



**CITY OF LEON VALLEY  
CITY COUNCIL SPECIAL MEETING**

Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, January 23, 2018

**MINUTES**

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**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
Benny Martinez	City of Leon Valley	Mayor Pro Tem	Present
David Edwards	City of Leon Valley	Council Place 1	Excused
Belinda Ealy	City of Leon Valley	Council Place 2	Present
Monica Alcocer	City of Leon Valley	Council Place 3	Present
David Jordan	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 Denise Frederick, LVPD Chief Joseph Salvaggio, LVFD Chief Luis Valdez, LVFD Assistant Chief Blake Wade, Finance Director Vickie Wallace, Assistant Finance Director Ashley Wayman, Librarian Sandy Underwood, Assistant Public Works Director David Dimaline and Director of Special Events Maribel Mendoza.

Mayor Riley welcomed everyone and led the Pledge of Allegiance.

Mayor Riley informed the member of City Council that she would be moving the Consent Agenda up on this evening's agenda in order to have appointments to the Zoning Commission made prior to the Zoning Commission's 6:30 p.m. meeting this same evening.

**CONSENT AGENDA**

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan to approve the Consent Agenda as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Council Place 3
<b>SECONDER:</b>	David Jordan, Council Place 5
<b>AYES:</b>	Martinez, Ealy, Alcocer, Jordan
<b>EXCUSED:</b>	Edwards

**Consideration of the Following City Council Minutes:**

- a. Workshop- December 9, 2017 9:00 AM
- b. Regular Meeting- December 19, 2017 6:00 PM

**Discuss and Consider Possible Action to Appoint a Member to the Leon Valley Citizens Police Advisory Committee (M&C # 2018-01-23-01 S. Passailaigue)**

**Discuss and Consider Possible Action to Make Appointments to the Leon Valley Zoning Commission (M&C # 2018-01-23-02 S. Passailaigue)**

**Consider, discussion and possible action on a resolution appointing Julie Menard to the Earthwise Living Committee (M&C # 2018-01-23-03 S. Passailaigue)**

**PRESENTATIONS****Beautification Committee Annual Report (Donna Charles, Chairman)**

Beautification Committee Chair Donna Charles presented the Beautification Committee's Annual Report.

**Presentation of a Proclamation Recognizing January 21-27, 2018 as City of Leon Valley School Choice Week - *Withdrawn* (Mayor Chris Riley and Andrew Campanella, President, National School Choice Week)**

Mayor Riley pulled this item as the presenter was not present.

**Introduction and Recognition of New Officers Anderson, Espinoza, Parra, and Feliciano. (Mayor Chris Riley and LVPD Chief Joseph Salvaggio)**

Mayor Chris Riley and Leon Valley Police Chief Joseph Salvaggio introduced and presented badges to Lieutenant David Anderson, Officer Jose Espinoza, Officer Rodrigo Parra, and Officer Dan Feliciano. Each one had members of their family present for pinning and photos.

**CITIZENS TO BE HEARD**

- Kim Webster, of A Place for Kids located at 6011 Grissom Road spoke about the new garbage rates.
- Judy Pearl, 6319 Sunview Street asked that the City do something to alert everyone that the Conference Center, Community Center, Library and Leon Valley Café are open even though Evers Road is being worked on.

- City Manager Kelly Kuenstler informed Ms. Pearl that the Public Works is in the process of making signs for that very purpose.
- Claire Brown, 7214 Trace Knuckle spoke about backyard chickens.
- Jesse Barrera also spoke about backyard chickens.
- Joshua Stevens, 6819 Forest Haven spoke about garbage contract; open record requests; and transparency.
- Tina Chasan, NextDoor App Lead asked the City to address a fence that she believes is a code violation at 6006 Forest Ridge.
- Jesse Barrera said he would not state his address any longer now that the City is streaming the meetings. Mr. Barrera said the City should look into this as it is a safety issue.

### **CITY MANAGER'S REPORT**

City Manager 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 saying the final payment for the 2009 Refunding Bonds will be paid 1/30/2018. At that time the debt will be paid in full!

### **Approved Minutes from Committees**

#### **a. November 8, 2017 Earthwise Living Committee**

#### **Upcoming Important Events:**

- Next City Council Meeting February 06, 2018, at 6:00 p.m.
- January 27, 2018, Town Hall Meeting, Conference Center
- February 19, 2018, City Offices are closed in observance of President's Day
- Miscellaneous other events and announcements

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

- Council Member Monica Alcocer spoke about negative comments and recited some positive quotes.
- Council Member Benny Martinez reminded all to attend the upcoming Town Hall meeting.
- Council Member David Jordan wished everyone a Happy New Year; asked that everyone consider volunteering; and spoke about the integrity of the staff and thanked them for all of their hard work.
- Council Member Belinda Ealy also wished everyone a Happy New Year and reminded all about the upcoming Raw, Vegan Society meeting.
- Mayor Riley read aloud a letter from Senator Jose Menendez of District 26 and encouraged folks to come out this Saturday to the Town Hall meeting.

## **REGULAR AGENDA**

### **Presentation, Discussion and Possible Action on Options for the City Leon Valley's July 4th, 2018 Event (M&C # 2018-01-23-04 S. Passailaigue)**

City Secretary Sandra Passailaigue gave a brief presentation on options for Leon Valley's 2018 July 4 celebration.

Council Member Belinda Ealy said she liked the idea of Soap Box Derby but thought the location might be a problem.

Council Member Monica Alcocer suggested a break in the event from noon to 5:00 p.m. during the heat of the day.

- Tina Chasan suggested a dunking booth and to hold a dog/cat adoption during the event.
- Amber Mouser suggested that the firefighters collect donations to offset the cost of the event.
- Tina Chasan then suggested partnering up with the Aquarium and stated that she likes an all-day event opposed to a shortened event.

There was a consensus among members of City Council to split the event with morning and evening events but to have some water events at the pools perhaps during the heat of the day.

City Secretary Passailaigue said that she would bring back an event update at the March 20<sup>th</sup> City Council meeting.

<b>RESULT:      PRESENTED</b>
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**Discuss and Consider 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 Election, and Providing Details Relating to the Conduct of Holding the Election, Authorizing the Use of the Leon Valley Conference Center, Located at 6421 Evers Road, Leon Valley, Texas, 78238, for Early Voting (April 23, 2018 through May 01, 2018) and on the 5th day of May, 2018, for Election Day Voting.**

(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 elegir a tres miembros del consejo: (lugares 2, 4, y para el cargo de alcalde) ante los votantes calificados de la ciudad de Leon Valley; autorizando al administrador de la ciudad, firmar un convenio de elección conjunta con el administrador de elecciones del condado de Bexar para la conducción de dicha elección y disponiendo los detalles relativos de la elección, autorizando el uso del salón de juntas de Leon Valley, localizado en 6421 Evers Road, Leon Valley, Texas 78238, para la votación anticipada (abril 23 del 2018 a mayo 01 del 2018) y para el día de la elección, el día 5 de mayo del 2018.) (M&C # 2018-01-23-05 S. Passailaigue)

Mayor Riley read the caption in English and asked Council Member Monica Alcocer to read it in Spanish.

City Secretary Sandra Passailaigue presented a proposed resolution ordering a General Election in the City of Leon Valley, Texas, to be held on May 5, 2018, for the election of a three Council Members: Places 2, 4 and for the Office of the Mayor to be held for the City of Leon Valley; and designating Jacquelyn F. Callanen, Bexar County Elections Administrator, as the Election Administrator to conduct such election.

A motion was made by Council Member Monica Alcocer and seconded by Council Member Benny Martinez to adopt the resolution as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Council Place 3
<b>SECONDER:</b>	Benny Martinez, Mayor Pro Tem
<b>AYES:</b>	Martinez, Ealy, Alcocer, Jordan
<b>EXCUSED:</b>	Edwards

**Discussion and Possible Action on a 2nd Reading of an Ordinance the Establishment and Implementation of a Program to Charge Mitigation Rates for The Deployment of Emergency and Non-Emergency Services by The Leon Valley Fire Department; And Authorizing the City Manager to Negotiate and Execute an Agreement with Fire Recovery USA, LLC For Billing and Collection Services. (1st Reading was held on January 23rd) (M&C # 2018-02-06-04 L. Valdez)**

Chief Luis Valdez presented the item proposing that the City of Leon Valley enter into a contractual agreement with a vendor that provides billing services to over 200 cities in Texas, Fire Recovery USA, LLC for billing the at-fault party's (residents and non-residents) insurance company for the Leon Valley Fire Department's services, and use of equipment and materials in response to motor vehicle collisions.

On average, the fire department responds to 200 vehicle accidents per year. Besides patient care, service provided by the fire department include; traffic control, vehicle stabilization, extrication, hazardous materials fluid spills, disconnection of battery cables, removal of hazards and clearing debris from the roadway. The fire department currently does not bill for providing these services.

The fire department's electronic reporting software system is compatible with that of Fire Recovery USA, LLC. Information related to the incident may be automatically extracted and processed from Fire Recovery USA, LLC. All billing and collection correspondence and activities will comply with a format and standards acceptable to the City and in accordance with all applicable Federal, State or local laws.

Under the contract, the City of Leon Valley will receive 80 percent of the claim revenue collected by the company. The remaining 20 percent is retained by Fire Recovery, USA which represents their fee for providing the billing and collection services. The company will process and remit funds to the City on a monthly basis within seven working days after the close and accounting of each billing cycle. The company will also provide a status report on all active claims monthly.

Fire Recovery, USA will also provide training to ensure that City Staff is capable of responding to customer inquiries regarding billing, complaints, and contact information, as well as logging into the company's system to check the status of claims and run other informational reports.

The term of this contract is suggested for five years with an optional extension period of five years based upon City Council approval.

- Joshua Stevens, 6819 Forest Haven asked if this could affect one's credit.
  - Chief Valdez responded with a YES

No action was taken. This ordinance will move forward to a 2<sup>nd</sup> reading at the February 06, 2018 Regular City Council meeting.

**RESULT: FIRST READ**

**Next: 2/6/2018 6:00 PM**

**Discussion and Possible Action on a 2nd Reading of an Ordinance Amending the City of Leon Valley Code of Ordinances Chapter 8, Article 08.008 Junked Vehicles to Provide the City More Latitude to Remove, Store and Dispose of Junked Vehicles (1st Reading was held on January 23rd) (M&C # 2018-02-06-05 J. Salvaggio)**

Police Chief Joseph Salvaggio presented this item with the purpose of proposing an amendment to: allow the City the latitude to remove nuisance vehicles from public and private property in a timelier manner: better define what a junked vehicle is, and where they can and cannot be stored; and to allow the City the discretion to demolish or auction abandoned/junk vehicles in a manner that is in the best interest of the citizens of Leon Valley.

No action was taken. This ordinance will move forward to a 2<sup>nd</sup> reading at the February 06, 2018 Regular City Council meeting.

**RESULT: FIRST READ****Next: 2/6/2018 6:00 PM**

**Discussion and Possible Action on a 2nd Reading of an Ordinance Amending Ordinance 2017-19 Impound Lot to Comply with New State Law, Correspond with Amended Junked Vehicle Ordinance, Allow Discretion for Use of the City and Waive Towing Fees (1st Reading was held on January 23rd) (M&C # 2018-02-06-06 J. Salvaggio)**

Police Chief Joseph Salvaggio presented this amending ordinance in an effort to: meet new changes to Ordinance 08-008 Junked Vehicles; change storage requirements before auction to meet the State law; allow the City the discretion to put the vehicles into use for the City; and give the Chief or City Manager the discretion to waive towing fees.

Council asked that the ordinance clarify the twenty-one (21) days and whether or not that was business days or calendar days; a list of objective criteria for waivers; victims of crimes or what?

No action was taken. This ordinance will move forward to a 2<sup>nd</sup> reading at the February 06, 2018 Regular City Council meeting.

**RESULT: FIRST READ****Next: 2/6/2018 6:00 PM**

**Discussion and Possible Action on a 2nd Reading of an Ordinance Amending the City of Leon Valley Code of Ordinances to Article 4.10 Fortune Telling (1st Reading was held on January 23rd) (M&C # 2018-02-06-09 J. Salvaggio)**

Police Chief Joseph Salvaggio presented this amending ordinance in an effort to: add Article 4.10 Fortune Telling Establishment; provide definitions under the ordinance; set penalties for violations of the ordinance; create Fortune Telling Establishment Regulations; provide permitting requirements; develop operation regulations; and to Amend Appendix A Fee Schedule.

No action was taken. This ordinance will move forward to a 2<sup>nd</sup> reading at the February 06, 2018 Regular City Council meeting.

**RESULT: FIRST READ****Next: 2/6/2018 6:00 PM**

**Discussion and Possible Action on a 2nd Reading of an Ordinance Amending the City of Leon Valley Code of Ordinances, Chapter 8 Offenses and Nuisances, Article 8.03 Graffiti, Section 08.03.074 Removal Record, 08.03.075 Notice to Remove, 08.03.076 Hearing, And 08.03.077 Abatement by City; and Collection of City's Expenses. (1st Reading was held January 23rd) (M&C # 2018-02-06-07 J. Salvaggio)**

Police Chief Joseph Salvaggio presented this amending ordinance in an effort to: require home and business owners to abate graffiti on their property; set time limits on graffiti abatement once notified; remove hearing with City Director on abatement requirements;

and to allow City to recoup cost of abatement by the City.

No action was taken. This ordinance will move forward to a 2<sup>nd</sup> reading at the February 06, 2018 Regular City Council meeting.

**RESULT: FIRST READ**

**Next: 2/6/2018 6:00 PM**

**Discussion and Possible Action on a 2nd Reading of an Ordinance Amending the Leon Valley Code of Ordinances to Add Article 4.09 Massage Establishments (1st Reading was held January 23rd) (M&C # 2018-02-06-08 J. Salvaggio)**

Lastly, Police Chief Joseph Salvaggio presented this amending ordinance in an effort to: add Article 4.09 Massage Establishment; provide definitions under the ordinance; set penalties for violations of the ordinance; create Massage Establishment Regulations; provide permitting requirements; develop operation regulations; and to amend Appendix A Fee Schedule.

No action was taken. This ordinance will move forward to a 2<sup>nd</sup> reading at the February 06, 2018 Regular City Council meeting.

**RESULT: FIRST READ**

**Next: 2/6/2018 6:00 PM**

**Discussion, Presentation, and Possible Action to Approve an Ordinance Amending the City of Leon Valley Code of Ordinances, Chapter 14 Utilities, Article 14.02 Solid Waste, Division 2. Collection, Section 14.02.036 Containers and Section 14.02.037 Placement of Waste for Collection to Update Solid Waste and Recycling Collection Standards. (Emergency Ordinance - Only 1 Reading Required) (M&C # 2018-01-23-12 N. Nixon-Mendez)**

Community Development Director Nina Nixon-Mendez presented this ordinance to amend the City of Leon Valley Code of Ordinances, Chapter 14 Utilities, Article 14.02 Solid Waste, Division 2. Collection, Section 14.02.036 Containers and Section 14.02.037 Placement of Waste for Collection to update solid waste and recycling collection standards.

This section of the code was last updated in 2008. It is now necessary to update the code regarding the city's solid waste and recycling collection standards to be in accordance with industry standards.

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



**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Benny Martinez, Mayor Pro Tem  
**SECONDER:**   Monica Alcocer, Council Place 3  
**AYES:**        Martinez, Ealy, Alcocer, Jordan  
**EXCUSED:**     Edwards

**Presentation, Discussion and Possible Action to Consider an Ordinance Amending the City of Leon Valley Comprehensive Master Plan (2nd Reading as Required by the Leon Valley Charter) (M&C # 2018-01-23-13 N. Nixon-Mendez)**

Community Development Director Nina Nixon-Mendez presented this evening which is the third (3rd) public meeting, to consider an ordinance amending the City of Leon Valley Comprehensive Master Plan.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan to adopt the Comprehensive Master Plan as presented.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Monica Alcocer, Council Place 3  
**SECONDER:**   David Jordan, Council Place 5  
**AYES:**        Martinez, Ealy, Alcocer, Jordan  
**EXCUSED:**     Edwards

**The City Council shall meet in Executive Session to discuss the following: Section 551.071 Consultation with Attorney regarding the now dissolved Leon Valley Economic Development Corporation, in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Local Government Code.**

Mayor Chris Riley read aloud the caption and then the City Council went into Executive Session at 10:07 p.m.

**Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary**

City Council reconvened into open session at 10:36 p.m.

A motion was made by Council Member Monica Alcocer and seconded by Council Member David Jordan that the City Manager be authorized to enter into a Rule 11 Agreement in the City of Leon Valley Economic Development Corporation vs. Larry Little Case on Petition for Review from the 4th Court of Appeals and the Supreme Court.

**CITIZENS TO BE HEARD**


Mayor Riley welcomed Brandon House and wanted to say "hello".


## **ADJOURNMENT**

Mayor Riley announced that the meeting adjourned at 10:38 PM.

**These minutes approved by the Leon Valley City Council on the 6th of February, 2018.**

APPROVED

  
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**CHRIS RILEY**  
MAYOR

ATTEST:   
**SAUNDRA PASSAILAIGUE, TRMC**  
CITY SECRETARY

