



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, May 17, 2022

MINUTES

5:45 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	Remote
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 called the meeting to order announcing that a quorum of City Council was in Chambers with Councilor Jed Hefner being remoted into the meeting.

Mayor Riley asked Councilor Josh Stevens to lead the Pledge of Allegiance.

REGULAR AGENDA

Discussion and Possible Action on a Resolution and Order of The Leon Valley, Texas, City Council Canvassing the Returns and Declaring the Official Results of City of Leon Valley, Texas, May 07, 2022, General Election to Elect Three City Council Members for The City of Leon Valley, Texas (M&C # 2022-05-17-4659 S. Passailaigue)

City Secretary, Sandra Passailaigue presented the Canvass of the May 07, 2022, General Election.

Councilor Rey Orozco made a motion to adopt the Resolution canvassing the May 07, 2022, General Election as presented. Councilor Benny Martinez seconded the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rey Orozco, Council Place 4
SECONDER:	Benny Martinez, Council Place 1
AYES:	Martinez, Stevens, Orozco, Bradshaw

CITIZENS TO BE HEARD

Mayor Chris Riley took this moment for a Point of Privilege regarding the Rules of Decorum (Ordinance No. 21-013), that she wanted to clarify that under (d) Conducting Meetings, § 2. Appearance. *“Citizens may appear in person or by written appearance if unable to attend the meeting. Written comments must include their written name and place of residence (city and state). Written comments should be sent so that they are received **prior** to the start of the meeting to ensure they are read during the meeting. [And then these] comments [will] be included in [our] minutes.”*

Mayor Riley spoke about the letters that were received at the end of the last meeting saying that “we need to follow our rules so I would suggest to the Council that if we receive letters during the meeting that we save them and read them at the beginning of the next meeting. We will be addressing the Rules of Decorum during our upcoming retreat.”

Those who spoke at this time were: Scotty Hochstetler, Chicago, IL.

Councilor Rey Orozco read an e-mail that was submitted by: Evan Bohl, Leon Valley

Mayor Chris Riley read an e-mail that was submitted by: John Hoyt, Leon Valley

PRESENTATIONS

Presentation, Discussion and Possible Action on a Rate Increase from Tiger Sanitation with a Possible Executive Session Pursuant to Texas Government Code Section 551.071 (entitled “Consultation with Attorney”) to Receive Legal Advice on Municipal Solid Waste Collection and Transportation Agreement effective January 1, 2018. (M&C # 2022-05-17-4816 C. Caldera)

City Manager Crystal Caldera presented this item to present and discuss a rate increase from Tiger Sanitation with a possible executive session pursuant to Texas Government Code Section 551.071 (entitled “Consultation with Attorney”) to receive legal advice on Municipal Solid Waste Collection and Transportation Agreement.

Tiger Sanitation’s General Manager Lee Kuhn was present and spoke on behalf of the company stating that there had not been an increase as allowed by contract, in the last two years due to COVID.

RESULT: PRESENTED

A motion was made by Councilor Benny Martinez to increase the rates by 5% (2.5% for 9.1 of the contract and 2.5% for 9.2 of the contract) effective July 01, 2022. The motion was seconded by Councilor Rey Orozco.

Those who spoke at this time were: Lee Kuhn, General Manager, Tiger Sanitation; and Pat Martinez, Leon Valley

Mayor Riley asked City Secretary Sandra Passailaigue to take a roll call vote.

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied: Councilor Benny Martinez - Aye; Councilor Josh Stevens - Nay; Councilor Jed Hefner - **Remote*; Councilor Rey Orozco - Aye; and Councilor Will Bradshaw - Nay

**Councilor Jed Hefner was remoted into this meeting and because of that, per the previous city attorney, was unable to vote during this meeting.*

Due to a tie vote, Mayor Chris Riley had the opportunity to cast a vote which she did, and her vote was Nay.

Mayor Riley announced the motion failed.

RESULT:	DEFEATED [2 TO 3]
MOVER:	Benny Martinez, Council Place 1
SECONDER:	Rey Orozco, Council Place 4
AYES:	Benny Martinez, Rey Orozco
NAYS:	Chris Riley, Josh Stevens, Will Bradshaw

Councilor Josh Stevens made a motion to allow Tiger Sanitation to raise their rates by 2.5% reflecting the maximum amount per the contract that they are allowed to raise it; effective July 01, 2022. Councilor Will Bradshaw seconded the motion.

Mayor Riley asked City Secretary Sandra Passailaigue to take a roll call vote.

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied: Councilor Benny Martinez - Nay; Councilor Josh Stevens - Aye; Councilor Jed Hefner - **Remote*; Councilor Rey Orozco - Aye; and Councilor Will Bradshaw - Aye.

**Councilor Jed Hefner was remoted into this meeting and because of that, per the previous city attorney, was unable to vote during this meeting.*

Mayor Riley announced the motion carried.

Councilor Stevens added that he is not opposed to the remaining 5% but would ask that there be a meeting to discuss other requests from the City before agreeing to that.

RESULT:	APPROVED [3 TO 1]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Will Bradshaw, Mayor Pro-Tem, Council Place 5
AYES:	Josh Stevens, Rey Orozco, Will Bradshaw
NAYS:	Benny Martinez

**Presentation of the Monthly Financial Report for the Month Ending April 30, 2022
(M&C # 2022-05-17-4803 K. Rule**

Finance Director Kevin Rule presented the Monthly Financial Report ending April 30, 2022.

RESULT: PRESENTED

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

Members of City Council made announcements.

CITY MANAGER'S REPORT

Upcoming Important Events: (M&C # 2022-05-17-4800 S. Passailaigue)

- a. Regular City Council Meeting, Tuesday, June 07, 2022, at 6:00 PM, in Council Chambers.
- b. Administration of the Oath of Office to Newly Elected Officials, Tuesday, June 07, 2022, at 6:00 PM, During the Regular City Council Meeting.
- c. Leon Valley Public Swimming Pools Open, Saturday, May 28, 2022.
- d. FREE Swim Holiday, Leon Valley Swimming Pools, Monday, May 30, 2022.
- e. First Friday FREE Swim, Leon Valley Swimming Pools, Friday, June 03, 2022.
- f. Movies in the Park featuring Disney's "Luca", Raymond Rimkus Park, Friday July 01, 2022, at sunset.
- g. Big Rig Petting Zoo, Friday, June 03, 2022, from 10:30 AM to 12:00 PM, at the Leon Valley Community Center/Conference Center Parking Lot.
- h. July 4th
- i. Miscellaneous other events and announcements.

RESULT: PRESENTED

Discussion and Possible Action on Topics and Location for a City Manager/City Council Retreat (M&C # 2022-05-17-4818)

City Manager Caldera presented a list of topics and asked members of City Council for other items of discussion. Also discussed were options regarding a facilitator.

Councilor Josh Stevens requested an update on the apartments.

There was a consensus among members of City Council members to hold a team building training with department heads.

City Manager Caldera asked members of City Council to submit items or comments to here as soon as possible.

RESULT: PRESENTED

CONSENT AGENDA

Councilor Rey Orozco made a motion to approve the Consent Agenda as presented. Councilor Josh Stevens seconded the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rey Orozco, Council Place 4
SECONDER:	Josh Stevens, Council Place 2
AYES:	Benny Martinez, Josh Stevens, Rey Orozco, Will Bradshaw

Consideration of the Following City Council Minutes:

a. Regular Meeting- May 3, 2022, 6:00 PM

Acceptance of the Following Board, Committee, and Commission Minutes: (M&C # 2022-05-17-4799 S. Passailaigue)

- a. 03-14-2022 Economic and Community Development Advisory Committee Meeting Minutes**
- b. 04-11-2022 Economic and Community Development Advisory Committee Meeting Minutes**
- c. 04-14-2022 Park Commission Minutes**

Discussion and Possible Action on an Ordinance Amending the City of Leon Valley Code of Ordinance, Chapter 8, Article 8.03 Graffiti (1st Read was Held 05-03-2022) (M&C # 2022-05-17-4737 D. Gonzalez)

REGULAR AGENDA

Discussion and Possible Action on an Ordinance Awarding a Bid to R.L. Jones, LP in the Amount of \$504,449.00, with \$75,667 (15%) for Contingency, Authorizing the City Manager to Enter into a Contract with R.L. Jones, LP for the Blacksmith Lane Water and Sewer Main Replacement Project, and Authorizing a FY 2021-2022 Enterprise Fund Budget Adjustment in the Amount of \$621,716.00 (1st Reading was Held on May 17, 2022) (M&C # 2022-05-17-4813 D. Dimaline)

Assistant Public Works Director David Dimaline presented this item seeking City Council's consideration of an ordinance awarding a bid in the amount of \$504,449.00 with 15% for contingency and authorizing the City Manager to enter into a contract with R.L. Jones, LP, for the Blacksmith Lane Water and Sewer Main Replacement Project, and to approve an Enterprise Fund Budget Adjustment in the amount of \$621,716.00

Assistant Director Dimaline stated that the lowest responsible bid for the project was submitted by R.L. Jones, LP, with a base bid of \$431,721.00 and an additive alternate bid of \$72,728.00 for a total bid of \$504,449.00. The City of Leon Valley applied for consideration for Bexar County's 2021 CDBG program, and the project was awarded grant funding for \$143,639. The project will include the replacement of aging water and sewer mains along Blacksmith Ln. from Settlers Ridge to Timberhill. The project scope of work

includes replacing 450 feet of asbestos-concrete water main with new 8" C-900 pipe, 430 feet of 8" sewer main, re-connecting 13 service lines, installing new gate valves, a new fire hydrant with Storz quick connections, 4 new sewer manholes, and providing for an asphalt mill and overlay of Settlers Ridge and Blacksmith Ln.

The engineer's estimated project cost was \$525,000 for the base bid, and \$195,000 for additive alternate #1 for a total estimated project cost of \$720,000.

Assistant Director Dimaline concluded the presentation saying that staff recommends approval of the ordinance awarding a bid to R.L. Jones, LP in the amount of \$504,449.00, with \$75,667 (15%) for contingency, authorizing the City Manager to enter into a contract with R.L. Jones, LP for the Blacksmith Lane Water and Sewer Main Replacement Project, and authorizing a FY 2021-2022 Enterprise Fund Budget Adjustment in the amount of \$621,716.00.

This item will be brought back in the Consent Agenda for second read at the June 07, 2022, Regular City Council meeting.

RESULT:	TABLED WITHOUT OBJECTION	Next: 6/7/2022 6:00 PM
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Presentation and Discussion to Consider an Ordinance Authorizing a Budget Adjustment in the Amount of \$42,115 from the Stormwater Fund Balance to Provide Funding for Flood way Monitoring and Software Upgrades (1st Read as Required by City Charter) (M&C # 2022-05-17-4579 E. Burnside)

Assistant Fire Chief Eric Burnside presented this item seeking City Council approval of an ordinance authorizing a budget adjustment in the amount of \$42,115 from the Stormwater Fund balance for the purpose of upgrading the current flood warning system to an autonomous high water detection software system while consolidating and integrating established high-water sensors into a single unified system.

Assistant Chief Burnside gave background saying that in 2008, "Datawise" software was installed as the initial High Water Detection System (HWDS) and it was installed with three sensors. The system met the flood alerting needs of the City at the time. As technology improved, the Datawise software proved to be unstable, unreliable, not web-based, and did not have the capability for public interaction. In 2016 a significant update was recommended by Bexar County Flood Control to improve system quality; however, the upgrade was expensive. The current system, although still in use, has limited capabilities and does not support the OneRain system.

In 2018, the City partnered with Bexar County Flood Control (BCFC) and a grant was awarded for an HWDS for Huebner Creek at Raymond Rimkus Park. This grant provided City with two HWDS, three High Alert Lifesaving Technology (HALT) gates, three HALT flashers, and access to BCFC'S Contrail software system. The agreement between the City and BCFC states that City will manage and maintain all on-site equipment, but limits access to the Contrail software system. This system is currently used during every flooding event.

Assistant Chief Burnside said that the components of the current HWDS include Contrail (OneRain) System; 2 high-water sensor locations; 3 HALT gates; 3 HALT flashers; Easily accessible data at any time; The Datawise software system; 2 High water sensor locations; Computer base station in city hall; and Limited access to data, due to analog software and non-web based

High Sierra Electronics maintains all HWDS for the City & recommends moving to one monitoring system. This would require the purchase of OneRain Contrail Software. This will allow all flood sensors to work on one platform, give the City autonomy in the use/operation of the software, while leaving Bexar county in control of the software. This will allow the sharing of flood information, data, and other statistics to the public with ease and convenience: Calibrated weather station; Rain accumulation, temperature, wind speed and direction, maximum wind velocity, relative humidity; Water levels at sensor sites; Gate (road) closures; and sets the foundation for the HWDS & allows for future expansion with more capabilities, if desired

Assistant Chief Burnside concluded the presentation saying that the expenditure is a singular expense projected to be \$42,115 from the Stormwater Fund Budget. The fund balance as of 9/30/21 was \$1,446,878. Staff recommends approval of this item.

This item will be brought back in the Consent Agenda for second read at the June 07, 2022, Regular City Council meeting.

RESULT: TABLED WITHOUT OBJECTION

Next: 6/7/2022 6:00 PM

Presentation and Discussion to Consider an Ordinance Authorizing the Implementation of the Ambulance Service Supplemental Payment Program Charity Care Policy and Amending the Emergicon Agreement (1st Reading as Required by City Charter) (M&C # 2022-05-17-4756 E. Burnside)

Assistant Fire Chief Eric Burnside presented this item seeking City Council consideration of an ordinance for the implementation of a Charity Care Policy and amending the Emergicon agreement for the purpose of providing a means for under and uninsured customers to alleviate necessary financial burdens.

Assistant Chief Burnside concluded the presentation saying that this ordinance will allow the city to apply for grants offered through the state and/or Federal government to assist with the recuperation of unpaid or underpaid emergency medical services expenses.

Those who spoke on this item were: Irene Baldrige

This item will be brought back in the Consent Agenda for second read at the June 07, 2022, Regular City Council meeting.

RESULT:	TABLED WITHOUT OBJECTION	Next: 6/7/2022 6:00 PM
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Discussion and Possible Action on a Resolution of The City Council of The City of Leon Valley, Texas, Waiving Open Records Charges for Open Records Request # 042822-B (M&C # 2022-05-17-4819 S. Passailaigue)

City Secretary Sandra Passailaigue presented this item on behalf of the requester of public information who is asking the City Council for a waiver of \$2,502 quoted in a cost estimate for records.

After a brief discussion, City Manager Crystal Caldera suggested that City Council go into Executive Session to discuss.

City Council agreed to do this but at the end of the meeting before Citizens to be Heard.

Discussion and Possible Action on a Resolution Appointing Members to the Board of Adjustment (M&C # 2022-05-17-4805 S. Passailaigue)

Councilor Benny Martinez made a motion to extend the terms of the current members to June 30, 2022; and to table this item to the June 21, 2022, Regular City Council Meeting. Councilor Josh Stevens seconded the motion.

RESULT:	TABLED [UNANIMOUS]	Next: 6/21/2022 6:00 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Martinez, Stevens, Orozco, Bradshaw	

Discussion and Possible Action on a Resolution Appointing Members to the Capital Facilities Oversight Committee (M&C # 2022-05-17-4806 S. Passailaigue)

Councilor Benny Martinez made a motion to extend the terms of the current members to June 30, 2022; and to table this item to the June 21, 2022, Regular City Council Meeting. Councilor Josh Stevens seconded the motion.

RESULT:	TABLED [UNANIMOUS]	Next: 6/21/2022 6:00 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Martinez, Stevens, Orozco, Bradshaw	

Discussion and Possible Action on a Resolution Appointing Members to the Citizens Police Advisory Committee (M&C # 2022-05-17-)

Councilor Benny Martinez made a motion to extend the terms of the current members to June 30, 2022; and to table this item to the June 21, 2022, Regular City Council Meeting.

Councilor Josh Stevens seconded the motion.

RESULT:	TABLED [UNANIMOUS]	Next: 6/21/2022 6:00 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Martinez, Stevens, Orozco, Bradshaw	

Discussion and Possible Action on a Resolution Appointing Members to the Economic and Community Development Advisory Committee (M&C # 2022-05-17-4817 S. Passailaigue)

Councilor Benny Martinez made a motion to extend the terms of the current members to June 30, 2022; and to table this item to the June 21, 2022, Regular City Council Meeting. Councilor Josh Stevens seconded the motion.

RESULT:	TABLED [UNANIMOUS]	Next: 6/21/2022 6:00 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Martinez, Stevens, Orozco, Bradshaw	

Discussion and Possible Action on a Resolution Appointing Members to the Library Board of Trustees (M&C # 2022-05-17-4808 S. Passailaigue)

Councilor Benny Martinez made a motion to extend the terms of the current members to June 30, 2022; and to table this item to the June 21, 2022, Regular City Council Meeting. Councilor Josh Stevens seconded the motion.

RESULT:	TABLED [UNANIMOUS]	Next: 6/21/2022 6:00 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Martinez, Stevens, Orozco, Bradshaw	

Discussion and Possible Action on a Resolution Appointing Members to the Park Commission (M&C # 2022-05-17-4809 S. Passailaigue)

Councilor Benny Martinez made a motion to extend the terms of the current members to June 30, 2022; and to table this item to the June 21, 2022, Regular City Council Meeting. Councilor Josh Stevens seconded the motion.

RESULT:	TABLED [UNANIMOUS]	Next: 6/21/2022 6:00 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Martinez, Stevens, Orozco, Bradshaw	

Discussion and Possible Action on a Resolution Appointing Members to the Planning & Zoning Commission (M&C # 2022-05-17-4810 S. Passailaigue)

Councilor Benny Martinez made a motion to extend the terms of the current members to June 30, 2022; and to table this item to the June 21, 2022, Regular City Council Meeting. Councilor Josh Stevens seconded the motion.

RESULT:	TABLED [UNANIMOUS]	Next: 6/21/2022 6:00 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Martinez, Stevens, Orozco, Bradshaw	

Discussion and Possible Action on a Resolution Appointing Members to the Tree Advisory Board (M&C # 2022-05-17-4811 S. Passailaigue)

Councilor Benny Martinez made a motion to extend the terms of the current members to June 30, 2022; and to table this item to the June 21, 2022, Regular City Council Meeting. Councilor Josh Stevens seconded the motion.

RESULT:	TABLED [UNANIMOUS]	Next: 6/21/2022 6:00 PM
MOVER:	Benny Martinez, Council Place 1	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Martinez, Stevens, Orozco, Bradshaw	

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

The City Council shall convene in Executive Session pursuant to Texas Government Code Section 551.071 (entitled "Consultation with Attorney") to receive legal advice related to agenda Item 8.4

The City Council went into Executive Session at 8:20 PM

RECONVENE INTO REGULAR SESSION

The City Council reconvened into Open Session at 8:41 PM

No action was taken.

CITIZENS TO BE HEARD

Those who spoke at this time were: Evan Bohl, Leon Valley

REQUESTS FROM MEMBERS OF CITY COUNCIL TO ADD ITEMS TO FUTURE AGENDAS**Attachment: (M&C # 2022-05-17-5804 C. Caldera)**

City Manager Caldera presented the "pipeline" and asked if there were any items the Mayor or City Council members wanted to add. Mayor Riley added the Neighborhood Renewal Program. Councilor Josh Stevens asked to "broaden out item 14".


RESULT: PRESENTED

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 8:47 PM.

These minutes approved by the Leon Valley City Council on the 7th of June 2022.

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 May 17, 2022 Leon Valley Regular City Council Meeting Minutes by Mayor Chris Riley.

From: John Hoyt <[REDACTED]>
Sent: Monday, May 16, 2022 3:17 PM
To: Citizens to be heard
Subject: Comment on Huebner Creek drainage way expansion

Hello Mayor and Council members - thank you for volunteering to serve our fine city! Regarding plans to enlarge the Huebner Creek channel between Bandera and Poss roads, I respectfully request that all efforts be made to save heritage oaks. I can think of at least six live oak trees with trunk diameters greater than four feet, these trees have to be hundreds of years old and destruction of these trees would be a tragedy.

Thanks for your consideration,

John Hoyt
Forest Mont Street

Sent from my iPad

From: Evan Bohl <[REDACTED]>
Sent: Tuesday, May 17, 2022 4:41 PM
To: Sandra Passailaigue
Subject: Comments for First Citizens To Be Heard

Hello Leon Valley,

The heat is on. After years of neglect at the hands of the same people who claim they will solve all the problems they created and allowed to worsen, Let's see that they do. If we will not give greater people the chance, we must trust the people making the problems. Public Safety to start. The Mayor and City Council last council meeting had a presentation of the obvious which is poorly paid First Responders. As they always do, this Council makes a show, and as usual if their pattern holds, will not deliver. Why should they? 18 years nothing has been done to properly keep our community safe, what's another 2 years? Will The Mayor put the same spicy attitude and energy she has about slapping residents, into ensuring that the city she has made vulnerable now start getting adequate public safety? Or will she leave the dirty work of betraying this City to her Council pawns? Time will tell. Wasted Tax dollars will tell.

At the meantime I will continue truly serving the community as I always have and will keep holding this City Government honest and calling you out when you are not.

Sincerely,
Evan Bohl