



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, July 21, 2020

MINUTES

6:00 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 |
| 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 | Remote |
| 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, City Secretary Sandra Passailaigue, City Attorney Charles E. Zech, Public Works Director Melinda Moritz, Assistant Finance Director Floyd Messick, LVFD Fire Chief Michael Naughton, LVFD Assistant Fire Chief Eric Burnside, Planning & Zoning Director Brandon Melland, Associate Planner Erick Del Angel, Library Director Rosie Amaya, Business Relations Specialist William Cox, LVPD Chief Joseph Salvaggio, LVPD Assistant Chief David Gonzales and various LVPD staff.

Mayor Chris Riley welcomed everyone and asked Councilor Will Bradshaw to lead the Pledge of Allegiance.

Mayor Riley asked for all cell phones to be silenced and reminded everyone that “the Council Chambers is a place where we’re treated with respect and dignity. Citizens, Councilors, staff, and visitors alike. Anyone desiring to speak shall be first recognized by the presiding officer, that’s me, so please raise your hand-Council, staff, citizens and visitors alike. This way we’ll keep it to a more manageable meeting. Now for the Councilors that are on the line, I will certainly call on you on every agenda item except on Point of Order, if you want to speak please let Crystal or Sandra know just so that we can have an orderly progression and so that I can recognize you, I would appreciate that. City Councilors, staff and members of the public shall not shout, display unruly behavior, distract with side conversations, use profanity, threat of violence, or disrupt the orderly conduct of the meeting. This includes speaking or commenting from your seat or using foul language as you exit the chambers. I would suggest if you feel you may have a difficult time controlling yourself, please sit in the foyer. No personal attacks on staff, City Councilors or

members of the public shall be allowed. The presiding officer will warn the person that he or she will be required to leave the building if the disruption continues. I cannot see or hear all that goes around in Chambers especially with this mask on but the Rules of Decorum also allow each Councilor to help monitor the situation by calling a Point of Order. I hope we do not have to go there. Let's again be civil and treat each other with respect and dignity and thank you very much for your cooperation."

ORDINANCE

Discussion and Possible Action on an Ordinance Amending Section 1.04.001 of the City of Leon Valley Code of Ordinances to Consolidate the Meeting Date and Time Rules with the Rules of Conduct and Decorum for Public Meetings and Hearings Held by the City Council as Adopted in Ordinance No. 2019-48 and by Amending the Rules of Conduct and Decorum to Allow Councilors to Appeal the Presiding Officer's Determination Regarding Violations of Rules of Conduct and Decorum for Public Meetings and Hearings Held by the City Council and by Making Non-Substantive Organizational Revisions to the Rules of Conduct and Decorum (1st Read was Held 12-17-2019, Second Read was Held 06-16-2020, Third Read was Held 7-7-2020) (M&C # 2020-07-21-01 K. Kuenstler)

City Manager Kelly Kuenstler presented this item which is an amendment to the Rules of Conduct and Decorum with substantive and non-substantive changes. City Manager Kuenstler stated that the purpose of the substantive revisions and the purpose for non-substantive re-organizational revisions are noted in comments in the right-hand margin of the rules. City Manager Kuenstler added that she did receive input for all of the proposed amendments from the Mayor and all members of City Council with the exception of Councilor Bradshaw.

Those who spoke on this item were: Leon Valley citizens - William Johnson; Evan Bohl; Benny Martinez; and Johnnie Garrett

Mayor Chris Riley read an e-mail that was submitted by: Heather Riddle

A motion was made by Councilor Donna Charles and seconded by Councilor Monica Alcocer to adopt the ordinance with the amendments as discussed.

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| RESULT: | ADOPTED [4 TO 1] |
| MOVER: | Donna Charles, Council Place 1 |
| SECONDER: | Monica Alcocer, Mayor Pro-Tem, Council Place 3 |
| AYES: | Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde |
| NAYS: | Will Bradshaw |

PRESENTATIONS

Presentation and Discussion of Alleged Inappropriate City Council Conduct (City Manager Kelly Kuenstler)

City Manager Kelly Kuenstler presented this item saying that the purpose of the item is to: to seek City Council guidance on how to ensure employees enjoy a workplace free of harassment by City Officials; and to eliminate inappropriate City Council conduct and interference with employees' daily duties as defined in their job descriptions and the law.

Those who spoke on this item were: Leon Valley citizens - Robin Johnson; Evan Bohl; Benny Martinez; David Edwards; Johnnie Garrett; William Johnson; and Richard Blackmore

City Secretary Sandra Passailaigue read an e-mail that was submitted by: Sarah Smart

Councilor Donna Charles motioned to place this item on the next City Council agenda.

Councilor Catherine Rodriguez stated that she wanted a 3.12 Hearing on Councilor Will Bradshaw.

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| RESULT: | PRESENTED |
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A motion was made by Councilor Catherine Rodriguez to place this item on the next Council agenda for discussion and possible action on the conduct of a councilor. The motion was seconded by Councilor Donna Charles.

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 Catherine Rodriguez - Aye; Councilor Donna Charles- Aye; Councilor Monica Alcocer - Aye; Councilor Matthew Hodde - Aye; and Councilor Will Bradshaw - Abstained.

Mayor Riley announced the motion carried.

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| RESULT: | APPROVED [4 TO 0] |
| MOVER: | Catherine Rodriguez, Council Place 2 |
| SECONDER: | Donna Charles, Council Place 1 |
| AYES: | Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde |
| ABSTAIN: | Will Bradshaw |

Presentation and Discussion on the Arrest and Surrounding Circumstances of Olen Yarnell (Continued from July 7, 2020) (ACM/LVPD Chief Joseph Salvaggio)

Mayor Chris Riley introduced the item and read a letter that was submitted by Olen Yarnell asking that this item not be discussed tonight or on any future agenda without his permission to do so.

Joseph Salvaggio, Police Chief presented a PowerPoint to answer questions submitted by Mayor Riley. Mayor Riley asked to clarify the item saying this was not what she asked for but what City Manager Kuenstler and Chief Salvaggio wanted to present. Chief Salvaggio responded that this presentation is being given at the advice of the city attorney.

Councilor Will Bradshaw asked for a Point of Order saying that the presentation was not previously made available in the meeting packet.

City Attorney Charles Zech replied to Councilor Bradshaw saying that there is nothing in the City's Code or Charter that would prohibit a PowerPoint from being shown because it was not in the packet.

A motion was made by Councilor Will Bradshaw to table this item. The motion died for a lack of a second.

Councilor Will Bradshaw asked for another Point of Order and asked the Mayor to have Chief Salvaggio stop calling them "agitators".

Those who spoke on this item were: Leon Valley citizens - Leslie Bacon; Evan Bohl; Benny Martinez; William Johnson; and Richard Blackmore

Mayor Chris Riley read an e-mail that was submitted by: Leon Valley citizen Sarah Smart

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| RESULT: | PRESENTED |
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Monthly Financial Report Ending June 30, 2020 (F. Messick, Assistant Finance Director)

Floyd Messick, Assistant Finance Director presented the Monthly Financial Report.

Those who spoke on this item were: Richard Blackmore

RESULT: PRESENTED

Presentation, Discussion and Possible Action on Scheduling a Special Meeting Regarding the Ordinance Amending Article 3.04 Sign Code of the City of Leon Valley Code of Ordinances, and an Ordinance Amending Section 15.02, Appendix CIG of the City of Leon Valley Code of Ordinances (M&C # 2020-07-21-02 K. Kuenstler)

There was a consensus among members of City Council to direct Angela Trejo, Executive Administrative Assistant contact members of City Council to get a date and time they would be available for a two-hour (2) meeting to discuss the Sign Code Amendments.

RESULT: PRESENTED

CITY MANAGER'S REPORT

Upcoming Important Events:

- Next Regular City Council Meeting Tuesday, August 04, 2020, at 6:00 p.m. in Council Chambers
- Miscellaneous other events and announcements

RESULT: PRESENTED

CITIZENS TO BE HEARD

Those who spoke at this time were: Evan Bohl; Johnnie Garrett; Richard Blackmore; William Johnson; Celia Ramirez; and Johnny Garrett again

Mayor Riley read e-mail submitted by: Irma Gonzalez; Angela Rogers; and Heather Riddle

Councilor Will Bradshaw read e-mail submitted by: Tina Chasan; and Josh Stevens

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

Announcements were made by members of City Council.

CONSENT AGENDA

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

Presentation of Proclamation, dedicating a Day of Remembrance for Fallen Firefighter Klayton Manning and Landin Robinson (Chief Michael Naughton)

LVFD Chief Michael Naughton presented this item in an effort to recognize and ask for City Council to consider dedicate a day of remembrance for fallen Volunteer Firefighter Klayton Manning and honorary Firefighter Landin Robinson.

Chief Naughton added that both firefighters were from Luling, Texas. Klayton was 18 years old and had just graduated from high school and he was a volunteer firefighter for Southeast Caldwell County Volunteer Fire Department. Klayton's cousin Landin, a 16-year-old, was an honorary firefighter. Both, sadly lost their lives in the line of duty on June 9th, 2020.

Chief Naughton plans to present the proclamations to both of the boys' families

Discussion and Possible Action of the Quarterly Investment Report for the Quarter Ended June 30, 2020 (M&C # 2020-07-21-03 V. Wallace)

Discussion and Possible Action on a Resolution of the City Council of the City of Leon Valley Ordering and Establishing Procedures for a General Election in the City of Leon Valley, Texas to Elect Three Council Members: (Places 2, 4 and for the Office of the Mayor) by the Qualified Voters of the City of Leon Valley; Authorizing the City Manager to Sign a Joint Election Agreement with the Bexar County Elections Administrator for the Conduct of Said Elections, and Providing Details Relating to the Conduct of holding the Election, Authorizing the Use of the Leon Valley City Council Chambers and the Leon Valley Conference Center on the 3rd Day of November, 2020, for Election Day Voting, and the Use of the Leon Valley Conference Center, Located at 6421 Evers Road, Leon Valley, Texas, 78238, for Early Voting (October 19, 2020 through October 30, 2020)

Una Resolución Del Consejo Municipal De La Ciudad De Leon Valley Que Ordena Y Establece Los Procedimientos Para Una Elección General En La Ciudad De Leon Valley, Texas, Para Que Los Votantes Habilitados De La Ciudad De Leon Valley Elijan Tres Miembros Del Consejo: (Posiciones 2, 4 Y Para El Cargo De Alcalde); Autoriza Al Administrador De La Ciudad A Firmar Un Convenio De Elección Conjunta Con El Administrador De Elecciones Del Condado De Bexar Para La Celebración De Dichas Elecciones, Y Proporciona Detalles Relativos A La Celebración De La Elección; Autoriza El Uso De Las Cámaras Del Consejo Municipal De Leon Valley Y Del Centro De Conferencias De Leon Valley El Día 03 De Noviembre Del 2020 Para La Votación El Día De Elección Y El Uso Del Centro De Conferencias De Leon Valley, Ubicado En 6421 Evers Road, Leon Valley, Texas, 78238, Para La Votación Anticipada (Del 19 De Octubre Del 2020 Al 30 De Octubre Del 2020) (M&C # 2020-07-21-04 S. Passailaigue)

Discussion and Possible Action on a Resolution of the City Council of the City of Leon Valley Ordering and Establishing Procedures for a Special Election to be held on the Question to Recall and Remove Donna Charles, Council Place 1 and Monica Alcocer, Council Place 3; Authorizing the City Manager to Sign a Joint Election Agreement with the Bexar County Elections Administrator for the Conduct of Said Elections, and Providing Details Relating to the Conduct of Holding the Election, Authorizing the Use of the Leon Valley City Council Chambers and the Leon Valley Conference Center on the 3rd Day of November, 2020, for Election Day Voting, and the Use of the Leon Valley Conference Center, Located at 6421 Evers Road, Leon Valley, Texas, 78238, for Early Voting (October 19, 2020 through October 30, 2020)

Una Resolución Del Consejo Municipal De La Ciudad De Leon Valley Que Ordena Y Establece Los Procedimientos Para Una Elección Especial A Celebrarse Sobre La Pregunta De La Destitución Y Remoción De Donna Charles, Posición 1 Del Consejo Y De Monica Alcocer, Posición 3 Del Consejo; Autoriza Al Administrador De La Ciudad A Firmar Un Convenio De Elección Conjunta Con La Administradora De Elecciones Del Condado De Bexar Para La Celebración De Dichas Elecciones, Y Proporciona Detalles Relativos A La Celebración De La Elección; Autoriza El Uso De Las Cámaras Del Consejo Municipal De Leon Valley Y Del Centro De Conferencias De Leon Valley El Día 03 De Noviembre Del 2020 Para La Votación El Día De Elección Y El Uso Del Centro De Conferencias De Leon Valley, Ubicado En 6421 Evers Road, Leon Valley, Texas, 78238, Para La Votación Anticipada (Del 19 De Octubre Del 2020 Al 30 De Octubre Del 2020). (M&C # 2020-07-21-05 S. Passailaigue)

Discussion and Possible Action on a Resolution of the City Council of the City of Leon Valley Ordering and Establishing Procedures for a Special Election on Amendments to the City's Charter; Authorizing the City Manager to Sign a Joint Election Agreement with the Bexar County Elections Administrator for the Conduct of Said Election, and Providing Details Relating to the Conduct of Holding the Election, Authorizing the Use of the Leon Valley City Council Chambers and the Leon Valley Conference Center on the 3rd Day of November, 2020, for Election Day Voting, and the Use of the Leon Valley Conference Center, Located at 6421 Evers Road, Leon Valley, Texas, 78238, for Early Voting (October 19, 2020 through October 30, 2020)

Una Resolución Del Ayuntamiento De La Ciudad De Leon Valley, Ordena Y Establece Los Procedimientos Para Una Elección Especial Sobre Enmiendas A La Carta De La Ciudad. Autoriza Al Administrador De La Ciudad A Firmar Un Acuerdo De Elección Con El Administrador De Elecciones Del Condado De Bexar Para La Realización De Dicha Elección; Y, Proporcionar Detalles Relacionados En La Conducción Para Realizar Dicha Elección, Autorizando El Uso De Las Cámaras Del Concejo Municipal De Leon Valley (Ubicadas En 6400 El Verde Road, Leon Valley, Texas 78238) Y El Centro De Conferencias De Leon Valley El 03 Día De Noviembre Del 2020, Para La Votación Del Día De Elecciones, Y El Uso Del Centro De Conferencias De Leon Valley, Ubicado En 6421 Evers Road, Leon Valley, Texas, 78238, Para Votación Anticipada A Realizarse Del 19 De Octubre Del 2020 Al 30 De Octubre Del 2020 (M&C # 2020-07-21-06 S. Passailaigue)

ORDINANCE

Discussion and Possible Action on an Ordinance on a Request by ARCA FV Properties, LLC, for a Specific Use Permit for Entertainment-Outdoor Use at 999 Shadow Mist; Generally Located on the East Side of Shadow Mist Road at the intersection of Shadow Mist Road and Avedisian Drive (1st Reading was Held 07-07-2020) (M&C # 2020-07-21-07 B. Melland)

A motion was made by Councilor Matthew Hodde to adopt the ordinance as presented. The motion was seconded by Councilor Will Bradshaw.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Matthew Hodde, Council Place 4 |
| SECONDER: | Will Bradshaw, Council Place 5 |
| AYES: | Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw |

Discussion and Possible Action on an Ordinance Amending Section 15.02.381, Permitted Use Table of the City of Leon Valley Code of Ordinances, Regarding Automobile Lubrication Facilities and Small Arms Firing Ranges (Indoor Only) in the Sustainability Overlay District (1st Reading was Held on 07-07-2020) (M&C # 2020-07-21-08 B. Melland)

Brandon asked that Agenda Items 9.1 and 9.2 be moved up on the agenda to accommodate the two developers who have sat through hours of tonight's meeting so far.

There was a consensus among members of City Council to allow this.

A motion was made by Councilor Donna Charles to adopt the ordinance as presented. The motion was seconded by Councilor Catherine Rodriguez.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Donna Charles, Council Place 1 |
| SECONDER: | Catherine Rodriguez, Council Place 2 |
| AYES: | Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw |

REGULAR AGENDA

Presentation and Discussion on an Ordinance on a Request by Jay Castaneda, for a Specific Use Permit for a New Commercial Development at 7125 and 7129 Bandera Road; Generally Located on the East Side of Bandera Road Approximately 450 Feet South of Linkwood Drive (1st Reading Held on July 7, 2020) (M&C # 2020-07-21-11 B. Melland)

Brandon Melland, Planning & Zoning Director presented this item on behalf of owner Jay Castaneda, owner of Castaneda Insurance Services, who submitted a request for a Specific Use Permit (SUP) for a new commercial development at 7125 and 7129 Bandera Road, generally located on the undeveloped lot immediately south of the Bush's Chicken.

The item will be brought back next month for a second reading.

RESULT: FIRST READ

Presentation and Discussion on a Resolution Approving a Variance to Section 13.02.074(3) of the City of Leon Valley Code of Ordinances, Regarding Heritage Tree Removal; to Allow for the Removal of Two (2) Heritage Ash Trees at 7125 and 7129 Bandera Road, Generally Located on the East Side of Bandera Road Approximately 450 Feet South of Linkwood Drive (1st Read as Required by Charter) (M&C # 2020-07-21-12 B. Melland)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Donna Charles, Council Place 1
SECONDER: Catherine Rodriguez, Council Place 2
AYES: Alcocer, Charles, Rodriguez, Hodde, Bradshaw

ORDINANCE

Discuss and Consider Possible Action on an Ordinance of the City of Leon Valley, TX. City Council Amending the General Fund Budget of the City of Leon Valley, Texas Municipal Budget for the Fiscal Year 2019-2020 in the Amount of \$630,991 to Provide Funding for the CARES Act; Providing for Repealer, Severability and Savings Clauses; and Providing for an Effective Date (1st Read was Held on 7-07-2020) (M&C # 2020-21-07-09 V. Wallace)

Councilor Will Bradshaw read an e-mail that was submitted by: Hilda Gomez

A motion was made by Councilor Monica Alcocer to approve the ordinance subject to any changes in the future. The motion was seconded by Councilor Catherine Rodriguez.

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 Catherine Rodriguez - Aye; Councilor Donna Charles- Aye; Councilor Monica Alcocer - Aye; Councilor Matthew Hodde - Aye; and Councilor Will Bradshaw - Abstained.

Mayor Riley announced the motion carried.

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| RESULT: | ADOPTED [4 TO 0] |
| MOVER: | Monica Alcocer, Mayor Pro-Tem, Council Place 3 |
| SECONDER: | Catherine Rodriguez, Council Place 2 |
| AYES: | Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde |
| ABSTAIN: | Will Bradshaw |

Presentation, Discussion and Possible Action on an Ordinance Adopting Bexar County Judge Nelson Wolff's Executive Order NW-13 and Amending the Emergency Disaster Ordinance Local Emergency Declaration 2020-32 (M&C # 2020-07-21-10 J. Salvaggio)

City Secretary Passailaigue read an e-mail that was submitted by: Heather Riddle; and Kay Wright

A motion was made by Councilor Will Bradshaw to adopt the ordinance as presented. The motion was seconded by Councilor Catherine Rodriguez.

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| 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 |

REGULAR AGENDA

Discussion and Possible Action on the Reordering of Council Meeting Agendas, Scheduling a Business Meeting Before the Regularly Scheduled Council Meeting to Aid in Completing Business in a Timely Manner, Determining a Cut-Off Time for City Council Meetings and Options for Continuing any Unfinished Business (M&C # 2020-07-21-13 Councilor M. Hodde and Councilor C. Rodriguez)

There was a lengthy discussion on this item until a consensus was reached by City Council.

Those who spoke on this item were: Richard Blackmore; and William Johnson

A motion was made by Councilor Matthew Hodde to hold a Special meeting on the 1st and 3rd Tuesday of the month at 5:15 PM; with no new items being started after 9:45 PM; and with all business-related items beginning at 5:15 PM. The motion was seconded by Councilor Will Bradshaw.

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

CITIZENS TO BE HEARD


Those who spoke on this item were: William Johnson

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 12:19 AM.

These minutes approved by the Leon Valley City Council on the 23rd of March, 2021.

APPROVED



CHRIS RILEY
MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

