have insider trading to possible kickbacks from the church if the zoning is changed. I asked that the city take a strong look into this possibility.

The law firm that is representing the church lost a lawsuit at the beginning of this year for legal malpractice when they sold someone's land out from under the owner without permission. (<https://www.expressnews.com/sa-inc/article/San-Antonio-law-firm-Langley-Banack-sued-after-16084712.php>) What's to say the law firm and the church won't sell the property once the zoning is changed?

I strongly encourage you to not allow this zone change (other than full R1 for the whole 9 acres) for the benefit of the city and nearby communities.

Thank you for your time

David Malouff

----- Forwarded message -----

From: Louise Malouff [redacted] >
Date: Sat, Oct 16, 2021 at 10:22 PM
Subject: FW: FW: [?] ZONING CASE NO. 2021-04
To: WPB Florida [redacted] >

From: Elizabeth Maloy [mailto:[redacted]]
Sent: Saturday, October 16, 2021 3:03 PM
To: 'Louise Malouff'; WPB Florida [mailto:[redacted]]
Subject: RE: FW: [?] ZONING CASE NO. 2021-04

Louise,

Since David will not be available for Tuesday's meeting, he can send an email stating his comments and to the City /Secretary asking it be read when the issue is addressed by Council. The city secretary Sandra Passailaigue email address is s.pass@leonvalleytexas.gov

That way he will be on the record for the first read and also be able to attend and state his view in person at the second read.

Liz

From: Louise Malouff <[redacted]>
Sent: Friday, October 15, 2021 2:36 PM
To: 'Elizabeth Maloy' <[redacted]>
Subject: FW: FW: [?] ZONING CASE NO. 2021-04

David's new e-mail to Benny in reply!

Louise

From: WPB Florida [mailto:]
Sent: Friday, October 15, 2021 2:12 PM
To: Benny Martinez
Cc: Mom
Subject: Re: FW: [?] ZONING CASE NO. 2021-04

Mr.Martinez,

You still haven't answered my question nor given a valid reason why a zone needs to be changed for any reason if the church can still build on R1 and B2 zoned properties. Do not allow this to go through, if you do and it does, you are not looking out for the citizens of Leon Valley instead of "potential" businesses that could have a negative effect on the city.

You said the PPD would be up in 20 years, it will take that long for SA to build the flyover over bandera to Helotes. When that happens Leon Valley will become a dead city and to only have another business or plaza with no occupants would only hurt the city more.

Keeping it R1 or changing ALL properties to R1 can leave the potential of more residents, therefore, more spending in your city.. But I guess you know best.

David

On Thu, Oct 14, 2021 at 11:15 AM Benny Martinez <benny.martinez@leonvalleytexas.gov> wrote:

Your are correct. I believe the issue is with platting. The property is in several partials and would need to be combined.

I am suggesting changing the zoning to B2 with a PDD which would have restrictions to the uses permitted.

One thing, you mentioned the future. I am concerned about today and the future, setting a precedent on the property.

Remember, a future city council could change the zoning to anything. I am hoping that the PDD would hold up should the issue come up in 20+ years.

Please call me at your earliest convenience [REDACTED]



Benny Martinez

Leon Valley City Council PL 1

6400 El Verde Rd.

Leon Valley, Texas 78238

210-684-1391

Benny.martinez@leonvalleytexas.gov

From: WPB Florida <[REDACTED]>
Sent: Thursday, October 14, 2021 9:51 AM
To: Benny Martinez <benny.martinez@leonvalleytexas.gov>
Cc: Mom <[REDACTED]>
Subject: Re: FW: [?] ZONING CASE NO. 2021-04

Mr. Martinez,

I'm still confused on why the church needs or needed a B2 change when they could build the church they want under R1. Again, a bank will not lend them any more money than what the property is worth, it doesn't matter what zone it is. The difference is if and when they sell. Or, the church has intention to lease the property to an investor. Either way the zone changes are not needed and will have a negative impact on the city. Time will tell.

One last question, who takes responsibility when the church decides to sell and a

commercial building gets put into place and we experience the negative impact we've all voiced about? In my opinion, the city council will be responsible..

Thank you

David Malouff

On Thu, Oct 14, 2021, 9:06 AM Benny Martinez <benny.martinez@leonvalleytexas.gov> wrote:

I attended the joint City Council and Zoning Commission meeting this Thursday evening;.

I learned that we could change the zoning to B2 and add a PDD with restrictions on the use. Prevent the uses that people in Pavona are against.

Please give me your thoughts. I would appreciate your thoughts and work on a solution that will satisfy you and the Church.

You can call me to discuss ths matter. [REDACTED] cell

Error! Filename not specified.

Benny Martinez

Leon Valley City Council PL 1

6400 El Verde Rd.

Leon Valley, Texas 78238

210-684-1391

[Benny.martinez@leonvalleytexas.gov](mailto:benny.martinez@leonvalleytexas.gov)

From: WPB Florida <[REDACTED]>

Sent: Tuesday, October 12, 2021 11:27 AM

To: Benny Martinez <benny.martinez@leonvalleytexas.gov>

Cc: Rey Orozco <rey.orozco@leonvalleytexas.gov>; Mom [REDACTED] >
Subject: Fwd: FW: [?] ZONING CASE NO. 2021-04

Greetings Mr. Martinez,

My name is David Malouff, I am the son and caregiver of my mother Margeret L Malouff. We reside on Fontana Point. First I'd like to say, my mom is 89 years old and upon her passing (whenever that may come) I will inherit the house, therefore my opinion on this matter does count.

From what I understand you are for the zone change on the church property and you mention below that there were many fabricated stories in relation to this. Can you please elaborate on these fabricated stories?

I can tell you this, I was an alternate on the Zoning Committee back in late 2018 when this subject first came about. At that time, it was the church and their attorney that continued with misinformation or neglected to give any feasible points other than they wanted or needed more money to build their church, but never accepted the fact that the Zoning Committee accepted their offer to build a church, just not a zone change.

The church does not need a zone change to build their church, why can't you and them understand that? There is no reason to change the property zoning to do so. They can still build the church as it is and stands right now. So why aren't they? This is why many of us are sceptical of this whole thing and believe they have other ideas and agenda's with the property. And it isn't to build a church. As for the property in front that is zone B2, then yes, they have every right to build something there if they wished to do so.

The church claims that they need more money from the bank in order to build their church. However, no bank nor investor will invest or loan any more money than what the property value is worth. Of the 9 acres, the land is worth about \$90,000 per acre of land, that gives an estimated value of \$810,000, that is all the bank will loan you and nothing more. The estimated build for the church they want to build is about \$300,000 - \$500,000 on the high end, this still leaves them with over \$300,000 to work with. So what is the problem with the current zoning as it stands?

It will be wrong and detrimental to Leon Valley to allow a strip mall or any other commercial building at that location as stated by many for our concerns with traffic and crime in our community, let alone the city of Leon Valley has many strip malls and

locations that can't even keep tenants full time. Not one plaza that I know in the city of Leon Valley is fully occupied. For that matter, there should be no reason to allow a zone change other than R1. As R1, if the church wishes to sell the property a home investor (which I know one ready to buy right now) can come in and build new homes which will not only keep our property values up but also bring in more people and better revenue to the city vs a deadbeat plaza.

Once again, the community is not opposed to the church building a new church (which they can). However, we are opposed to the zoning change that can and will affect all of us later.

I hope you can see this and understand our concerns as homeowners that are looking to protect our properties and various ways and not someone who's against the church.

I implore you to change your decision and thoughts on the zone change to B2 and allow it to stay R1 and I support you to allow the church to build their new facility under the R1 zoning category.

Thank you,

David Malouff

----- Forwarded message -----

From: **Louise Malouff** <[REDACTED]>
Date: Tue, Oct 12, 2021 at 11:40 AM
Subject: FW: [?] ZONING CASE NO. 2021-04
To: WPB Florida <[REDACTED]>

From: Benny Martinez [mailto:benny.martinez@leonvalleytexas.gov]
Sent: Monday, October 11, 2021 11:27 PM
To: Louise Malouff
Subject: RE: [?] ZONING CASE NO. 2021-04

Thank you for your letter. I too support St. John plan to build a beautiful church on their property.

Have you seen the plans and pictures of what the church will look like.

By right, the church could build a stip center on Huebmer between Evers and the day care. They do not have any desire to do that. This frontage will be open grassland.

I need your help in finding ways to allow the church to build their beautiful church and to protect the nearby residents.

I welcome any suggestions.

The last time this subject came up there were a lot of fabricated stories and misinformation being spread.

Please contact me to discuss your concerns.

I can be reached at [REDACTED]

Error! Filename not specified.

Benny Martinez

Leon Valley City Council PL 1

6400 El Verde Rd.

Leon Valley, Texas 78238

210-684-1391

Benny.martinez@leonvalleytexas.gov

From: Louise Malouff <[REDACTED]>

Sent: Saturday, October 9, 2021 4:30 PM

To: Citizens to be heard <citizenstobeheard@leonvalleytexas.gov>
Subject: [?] ZONING CASE NO. 2021-04

TO MEMBERS OF THE LEON VALLEY CITY COUNCIL:

I am a property owner within the 200' of the property in Zoning Case No. 2021-04.

I am NOT opposed to the church building a new church on that property. I AM OPPOSED to the zoning change to B-2.

We have been through this before, and I feel that the same request (although stated

a little differently this time) was denied before - for good reason!

I take offense that this is being done in this way - a same request, but stated so that

it seems like a new request. Gives me "bad vibes"!

I also object to the traffic that will/could be generated by whatever is built at that corner!

We have TOO MANY accidents at the corner of Huebner & Evers as it is - check this out with the correct officials!!!! ! Another objection I have is that if a commercial building is put in, the traffic flow from our subdivision onto Evers would cause nothing more than daily traffic gridlock and then traffic would flow into our subdivision to exit onto Huebner which would cause even more hassles!!

Since the request only states "specific use Permit for a New Non-Residential Building" and on the 2nd page request to change to B-2 Retail District" I can only assume that the persons requesting these changes may be

planning on building some sort of shopping center, which will bring MUCH traffic, both on Evers & Huebner, which the city could not handle. Huebner has enough traffic NOW that it backs up from the school to Evers or from Evers to the creek. Allowing another commercial location would only increase the traffic and possibly cause more accidents. It may also bring crime to our neighborhood. This issue involves more than the 200' from the property line! Furthermore, if a commercial building is put in place, they will have tall parking lights which will stay on all night. This will not only effect our homes by blaring in our windows (ALL HOURS OF THE NIGHT), they will also

scare away the deer who feed on the property.

Another thing to think about – “strip malls” are all around us. And many of them have vacant spaces!!! Even the old larger Malls (Ingram) are close to empty. What a shame!!! I can see property values going down.

Remember, once you approve the B-2 – it stays in place!!!

What about the child-care facility next to the property? And the school nearby? What about the traffic during school opening times and closing times? We already have a lot of traffic during those times and at those locations. Plus, you need to consider the safety of the children walking to and from school.

The church states that it needs the zoning change to get a loan to build the new church. They do NOT need a zoning change to build the church.

So -- **WHAT IF THEY DO NOT GET THE LOAN -- FOR WHATEVER REASON ---**

They will still have the B-2 zoning change, and can therefore sell it - to anyone who wants to build any of 107 different businesses!!! That way they will have the money for their new church and will go elsewhere to build it. Please keep this in mind!!

- Please consider all of these problems that may arise.
- Thank you for considering my opposition!

P.S. I just read the agenda for Oct. 12. Have they changed the voting on the B-2??? It sounds like they are now trying to see how it can be changed to accommodate the church, plus other businesses in Leon Valley.

Is the B-2 question now mute??? Or will it come up tonight or at a later date??

Margaret L. Malouff

From: [Justin Pulliam](#)
To: [Mayor Riley](#); [Will Bradshaw](#); [Josh Stevens](#); [Rey Orozco](#); [Jed Hefner](#); [Benny Martinez](#); [Saundra Passailaigue](#); [Gilbert Perales](#); [Crystal Caldera](#)
Subject: Citizens to Be Heard Comments (First Public Comment Session Oct 19)
Date: Tuesday, October 19, 2021 7:32:54 PM

This letter is from Justin Pulliam of Fort Bend County.

Dear Honorable Mayor and Councilors:

The city staff is targeting the aquarium in much the same manner that Mayor Riley was targeted last year. Why are they targeting the aquarium? Is it political retaliation, the same reason they tried to throw the book at Mayor Riley?

The staff might lead you to believe that they are merely equally enforcing the city code. That might be a plausible explanation if the staff issued similar citations elsewhere or knew the laws prior to their attack on the aquarium. But the record demonstrates otherwise. The record demonstrates that for whatever reason the city staff wanted to attack the aquarium, and they spent considerable public resources digging up anything they could to take out one of Leon Valley's most well-known establishments.

During campaign season, on September 10, 2020, Planning and Zoning Director Brandon Melland wrote: quote "I think this regulation from the Utility code is what is being violated. Byron thought it was applicable as well. Let me know if you are aware of any others, for issuing citations on. Thanks!" end quote

So he dug through the city code to find something he "think[s]" will work to attack the aquarium. But it didn't stop there, the next day Heather Rodriguez suggested an additional law to use as a weapon against the city administration's political opponents at the aquarium. Rodriguez wrote: quote "More information for a 2nd citation... Hope this helps," end quote. Brandon Melland appeared ecstatic, replying with "Great Find!" exclamation point, end quote.

But daily citations and shakedowns from the city would apparently not be enough harassment from the city. Brandon Mellan, under what authority is unknown, took it upon himself to report the aquarium to the Texas Commission on Environmental Quality. It is my understanding that no action was taken by the state because the complaint was frivolous.

Due to the shakedowns, the aquarium seems to have removed exhibits, which should have made much of the Rule 11 Agreements moot. Even Brandon Melland stated so: quote "I'll confirm with Charlie, but I believe this makes the entire Rule 11 moot" end quote.

Melinda Mortize wrote quote "The detention pond that was built behind and for this subdivision would handle any garden watering," end quote. And Public Works Professional Engineer Byron Sanderfer said quote "I agree with Melina" end quote.

Yet here it is a year later, and the city is still expending public funds on this war. As Brandon Melland said: quote "How about quantifying the cost of all the time spent on this... unbelievable" End Quote.

Thank you Mayor and Council. Have a nice evening.

Sincerely,

Justin Pulliam

From: [Louise Malouff](#)
To: [Citizens to be heard](#)
Subject: [?] ZONING CASE 2021-04
Date: Monday, October 18, 2021 9:25:44 PM

To the Leon Valley City Council,

Why is this case keep coming up? Now, the Planning & Zoning Committee has been asked to change the B-2 request (AGAIN!) to a B-2 District with NO sustainability Overlay District (actually, what does that mean??)

And in Benny Martinez reply to my earlier e-mail, he mentioned "adding a PPD" - I'm sorry, I have no idea what that is either, but WHY add anything? Anything to a B-2 still sounds like any business can come in. and the church still does not need a change to the zoning! It CAN build the church on the R-1.

As for the zoning commission meeting, two (maybe three) LV Council members chose to speak up FOR the church!! That to me, told me that they had already made up their minds to vote FOR whatever the church wanted - to heck with listening to neighbors who can and will be affected by the change!!!! PLEASE, EMPHAZISE THAT LAST STATEMENT!!!

I am hoping that when this does come up for a vote, they will put their own feelings about this issue aside, and really try to see other's objections to it, before casting their votes!!! THAT IS THEIR JOB!!!

Right now, I feel they are biased, and should NOT be allowed to vote on that Ordinance!!!

Thank you!

Margaret Louise Malouff

From: [Louise Malouff](#)
To: [Citizens to be heard](#)
Subject: [?] ZONING CASE NO. 2021-04
Date: Saturday, October 9, 2021 4:30:26 PM

TO MEMBERS OF THE LEON VALLEY CITY COUNCIL:

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P.S. I just read the agenda for Oct. 12. Have they changed the voting on the B-2??? It sounds like they are now trying to see how it can be changed to accommodate the church, plus other businesses in Leon Valley.

Is the B-2 question now mute??? Or will it come up tonight or at a later date??

Margaret L. Malouff

From: [Tina Chasan](#)
To: [Citizens to be heard](#)
Subject: Recent Lion's Roar, please have Councilor Stevens read
Date: Tuesday, October 19, 2021 2:59:52 PM

As I read through the most recent edition of the Lion's Roar, I became angered, frustrated, dismayed and quite confused over several things that appeared there. I will address one item in this email.

Under Animal Control FAQ's, In answer to the question "I see a loose or stray dog what should I do?" the article states and I quote " When a resident does pick up a stray dog, that resident assumes all liability and responsibility for care, custody and control of the dog". What most citizens are not aware of is that this is not what our ordinance states. That this past July, the Mayor Cris Riley and Councilor Stevens several of our Leon Valley citizens, including myself, assistant city manager Crystal Caldera, police chief Gonzales, and our new CM Mr Perales, had a combined in person and Zoom meeting, on this issue. What was resolved, after several hours of discussion, was that the way this ordinance concerning stray dogs has been addressed in the past was completely wrong. Chief Gonzalez said he would take back to his staff, this new understanding of how this ordinance is to be executed. Whereas the citizens can safely keep a dog. feed a dog, provide water and shelter for a dog, temporarily, and then call for help from animal control and actually receive it. Not to be told what is stated in this Lion's Roar.

Are my efforts and those of other citizens all in vain? Are we being ignored by the hired, salaried staff? Lied to? If the article is wrong, then who is responsible? There was no author listed. Who proof reads these articles before it goes to press? My understanding is that proof reading is the responsibility of the city manager. Did Mr Perales forget the meeting he attended pertaining to this article? Was it just an oversight or lack of time? Or is this still the way it is? If it's the last statement, then we are back to square 1 where the citizen's concerns are being ignored. A situation where the ordinances are subject to the interpretation of the hired staff and not what is written into our city code.

I am disgusted and hope that someone on my city council will address this.

How about it Councilor Stevens?

Respectfully

8:41 100% battery

Tap to return to call

3:32



Lyn joseph

last seen today at 8:37 PM



Yes they should have tags, but like my cats they are able to pull of the collars either with their feet of getting caught on something. My concern is citizen become the owner once they even give a thirsty dog water or helps it when we had below freezing weather. I was caught on that situation last winter. I called and called left messages and had to go thru the city's phone board to get on touch with animal control only to be told the dog was now mine??? What. A meeting was requested by myself and citizens, Josh, New CM, police chief, Crystal, Chris. We were told and asked if they could get back



Message

