



**CITY OF LEON VALLEY  
CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, May 21, 2019

**MINUTES**

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

Attendee Name	Organization	Title	Status	Arrived
Donna Charles	City of Leon Valley	Council Place 1	Present	
Will Bradshaw	City of Leon Valley	Council Place 5	Present	
Chris Riley	City of Leon Valley	Mayor	Present	
Monica Alcocer	City of Leon Valley	Mayor Pro Tem	Present	
David Edwards	City of Leon Valley	Council Place 1	Present	
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present	
Benny Martinez	City of Leon Valley	Council Place 4	Present	
David Jordan	City of Leon Valley	Council Place 5	Present	

Also present was City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Denise Frederick, Public Works Director Melinda Moritz, Assistant Public Works Director David Dimaline, Library Director Sandy Underwood, Assistant Library Director Theresa Brader, LVPD Chief Joseph Salvaggio, LVFD Fire Chief Michael Naughton, Deputy Fire Marshall Eric Burnside, Executive Assistant to the City Manager Angela Trejo, Assistant Finance Director Ashley Wayman, Planning & Zoning Director Brandon Melland, Business Specialist William Cox, LVPD Assistant Chief Ruben Saucedo, and various LVPD staff.

Mayor Chris Riley welcomed everyone and asked Councilor David Jordan to lead the Pledge of Allegiance.

Mayor Riley asked for all cell phones to be silenced; asked that if anyone in the audience needed to speak with their neighbor, they take it to the foyer so they don't disturb the meeting; and lastly that our local rules do allow for citizen comments on any of the agenda items after staff presentation and City Council discussion. Please raise your hand to be recognized, come up to the podium and state your name for the record before speaking.

**PRESENTATIONS**

Mayor Chris Riley introduced Judge Lawrence Morales who has been the City of Leon Valley's Municipal Judge for thirty-seven (37) years.

**The Honorable Judge Lawrence Morales will Administer the Oath of Office and There Will Be a Presentation of the Certificate of Election to Council Member-Elect, Donna Charles, Council Place 1; Council Member-Elect, Monica Alcocer, Council Place 3; and Council Member-Elect, Will Bradshaw, Council Place 5**

Judge Lawrence Morales administered the Oath of Office to Donna Charles, Council Place 1, Monica Alcocer, Council Place 3, and Will Bradshaw, Council Place 5. This was followed by the presentation of the Certificate of Election and a group photo.

**Recognition of Councilor David Edwards and Councilor David Jordan for Years of Service to the City of Leon Valley**

Mayor Riley presented Councilor David Edwards, Place 1 and Councilor David Jordan, Place 5 with a clock as a token of appreciation for their years of service to the citizens of Leon Valley.

David Edwards thanked the people of Leon Valley for allowing him to serve for the last four (4) years.

David Jordan said it had been an honor and a privilege to serve the citizens of Leon Valley and that when he “came here four years ago, he was determined to serve with integrity, commitment and excellence and that is what he has done and as he leaves, he wishes everyone well. God bless you.”

**THERE WILL BE A SHORT RECESS FOR A RECEPTION HONORING THE NEWLY SWORN LEON VALLEY COUNCILORS IN THE CITY HALL FOYER AT THIS TIME. THE PUBLIC IS CORDIALLY INVITED TO ATTEND.**

Mayor Riley invited everyone to the foyer for a reception in honor of the newly elected Council as well as the outgoing Council.

Mayor Riley recessed the meeting at 6:09 p.m.

**RECONVENE**

Mayor Riley reconvened the meeting at 6:29 p.m.

**PRESENTATIONS**

**Presentation of Good Neighbor Award to Mr. Henry Diecker (Mayor Chris Riley)**

Mayor Riley read aloud a Good Neighbor Award to Mr. Henry Diecker for his efforts with the Red-Light Camera Bill and assistance with getting sidewalks put in on Bandera Road.

Mr. Diecker gave a brief explanation about the importance of accessibility to all.

Mayor Riley then proceeded to present Mr. Diecker with a plaque for his efforts.

Mr. Diecker spoke about his involvement with the Red-Light Camera Project and the

importance of public safety.

**Presentation of a Certificate of Appreciation for 22 Years of Service to Fernando Trevino (Mayor Chris Riley)**

Mr. Trevino was not present this evening so this item will be presented at a future meeting.

**Presentation of a Certificate of Appreciation for 18 Years of Service to Armando Martinez (Mayor Chris Riley)**

Mr. Martinez was not present this evening so this item will be presented at a future meeting.

**Presentation of a Proclamation declaring the week of May 19, 2019 to May 25, 2019 as "National Public Works Week" (Mayor Chris Riley)**

Mayor Riley presented a Proclamation declaring the week of May 19, 2019 to May 25, 2019 as "National Public Works Week" to Public Works Director Melinda Moritz, Assistant Public Works Director David Dimaline and Public Works Clerk Yvonne Acuna.

Public Works Director Moritz spoke briefly about what it takes to make this department function and her appreciation for the hard work and dedication of her crew and City Council.

**Presentation of the Library Board of Trustees Annual Report (Heather Haskin, Leon Valley Public Library Trustee Board Chair)**

Heather Haskin, Leon Valley Public Library Trustee Board Chair presented the Library Board of Trustees Annual Report. Library Board of Trustees Members present were Library Director Sandy Underwood, Assistant Library Director Theresa Brader and Trustee Carol Poss.

**Presentation and Discussion of the Monthly Financial Report April 2019 (A. Wayman, Assistant Finance Director)**

Assistant Finance Director Ashley Wayman presented the Monthly Financial Report for April 2019.

Mayor Riley asked about the funds that should be coming from the 2011 case which Ms. Wayman said she would be able to report out on next month.

Councilor Benny Martinez made a request that all licenses and permits on one line and then the fees and fines on a separate line on the register. Ms. Wayman said she would look into that and if possible, she would do that.

Councilor Benny Martinez asked about Discovery Benefits which ACM/HR Director Caldera responded was the City's COBRA Administrative Fee. Ms. Caldera added that if someone elected to use COBRA, it is paid out of our 129 Fund, a check is cut for Discovery Benefits and then the employee pays back the 129 Fund, "so it is a wash." The City does pay a \$66 monthly fee however for the administration of the COBRA account.

Councilor Martinez asked about other items such as Healthcare Benefits (BC/BS or employee dental insurance), Avesis (employee vision insurance) ACM/HR Director Caldera stated that these are also a wash.

### **Presentation and Discussion on Impounding Vehicles as Junked Vehicles for Expired Vehicle Registration (LVPD Chief Joseph Salvaggio)**

LVPD Chief Joseph Salvaggio gave a presentation on impounding vehicles as junked vehicles for expired vehicle registration.

Councilor Will Bradshaw asked Chief Salvaggio to explain the difference between the definition of junk vehicle as defined in the City of Leon Valley Code and the State of Texas Transportation Code. City Attorney Frederick told Councilor Bradshaw he was misinterpreting the information and went on to explain it. The discussion continued.

Councilor Bradshaw stated that he maintains that he, “along with the City of San Antonio, Austin, Dallas, Fort Worth, Houston, and Wayland, Texas are right, and the City of Leon Valley is incorrect in its understanding of the ordinance.”

Councilor Benny Martinez said it was his understanding that some citizens were upset that officers were going onto their property in the middle of the night and towing their vehicles at two or three in the morning. Chief Salvaggio said that was inaccurate and that citizens are given a twenty (20) day warning and may have an additional ten (10) days if requested. There was more discussion on this as far as the hours the officers are doing this.

- Abe Diaz thanked Chief Salvaggio for taking the time to meet with him and said they meet for quite a long time and that Chief explained everything to him but that he still felt the punishment did not fit the crime; asked about recent Supreme Court case.
  - City Attorney Frederick asked Mr. Diaz to forward the information to her and she would review it and get back to him.
  - Chief Salvaggio stated that what Mr. Diaz was speaking of was a recent ruling on Asset Seizure where they were ruling on stopping vehicles and seizing vehicles based on money laundering and drugs. Chief Salvaggio added that only 7% of the vehicles that have been towed this year were towed for this violation and that is only after a warning has been issued.
- Abe Diaz said he planned to meet with Rey Lopez and Senator Menendez to attempt to change the definition of “junk vehicles”.
- Richard Blackmore said he wanted to remind everyone what the City was looking like before this law was enforced and suggested that “if you don’t like it, move to Austin.”
- Phillip Riddle spoke about an incident at his residence recently when LVPD let him know that his garage door had been left open so he said he had no problem with them being on his property.
  - Mayor Riley said she wanted to keep this to junk vehicles but knows he wanted to give a compliment to the Chief.

- Dave Ortiz said he had a problem with the state telling him what to do with his private property and that the state should then pay his property tax; this is ridiculous.
- William Johnson spoke about the Soldiers and Sailors Civil Relief Act.

Chief Joseph Salvaggio said he would have rather sat down with Councilor Bradshaw to discuss this with him because he did not know what exactly Councilor Bradshaw was looking at nor had they ever had any discussion about this. Mayor Riley agreed that this would be a good idea and thanked him for that.

### **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) Congratulations and best wishes to the newly elected Council members, Donna Charles and Will Bradshaw. A special thank you to Councilor Jordan and Councilor Edwards for their years of service; b) Mayor Riley was a speaker at a transportation forum a few weeks ago along with two other female municipal mayors; c) ACM/HR Director Caldera received a scholarship from TCMA to go to an event that got cancelled. She requested that she be allowed to use the funds for the Texas Association of Municipal Information Officers (TAMIO) and they gave her a scholarship for both the City Manager and the Assistant City Manager to attend. The seminar is June 6<sup>th</sup> & 7<sup>th</sup>; d) Public Works Assistant Director David Dimaline nominated the Evers road Bridge for an award from the Texas Chapter of the American Public Works projects between \$2-3 million. Leon Valley won! The award will be presented to the City at the June 5<sup>th</sup> - 8<sup>th</sup> Tx-APWA conference in Austin; e) The City of Leon Valley has once again received the Superior Water Designation; f) We were notified by Dan Pozza that we are now able to get our bond funds back from the Little vs. LVEDC case. Finance Director Vickie Wallace and City Attorney Denise Frederick have been tasked to work on this; and finally, g) there will be a Special City Council meeting this Friday, May 24<sup>th</sup> at 5:30 p.m. in Council Chambers.

### **Committee Minutes:**

- 04-08-2019 Sign Code Update Advisory Committee Minutes
- 04-11-2019 Library Board of Trustees Meeting Minutes

### **Upcoming Important Events:**

- Next Regular City Council Meeting Tuesday, June 04, 2019, at 6:00 p.m.
- Scholastic Book Fair, Tuesday and Wednesday, May 21<sup>st</sup> and 22<sup>nd</sup> from 10:00 a.m. until 6:00 p.m., at the Conference Center.
- Leon Valley Swimming Pools open Saturday, May 25, 2019.
- Summer Reading Kick Off - "Big Rig Petting Zoo", Monday, June 10, 2019, from 10:30 a.m. - 12:00 p.m. (noon), at the Leon Valley Public Library.
- Children's recording artist Joe McDermott concert, Tuesday, June 18, 2019, at 10:30 a.m., at the Conference Center.
- July 4<sup>th</sup> Parade, July 4, 2019, at 9:30 a.m.; followed by the July 4<sup>th</sup> Festival at

5:00 p.m., at Raymond Rimkus Park.

- Happy Tails Exotic Animals, Tuesday, July 9, 2019, at 10:30 a.m., at the Conference Center.
- Summer Reading Wrap Up Event, Saturday, July 20, 2019, at 10:30 a.m., at the Leon Valley Public Library.
- Coffee with the Mayor and City Council, Saturday, July 27, 2019, from 9:00 a.m. until 11:00 a.m. at the Conference Center.
- Soap Box Derby, Saturday, October 12, 2019, from 8:00 a.m. until 5:00 p.m. on Evers Road and the Leon Valley Community and Conference Centers.
- Coffee with the Mayor and City Council, Saturday, October 26, 2019, from 9:00 a.m. until 11:00 a.m. at the Conference Center.
- Miscellaneous other events and announcements.

### **CITIZENS TO BE HEARD**

- David Dewinne spoke about receiving a citation for turning left at a red-light and said that he believes that if he had been stopped by a human that he would have been issued a warning instead of a citation; and why was there not a “No Right Turn on Red” sign like there are in San Antonio?
- Olen Yarnell congratulated the “winners of the contest”; asked if he could speak on an item in the consent agenda and asked when the appropriate time would be. Mayor Riley asked him about the items which Mr. Yarnell responded was regarding minutes. Mayor Riley asked City Secretary Passailaigue what the procedure was and Ms. Passailaigue responded that the minutes could be pulled from Consent for discussion. Mr. Yarnell and Mayor Riley said ok and Mr. Yarnell returned to his seat.

### **ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS**

Councilor Donna Charles thanked everyone for their support and votes and said she hoped to bring a good working relationship to the Councilors and do my best for this job and for the citizen.

Councilor Catherine Rodriguez thanked everyone for coming and said she hopes we can get some good work done this year.

Councilor Monica Alcocer said she echoed both and added to please keep smiling and to please understand that being nice doesn't mean you can't tell someone when they are wrong or when they are incorrect on something and I think it continues to be a good way to present nice things instead of talking as if they're gospel. Thanks for coming.

Councilor Benny Martinez congratulated Donna Charles and “David” (*Will*) Bradshaw for winning the election; and said he looked forward to an exciting year. Thank you.

Councilor Will Bradshaw said it was good to be here and thanked those who supported him as well as those who did not; thanked David Jordan and David Edwards for their four years of service; said he was looking forward to working with the City and working for the citizens.

Mayor Riley congratulated the newly elected Councilors Charles and Bradshaw and re-election of Councilor Alcocer and thanks to our two former councilors David Jordan and David Edwards; Mayor mentioned that there was no change during the recent recount after last Thursdays recount and thanked the eight (8) member Recount Committee for their time and attention to detail, and thanked Bexar County Elections Administrator Jacqueline Callanen and her staff who oversaw the whole process and also City Secretary Sandra Passailaigue for all of her help; last night was the Bandera Road Planning Meeting and these will be held quarterly;

### **CONSENT AGENDA**

Mayor Riley allowed citizen Olen Yarnell to pull Consent Agenda Item 9.1a to be discussed.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to approve Consent Agenda Items 9.2 - 9.5 as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	Catherine Rodriguez, Council Place 2
<b>AYES:</b>	Charles, Bradshaw, Alcocer, Rodriguez, Martinez

**Discussion and Possible Action on a Staff Report to fund Signage Reimbursement for 6838 Bandera Road or Office Furniture Liquidations (M&C # 2019-05-21-01 W. Cox)**

**Discussion and Possible Action on a Resolution Appointing Members to the Leon Valley Public Library Board of Trustees; Members to the Leon Valley Zoning Commission; and an Alternate to the Economic & Community Development Advisory Committee (M&C # 2019-05-21-02 S. Passailaigue)**

**Discussion and Possible Action on a Staff Report to Sponsor the UTSA Statewide Inter-Collegiate Team (M&C # 2019-05-21-03 W. Cox)**

**Discussion and Possible Action on a Resolution Canvassing the Returns and Declaring the Official Results of the City of Leon Valley, Texas, May 04,2019, General Election (M&C # 2019-05-21-08 S. Passailaigue)**

### **CONSIDERATION OF THE FOLLOWING CITY COUNCIL MINUTES:**

- a. Regular Meeting- May 7, 2019 6:00 PM

Mayor Riley Asked Mr. Yarnell what he would like to discuss.

Olen Yarnell said he would like the minutes corrected to reflect that he did not read Councilor Martinez' statement but that he wanted to know about how to get records and about the process.

A motion was made by Councilor Benny Martinez and seconded by Councilor Donna Charles to amend the minutes as presented.

<b>RESULT:</b>	<b>ACCEPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Benny Martinez, Council Place 4
<b>SECONDER:</b>	Donna Charles, Council Place 1
<b>AYES:</b>	Charles, Bradshaw, Alcocer, Rodriguez, Martinez

## **ORDINANCE**

### **Discussion and Possible Action on an Ordinance Awarding the Lowest Responsible Bid to the Pavestone Company, in the Amount of \$45,302.50, for the Purchase of Pavers to be Used For the Shadow Mist Park Parking Lot, Located at 5487 Shadow Mist Drive (1st Reading Held on 05-07-2019) (M&C # 2019-05-21-04 M. Moritz)**

A motion was made by Councilor Monica Alcocer and seconded by Councilor Benny Martinez to adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	Benny Martinez, Council Place 4
<b>AYES:</b>	Charles, Bradshaw, Alcocer, Rodriguez, Martinez

### **Discussion and Possible Action on an Ordinance Granting a Request for a Variance to Article 1.09 Parks and Recreation, Section 1.09.008 Park Resource Usage, Subsections (b) and (g), to Allow the Use of a Portion of The Ridge at Leon Valley Park to Hold Radio Controlled Car (RC Car) Activities and Events (1st Read Held on 05-07-2019) (M&C # 2019-05-21-05 M. Moritz)**

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	Catherine Rodriguez, Council Place 2
<b>AYES:</b>	Charles, Bradshaw, Alcocer, Rodriguez, Martinez

### **Discussion and Possible Action on an Ordinance Authorizing a Budget Adjustment in the Amount of \$2,500 From the Enterprise Fund Balance to Allow Rain Barrel and Xeriscape Rebates. (1st was Held on 05-07-2019) (M&C # 2019-05-21-06 Y. Acuna)**

Yvonne Acuna, Public Works Clerk presented this item. Ms. Acuna said that the public will be notified through social media and the Lions Roar.

A motion was made by Councilor Donna Charles and seconded by Councilor Monica Alcocer to adopt as presented. Councilor Alcocer asked that it be clarified that this ordinance is only in affect for rain barrels and xeroscape that is purchased after this ordinance goes into effect; and that this is only for Leon Valley Water customers. Ms. Acuna confirmed that this is correct.



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Donna Charles, Council Place 1
<b>SECONDER:</b>	Monica Alcocer, Mayor Pro Tem
<b>AYES:</b>	Charles, Bradshaw, Alcocer, Rodriguez, Martinez

## **REGULAR AGENDA**

### **Discussion and Possible Action on the Election of Mayor Pro Tem (M&C # 2019-05-21-07 S. Passailaigue)**

A motion was made by Councilor Catherine Rodriguez and seconded by Councilor Donna Charles to re-nominate Councilor Monica Alcocer to serve as Mayor Pro Tem.

Councilor Benny Martinez said he felt it should be spread around.

<b>RESULT:</b>	<b>APPROVED [3 TO 2]</b>
<b>MOVER:</b>	Catherine Rodriguez, Council Place 2
<b>SECONDER:</b>	Donna Charles, Council Place 1
<b>AYES:</b>	Charles, Alcocer, Rodriguez
<b>NAYS:</b>	Bradshaw, Martinez

## **CITIZENS TO BE HEARD**

- Catherine Rowse asked about interns working in the City.
- City Manager Kuenstler said many directors do have interns working throughout the summer.
- Richard Blackmore asked about a future “witch hunt meeting”

## **ADJOURNMENT**

Mayor Riley announced that the meeting adjourned at 8:06 PM.