



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, October 15, 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 City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Denise Frederick, Public Works Director Melinda Moritz, Finance Director Vickie Wallace, Assistant Finance Director Floyd Messick, LVFD Fire Chief Mike Naughton, LVFD Fire Assistant Chief Eric Burnside, Planning & Zoning Director Brandon Melland, LVPD Chief Joseph Salvaggio, LVPD Assistant Police Chief Ruben Saucedo, and various LVPD staff.

Mayor Chris Riley welcomed everyone and led the Pledge of Allegiance.

Mayor Riley apologized for not handling an outburst last regular meeting and informed that she is implementing a “zero tolerance approach to keeping order in our chamber”.

Mayor Riley reminded everyone that the Citizens to be Heard item has been changed from five (5) minutes to three (3) minutes to speak.

Mayor Riley asked for all cell phones to be silenced.

PRESENTATIONS

Presentation of the Good Neighbor Award to Mr. Craig Ferrell (Mayor Chris Riley)

Mayor Chris Riley introduced Mr. Craig Ferrell and presented the Good Neighbor Award to him in recognition of the generous support he has shown the Leon Valley Police and Fire Departments over the last eight (8) years.

RESULT:	PRESENTED
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Hike & Bike Trail Advisory Committee 2019 Annual Report (Henry Diecker, Vice Chairman)

Vice Chair Henry Diecker presented the Hike & Bike Trail Advisory Committee 2019 Annual Report and called the names of all Committee members and Staff liaison. Mayor Chris Riley asked to confirm if there was a grant received from The Alamo Area Metropolitan and Planning Organization (AAMPO). Public Works Director Melinda Moritz informed Mayor Riley that any donation will go into the Revenue's side and once received; it will be moved to the Park's Budget.

RESULT:	PRESENTED
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Monthly Financial Report Ending September 30, 2019 (Vickie Wallace, Finance Director)

Finance Director Vickie Wallace presented the monthly Financial Report September 2019.

RESULT:	PRESENTED
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Presentation and Discussion on the Options for Legal Service Providers to the City of Leon Valley.

City Manager Kelly Kuenstler reminded everyone that per the Home Rule Charter, it is the City Manager's responsibility to hire the City Attorney. City Manager Kuenstler informed Council that the Request for Quotation (RFQ) was done and that from five (5) firms, three (3) firms were the final candidates. City Manager Kuenstler asked for the Council's input in selecting a City Attorney. All three (3) firms were invited to attend this evening's Council meeting and provide a six (6) minute presentation.

Attorney at Law Alan Bojorquez from Bojorquez Law Firm, PC gave a brief presentation about his law firm and the services they provide.

- City Manager Kuenstler asked Attorney Bojorquez who would be the primary attorney assigned to the City of Leon Valley.
 - Attorney Bojorquez explained that once hired, the firm meets with City Staff to find out what the priorities and expectations are and said that knowing what he knows about Leon Valley, he would recommend Jonathan Kaplan who retired from the City of San Antonio.
- City Manager Kuenstler asked Attorney Bojorquez if the City was to use attorneys from their Austin office, would the City of Leon Valley be charged mileage.
 - Attorney Bojorquez said yes and that it is standard but negotiable.
- City Manager Kuenstler asked Attorney Bojorquez if Mr. Kaplan is in San Antonio.
 - Attorney Bojorquez said yes, Mr. Kaplan resides less than 5 miles away.

Partner Daniel Santee and Partner Clarissa Rodriguez with Denton Navarro Rocha Bernal & Zech, PC gave a brief presentation on their law firm and the services they provide.

- Councilor Monica Alcocer asked what attorney was recommended to represent the City of Leon Valley.
 - Attorney Santee is recommending Senior Associate Habib Erkan.

Partner Brenda McDonald with Messer Fort and McDonald gave a brief presentation on their law firm and the services they provide. Partner Andy Messer and Associate Will Trevino were also present. Associate Trevino would be the primary contact for the City of Leon Valley.

- City Manager Kuenstler asked if the City of Leon Valley be billed for mileage from Austin.
 - Partner McDonald said they offer negotiation and that they will not allow that to be a problem between the firm and the City.
- Mayor Chris Riley asked if the firm has any local attorneys.
 - Partner McDonald and Messer said no, the closest attorney is Associate Trevino from Austin.

Mayor Riley thanked everyone for their time this evening.

City Manager Kunstler asked Council if they could review the RFQs and send her an email with their response and any comments by noon on Thursday, October 17th, 2019. Members of City Council agreed.

RESULT:	PRESENTED
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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) The Public Works Department has ordered the shade coverings for smaller parks and expects delivery and installation by January of 2020. b) The Raymond Rimkus Park rain garden contractor has started construction and expects to be finished within eight (8) weeks. c) Public Works accepted delivery of mid-sized dump truck that was authorized by the City Council. d) The Annual Texas Municipal League Conference was held last week and those that attended were invited to various conference social events. e) We'd like to thank Maribel Mendoza and staff for the awesome Soap Box Derby Event held last Saturday. The event went off without a hitch and everyone had a great time. Maribel will be providing the Council with an update on the event at the November 5th meeting. City Manager Kuenstler thanked everyone for their participation including: the Marshall High School Police Explorers, Church of Christ of Ladder Day Saints, JB Woolf Sheds, Banis Towing, Billy Ward Auctioneers, Beth Federico from National Soap Box Derby Association, Rudy Pena from Pena Brothers, The Do Jo Guys, Kris Moreno and The American Legion. f) Just a reminder that next Saturday is the Coffee with the Council meeting, from 9:00 a.m. to 11:00 a.m. at the Leon Valley Conference Center. I need to solidify the agenda, so can I get a final

approval of items you'd like to put on the agenda?

Mayor Chris Riley asked if the pool item was going to be discussed at the Coffee with the Council meeting.

Public Works Director Melinda Moritz notified the Mayor and Council that the pool discussion item is not ready, informed that the Pool Advisory Committee will meet tomorrow night and that she is still waiting on some quotes; therefore, she requested to delay the item to the November 5th meeting. Mayor Riley agreed.

Mayor Riley asked to add an agenda item to the Coffee with the Council meeting and replace item No. 3 with "Changes from Full-Time City Attorney to a Contract City Attorney".

City Manager Kuenstler continued with the City Manager's Report and added: g) we are working with John Marshall High School to alleviate their current traffic situation, as the new construction continues. h) Please keep in your thoughts and prayers the San Antonio Fire Department Fire Fighter who died in the line of duty today, his name was Greg Garza.

Upcoming Important Events:

- Next Regular City Council Meeting Tuesday, November 5, 2019, at 6:00 p.m. in Council Chambers
- 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.
- Arbor Day Tree Adoption October 26, 2019, on the Community Center Porch, from 9:00 a.m. -12:00 p.m.
- Trash to Treasure Sale October 26, 2019, at the Community Center by Northwest Seniors, from 9:00 a.m. - 2:00 p.m.
- Pet Costume Contest October 26, 2019 on the Grass area in front of the Community Center, from 10:00 a.m. - 11:00 a.m.
- Library Halloween Fall Festival October 26, 2019, from 10:00 a.m. - 12:00 p.m.
- 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.
- City offices will be closed on Monday, November 11, 2019, in observance of Veterans' Day
- Neighborhood Heroes Boots & Badges Event, November 12, 2019, at Whataburger, 7016 Bandera Road from 5:00 p.m. to 7:00 p.m.
- 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.
- Annual Town Hall Meeting, Saturday, January 25, 2020, from 8:30 a.m. to 12:30 p.m. at the Leon Valley Conference Center.
- Miscellaneous other events and announcements

CITIZENS TO BE HEARD

- Walter Geraghty spoke about the Soap Box Derby Event and thanked the Public Works Department for cleaning up after the event. Mr. Geraghty announced that the American Legion also has a trash pickup on October 26th- volunteers will meet at the Leon Valley Public Library at 8:00 a.m. Mr. Geraghty recommended paying each Council member \$20.00 per meeting and \$50 per meeting to the Mayor.
- William Johnson asked if there is another way the Lion's Roar Newspaper can be delivered before an event takes place. He is experiencing timeliness issues.
- Tina Chasan asked how an interview with KSAT News and LVPD Chief Joseph Salvaggio got set in motion to rehash an old interview.
- Josh Stevens read aloud a statement he prepared in reference to concerning Un-American patterns of behavior he has evidence of and seen in the recent months.
- Lyn Joseph informed the Mayor that the Soap Box Derby Event had a very, very low attendance. She believes the post card was mailed out one month prior to the event and believes better advertisement should be done.
- Evan Bohl would like to congratulate the Parks and Rec Committee in presenting great beautiful improvements to the parks. He also raised concerns of a great deal of division he has seen in our community and is asking to hear from the Council members who have been accused.
- City Manager Kelly Kuenstler read aloud a letter that was submitted by Citizen Esther Rodriguez. Ms. Rodriguez asked that the letter be read during the meeting. The letter was on the subject of "The Team Shirt". The letter referenced "Mr. Mata, his group and Sarah Smart".
- Sarah Smart expressed concern and anger upon the accusations from Ms. Esther Rodriguez and asked to please fact check before accusing her.
- Kimberley Bohl spoke in support of Mayor Riley and Councilor Will Bradshaw.

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

- Councilor Donna Charles informed everyone how much she enjoyed the Texas Municipal League (TML) Conference; her favorite presentation was by El Paso, Texas Mayor as he discussed the happenings of the Walmart incident and how it was handled while he was away- she appreciates him for being a thoughtful person.
- Councilor Catherine Rodriguez thanked everyone for coming out to the Soap Box Derby Event and said she also enjoyed the TML Conference and would like to second City Manager Kelly Kuenstler in keeping the SAFD in our prayers.
- Councilor Monica Alcocer informed everyone how she was unable to attend the TML Conference for some days as she experienced allergic reactions from medication she received; thanked everyone for coming out to the Soap Box Derby Event including food vendors and City staff: Public Works, Police Department, Fire Department and all participants; asked everyone to be kind to each other and gave a reminder that everyone is here for the same reason.
- Councilor Matthew Hodde welcomed everyone to tonight's meeting and thanked everyone for showing active interest in our City; asked to keep the SAFD in mind and

expressed his support to the Soap Box Derby Event; Go Astros.

- Councilor Will Bradshaw thanked everyone for coming out to the Soap Box Derby Event despite the cold weather and hoped to have better weather for next year's event; thanked everyone for coming out to tonight's meeting and showing support and interest in our City.
- Mayor Chris Riley apologized for missing out on TML and the Soap Box Derby Event- she explained how she had made travel plans to Utah one year in advance and urged everyone to visit Utah soon; informed everyone that she will be attending the National League of Cities-San Antonio Summit on November 23rd-26th; congratulated the Soap Box Derby Event; reminded everyone about the Coffee with the Mayor this weekend from 9:00 a.m.-11:00 a.m. at the Conference Center; Blue Jean Gala this Saturday, October 18th at the Leon Valley Community Center- \$40 per ticket which can be purchased online; reminded anyone who lives in or around a Flood Zone area to attend the informational session which will be hosted by the Federal Management Agency (FEMA) on November 16th at the Leon Valley Conference Center from 10:00 a.m.-noon.

REGULAR AGENDA

Presentation, Discussion, Public Hearing and Possible Action on a Resolution of Intent to Establish the Property Assessed Clean Energy Act, (the "PACE Act") Program Within the City of Leon Valley, TX. (John Clamp, CFO, AACOG) (M&C # 2019-10-15-01 K. Kuenstler)

John Clamp presented this item to adopt a resolution of intent to establish the Property Assessed Clean Energy Act, (the "PACE Act") program.

Mr. Clamp informed the Council that this program does not cost the City one penny and that there is no impact to the financial statements or liability; it is all community and property owner based; the Statute Local Government Code 399 allows the Local Government, whether it's a County or a City to adopt it and it allows property owners to utilize it through a third party mechanism.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Donna Charles to adopt the resolution as proposed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Donna Charles, Council Place 1
AYES:	Alcocer, Charles, Rodriguez, Hodde, Bradshaw

Presentation, Discussion, Public Hearing and Possible Action on a Resolution Establishing the City of Leon Valley, Texas PACE Program (John Clamp, CFO, AACOG) (M&C # 2019-10-15-02 K. Kuenstler)

Mayor Chris Riley opened the Public Hearing at 8:25 p.m.

- Phillip Riddle asked if the PACE Program applied to residential properties.
 - Mr. Clamp indicated that the program does not apply to residential properties, only commercial.

There being no additional public comment; Mayor Riley closed the Public Hearing at 8:26 p.m.

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

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

CONSENT AGENDA

Mayor Chris Riley announced that at the request of City Secretary Sandra Passailaigue, Consent Agenda Items 7.1 d and e will be pulled and brought back on the next agenda for consideration unless a member of City Council has an issue with this.

Councilor Will Bradshaw asked for the reason for this. City Secretary Passailaigue replied that the minutes were incomplete.

Councilor Will Bradshaw asked that City Secretary Passailaigue correct the spelling of his name from William to Will. City Secretary Passailaigue asked Councilor Bradshaw which minutes he was referring to and he said he could not remember but it was several places. City Secretary Passailaigue asked that Councilor Bradshaw email or call her to let her know which ones and that she would correct that for him.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Donna Charles to adopt the Consent Agenda Items 7.1 a, b, and c; 7.2, 7.3, 7.4, 7.5, 7.6, and 7.7 as amended.

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

Consideration of the Following City Council Minutes:

- a. **Special Meeting for Executive Session- June 18, 2019 5:30 PM**
- b. **Regular Meeting- June 18, 2019 6:00 PM**
- c. **Special Meeting- August 13, 2019 5:30 PM**
- d. **Special Meeting- August 13, 2019 5:45 PM**
- e. **Special Meeting- September 30, 2019 6:00 PM**

Annual Investment Report for the Period of October 1, 2018-September 30, 2019 (M&C # 2019-10-15-03 V. Wallace)

Discussion and Possible Action of the Quarterly Investment Report for the Quarter Ended September 30, 2019 (M&C # 2019-10-15-04 V. Wallace)

Annual Review and Adoption of a Resolution Approving the Investment Policy for the City of Leon Valley with Changes to Section VI, B3 Types of Collateral (M&C # 2019-10-15-05 V. Wallace)

Acceptance of Committee Minutes:

- a. **Special Meeting for Executive Session- June 18, 2019 5:30 PM**
- b. **Regular Meeting- June 18, 2019 6:00 PM**
- c. **Special Meeting- August 13, 2019 5:30 PM**
- d. **Special Meeting- August 13, 2019 5:45 PM**
- e. **Special Meeting- September 30, 2019 6:00 PM**

Discussion and Possible Action to Approve the Leon Valley Economic Development Corporation's Last Board Minutes Winding up the Affairs of the Board (M&C # 2019-10-15-06 S. Passailaigue)

Discussion and Possible Action on a Resolution of The City of Leon Valley, TX., City Council Appointing Members to The Leon Valley Police Department Citizens Police Advisory Committee; Beautification Committee; And Earthwise Living Day Committee (M&C # 2019-10-15-07 S. Passailaigue)

ORDINANCE

Discussion and Possible Action of an Ordinance Authorizing Budget Adjustments, in a Total Amount of \$880,128, with 15% for Contingencies, for Capital Projects from the FY '19 to the FY '20 Enterprise, General, Red Light Camera, and Stormwater Fund Budgets (1st Read was Held on 09-30-2019) (M&C #2019-10-15-08 M. Moritz)

Public Works Director Melinda Moritz presented this 2nd read ordinance to authorize budget adjustments, in a total amount of \$880,128, with 15% for contingencies, for capital projects from the FY '19 to the FY '20 Enterprise, General, Red Light Camera, and Stormwater Fund Budgets.

Public Works Director Moritz said there were no changes since the 1st read.

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

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

Discussion and Possible Action on an Ordinance, granting a Specific Use Permit on a request by Marc Shilling, for Entertainment Indoor Use, at 6504 Bandera Road; Generally Located on the West Side of Bandera Road Approximately 200 feet North of Seneca Drive; and a Public Hearing on Said Request (1st Reading was Held on 09-30-2019) (M&C # 2019-10-15-09 B. Melland)

Planning & Zoning Director Brandon Melland presented this 2nd read ordinance granting a Specific Use Permit on a request by Marc Shilling for Entertainment Indoor Use at 6504 Bandera Road; generally located on the West Side of Bandera Road approximately 200 feet North of Seneca Drive; and a Public Hearing on said request.

Planning & Zoning Director Melland said there were no changes since the 1st read.

A motion was made by Councilor Matthew Hodde and seconded by Councilor Catherine Rodriguez to adopt the resolution as presented.

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

Discussion and Possible Action on an Ordinance Amending Chapter 2 Animal Control of the Leon Valley Code of Ordinances and Appendix A Fee Schedule (First Reading was Held on 09-30-2019) (M&C # 2019-10-15-10 J. Salvaggio)

LVPD Chief Joseph Salvaggio presented and continued with slide number thirteen (13) out of an eighty-four (84) page PowerPoint for a 2nd read ordinance to amend Chapter 2 Animal Control of the Leon Valley Code of Ordinances and Appendix A Fee Schedule.

There was an ongoing discussion on this item.

- Jed Hefner introduced a brief presentation to Council and Chief Salvaggio on what it takes to raise chickens for fresh eggs.

There was an ongoing discussion on chickens and roosters.

- William Johnson spoke on setback requirements for having chickens and/or roosters.

Councilor Matthew Hodde and Councilor Monica Alcocer added to the setback requirement discussion.

- Lyn Joseph informed Council that she used to own chickens and said they are small but can be noisy and can bother people; Ms. Joseph does not want to see roosters as they are very loud. Ms. Joseph asked Chief Salvaggio how many complaints has he received from the community about chickens.
 - Chief Salvaggio explained that his department receives complaints all the time, especially as soon as a resident gets a chicken. He informed there have been five (5) complaints in one weekend and those complaints were emailed to the Mayor and Council- those complaints did not involve roosters.

There was a lengthy discussion on this item.

- Al Alcocer asked if too much weight was being put on this item and reminds Council that Leon Valley's population is ten thousand (10,000), therefore he asked why are we allowing a small group of people to dictate what needs to be done about this item.
- Johnnie Garrett asked if there is a limit to how many chickens can owners have and what could be done about flies and maggots that chickens produce.
- Jed Hefner made a recommendation to bring this item back if Council is not ready to vote tonight and asked to bring an expert on the topic to educate citizens.

There was a consensus among members of City Council to have Councilor Matthew Hodde and Mr. Jed Hefner re-write the "Animal Ordinance" and bring it back for review at the November 5th meeting.

REGULAR AGENDA CONTINUED

Discussion and Possible Action on an Ordinance Amending Section 13.02.074 of the City's Tree Preservation Ordinance regarding Maximum Mitigation of Existing Trees (1st Reading as Required by City Charter) (M&C # 2019-10-15-11 B. Melland)

Planning & Zoning Director Brandon Melland presented a proposed ordinance for the purpose of amending Section 13.02.074 of the City's Tree Preservation Ordinance regarding Maximum Mitigation of existing trees.

Planning & Zoning Director Melland gave a brief background on the ordinance and what types of trees are protected. He said that the 25% mitigation maximum is excessive when combined with the requirement that all tree species be protected and believes that this combination of requirements exceeds the intent of the 25% maximum mitigation requirement - to prevent clear cutting of land - and actually serves as an unreasonable hindrance to new development. Planning & Zoning Director Melland also believes that this combination of requirements also necessitates the need for unnecessary variances.

Planning & Zoning Director Melland concluded his presentation and recommended the City to continue protecting Chinaberry, Hackberry, Ash Juniper, Chinese Tallow, and Mesquite

Trees and requiring them to be mitigated. However, he recommends that these tree species be exempt when calculating maximum tree removal.

Councilor Monica Alcocer asked to remove Mesquite Trees from the list of five (5) tree species to be exempt.

Mayor Chris Riley asked why the request came to City Council for approval. Planning & Zoning Director Melland replied that because of the Affordable Pet Care development project. Mayor Riley asked why Council should amend the ordinance if the City is landlocked and why not keep the variance. Planning & Zoning Director Melland replied that the purpose of variances is to consider cases where you have a unique hardship not just to have it as a mechanism for additional oversight. Mayor Riley asked if this proposal was presented to the Tree Advisory Board (TAB). Planning & Zoning Director Melland said no but that he consulted with an arborist before presenting it to Council.

Councilor Donna Charles brought back Mayor Riley's question- how much more land is there to develop. Planning & Zoning Director Melland replied that when looking at the City map, he sees a lot of undeveloped land; including the West side of Huebner Road, the Triangle Redevelopment Lot off of Evers Road, an oddly shaped lot behind the Bandera Heights Shopping Center, the property behind the Buddhist Temple and William Rancher property.

Mayor Riley asked to please summarize everything just said and provide pictures so that they can see the trees on each property. Planning & Zoning Director Melland said he can work on this request.

- Lyn Joseph spoke on the importance of keeping Mesquite Trees on the ordinance as there are certain birds that eat seeds from that tree and it is habitat.

Mayor Riley said that she just wants to wrap everything back up and asked to take the item to the TAB, summarize all the undeveloped lots to include more information on them, and provide more information on the trees from a Certified Arborist as far as their value.

City Manager Kelly Kuenstler asked if the Affordable Pet Care project would get delayed with this new request which he received- to go back to the TAB and obtain information from a Certified Arborist. Planning & Zoning Director Melland replied that he was not sure but that he would check with the developer and see if there's problem.

There was a consensus among Council to bring back the ordinance at the next meeting.

Councilor Will Bradshaw asked to move item 9.6 up.

There being no objection, item 9.6 was moved up.

RESULT: FIRST READ**Presentation, Discussion, and Public Hearing to Consider Approval of an Ordinance Reserving a 2.054 Acre Area at the Huebner-Onion Natural Area Park for Future Public Improvements (1st Read as Required by City Charter) (M&C # 2019-10-15-12 M. Moritz)**

Public Works Director Melinda Moritz presented the proposed Public Hearing to consider approval of an ordinance reserving a 2.054-acre portion of the Huebner-Onion Natural Area Park as an area to be used for future public improvements.

Public Works Director Moritz gave a brief background and explained that the original 36.739-acre lot, known as Lot 10, Block 1, CB 4430, InTown Suites Bandera Road Subdivision, was acquired by the City in August of 2000. It is bounded by Bandera Road, Red Jacket, Evening Sun, Sunlight, Raymond Rimkus Park on Poss, and Andres Salazar roads. In 2008, the City designated this lot as the Huebner-Onion Natural Area Park which is now Ordinance No 08-058.

Public Works Director Moritz added that the triangular shaped 2.054-acre portion of the park that is encompassed by Bandera Road, the Huebner-Onion Homestead property, and Huebner Creek has been mowed, trimmed and otherwise not been left in its natural state since the City acquired the lot. Most residents are unaware that this area is actually part and parcel of the Huebner-Onion Natural Area Park. Past City Councils have consistently called this area the "Triangle Park".

Public Works Director Moritz concluded her presentation saying that at the September 12, 2019 meeting, the Park Commission recommended approval of an Ordinance reserving a 2.054 acre portion of the Huebner-Onion Natural Area Park, as shown in the attached Exhibit A, as an area for future public improvements, with the request that prior to any Council deliberation on future improvements, they be allowed to make a recommendation on such use and forward the recommendation to the City Council.

Mayor Chris Riley opened the Public Hearing at 10:26 p.m.

There being no public comment, Mayor Riley closed the Public Hearing at 10:26 p.m.

RESULT: FIRST READ**Presentation and Discussion of an Ordinance Authorizing a Budget Adjustment for the 2020 fiscal year in the Amount of \$310,000 From the General Fund Reserves to Allow for the Purchase of a New Ambulance, with required equipment, for the Fire Department. (1st Reading as Required by the City Charter) (M&C # 2019-10-15-13 M. Naughton)**

LVFD Chief Michael Naughton presented the proposed ordinance to authorize a budget adjustment for the 2020 Fiscal Year in the amount of \$310,000 from the General Fund

Reserves to allow for the purchase of a new ambulance, with required equipment, for the Fire Department.

Chief Naughton gave a brief history on an ambulance that was taken out of service and given to the Police Department by the previous Fire Department Administration. Chief Naughton added that he has been unable to locate any documentation for removing the third ambulance from the fleet. This ambulance was never put into use by the Police Department and was temporarily placed back into service by the Fire Department in 2018 due to other ambulances being out of service. Records indicate that the majority of the equipment from this ambulance was sent to salvage and auctioned per City policy.

Chief Naughton said that the Leon Valley Fire Department has maintained a fleet of 3 ambulances since the early 1990's to provide the necessary coverage for our growing City. Since this time, the request for service has more than doubled and continues to increase annually. The Fire Department receives almost 3000 requests for service annually with the majority being EMS related.

Councilor Will Bradshaw asked what is "good intent", to what Chief Naughton replied that it is when the Fire Department visits a location that when by accident a fire or medical alarm goes off.

LVPD Chief Joseph Salvaggio informed Council that the ambulance has been out of service for at least two (2) years.

Chief Naughton concluded his presentation and recommended that the City Council approve an ordinance and budget adjustment in the amount of \$310,000 to the General Fund Balance to fund the purchase of a new ambulance.

RESULT:	FIRST READ
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Presentation and Discussion of an Ordinance Granting a Park Variance Request from CJC Life Church to Allow a 5K Run Event at Raymond Rimkus Park (1st Read as Required by City Charter) (M&C # 2019-10-15-14 M. Moritz)

Public Works Director Melinda Moritz presented a proposed ordinance to grant a Park Variance Request from CJC Life Church to allow a 5K Run Event at Raymond Rimkus Park.

Applicant Timothy Cedillo was present as well.

Public Works Director Moritz informed Council that the event is scheduled to be held on November 9, 2019, from sunrise to 2:00 p.m., with approximately 100 participants expected. This event is open to the general public and proceeds from the event will go towards the Church's mission to India. The group has already rented the large pavilion at the park and, according to their website; they plan on holding the 5K run completely on the Raymond Rimkus Park jogging trail and at the large pavilion. They also plan on erecting ten

canopies.

Public Works Director Moritz concluded her presentation by saying that at the October 10th, 2019 Park Commission meeting, the Park Commission recommended approval of this request, stating:

- (1) The variance request is consistent with the goals of the Park ordinance;
- (2) Granting the variance will not cause significant harm to any other person or group of persons, or result in the city being in violation of regulatory requirements; and
- (3) The activity being granted will not disturb the peace and dignity of the surrounding residential neighborhoods.

Mayor Chris Riley asked if regular walkers have to pay.

Applicant Mr. Cedillo responded that walkers do not have to pay.

Councilor Monica Alcocer asked if they plan to have informational banners on site for the general public and Mr. Cedillo said that they already have a banner on site but that they plan to have more banners the day of the event.

Mayor Riley asked if they will need assistance from the Police Department for parking or traffic. Mr. Cedillo replied this event will be a small one and that it will not require the Police Department's assistance.

Applicant Cedillo told Council that he understands this item requires a second read but would like to know if he can begin registering participants, he wanted to know if the items seemed to be approved on the second read.

City Manager Kelly Kuenstler proposed to Council to vote on this item at the Coffee with the Mayor meeting which will be held this Saturday, October 19th, 2019 at the Conference Center. Council agreed.

RESULT:	FIRST READ
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Discussion and Possible Action on the Items for Discussion at the 2020 Town Hall Meeting (M&C # 2019-10-15-15 K. Kuenstler)

City Manager Kelly Kuenstler presented this item to gain consensus from the Council to what needs to be presented at the 2020 Town Hall Meeting.

Councilor Will Bradshaw recommended to remove the animal ordinance item as he believes that this ordinance will be taken care of before the Town Hall Meeting.

Mayor Chris Riley informed that she knows the update on Peachtree and recommends removing the item.

Councilor Monica Alcocer asked to add an item to the agenda to discuss an update on flooding/drainage.

There was a brief discussion on all the items on the agenda.

City Manager Kuenstler went over the items to be removed and those to keep; remove the animal ordinance, the update on Peachtree and the item to change from City Attorney to Contract Attorney as this item is planned to be discussed at the Coffee with the Mayor meeting this Saturday; add flood/drainage, comprehensive plan and re-cap from the previous Town Hall Meeting. There will be eight (8) items on the agenda and those are the following:

1. Flood/ Drainage Update
 2. Comprehensive Master Plan
 3. Water Main Conditions
 4. Bandera Road update
 5. Follow up on El Verde by 2025
 6. Home Rule Charter Amendment Update.
 7. Census 2020 Education
 8. Pools for 2020 Season
- ** Re-cap from previous Town Hall Meeting

RESULT:	PRESENTED
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Discussion and Possible Action on the conduct of Councilor Will Bradshaw as a sitting City Council member. (Requested by Councilor Catherine Rodriguez and Councilor Monica Alcocer) (M&C # 2019-10-15-16 S. Passailaigue)

Councilor Catherine Rodriguez presented this item to discuss the conduct of Councilor Will Bradshaw as a sitting City Council member and informed the Council that it is her desire to present four (4) points to discuss.

Councilor Monica Alcocer called a Point of Order and clarified that she indeed wished to second this item but asked Council to take this discussion to the new City Attorney as what needs to be discussed, took place in Executive Session and there's no need to discuss it in public.

Councilor Monica Alcocer made a motion and seconded by Councilor Donna Charles to take this item to the new City Attorney.

City Manager Kelly Kuenstler asked if there would be a conflict for the newly hired City Attorney to investigate. City Attorney Denise Frederick replied that the newly hired City Attorney will not be able to make a recommendation because they would represent the entire Legislative Body and it would be an ethical conflict. City Attorney Frederick suggested to get an outside Council to do an investigation or proposed to discuss the item among them and bring it up in Open Session and vote on the solution.

Councilor Monica Alcocer withdrew her motion and Councilor Donna Charles withdrew her second to the motion.

Councilor Matthew Hodde said that a big investigation is not necessary.

Councilor Catherine Rodriguez said that she did not ask for a big investigation but instead asked to please get “that behavior which was uncalled-for- to stop and that’s it”.

There was lengthy discussion on this item.

- John David Saenz thanked Council for their service and made a recommendation to change the rules of the quorum.
- Benny Martinez spoke and said “this insanity has to stop and the only way this City can start to heal is for the three (3) women on the Council to be removed and there are some staff members that need to be removed as well”.
- Josh Stevens asked to analyze all the conflicts of interest that have been occurring during executive session.
- Lyn Joseph asked what the difference is with Councilor Will Bradshaw leaving an Executive Session and City Attorney Frederick stepping out for a cigarette break.

Councilor Monica Alcocer made a motion and seconded by Councilor Donna Charles to postpone this item until after the new City Attorney comes on board to have an Executive Session and discuss the options.

- Eric Mata spoke and said he was appalled by the behavior he saw by many members of Council.
- Johnnie Garrett said “you earn respect”.
- Martin Rodriguez said “you make the rules and regulations and you decide what to do”.

RESULT:	POSTPONED [UNANIMOUS]
MOVER:	Monica Alcocer, Mayor Pro-Tem, Council Place 3
SECONDER:	Donna Charles, Council Place 1
AYES:	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

The City Council shall meet in Executive Session to discuss the following: Under the Texas Local Government Code §551.074 Personnel Matters to Discuss and Conduct an Annual Performance Evaluation of City Manager Kelly Kuenstler as Required by the City of Leon Valley’s Employment Contract

Mayor Chris Riley read the caption out loud and then the Members of City Council went into Executive Session at 11:15 p.m.

Reconvene into Regular Session and Take Action on Issues Discussed in Executive Session if Necessary

Mayor Riley reconvened into Open Session at 12:35 a.m. and announced that there was motion to reflect the Executive Session.

Councilor Monica Alcocer made a motion and seconded by Councilor Catherine Rodriguez to adopt the employment contract as presented for the City Manager with the amendment to item eighteen (18). The City Council voted four (4) for and one (1) against with Councilor Will Bradshaw casting the negative vote. Mayor Riley announced the motion carried.

CITIZENS TO BE HEARD


- Catherine Rowse encouraged Council to get Incode10 to improve electronic billing.

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 12:40 AM.

These minutes approved by the Leon Valley City Council on the 5th of May, 2020.

APPROVED


CHRIS RILEY
MAYOR

ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

