



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, May 5, 2020

MINUTES

6:00 PM Call to Order, Determine a Quorum is Present, Pledge of Allegiance.

Attendee Name	Organization	Title	Status	Arrived
Chris Riley	City of Leon Valley	Mayor	Present	
Monica Alcocer	City of Leon Valley	Mayor Pro-Tem, Council Place 3	Remote	
Donna Charles	City of Leon Valley	Council Place 1	Remote	
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present	
Matthew Hodde	City of Leon Valley	Council Place 4	Present	
Will Bradshaw	City of Leon Valley	Council Place 5	Present	

Also present was City Manager Kelly Kuentler, ACM/HR Director Crystal Caldera, ACM/Police Chief Joseph Salvaggio, Public Works Director Melinda Moritz, Fire Chief Michael Naughton, Planning & Zoning Director Brandon Melland and LVPD Officer JoAnn Flores.

City Secretary Sandra Passailaigue and City Attorney Daniel Santee were remoted into the meeting.

Mayor Chris Riley welcomed everyone to the meeting; apologized for the delayed start; and led the Pledge of Allegiance.

Mayor Riley announced that “there had been a couple of weeks between sessions. Our last agenda was, I think April 13th, so I have been thinking in order to improve the manner in which the Council meetings are run, the following are additional measures to implement.”

- 1) No one will be allowed to speak unless called upon by the presiding officer. This includes Council, staff, citizens. If you are in Council Chambers please raise your hand, and if you are on-line remoting please turn on your video so I can see you and raise your hand and then if you want to speak you don't have to stay on the video but I think it will be a little bit more orderly to do that.
- 2) All citizens to be heard comments emailed in shall be read by the presiding officer.
- 3) If a Councilor calls a point of order, the presiding officer shall recognize you. then please state what rule is not being followed and a ruling by the presiding officer will

follow. Roberts Rules of Order say it is up to the presiding officer unless we have to take a vote.

- 4) A governmental body may not prohibit criticism of the governmental body, including any act, omission, policy, procedure, program or service. However, our local rule addresses that no City Council member, staff or members of the public there shall shout, display any unruly behavior, distract with side conversation, use profanity, threat of violence or disrupt the orderly conduct that could affect the meeting. In addition, no personal attacks on staff, members of the public or City Council shall be allowed. As a reminder, a warning will be given and if the behavior continues, you will be asked to leave the Chambers or be disconnected by phone or video.

ORDINANCE

Discussion and Possible Action on an Ordinance Amending the Emergency Disaster Ordinance to Incorporate State of Texas Governor's Order GA-18, Bexar County Judge Executive Order NW-05, and Amend Leon Valley local rules where conflicted (M&C # 2020-05-05-01 J. Salvaggio)

ACM/Police Chief Joseph Salvaggio presented the item for the purpose of amending Ordinance 2020-19 to reflect recent changes due to Texas Governors Executive Order GA-18 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster and Bexar County Commissioners Executive Order NW-07.

- Evan Bohl spoke in favor of holding off making any decision until May 19th.
- Koprecia Forsyth, owner of Carvel Skate Center, said that his business would have to close if they are not allowed to open soon with more than four people.
- Leslie Bacon spoke about a city-initiated platform for citizens to express their concerns regarding COVID-19; and about an incident that occurred the 2nd or 3rd week in April when she found a citizen in on the ground, in the rain who had a medical emergency, "a seizure", and that it took eight (8) minutes for the LVFD to respond but she was concerned if they had enough PPE.
 - LVFD Chief Michael Naughton responded that the average response time in the month of April was 4 minutes and 40 seconds. Also, the LVFD has plenty of PPE with standing orders to use it whenever outside. He said he will look into this.

Councilor Will Bradshaw suggest opening the Library at 25% capacity without advertising it. This would be about 40 people. Staff explained the disinfecting process that would be needed as well as the volume of people that would try to get in once word got around. There was a consensus to keep the Library closed.

Councilor Bradshaw said that he did not think that COVID-19 is as contagious as being said.

A motion was made by Councilor Catherine Rodriguez to accept Item 2.1 as presented with

the exception of the Library, until the next City Council meeting on May 19th. Councilor Matthew Hodde 2nd the motion.

Due to technical difficulties and the Go-To Meeting freezing up, the Mayor recessed the meeting at 7:43 PM

Mayor Riley reconvened the meeting at 7:59 PM

A motion was made by Councilor Catherine Rodriguez and seconded by Councilor Matthew Hodde to accept as presented Item 2.1 keeping everything closed until May 19, 2020 with the exception of the tennis courts which may have a maximum of four (4) people on them.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Catherine Rodriguez, Council Place 2
SECONDER:	Matthew Hodde, Council Place 4
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

Discussion and Possible Action on an Ordinance for a Specific Use Permit for a Bar, at 4700 Timco West Road; Generally Located at the Intersection of Timco West Road and Timco East Road (1st Reading was Held 04-13-2020) (M&C # 2020-05-05-02 B. Melland)

Planning & Zoning Director Brandon Melland presented this item with no changes.

A motion was made by Councilor Will Bradshaw and seconded by Councilor Catherine Rodriguez to adopt Item 2.2 as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Will Bradshaw, Council Place 5
SECONDER:	Catherine Rodriguez, Council Place 2
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

CITY MANAGER'S REPORT

City Manager Kelly Kuenstler reminded everyone that the City Manager's Report is posted on the website as well as placed on the table in the foyer for all interested. City Manager Kuenstler then supplemented that report with new information with: a) Informed everyone that in an effort to get the annual committee reports caught back up they will be placed on upcoming consent agendas until we are meeting in the usual manner again; b) signed the scope of work for the Community Center today so engineering should be done on that by mid-June; c) want to thank the Police department and Fire department for participating in several drive by birthdays ranging from an 8 year old child to a 96 year old WWI and Vietnam Veteran; d) City staff is still delivering groceries and prescriptions to our vulnerable population. Your Fire department is continuing to change batteries and light bulbs for vulnerable residents as well in order not only to assist but to avoid any accidents or

mishaps; e) the park restrooms have been painted, there are new toilets and they look great. Thank you to Public Works for their efforts in getting this done while the restrooms were closed; f) the LC17 project has now been delayed until July due to COVID-19 issues and staffing; however, they are continuing to work and remove soil; and g) we have Census 2020 magnets on many of the Police cars and are putting them on the Public Works and Fire department vehicles as well.

Upcoming Important Events

- Next Regular City Council Meeting Tuesday, May 19, 2020, at 6:00 p.m. in Council Chambers
- *Tentative* - Movies in the Pool featuring "Finding Dory", Saturday, May 23, 2020, begins at dusk at the Leon Valley Community Pool, 6600 Strawflower Street.

RESULT:	PRESENTED
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CITIZENS TO BE HEARD

- Leslie Bacon - read aloud a letter she submitted on April 8, 2020 that was not read regarding the April 7, 2020 meeting.
- Evan Bohl - asked that the Mayor "have Leslie Bacon removed for removing her mask multiple times during the meeting" tonight; spoke about the increase in confirmed COVID-19 cases.

Mayor Riley read letters from citizens that submitted their comments via e-mail:

- Tina Chasan wrote about NextDoor article submissions from City staff; asked that staff respond to On-It and phone messages.
- Natalie Flores wrote about aggressive dog complaints that she has submitted to On-It that she has had no response to.
- Rita Burnside wrote about "Be Kind to Animals Week".

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

- Councilor Donna Charles spoke of the advantages of the stay home order; praying for everyone's safety.
- Councilor Catherine Rodriguez also thanked Rita's for allowing her to co-host a breakfast for our first responders and for the HEB overnight employees a couple weeks ago.
- Councilor Monica Alcocer read aloud letters sent from Terry and Marion; look for the positive in people and not always the negative; please respond to the Census; today is Cinco de Mayo; "little old people like me" like to be outside so get out and look at the fireflies; thank you for those taking time to listen and attend.
- Councilor Matthew Hodde nice to see everyone's eyes tonight; spoke about political signs; concerns about Council agendas being released without being finalized; thanked the hard-working staff for all they do.
- Councilor Will Bradshaw thank you all for coming and for those watching at home;

happy Cinco de Mayo; it is also Taco Tuesday.

- Mayor Riley said there will be COVID testing at ESD 7 Fire Station on Galm Road; thanked Manuel Rubio and Josh Stevens for donations of PPE; update on the Census is that Leon Valley has reported in at 57%; read a letter from Cynthia Koger regarding Michael MacDonald's recent diagnosis of a disease and propose that a trail in the park be named after him or dedicate a bench to him. Mayor Riley said at the next Council meeting we would do a Good Neighbor Award.
- Councilor Hodde added that Dr. Colleen Kennedy passed away yesterday morning.

CONSENT AGENDA

A motion was made by Councilor Catherine Rodriguez and seconded by Councilor Matthew Hodde to accept Consent Agenda Items 6.1 and 6.2 as presented.

City Secretary Sandra Passailaigue reminded members of City Council of the various corrections to the Council minutes that had been made prior to the meeting and asked that the motion be restated as "accepted as amended".

Councilor Rodriguez withdrew her motion and Councilor Hodde withdrew his second.

A motion was made by Councilor Catherine Rodriguez and seconded by Councilor Matthew Hodde to accept Consent Agenda Items 6.1 and 6.2 as amended.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Catherine Rodriguez, Council Place 2
SECONDER:	Matthew Hodde, Council Place 4
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

Consideration of the Following City Council Minutes:

- Regular Meeting- October 15, 2019 6:00 PM**
- Special Meeting for Executive Session- November 5, 2019 5:30 PM**
- Regular Meeting- November 5, 2019 6:00 PM**
- Annual Town Hall Meeting- January 25, 2020 8:30 AM**
- Special Meeting for Executive Session- April 7, 2020 5:30 PM**

Presentation of a Proclamation for Economic Development Week, May 4-9, 2020 (Mayor Chris Riley)

Discussion and Possible Action on a Resolution of The City of Leon Valley, TX., City Council Extending all Appointments that are Cotermious with the Mayor's Term to November 30, 2020 to include the Municipal Court Judges, the Board of Adjustment, Park Commission, Library Board, and the Tree Advisory Committee - *Withdrawn* (M&C # 2020-05-05-03 S. Passailaigue)

City Manager Kelly Kuenstler asked Mayor Riley to pull this item as the suggestion of the City Attorney. The item will be brought back at the next meeting for consideration.

REGULAR AGENDA

Discussion and Possible Action on a Resolution of The City of Leon Valley, TX., City Council Making an Appointment to the Position of 2nd Alternate on The Economic and Community Development Advisory Committee to Fill a Vacancy (M&C # 2020-05-05-04 S. Passailaigue)

A motion was made by Councilor Monica Alcocer and seconded by Councilor Will Bradshaw to appoint Rodolfo Alarcón to the position of 2nd Alternate on the Economic & Community Development Advisory Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Will Bradshaw, Council Place 5
AYES:	Alcocer, Charles, Rodriguez, Hodde, Bradshaw

Presentation and Discussion to Consider Approval of an Ordinance Creating a Capital Facilities Advisory Committee (1st Read as Required by City Charter) (M&C # 2020-05-05-05 M. Moritz)

Public Works Director Melinda Moritz presented this item seeking City Council consideration of an ordinance that would create a Capital Facilities Advisory Committee.

This committee would be responsible for researching, reviewing, and making recommendations for the financing and construction to update several city facilities, including the Public Works building, Leon Valley and Forest Oaks swimming pool facilities, and the Library Annex. At the Town Hall meeting, held in January of 2020, the citizens were shown a presentation which depicted the deficiencies of each of these facilities and then were asked how they would like to move forward. The consensus was to create a committee to produce a plan of action.

All of these facilities are old, outdated, not energy efficient, insufficient for current and future operations, and do not conform to the current Americans with Disabilities Act (ADA) regulations. Per federal and state law, the City must have an actionable plan in place to bring these facilities up to code and comply with these regulations.

The Committee by-laws include the creation of a seven (7) member committee, appointed by the Mayor and City Council, and then sets out their roles and responsibilities. This Committee would be charged with making off-site visits to like facilities in other municipalities, performing a needs assessment for our city, reviewing financing options, and then creating a plan for moving forward with renovations/construction to conform with the laws. Once the plan is created and approved by City Council, the Committee would sunset.

There would be minimal fiscal impact at this time, to include trip mileage reimbursement and some meeting supplies; however, the Committee will be recommending funding option for the upgrades to these facilities

Director Moritz concluded the presentation saying that in light of the current Corona Virus pandemic, Staff suggests delaying the creation of this committee until late this Fall, when the City Council may more accurately predict and project the City's financial forecast.

A Resolution Authorizing the Filing of an Application with the Bexar County Community Development Block Grant Program for Fiscal Year 2020; Authorizing the City Manager to Act on Behalf of the City of Leon Valley in All Matters Related to the Application; and Pledging that if a Grant is Received, the City of Leon Valley will Comply with the Grant Requirements (M&C # 2020-05-05-06 M. Moritz)

Public Works Director Moritz presented a resolution that if approved, would authorize the filing of a grant application with the Bexar County Community Development Block Grant (CDBG) Program for fiscal year 2020, and authorize the City Manager to act on behalf of the City of Leon Valley in all matters related to the application.

The Bexar County Department of Community Resources began the 2020 grant program for CDBG funding for eligible areas within Bexar County. The City of Leon Valley is in Bexar County Precinct 2. If authorized, the City will apply for grant funds to construct the Settlers Ridge Water and Sewer Replacement Project. The project scope consists of replacing 1,380 feet of 6" asbestos-concrete water main with new C-900 pipe, replacing 1,220 feet of 8" sewer main, replacing 20 service lines, installing 2 new gate valves, 2 Fire Hydrants with Storz connections, 4 sewer manholes and providing for asphalt repairs. The water mains in this area have experienced numerous breaks with consequent repairs over the past ten years.

The grant application will be evaluated to ensure the project meets HUD guidelines, and the City will receive an eligibility letter that does not obligate funding. In July, the Bexar County Commissioners will make their final selection of projects to be recommended for funding, and selected projects will be submitted to HUD for evaluation.

Councilor Catherine Rodriguez thanked Director Moritz for all the hard work she puts into going out there and getting these grants for the City.

A motion was made by Councilor Donna Charles and seconded by Councilor Matthew Hodde to approve the resolution as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Donna Charles, Council Place 1
SECONDER:	Matthew Hodde, Council Place 4
AYES:	Alcocer, Charles, Rodriguez, Hodde, Bradshaw

Discussion and Possible Action on Cancelling Leon Valley's 4th of July Celebration, Soap Box Derby Event and Closing Both Swimming Pools for Calendar Year 2020 (M&C # 2020-05-05-07 K. Kuenstler)

City Manager Kelly Kuenstler presented this item seeking City Council consideration of the cancellation of several events for budgetary & health purposes for the 2020 fiscal year.

Cancelling the 4th of July event would save the City \$60,536; cancelling the Soap Box Derby would save the City \$21,409; and closing both pools would save the City \$92,416. This is a total fiscal impact of \$174,361. The movies in the pool/park would be an additional \$2,000 if they wanted to include cancelling that.

- Evan Bohl spoke in favor of cancelling all events mentioned this evening and to use the money saved to create a fund to help businesses like Carvel Skate Center.
- Erick Matta spoke about his agreement of the importance of safety but also pointed out that there is still time and added that his friend that works for the City of San Antonio said there has been no decision made on the pools.

Mayor Riley read aloud emails she received regarding this item:

- Sharon Desbrow in favor of opening the pools
- Ann Sawyer in favor of opening the pools
- Rebecca Cooley in favor of opening the pools
- Debra Laubach in favor of opening the pools

A motion was made by Councilor Will Bradshaw proposed to cancel the 4th of July but to keep the fireworks for a firework show, keep the Soap Box Derby, and delay opening both pools for now.

City Manager Kuenstler replied that we would need to do a contract with the fireworks vendor now in order to obtain them.

Councilor Matthew Hodde seconded Councilor Bradshaw's motion.

There was a consensus to have Councilor Bradshaw restate his motion.

A motion was made by Councilor Will Bradshaw to cancel the 4th of July event but to reserve the money to buy fireworks to be used for the Soap Box Derby event, keep the Soap Box Derby event on the calendar, and delay the pool openings until further notice. Councilor Matthew Hodde seconded the motion.

RESULT:	APPROVED [4 TO 1]
MOVER:	Will Bradshaw, Council Place 5
SECONDER:	Matthew Hodde, Council Place 4
AYES:	Alcocer, Rodriguez, Hodde, Bradshaw
NAYS:	Charles

Discussion and Possible Action to Initiate Program(s) Designed to Support Small Businesses Located in Leon Valley Through the Disbursement of Economic and Community Development Funds. - *Withdrawn* (M&C # 2020-05-05-08 W. Cox)

City Manager Kelly Kuenstler asked that this item be removed from the agenda and brought back on the May 19, 2020 agenda.

Discussion and Possible Action on the Lion's Roar Newsletter Guidelines (M&C # 2020-05-05-09 Mayor Chris Riley)

Mayor Riley asked the City Council if they would consider amending number 4. of the Lion's Roar Guidelines to allow unopposed candidates to submit articles to the Lion's Roar.

There was a no action taken on this item.

CITIZENS TO BE HEARD


- Mayor Riley read aloud an e-mail submitted by Sarah Smart asking how the City would purchase fireworks in the fall.
- City Manager Kuenstler was asked by the Chiefs to thank others not mentioned earlier for donations. They are: the 100 Club, HEB, Terry Hall, local nail salon, Monster Drinks, The Sassy Chick Boutique, Trulia Insurance, Little Caesars Pizza, Rita's, ServePro, Tint World, Shipley's Donuts, Tia's, Amiga's, Greg Brockhouse, Brian Pena, Henry's Puffy Tacos, Dr. Catherine Rodriguez, Medical Innovations Consulting, Miracle Paint & Body, Baptist Hospital Systems Adam Gibbs and many citizens have made face masks and donated them. Thank you all so much.
- Evan Bohl asked if the delayed pool opening and use of the funds would affect the possibility of assisting local businesses; also thanked Mayor Riley for bringing up the topic of the Lion's Roar and Councilor Hodde for bringing up the spirit of it; was in favor of putting any political articles on hold if candidate.
- Erick Matta spoke about possible 3.12 or Ethics cases and Council going into Executive Session "not being right." "Stop the Madness. You don't see Mayor Riley coming after any of you trying to knock you off."

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 10:09 PM.

These minutes approved by the Leon Valley City Council on the 19th of May, 2020.

APPROVED


CHRIS RILEY
MAYOR

ATTEST:


SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

