



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, August 20, 2019

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	Present	
Donna Charles	City of Leon Valley	Council Place 1	Present	
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 ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Denise Frederick, LVPD Assistant Chief Ruben Saucedo, LVFD Chief Michael Naughton, LVFD Assistant Chief Eric Burnside, Assistant Finance Director Ashley Wayman, Finance Director Vickie Wallace, Planning & Zoning Director Brandon Melland, Special Events Coordinator Maribel Mendoza, Public Works Director Melinda Moritz and various LVPD staff.

Mayor Riley announced a quorum present.

Mayor Riley asked the Audie Murphey American Legion Post 336 to lead everyone in the Pledge of Allegiance.

ACM/HR Director Crystal Caldera announced that City Manager Kelly Kuenstler was "Faced-Timed In".

Councilor Monica Alcocer called a Point of Order asking that with the consensus of City Council, she would like to move Agenda Item 8.3 to the item ahead of Agenda Item 2 so that the council person, if approved, to be nominated could participate in the meeting.

Councilor Alcocer continued by saying she would also like to move Agenda Item 8.2 to follow Agenda Item 8.3 because it has major bearing on participation at the meetings.

Councilor Will Bradshaw called a Point of Order asking Mayor Riley if that person who was nominated would have to be sworn in.

Councilor Alcocer responded that City Secretary Sandra Passailaigue would swear them

in once appointed to which Councilor Bradshaw said he did not think that was allowed.

Councilor Alcocer pointed out that the agenda item is captioned to allow for action which would be the appointment and swearing in and that City Attorney Ryan Henry advised that this was acceptable. City Attorney Denise Frederick said she would concede to his advice.

Councilor Alcocer asked Mayor Riley if that was agreeable or if she needed to make a motion to which Mayor Riley responded that she was not sure and asked if there were any objections.

Councilor Will Bradshaw said he objects and that he “thinks it is something that should be put on a future agenda if we are going to have a new councilor sworn in and I’m not sure of the legality of Ms. Passailaigue swearing them in.”

City Secretary Passailaigue reminded Councilor Bradshaw that all councilors are sworn in by her in her office and that the Local Government Code allows a notary, a city secretary, a mayor or a judge to administer the Oath of Office.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Donna Charles to move Agenda Item 8.3 up to follow Agenda Item 2; and to move Agenda Item 8.2 to follow Agenda Item 8.3.

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 Donna Charles - Aye; Councilor Catherine Rodriguez - Aye; Councilor Monica Alcocer - Aye; and Councilor Will Bradshaw - Nay.

Mayor Riley announced the motion carried.

REGULAR AGENDA

Discussion and Action Regarding Filling A Vacancy for Place 4 On the City Council Created by Benny Martinez’s Forfeiture of Office (M&C # 2019-08-20-10 S. Passailaigue)

Councilor Monica Alcocer announced that she would like to appoint Matthew Hodde to Council Place 4. Councilor Donna Charles seconded that motion which opened the item up for discussion.

Councilor Will Bradshaw said he disagreed with the motion because he felt the procedures for the 3.12 hearing were not followed.

- Matthew Hodde accepted the nomination and gave a brief bio.
- Richard Blackmore offered two other nominations from the floor and asked that Council consider them as well. Mr. Blackmore nominated David Jordan

and Edward Alonzo.

- David Jordan graciously declined the nomination.
- Edward Alonzo accepted the nomination.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Donna Charles to appoint Matthew Hodde to Leon Valley Council Place 4 to complete the term of Benny Martinez which will expire in May of 2020.

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

Mayor Riley announced the motion carried.

Councilor Monica Alcocer asked that the City Secretary administer the Oath of Office to Mr. Hodde. City Secretary Passailaigue respectfully declined and asked that Mayor Riley administer the Oath instead.

Mayor Chris Riley Administered the Oath of Office to Matthew Hodde, Council Place 4.

RESULT:	APPROVED [3 TO 0]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Donna Charles, Council Place 1
AYES:	Alcocer, Charles, Rodriguez
ABSTAIN:	Bradshaw

Discuss and Consider Possible Action on an Ordinance of the City of Leon Valley, TX., City Council Adopting Rules of Conduct and Decorum for Public Meetings and Hearings Held by The City Council and Any Board or Commission of The Council (M&C # 2019-08-20-09 S. Passailaigue)

City Secretary Sandra Passailaigue presented the item on behalf of Councilor Catherine Rodriguez and Councilor Donna Charles.

City Secretary Passailaigue informed the Council that this is a first reading of a draft ordinance that would be drafted after merging previous resolutions that have been passed by City Council addressing City Council Conduct. City Secretary Passailaigue asked that Council give guidance and feedback on what they would like added to the ordinance and what they would like to have removed.

Councilor Donna Charles asked that language be added saying that "While the public may provide information at designated time during the meetings to the City Council, such presentations must be courteous, respectful and free of personal and character attacks."

Councilor Monica Alcocer said she would like to have citizens to be heard at the beginning

of the meeting and that citizens can weigh in on each agenda item; also change the time so that it is consistent to two minutes at the beginning of the meeting and two minutes on every item; would also like to remove the limitation a person can speak; no sharing of time; and lastly that she liked what Councilor Charles said about no personal attacks on anybody whether it be Council, staff, citizens or each other.

Councilor Will Bradshaw said he did not understand the need to limit citizen voices; spoke about House Bill 2840 that goes into effect on September 1st which gives citizens the right to criticize their governmental body. Councilor Bradshaw said "we shouldn't be so thinned skin to try and prohibit people from voicing their opinions.

City Attorney Frederick asked for clarification from Councilor Alcocer regarding her request to have citizens speak on each agenda item. Ms. Frederick asked if she wanted citizens to speak before the item was presented or after. Councilor Alcocer responded that they should be allowed to speak after any presentation of any item.

City Attorney Frederick then asked to clarify House Bill 2840 for Councilor Bradshaw. saying that although HB 2840 does give citizens the right of public criticism of their governmental body as it pertains to any act, omission, policy, procedure, program, or service. It does not give them the right to make personal attacks toward staff or council member that is not germane to the subject.

Councilor Catherine Rodriguez, Councilor Donna Charles, Mayor Riley and Councilor Hodde all said that they disagree that personal attacks should be allowed.

Mayor Riley said she would like to see Citizens to be Heard "up to five (5) minutes and during the agenda up to three (3) minutes"

Councilor Rodriguez asked if the rules are not being enforced by the presiding officer can a councilor ask for a Point of Order or is there a consequence or something? City Attorney Frederick responded that it was the presiding officer's discretion.

Councilor Alcocer and Councilor Bradshaw said they would be fine with changing the time a citizen could speak to three (3) minutes at the beginning of the meeting and during the agenda items but removing the last citizens to speak. Councilor Charles agreed with this.

- David Smith - spoke against limiting citizens to be heard time; and asked that five (5) minutes be left at the beginning of the meeting and three (3) for agenda items.
- Edward Alonzo - spoke about limitations related to committee meetings

After hearing the discussion, there was a consensus among City Council to have Citizens to speak for up to three (3) minutes at the beginning of the meeting; at each agenda item; and at the end of the meeting.

Councilor Alcocer also added that she would like to add under the language from the Charter under #6 but City Attorney Frederick said it was already in the Code so it was agreed to strike it.

Councilor Charles would like to add language about the use of electronic devices being prohibited. Mayor Riley wants it prohibited from anyone that sits at the dais. Councilor Alcocer said that the city manager probably does need her phone to do city business. City Attorney Frederick said that the city attorney would like to have access to an iPad or something to research during meetings.

- Edward Alonzo - asked City Council to keep in mind that the rules they put in place will also affect the committees.

Councilor Alcocer asked City Secretary Passailaigue if she and the City Attorney could draft two separate ordinances (one for City Council and one for boards, committees and commissions).

- David Smith - spoke against City Council telling the boards, committees and commissions how to run their meetings.
- Heather Riddle - pointed out that the ordinances says "for the purpose of communication" and not for research.

Staff was given direction to bring back a draft ordinance for consideration at the next meeting.

City Attorney Frederick said it would be in the best interest of everyone if the committees drafted their own.

RESULT:	FIRST READ
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PRESENTATIONS

Presentation of the Zoning Commission's Annual Report (Chairman David Smith, Zoning Commission)

David Smith, Zoning Commission Chair presented the annual Zoning Commission report.

RESULT:	PRESENTED
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Presentation of the Monthly Financial Report Ending July 31, 2019 (Ashley Wayman, Assistant Finance Director)

Assistant Finance Director Ashley Wayman presented the July 2019 Monthly Finance Report.

Mayor Riley wished Assistant Finance Director Wayman the best of luck as she leaves Leon Valley to begin a new adventure as the City of Rollingwood's new city secretary.

RESULT: PRESENTED

CITY MANAGER'S REPORT

Upcoming Important Events:

- Next Regular City Council Meeting Tuesday, September 03, 2019, at 6:00 p.m. in Council Chambers.
- Texas LEGO Users Group San Antonio "Space Display" with LEGO Building sponsored by LEGO Corporate, Saturday, September 7, 2019, from 10:00 a.m. - 2:00 p.m.; and Sunday, September 8, 2019, from 2:00 p.m. - 6:00 p.m. at the Leon Valley Public Library.
- Grandparent's Day Concert featuring Beethoven Concert Band - Sunday, September 8th, 2019, from 2:00 p.m. until 4:00 p.m.
- Ethics Review Board Meeting, Monday, September 9, 2019 at 6:00 p.m., at City Hall in the small conference room.
- Texas National Night Out, October 1, 2019
- 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.
- Halloween Party October 26, 2019, at the Leon Valley Community Center and Leon Valley Library from 9:00 a.m. to 2:00 p.m. Events are as followed: 9:00 a.m. -12:00 p.m. Arbor Day Tree Adoption on the Community Center Porch, 9:00 a.m. - 2:00 p.m. Trash to Treasure sale at the Community Center by Northwest Seniors, 10:00 a.m. - 11:00 a.m. Pet Costume Contest on the Grass area in front of the Community Center, 10:00 a.m. - 12:00 p.m. Library Halloween Fall Festival.
- Coffee with the Mayor and City Council, Saturday, October 19, 2019, from 9:00 a.m. until 11:00 a.m. at the Conference Center.
- Annual Christmas Tree Lighting December 2, 2019, at 5:30 p.m. at the Leon Valley Conference Center.
- Annual Breakfast with Santa on December 7, 2019, at the Community Center Sponsored by the Friends of the Leon Valley Public Library and the Leon Valley Public Library from 8:00 a.m. - 10:30 a.m.
- Miscellaneous other events and announcements.

ACM/HR Director Caldera said that there was no update to the City Manager's Report but that Ms. Shirley Jonas had a correction that the Trash and Treasure Sale is not from 10:00 a.m. - 11:00 a.m. but from 9:00 a.m. - 2:00 p.m. *(this was not an actual agenda error but an error in the way it was read. The time for the Trash and Treasure sale is in front of the event title and not behind it)*

Mayor Riley added that if the In-Kind Grant was granted to the American Legion this evening, there would also be 9-11 Remembrance Event on September 8th at the Conference Center from 6:00 p.m. to 9:00 p.m.

RESULT:	PRESENTED
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CITIZENS TO BE HEARD

- Spencer Spriesterbach, Post Commander, Post 336 - spoke about the upcoming 9-11 Remembrance.
- Walter Geraghty - spoke about the right to speak; and about Audie L. Murphy.

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

- Councilor Donna Charles spoke about her recent attendance at the Drill Sergeant of the Year at Ft. Sam; and about the 3.12 hearing.
- Councilor Catherine Rodriguez thanked everyone for coming tonight and special thanks to our local post and about her son who is in the military.
- Councilor Monica Alcocer gave a “shout out” to City Staff for all of their hard work, they are the backbone of the City; asked citizens to help support them; thanked everyone for being here tonight; be kind to one another; and smile more.
- Councilor Matthew Hodde thanked everyone for their support; thanked City Staff for all their hard work especially those who had to attend all of the 3.12 hearings and keep all of the audiovisual parts working smoothly.
- Councilor Will Bradshaw thanked the American Legion and all the citizens for attending; and asked Mayor Riley to put a waiver for the 9-11 ceremony on the next City Council agenda.
 - Everyone told Councilor Bradshaw that it is already on tonight’s agenda.
- Mayor Riley welcomed Councilor Hodde; spoke about a call from Commissioner Justin Rodriguez regarding Seneca West flooding; poll sites will stay the same; thanked Maribel Mendoza for ribbon cutting at 210 Taco; school starts Monday - watch the school zones; and about pool hours.

CONSENT AGENDA

A motion was made by Councilor Monica Alcocer and seconded by Councilor Donna Charles to adopt the Consent Agenda Items 6.1, 6.2, 6.3, and 6.4 as presented.

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

1. Consideration of the Following City Council Minutes:
 - a. Special Meeting- July 2, 2019 5:15 PM

Acceptance of Committee Minutes:

- 06-13-2019 Library Board of Trustees Meeting Minutes
- 07-22-2019 Sign Code Update Advisory Committee Minutes

Discussion and Possible Action of an In-Kind Grant by The American Legion Post No. 336 - 9/11 Remembrance Event (M&C # 2019-08-20-01 M. Mendoza)

Discuss and Consider Possible Action on a Resolution of the City of Leon Valley City Council Amending the Appointment of Members to the 2019 Charter Review Committee (M&C # 2019-08-20-02 Mayor Riley)

ORDINANCE**Discussion and Possible Action on a Request by Dr. Daniel Earl, granting a Specific Use Permit for a Kennel, at 6703 Poss Road; Generally Located on the North Side of Grissom Road and East Side of Poss Road. (1st Reading was Held 08-06-2019) (M&C # 2019-08-20-03 B. Melland)**

Planning and Zoning Director Brandon Melland presented with no changes from the first read.

A motion was made by Councilor Donna Charles and seconded by Councilor Catherine Rodriguez to approve as presented.

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

Discussion and Possible Action on a Request by Vanessa Donovan, on Behalf of SA Fun Zone, granting a Specific Use Permit for Entertainment Indoor, at 5720 Evers Road; Generally Located on the East Side of Wurzbach Road and South Side of Evers Road. (1st Reading was Held 08-06-2019) (M&C # 2019-08-20-04 B. Melland)

Planning and Zoning Director Brandon Melland presented with no changes from the first read.

A motion was made by Councilor Will Bradshaw and seconded by Councilor Monica Alcocer to approve as presented.

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

Discussion and Possible Action on a Request by Manuel Rubio, granting a Specific Use Permit for Outside Storage, on Approximately 4.3 acres; Generally Located on the North Side of Grissom Road and West Side of Poss Road; More Specifically Located at 6217 Grissom Road and 6645 Poss Road, and 6655 Poss Road. (1st Reading was Held 08-06-2019) (M&C # 2019-08-20-05 B. Melland)

Planning and Zoning Director Brandon Melland presented with no changes from the first read.

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

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

Discussion and Possible Action on an Ordinance Approving and Adopting the Tax Year 2019 Tax Rate for the Maintenance and Operations Fund at \$0.475377/\$100 and the Interest and Sinking Fund at \$0.068213/\$100 for a Total Tax Rate of \$0.543590/\$100, Which is the Effective Tax Rate and is Lower than the Rollback Tax Rate. (1st Read was held on 08-06-2019) (M&C # 2019-08-20-06 V. Wallace)

Finance Director Vickie Wallace presented with no changes from the first read.

A motion was made by Councilor Will Bradshaw and seconded by Councilor Catherine Rodriguez to adopt the 2019 Property Tax Rate of \$0.543590, which is \$0.002287 lower than last year's tax rate of \$0.545877. The Maintenance and Operations Tax Rate portion being \$0.475377 and the Interest and Sinking Tax Rate portion being \$0.068213 for a total Tax Rate of \$0.543590.

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

Upon a unanimous vote, Mayor Riley announced the motion carried.

Mayor Riley thanked Finance Director Wallace, Assistant Director Wayman, all the Directors and City Manager Kelly Kuenstler for all their work on the preparation of this budget.

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

Discussion and Possible Action on an Ordinance of the City of Leon Valley, TX, City Council Accepting the Southwest Texas Regional Advisory Council Trauma System Grant in the amount of \$3,131.00; and Amending the General Fund Budget of The City of Leon Valley, Texas Municipal Budget for The Fiscal Year 2018-2019 to be Increased in the Amount of \$3,131 to Provide Funding to Purchase Supplies and Equipment Used for Providing Emergency Medical Care in Leon Valley (1st Read was Held 08-06-2019) (M&C # 2019-08-20-07 M. Naughton)

LVFD Chief Michael Naughton presented this item as a budget adjustment is to accept the Southwest Texas Regional Advisory Council trauma system grant of \$3,131.00 to purchase supplies and equipment for the Leon Valley Fire Department Emergency Medical Service.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Will Bradshaw to adopt as presented.

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

REGULAR AGENDA CONTINUED

Presentation and Discussion to Consider Approval of an Ordinance Authorizing a Budget Adjustment in the Amount of \$4,800.00 from the General Fund for the Purchase of Equipment for the Earthwise Living Day Event (1st Read as Required by City Charter) (M&C # 2019-08-20-08 M. Moritz)

Public Works Director Melinda Moritz presented a proposed ordinance authorizing a budget adjustment in the amount of \$4,800.00, for the purpose of purchasing equipment for future Earthwise Living Day events.

Public Works Director Moritz gave a little background on this saying that during the 2019 Earthwise Living Day event, the Committee earned \$4,605 in funds from the sale of booth rentals and from sponsorships. In addition, after expenses, they had some remaining funds. The Committee would like to use the money to purchase a portable amplifier, wireless microphones, insulated tote bags, clear tarps for the entrance to the Community Center,

and packaged sustainable dinnerware.

Councilor Alcocer said that the Earthwise Living Day Committee members are to be commended for all they do for this community.

Mayor Riley thanked Yvonne Acuna, Staff Liaison for all she does for the Committee.

RESULT:	FIRST READ
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CITIZENS TO BE HEARD

None

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 7:58 PM.

These minutes approved by the Leon Valley City Council on the 3rd of December, 2019.

APPROVED



CHRIS RILEY
MAYOR

ATTEST:



SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

