



CITY OF HILL COUNTRY VILLAGE
116 ASPEN LANE • HILL COUNTRY VILLAGE • TEXAS • 78232
PHONE (210) 494-3671 • FAX (210) 490-8645 • WEB www.hcv.org

AGENDA
CITY COUNCIL MEETING
CITY HALL
116 ASPEN LANE
HILL COUNTRY VILLAGE, TEXAS 78232
THURSDAY, MARCH 19, 2026
5:30 P.M.

Mayor: Gabriel Durand-Hollis
Council Place #1: Heather Chandler
Council Place #2: Matthew Acock
Council Place #3: Frank Rivas
Council Place #4: Greg Blasko
Council Place #5: Allison Francis

26 MAR 13 AM 9:49

1. Call to order.
2. Invocation and Pledge of Allegiance.

CONSENT AGENDA:

The following items are of a routine or administrative nature. The City Council has been furnished with background and support material on each item, and/or it has been discussed in a previous meeting. All items can be acted upon by one vote without being discussed separately, unless requested by a Council Member, in which event the item or items will immediately be withdrawn for individual consideration in their normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one motion and vote of the City Council.

3. Discussion and Possible Action approving the minutes of the City Council Meeting of February 12, 2026, and February 19, 2026.
4. Discussion and possible action on Ordinance ordering the cancellation of the May 2, 2026, General Election.

INDIVIDUAL ITEMS FOR CONSIDERATION:

5. Report by Mayor Durand-Hollis on items of community interest.
6. Report by City Council members on items of community interest.
7. Citizens to be heard.

At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic

is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard section no council action may take place and no council discussion or response is required to the speaker. However, the Mayor or the City Administrator may make a statement of specific factual information in response to an inquiry or recite existing policy in response to an inquiry. A time limit of two minutes per speaker is permitted; the council may extend this time at their discretion.

8. Discussion and possible action on an agreement with Joeris General Contractors, Ltd. to provide Construction Manager-At-Risk services as the Constructor for the new City Hall Project.

9. Presentation and discussion regarding the February 28, 2026, financial statement.

10. Discussion on ordinance of the City Council of the City of Hill Country Village amending Chapter 38, Nuisances, of the Code of Ordinances to create a safety zone.

Possible Executive Session pursuant to Texas Government Code Section 551.071, consultation with attorney.

11. Presentation of Settlement Agreement with Alta Towers, LLC and of Final Judgment entered by the United States District Court in Alta Towers lawsuit against the City including Special Use Permit, and discussion.

12. Report by City Administrator/Chief of Police Morales on items of community interest.

13. Adjourn.

The Council reserves the right to discuss and appropriately act upon any item stated on this agenda in open session. The Council reserves the right to adjourn into executive session at any time during the course of tis meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultations 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). No action may be taken in Executive Session.

A copy of this meeting's agenda packet is available for public inspection, review, and copying at City Hall during regular business hours.

per 

Frank Morales
City Administrator

26 MAR 13 AM 9:49



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MINUTES
SPECIAL CITY COUNCIL MEETING
CITY HALL
116 ASPEN LANE
HILL COUNTRY VILLAGE, TEXAS 78232
THURSDAY, FEBRUARY 12, 2026
8:30 A.M.

The City Council for the City of Hill Country Village met for a City Council Meeting on Thursday, February 12, 2026, at 8:30 a.m. at City Hall, 116 Aspen Lane, Hill Country Village, Texas. This was an open meeting subject to the Texas Open Meetings Act.

Members Present:

Mayor Gabriel Durand-Hollis
Councilman Matthew Acock
Councilman Greg Blasko
Councilwoman Heather Chandler
Councilman Frank Rivas

Members Not Present:

Councilwoman Allison Francis

City Staff Present:

City Administrator, Frank Morales
Administrative Assistant, Linda Solis

1. Call to order.

Mayor Durand-Hollis called the meeting to order at 8:30 a.m.

2. Invocation and Pledge of Allegiance.

Mayor Durand-Hollis led those present in the Invocation and the Pledge of Allegiance.

3. Citizens to be heard.

At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard section no council action may take place and no council discussion or response is required to the speaker. However, the Mayor or the City Administrator may make a statement of specific factual information in response to an inquiry or recite existing policy in response to an inquiry. A time limit of two minutes per speaker is permitted; the council may extend this time at their discretion.

Resident Pat Schneider at 105 Limestone Creek, inquired about a vehicle parked at 106 Pontiac Lane that appears to be in violation of the City Zoning ordinance. The resident indicated why this issue has not been addressed.

Chief Morales reported that the issue received a citation to the homeowner 10 years ago, and a lien was in process due to no action taken on the citation. City Attorney is looking into the lien for this property. Chief Morales will take the next steps to address the violation.

CONSENT AGENDA:

4. Discussion and possible action approving a resolution agreeing to provide applicable matching funds as required by the FY2027 Criminal Justice Grant Program Grant Application.

5. Discussion and possible action approving a resolution authorizing the City of Hill Country Village to submit a grant application to the Office of the Governor for the FY 2026 Body Camera Grant Program.

6. Discussion and possible action approving a resolution to provide applicable matching funds for the said project as required by the FY2027 Project Safe Neighborhoods Grant Program grant application.

Councilman Rivas motioned to approve the resolutions for grants 5838101, 4366304, and 5838301. Councilman Blasko seconded the motion.

Motion passed.

7. Adjourn.

Mayor Durand-Hollis adjourned the meeting at 8:47 p.m.

The Council reserves the right to discuss and appropriately act upon any item stated on this agenda in an open session. The Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultations 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). No action may be taken in Executive Session.

APPROVED THIS 19th DAY OF MARCH, 2026

Gabriel Durand-Hollis
Mayor

Frank Morales
City Administrator



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**MINUTES
CITY COUNCIL MEETING
CITY HALL
116 ASPEN LANE
HILL COUNTRY VILLAGE, TEXAS 78232
THURSDAY, FEBRUARY 19, 2026
5:30 P.M.**

The City Council for the City of Hill Country Village met for a City Council Meeting on Thursday, February 19, 2026, at 5:30 p.m. at City Hall, 116 Aspen Lane, Hill Country Village, Texas. This was an open meeting subject to the Texas Open Meetings Act.

Members Present:

Mayor Gabriel Durand-Hollis
Councilman Matthew Acock
Councilman Greg Blasko
Councilwoman Heather Chandler
Councilman Frank Rivas

Members Not Present:

Councilwoman Allison Francis

City Staff Present:

City Administrator, Frank Morales
Administrative Assistant, Linda Solis
City Attorney, Marc Schnall
Finance, Alexander Baez

1. Call to order.

Mayor Durand-Hollis called the meeting to order at 5:33 p.m.

2. Invocation and Pledge of Allegiance.

Mayor Durand-Hollis led those present in the Invocation and the Pledge of Allegiance.

CONSENT AGENDA:

3. Discussion and Possible Action approving the minutes of the City Council Meeting of January 15, 2026.

4. Discussion and possible action appointing Dr. Chichi Junda Woo as the Local Health Authority for the City of Hill Country Village with a term of office beginning June 24, 2026, and ending June 23, 2028.

Councilman Blasko motioned to approve the consent agenda; Councilwoman Chandler seconded the motion.

Motion passed.

INDIVIDUAL ITEMS FOR CONSIDERATION:

5. Report by Mayor Durand-Hollis on items of community interest.

Mayor Durand-Hollis thanked Councilman Rivas for attending AACOG and invited Councilwoman Chandler to attend the CPS Trustees meeting on Monday, February 23, 2026. Mayor Durand-Hollis announced that he withdrew his candidacy for Mayor, and Councilwoman Chandler is the sole candidate for Mayor.

6. Report by City Council members on items of community interest.

Councilwoman Chandler gave an update that the attorneys are working on a contract with Joeris Construction as the Construction Manager-at-Risk for the construction of the new city hall.

Councilman Blasko said that he, Councilman Rivas, and City Engineer Tom Turk will have a meeting on Monday, February 23, 2026, about the city streets.

7. Citizens to be heard.

At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard section no council action may take place and no council discussion or response is required to the speaker. However, the Mayor or the City Administrator may make a statement of specific factual information in response to an inquiry or recite existing policy in response to an inquiry. A time limit of two minutes per speaker is permitted; the council may extend this time at their discretion.

Brian Beck, 117 Cherokee Lane, asked about Marmon Ridge Road and if there are any plans to repair or replace it. He also asked about the city water tower on the aesthetics that will be left or completely demolished.

Chief Morales reported City Engineer will have some items for discussion at the City Council meeting in March.

8. Discussion and possible action on the City of Hill Country Village FY 2024-2025 annual audit, including presentation by audit firm ABIP, PC.

Jeremy Barbatto with ABIP made a presentation on the audit for FY 2024-2025.

After questions from members of the City Council and discussion. Councilman Blasko motioned to accept the FY 2024-2025 annual audit; Councilman Acock seconded the motion.

Motion passed.

9. Presentation and discussion regarding the January 31, 2026, financial statements.

City Council discussed the financial statements with Alexander Baez.

10. Discussion and possible action on ratifying the issuance of a Special Use Permit to Alta Towers, LLC for a wireless communications facility in the form of a 100' monopole tower at 302 Tower Drive.

Councilman Acock mentioned issues about the issuance of a Special Use Permit as part of the settlement of the lawsuit by Alta Towers and whether the City Council needs to approve the Special Use Permit citing language in the Special Use Permit itself.

City Attorney advised City Council that the Final Judgement of the United States District Court superseded local zoning ordinances and that the City Council could ratify the issuance or not take any further action on this Special Use Permit.

Discussion closed with no action.

11. Discussion and possible action regarding the potential hiring of a full-time or part-time City Administrator.

Councilman Blasko requested to create a committee to have a meeting to discuss the position.

12. Report by City Administrator/Chief of Police on matters of community interest.

Chief Morales acknowledged Lily and Lucie Willmann with the youth group, to the HCV city hall to help with the preparation of City Council binders for tonight's meeting. A big thank you is extended to Lily and Lucie Willmann.

13. Adjourn.

Mayor Durand-Hollis adjourned the meeting at 6:56 p.m.

The Council reserves the right to discuss and appropriately act upon any item stated on this agenda in an open session. The Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultations 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). No action may be taken in Executive Session.

APPROVED THIS 19th DAY OF MARCH, 2026.

Frank Morales
City Administrator

Gabriel Durand-Hollis
Mayor

AN ORDINANCE CANCELING THE MAY 2, 2026, GENERAL ELECTION FOR THE CITY OF HILL COUNTRY VILLAGE AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE

WHEREAS, the City Council of the City of Hill Country Village called a General Election to be held on May 2, 2026, for the purpose of electing the Mayor and Council Members to City Council Place Two (2) and City Council Place Four (4).

WHEREAS, at the close of the official filing period, the candidates for Mayor, City Council Place 2, and City Council Place 4 were unopposed and no one has declared as a write in candidate; and

WHEREAS, Texas Election Code, Subchapter C, Election of Unopposed Candidates, Sections 2.051 through 2.053, allows for the cancellation of an election where candidates are unopposed and further allows that, by ordinance, the City Council may declare each unopposed candidate elected to office.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILL COUNTRY VILLAGE, TEXAS that the May 2, 2026, General Election for the City of Hill Country Village, Texas, for the purpose of electing Mayor, City Council Place 2, and City Council Place 4 is canceled and each of the following unopposed candidates are declared elected to the office listed and shall be issued certificates of election following the time the election results should have been canvassed.

Heather Holmes Chandler	Mayor
Patricia Walker	Council member, Place 2
Greg R. Blasko	Council member, Place 4

PASSED AND APPROVED THE 19th DAY OF MARCH 2026.

Gabriel Durand-Hollis
Mayor

ATTEST:

Frank Morales
City Administrator

Cash Balances

As of

2/28/2026

Texas Partners Bank Accounts

1001 · General Operations (includes Payroll, Petty Cash, Merchant Accts)	431,882.09
1005 · Capital Project Fund	8,010.48
1007 · Debt Service Fund	4,136.93
1010 · Road Maintenance Fund	7,242.53
1020 · Economic Development Corp Fund	26.45
1040 · Special Revenue	6,249.20
Total Partners Bank	457,547.68

Texas Class Investment

03-1012 · TX Class Road Maintenance-0005	1,889,235.97
04-1006 · TX Class Capital Project-0003	4,736,480.27
10-1030 · TX Class Economic Dev Corp-0002	44,356.97
01-1003 · TX Class General Operation-0001	1,619,800.89
SR91003 TX Class Special Revenue-0004	369,416.21
Total Texas Class Investments	8,659,290.31

Combined Totals:

General Fund :	2,051,682.98
Capital Project :	4,744,490.75
Debt Service :	4,136.93
Road Maintenance :	1,896,478.50
Economic Development Corporation :	44,383.42
Special Revenue :	375,665.41
Total	9,116,837.99

Ordinance No. 1325

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HILL COUNTRY VILLAGE, TEXAS, AMENDING CHAPTER 38, NUISANCES, OF THE CODE OF ORDINANCES TO CREATE A SAFETY ZONE, TO DECLARE CERTAIN MATERIALS WITHIN THE SAFETY ZONE TO BE A NUISANCE, TO PROVIDE FOR NUISANCE ABATEMENT AND ENFORCEMENT, AND TO PROVIDE FOR A PENALTY OF A FINE NOT LESS THAN \$100 OR MORE THAN \$2,000 FOR VIOLATIONS WITH EACH DAY AN OFFENSE OCCURS BEING A SEPARATE VIOLATION

WHEREAS, Texas Local Government Code Section 217.002 authorizes the City Council to define and abate nuisances; and

WHEREAS, Texas Local Government Code Section 51.012 authorizes a Type-A general law city to adopt ordinances that are not inconsistent with state law and that are necessary for the government, interest, and welfare, or good order of the municipality; and

WHEREAS, the City Council finds that protecting public health and safety by ensuring that emergency services and first responders have adequate space, access, and clear visibility along roadways and adjacent areas is in the best interest of the City and its residents; and

WHEREAS, the City Council finds that certain materials and landscaping placed within a defined Safety Zone adjacent to the curb impede visibility and access for emergency services and first responders and thereby threaten public health and safety; and

WHEREAS, the City Council further finds that defining an creating a “Safety Zone” and declaring certain materials in the Safety Zone to be a nuisance will enhance public health and safety in the City; and

WHEREAS, the City Council further finds that violations of this Ordinance should be punishable by fines.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILL COUNTRY VILLAGE THAT:

Section 1. Definitions. Section 38-41 of the Code of Ordinances is hereby amended to add the following definitions:

Materials means any wires, cables, fibers, manholes, poles, conduits, structures, plants in excess of twelve (12) inches tall, fencing and fencing materials, rocks, stones, boulders, and any other impervious landscaping materials in excess of six (6) inches in diameter. Materials do not include mailboxes, grass and other ground cover, plants not in excess of twelve

(12) inches tall, and rocks, stones, boulders, and other impervious landscaping materials not in excess of six (6) inches in diameter.

Safety Zone means:

- (1) Where ribbon curbing is in place: the space measured from the outer edge of the ribbon curbing six (6) feet toward the property line of the contiguous property and a clear zone height of eight (8) feet above finished grade.
- (2) Where ribbon curbing is not in place: the space measured from the outer edge of the roadway six (6) feet plus five (5) inches toward the property line of the contiguous property and a clear zone height of eight (8) feet above finished grade.

Section 2. Section 38-42 of the Code of Ordinances is hereby amended to add the following as Sections 38-42 (b) (c), (d) and (e) so that Section 3-42 will read as follows:

- (a) Whatever is dangerous to human health or welfare, or whatever renders the ground, the water, the air, or food a hazard or any injury to human health or safety, is hereby declared to be a nuisance.
- (b) Declaration of Nuisance and Prohibitions in the Safety Zone.
 - (i) Declaration of Nuisance. The placement, installation, or maintenance of any Materials within the Safety Zone, except as specifically authorized by this Ordinance, is hereby declared to be a public nuisance and a threat to public safety.
 - (ii) General Prohibition. It is unlawful for any Person to place, deposit, install, maintain, or allow the placement of any Materials within the Safety Zone.
 - (iii) Continuing Offense. Each day that a violation of this Section exists constitutes a separate and distinct offense.
- (c) Existing Materials and Grace Period.
 - (i) One Hundred Eighty Day Grace Period. Except for landscape plants, any Materials located within the Safety Zone as of the Effective Date shall be removed by the Property Owner within one hundred eighty (180) calendar days of the Effective Date of this Ordinance.

- (ii) Failure to Remove. Except for landscape plants, if Materials are not removed within said one hundred eighty (180) calendar day period, the City may, at its discretion:
 - (1) Initiate proceedings in Municipal Court to compel removal and assess penalties; or
 - (2) Proceed with administrative abatement and removal pursuant to Section 38-52 of the Code of Ordinances.
- (d) Permits, Exceptions, and Exemptions
 - (i) Permit Required. A City-issued permit is required for the placement of the following items within the Safety Zone, provided they do not create a sight-line obstruction and do not impede emergency access:
 - (1) Grass or other organic ground cover.
 - (2) Living plants not exceeding twelve (12) inches in height.
 - (3) Rocks, stones, or boulders not exceeding six (6) inches in diameter.
 - (ii) Temporary Storage Exception. Materials may be stored within the Safety Zone for a period not to exceed seven (7) consecutive days, provided the Person gives prior written notice to the City Administrator and provided the temporary storage does not obstruct emergency access.
- (e) Mailbox Exemption.
 - (i) Existing Mailboxes. Mailboxes existing as of the Effective Date of this Ordinance are exempt from the requirements of Sections 38-42 (b), (c), and (d).
 - (ii) New or Replacement Mailboxes. All mailboxes constructed or replaced after the Effective Date require a permit and must meet the following specifications:
 - (1) Setback. Minimum two (2) feet from the outside face of the ribbon curb or the asphalt edge if no curb exists.

- (2) Height. Minimum of forty-one (41) inches measured from the finish grade of the road surface to the bottom of the mailbox or point of mail entry.
- (iii) Orientation. Points of mail entry shall face parallel to the main roadway.
- (f) Garbage Container and Refuse Exception. Placement of Garbage containers and refuse for collection by the City Garbage collection contractor for not more than 48 hours are exempt from the requirements of Sections 38-42 (b), (c), and (d).

Section 3. Section 38-52 is hereby added to the Code of Ordinances to read as follows:

Enforcement and Cost Recovery.

- (a) Abatement Authority. The City Administrator or his/her designee is authorized to enforce this Ordinance, including issuance of notices, orders to abate, and coordination of removal if the responsible party fails to abate the nuisance within the time specific in the notice or order.
- (b) Cost Assessment. If the City performs removal, the Property Owner shall be liable for the City's actual cost of removal and disposal. The City may, at its sole discretion, add an administrative fee not to exceed fifteen percent (15%) of the actual cost.
- (c) Alternative Remedies. The remedies provided in this Section shall not be construed to prevent or deter the City from pursuing all other remedies available at law or in equity.

Section 4. Section 38-53 is hereby added to the Code of Ordinances to read as follows:

Penalties.

- (a) Any Person found in violation of this Ordinance is subject to a fine of not less than One Hundred Dollars (\$100) and not more than Two Thousand Dollars (\$2,000) per day of violation.
- (b) Each day a violation continues constitutes a separate and independent offense.

Section 5. Publication and Posting on Website.

- (a) Publication. Because this Ordinance imposes a penalty, the City shall publish the caption that summarizes the purpose of this

Ordinance and the penalty for violation of this Ordinance for two (2) days in the official newspaper of the City in accordance with Texas Local Government Code Section 52.011.

(b) Website Posting. The City shall post the full text of this Ordinance on the City’s website for public access.

Section 6. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

Section 7. Effective Date. This Ordinance takes effect on _____, 2026.

APPROVED AND ADOPTED this _____ of _____, 2026.

Gabriel Durand-Hollis, Mayor

ATTEST:

Frank Morales, City Administrator

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

ALTA TOWERS, LLC
Plaintiff,

§
§
§
§
§
§
§
§

v.

Civil Action No. 5:25-cv-00006

**CITY OF HILL COUNTRY VILLAGE,
TEXAS; et al.**
Defendants.

PARTIES’ MOTION TO ENTER FINAL JUDGMENT

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW, Plaintiff, ALTA TOWERS (“Plaintiff”), and Defendants, CITY OF HILL COUNTRY VILLAGE, TEXAS, et al (“City Defendants”) (Plaintiff and City Defendants are collectively referred to as the “Parties”), and files this their Motion to Enter a Final Judgement for this case. In that regard, the Parties will respectfully show the court as follows:

1. On January 3, 2025, Plaintiff filed suit against City Defendants challenging the City’s denial of a Special Use Permit (“SUP”) application. The SUP sought authorization for Plaintiff to construct a cellular communications tower on property owned by San Antonio Water System (“SAWS”) located within Hill Country Village city limits.
2. On October 31, 2025, the Parties entered into a Settlement Agreement for this case. With the Settlement Agreement signed by counsel for all Parties, the Parties now file this Motion to Enter a Final Judgment, with the proposed Final Judgment attached hereto.
3. The substance of the Final Judgment has been agreed to by the Parties as evidenced by the signature of Plaintiff’s counsel and City Defendant’s counsel below. Further, the Settlement Agreement to the Parties Final Judgment is attached hereto and referenced herein as **Exhibit 1**.

///

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served in accordance with the Federal Rules of Civil Procedures to the person(s) listed below and in the manner(s) listed below on this the 5th day of November, 2025.

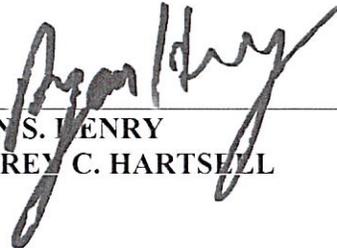
Thomas Scott Thompson
**Mintz, Levin, Cohn, Ferris,
Glovsky & Popeo, P.C.**
555 12th St. NW, Suite 1100
Washington, DC 20004

Sent Via Email: Sthompson@mintz.com
Sent Via E-File Notification

William Bebb Francis, III
The Francis Law Firm, P.C.
112 E. Pecan Street, Suite 550
San Antonio, Texas 78205

Sent Via Email: wbfrancis@francislawfirm.com
Sent Via E-File Notification

*Attorneys for Plaintiff,
Alta Towers, LLC*



RYAN S. HENRY
JEFFREY C. HARTSELL

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

ALTA TOWERS, LLC

Plaintiff,

v.

CITY OF HILL COUNTRY VILLAGE,
TEXAS; et al.

Defendants.

Case No.: 5:25-cv-00006

FINAL JUDGMENT

Upon joint motion by all Parties to this action, and pursuant to the Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. § 332(c)(7) (the “Communications Act” or “Act”), the Parties’ Settlement Agreement filed with this Court, the documents and information submitted in this action, and based on applicable law, the court finds and orders as follows:

Plaintiff Alta Towers, LLC (“Alta” or “Plaintiff”) alleges that City of Hill Country Village (“City”), Texas, Hill Country Village City Council (“City Council”), Gabriel Durand-Hollis, Matthew T. Acock, Tom Doyle, Gregory Blasko, and Allison Francis each in the official capacity’s only as members of the Hill Country Village City Council (collectively, the City, the City Council and Council Members are referred to herein as “Defendants”) (collectively, “Plaintiff” and “Defendants” shall be referred to herein as the “Parties”), unlawfully denied Plaintiff’s application for a Special Use Permit (“SUP”) (the “Application” or “SUP Application”) to construct a wireless telecommunications facility in the form of a 100-foot monopole tower (“Proposed Facility”) at 302 Tower Drive, Hill Country Village, TX (“Subject Property”), in violation of 47 U.S.C. § 332(c)(7)(B)(i)(II) and (iii). While the Defendants disputed the denials were improper under normal circumstances, the Defendants concede the law allows the Proposed Facility to be

completed applications, with all fees paid, and compliant with all other generally applicable City ordinances unless otherwise listed in this judgment.

IT IS FURTHER ORDERED Plaintiff must comply with the conditions, as applied for, in the SUP and as addressed in the Settlement Agreement and may not deviate from such conditions without the approval of the City Council.

IT IS FURTHER ORDERED that as a result of the Defendants' actions in response to this Judgment, granting the Plaintiff's SUP, and upon receipt of any other necessary approvals apart from this judgment, Plaintiffs shall be authorized to construct, operate, maintain, and use a personal wireless service facility located at the Subject Property pursuant to this Judgment, the Parties' Settlement Agreement, and subject to the conditions of approval of the SUP attached hereto as **Exhibit 1**.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction of this action after the entry of this Final Judgment to the extent necessary to enforce compliance with it and the terms of the Settlement Agreement and to take any action necessary or appropriate for its interpretation, modification, or enforcement. Specifically, the Court's jurisdiction will continue until the proposed tower construction is complete. The Court's continuing jurisdiction does not extend to other zoning matters beyond the scope of the subject of the Application and Settlement Agreement.

IT IS FURTHER ORDERED that both Plaintiff and Defendants shall comply with the terms of the settlement agreement, which is attached and incorporated herein as **Exhibit 2**. The settlement agreement references a Final Judgment as **Exhibit C** within **Exhibit 2**. For purposes of clarity and judicial economy, **Exhibit C** is not attached hereto, as this judgment shall serve as and constitute the Final Judgment referenced therein.

EXHIBIT 1

SUP NO. _____

ALTA TOWERS SPECIAL USE PERMIT CITY OF HILL COUNTRY VILLAGE, TEXAS.

Alta Towers, LLC (“Alta”), presented to the City of Hill Country Village (“City”) an application for a Special Use Permit (“SUP”) dated July 19, 2024, to construct a wireless telecommunications facility in the form of a 100-foot monopole tower with 6 foot lightning rod (“Tower”), within the leased area located on the subject property generally located at 302 Tower Drive, Hill Country Village, TX, which is specifically described on **Exhibit A** hereto (“Subject Property”).

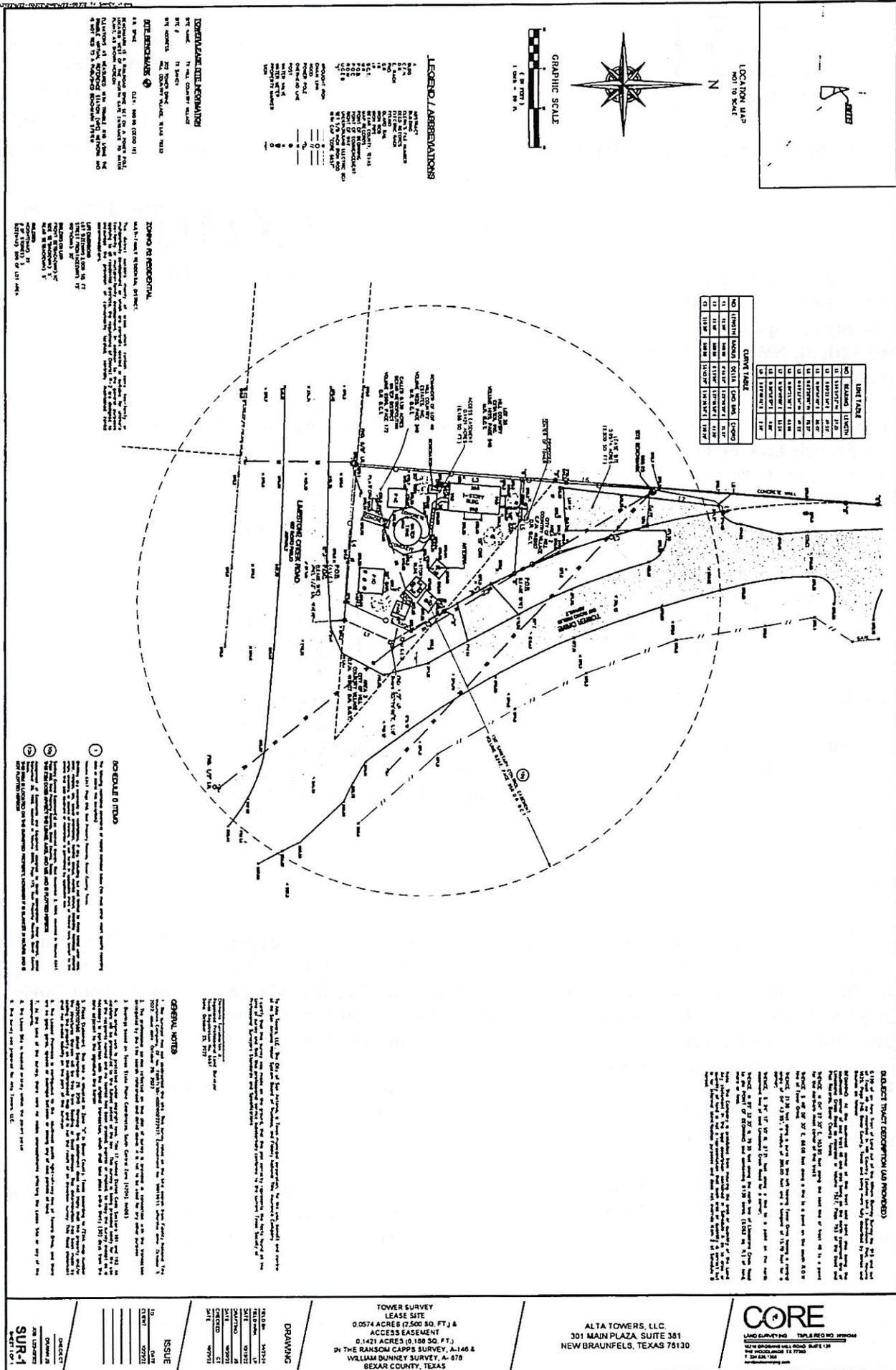
The SUP went through all public notices and public hearings legally required and was denied by the City Council on December 6, 2024.

On January 3, 2025, Alta commenced litigation against the City alleging violations of Section 332 of the Federal Communications Act (codified at 47 U.S.C. § 332) in an action titled *Alta Towers, LLC v. City of Hill Country Village, et al.*, Civil Action No. 5:25-cv-00006 (W.D. Tex.) (the “Litigation”). On _____, 2025, the Federal District Court in the Litigation entered a Final Judgment (“Judgment”) in Alta’s favor on both of Alta’s claims and ordering the City to approve Alta’s SUP application as amended by the Judgment and grant the SUP.

THEREFORE, Pursuant to Section 78-16(d) of the Hill County Village Code of Ordinances, the City issues Alta this Special Use Permit authorizing Alta to construct, maintain, and operate the Tower on the Subject Property subject to the following conditions:

SECTION I. That the SUP application of Alta as amended by the Judgment is hereby approved and Alta is authorized to construct, maintain, and operate the Tower on the Subject Property subject to the conditions set forth in the Judgment.

EXHIBIT A



OWNER LIST

NO.	OWNER	ADDRESS	CITY	STATE	ZIP
01	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
02	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
03	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
04	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
05	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
06	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
07	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
08	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
09	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
10	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
11	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
12	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
13	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
14	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
15	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
16	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
17	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
18	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
19	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130
20	ALTA TOWERS, LLC	301 MAIN PLAZA, SUITE 381	NEW BRAUNFELS	TEXAS	78130

LEGEND / ABBREVIATIONS

--- 1/4" = 1' SURVEY LINE
 --- 1/8" = 1' SURVEY LINE
 --- 1/16" = 1' SURVEY LINE
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I.
DEFINITIONS

For purposes of this first amended Settlement Agreement, the following terms shall have the meanings set forth below:

1. **“Tower”** – The communications monopole, antennas, and all associated equipment located on the Subject Property, including the shrouding.
2. **“Shrouds” or “Shrouding”** – The panels, affixed to the Tower to reduce visual impact, extending downward from the top of the monopole to the maximum feasible extent allowed by regulations and subject to clearance and structural limitations.
3. **“Subject Property”** – The real property generally described as 302 Tower Drive, Hill Country Village, Texas which is specifically described on **Exhibit A** hereto. Such property is not subject to change by additional or amended leases with the property owner but applies only to the lease in existence.
4. **“Tower Location”** – The specific site on the Subject Property where the Tower shall be constructed, the boundaries of which may be adjusted by Plaintiff in accordance with the lease.
5. **“Maintenance”** – The upkeep and repair of the Tower, fencing, and immediate surrounding area, which is under the custody and control of Plaintiff so that the Tower and Tower Location remain structurally sound, in good repair, free of graffiti or debris, and visually consistent with the approved design.
6. **“Agreed Judgment”** – The jointly submitted judgment to the federal court incorporating the essential terms of this Agreement, as amended, and ordering the City Defendants to allow construction and operation of the Tower at the Tower Location without rezoning.
7. **“Final Amended Settlement Agreement”** – This written agreement, as amended by this first amendment, and language of the Agreed Judgment entered between the Parties memorializing the essential terms of this agreement, as amended.

II.
LOCATION AND CONSTRUCTION OF TOWER

1. The Tower shall be constructed within the Subject Property owned by San Antonio Water System (“SAWS”). Plaintiff stipulated it has entered a new lease with SAWS outlining the terms of the new Tower Location.
2. It is agreed that, instead of going through a rezoning process, the Parties will enter an Agreed Judgment with the federal court to be signed by the assigned judge. Given the state of the law on this subject matter, the court will order the City Defendants to allow the Tower on the Subject Property as described in Subsection 1 above, without changing the zoning, which is consistent with the federal Communications Act.
3. The Plaintiff agrees that it will begin the construction of the Tower within twelve (12) months of the agreed judgment being executed and finalized.
4. The Plaintiff agrees it shall comply with all City ordinances, including, but not limited to, all building codes, electrical codes, technical codes, and permitting requirements. This requirement, however, does not apply to any zoning regulation which would have prevented the Tower from



VII.

FINAL AMENDED SETTLEMENT AGREEMENT

The Parties agree that once the Parties execute this first amended Agreement, the Parties shall enter into the Agreed Judgment, as amended, attached hereto as **Exhibit C**. Plaintiffs will file the Agreed Judgment with the court along with a motion to enter the Agreed Judgment within **ten (10) days** of both Parties' execution of this Final Amended Settlement Agreement.

The Parties agree to take all actions and execute any and file all additional documents necessary to carry out the terms of the Final Amended Settlement Agreement and fulfill the Agreed Judgment. The Parties agree that the Agreed Judgment represents a final judgment in this litigation, which governs and resolves all claims against all parties on the subject matter of the litigation, including any claim(s) that any party could have pursued but did not regarding the subject matter of the litigation.

The Parties further agree that within **ten (10) days** of entry of the Agreed Judgment, City Defendants shall grant Plaintiff's previously submitted application for a special use permit, as modified by the Final Amended Settlement Agreement and Agreed Judgment, to construct the Tower at the Subject Property. Following the entry of the Agreed Judgment and City Defendants' approval of the application, Plaintiffs agree to apply to the City for any other permits and approvals necessary for construction of the Tower. Plaintiff shall pay all filing fees for any and all permits. The City Defendants agree to cooperate to the extent necessary for Plaintiff to obtain all additional necessary permits and approvals. The court shall retain plenary power in relation to enforcing the Agreed Judgment.

The Parties agree that the Final Amended Settlement Agreement and Agreed Judgment apply to both Parties, including their agents, employees, attorneys, officials, assigns, and officers. It is also agreed that all Parties pay their own costs and attorneys' fees.

The attorneys' signatures affixed below shall operate as authority, consent, and an agreement to enter into this settlement agreement contained within the correspondence on behalf of their respective clients, and to be bound by its contents. The Final Amended Settlement Agreement constitutes the entire agreement with respect to the subject matter hereof and supersedes all prior and contemporaneous oral and written agreements. The Parties agree to cooperate and act in good faith to achieve the terms of the Final Amended Settlement Agreement.

Further, this correspondence and the agreement terms contained herein shall be effective and enforceable immediately upon the signature of attorneys for both Parties.

Thomas Scott Thompson
State Bar No. 439970
William Bebb Francis
State Bar No. 07360500

*Attorneys for Plaintiff,
Alta Towers, LLC*

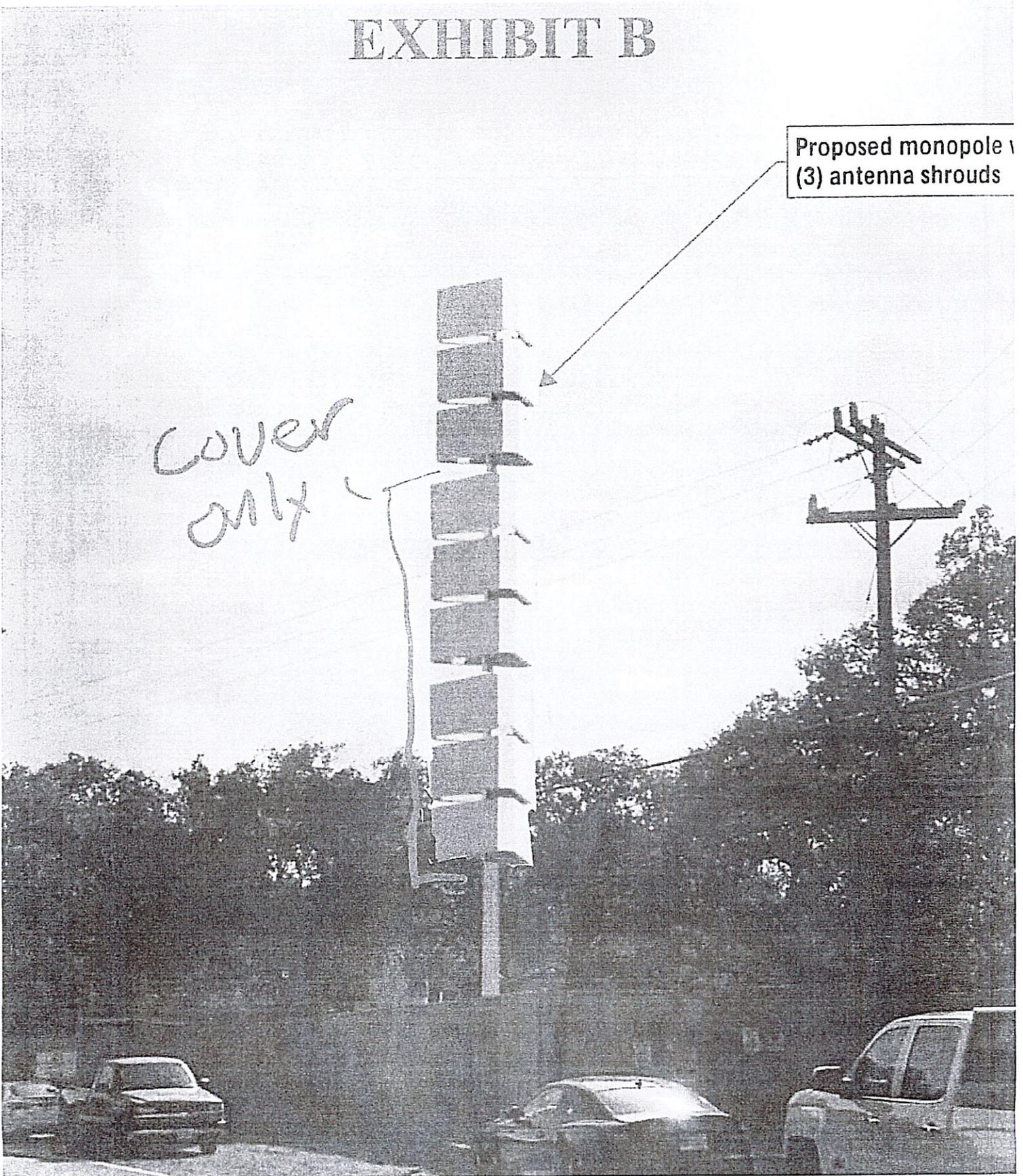
Ryan S. Henry / Signed October 31, 2025
State Bar No. 24007347
Jeff Hohl
State Bar No. 24071337

*Attorneys for City Defendants,
City of Hill Country Village, et al*

EXHIBIT B

Proposed monopole
(3) antenna shrouds

Cover
only



**ALTA TOWERS SPECIAL USE PERMIT
CITY OF HILL COUNTRY VILLAGE, TEXAS.**

Alta Towers, LLC (“Alta”), presented to the City of Hill Country Village (“City”) an application for a Special Use Permit (“SUP”) dated July 19, 2024, to construct a wireless telecommunications facility in the form of a 100-foot monopole tower with 6 foot lightning rod (“Tower”), within the leased area located on the subject property generally located at 302 Tower Drive, Hill Country Village, TX, which is specifically described on **Exhibit A** hereto (“Subject Property”).

The SUP went through all public notices and public hearings legally required and was denied by the City Council on December 6, 2024.

On January 3, 2025, Alta commenced litigation against the City alleging violations of Section 332 of the Federal Communications Act (codified at 47 U.S.C. § 332) in an action titled *Alta Towers, LLC v. City of Hill Country Village, et al.*, Civil Action No. 5:25-cv-00006 (W.D. Tex.) (the “Litigation”). On November 6, 2025, the Federal District Court in the Litigation entered a Final Judgment (“Judgment”) in Alta’s favor on both of Alta’s claims and ordering the City to approve Alta’s SUP application as amended by the Judgment and grant the SUP.

THEREFORE, Pursuant to Section 78-16(d) of the Hill County Village Code of Ordinances, the City issues Alta this Special Use Permit authorizing Alta to construct, maintain, and operate the Tower on the Subject Property subject to the following conditions:

SECTION I. That the SUP application of Alta as amended by the Judgment is hereby approved and Alta is authorized to construct, maintain, and operate the Tower on the Subject Property subject to the conditions set forth in the Judgment.

