



**CITY OF LEON VALLEY**  
**CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, October 16, 2018

**MINUTES**

---

1. **6:00 PM** Call to Order, Determine a Quorum is Present, Pledge of Allegiance.

Attendee Name	Title	Status	Arrived
Chris Riley	Mayor	Present	
Monica Alcocer	Mayor Pro Tem	Present	
David Edwards	Council Place 1	Present	
Catherine Rodriguez	Council Place 2	Present	
Benny Martinez	Council Place 4	Present	
David Jordan	Council Place 5	Present	

Also present was City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, Public Works Director Melinda Moritz, LVPD Chief Joseph Salvaggio, Finance Director Vickie Wallace, Assistant Finance Director Ashley Wayman, Special Events/Community Center Manager Maribel Mendoza, LVPD Captain Ruben Saucedo, Executive Assistant to the City Manager Angela Trejo, Planning & Zoning Director Brandon Melland, LVFD Interim Chief Robert Ojeda, and LVFD Captain Blake Wade, and various LVPD staff.

Mayor Chris Riley welcomed everyone and introduced Boy Scout Troop 911 members Sean Torres, Aiden Rohde, Alejandro Mendoza, Caden Douglas, Kyle Gruver, Raymond Wilkin and from Pack 670, Jacob Sawyer. Mayor Riley asked the Scouts to lead the Pledge of Allegiance.

Mayor Riley asked for all cell phones to be silenced.

Mayor Riley informed everyone present as well as streaming that the City Council and Staff were wearing pink this evening in memory of those lost to breast cancer, as a tribute to those who have survived breast cancer, and to urge all the people of Leon Valley to contact their healthcare professional to schedule preventive screenings and to encourage others to do the same.

## **Presentations**

### **Presentation of the American Heart Association Lifesaver Award to LVPD Officer Jose Espinosa. (Mayor Chris Riley, LVPD Chief Joseph Salvaggio and Caitlin Cox of the American Heart Association)**

Caitlyn Cox and Amanda Gonzalez of the American Heart Association along with Mayor Riley and LVPD Chief Joseph Salvaggio presented the Lifesaver Award to LVPD Officer Jose Espinoza.

### **Presentation of the Lifesaver Award to LVPD Officer Jose Espinosa and Corporal Chad Mandry. (Mayor Chris Riley and LVPD Chief Joseph Salvaggio)**

Mayor Riley and LVPD Chief Joseph Salvaggio presented the Lifesaver Award to LVPD Officer Jose Espinoza and LVPD Corporal Chad Mandry.

### **Monthly Financial Report September 2018 (A. Wayman, Assistant Finance Director)**

Assistant Finance Director Ashley Wayman presented the Monthly Financial Report ending September 2018.

Councilor David Edwards asked that the State sales tax average be emailed to all members of City Council. Assistant Director Wayman said she would get that to them as soon as possible.

Finance Director Vickie Wallace gave a brief breakdown of Red Light Camera revenues saying that there was \$1,608,975 in fines; Tier 1 expenditures were \$693,742.48; leaving a balance to be split between the City and the State of \$693,742.48; the State received \$457,616.26 of that; the City received \$457,616.26; there was \$86,182 in late fees; Tier 2 expenditures were \$332,022.38; leaving \$211,775.88 in reserve.

Mayor Riley asked for an itemized report on the Tier 2 expenditures as well as the in the November report. "What did we spend that money on?"

## **City Manager's Report**

### **Committee Minutes:**

### **Upcoming Important Events:**

- Next Regular City Council Meeting Tuesday, November 6, 2018, at 6:00 p.m.
- Leon Valley Annual Job Fair October 11<sup>th</sup>, at the Community Center from 9:00 a.m. - 12:00 p.m.
- Coffee with the Mayor & City Council, Saturday, October 20, 2018, from 9:00 a.m. to 11:00 a.m. at the Conference Center
- Halloween Party October 27, 2018, at the Leon Valley Community Center and Leon Valley Library from 9:00a.m. to 2:00 p.m. Events are as follows: 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 Party, Wear Costumes.

- Election Day is November 6, 2018, with polls open from 7:00 a.m. until 7:00 p.m.
- Annual Stuffed Animal Sleep over Drop Off at the Library on November 9, 2018, from 3:00 p.m. - 6:00 p.m. at the Leon Valley Library.
- Bridge Dedication and Veterans Day Event on November 11, 2018, from 1:00 p.m. - 3:00 p.m. at the Veterans' Memorial Park.
- City offices will be closed on Monday, November 12, 2018 in observance of Veterans' Day.
- Texas Recycle Day November 17, 2018, from 8:00 a.m. - 10:00 a.m. at the Leon Valley Public Works Department.
- Annual Breakfast with Santa on December 1, 2018, 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 Christmas Tree Lighting December 3, 2018, at 6:00 p.m. at the Leon Valley Conference Center.
- Annual Reading with Rudolph/Magic Reindeer Food Event on December 19, 2018, at 10:30 a.m. at the Leon Valley Library.
- Annual Polar Express Reading, Hot Chocolate and Nougat and Visit from Special Guest on December 20, 2018, at 6:30 p.m. at the Leon Valley Library.
- Miscellaneous other events and announcements

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) Introduced the new Fire Chief, Michael Naughton who has nearly thirty (30) years of experience. Please welcome him! B) There will be a ribbon cutting on October 19<sup>th</sup> at 5:45 p.m. at the Burgerim at Ingram Park Mall Food Court sponsored by the NW Chamber of Commerce. C) There will be a ribbon cutting on October 20<sup>th</sup> at 7:45 a.m. at the Family Dollar in Leon Valley at 6126 Wurzbach. The store will open at 8:00 a.m. D) The City of Leon Valley was awarded the 2018 AACOG Solid Waste Grant. The grant amount is for \$19,948.50 with a City match of \$2,216.50 to purchase recycling stations for our parks and both pool locations. E) Mayor Riley and the City Manager attended the Suburban Cities meeting at Judge Wolfe's courtroom where appointing a census committee was discussed. F) Leon Valley in conjunction with Alamo Colleges Economic Development Department will be holding training events for local businesses in December at the Fire Station Training Room. G) Volunteers are needed for Saturday, November 3<sup>rd</sup> at 8:00 a.m. for the Leon Valley Neighborhood Renewal Program project in the Canterfield Subdivision.

### **Citizens to Be Heard**

- Richard Miller asked City Council to revisit the "chicken ordinance".
- Ms. Timmerman asked that City Council consider a "chicken ordinance" similar to that of the City of San Antonio.

- Forest Campbell of Boy Scout Troop 911 thanked Mayor Riley and everyone for their support.
- Pat Martinez spoke about the Chambers Ritz and Glitz event on October 26<sup>th</sup>.

### **Announcements by the Mayor and Council Members**

Councilor David Edwards said it was great to see everyone; and will report on his experience at the recent TML Annual Conference later.

Councilor Catherine Rodriguez thanked everyone for coming; and welcomed LVFD Chief Michael Naughton.

Councilor Monica Alcocer said that the TML Conference was very good; Complemented the LVPD on almost 1300 citations written recently; spoke positively about the flashing STOP sign at Seneca and Bandera; and reminded everyone to be kind to one another.

Councilor Benny Martinez said the TML Annual Conference was great; had great steak dinners two nights in a row - "as good as Ruth's Chris Steaks!" and told the scouts in the room that if they worked hard they could be where he is on City Council; and informed staff that the trees needed to be trimmed at the solar light on Handsome Lake.

Councilor David Jordan reminded everyone of the upcoming Job Fair on October 18<sup>th</sup> from 9:00 a.m. to noon.

Mayor Riley reminded everyone of the upcoming Leon Valley Historical Society's Gala this Friday; and congratulated City Manager Kelly Kuenstler for her recent appointment on the TML Board as Vice President of Region 7.

### **CONSENT AGENDA**

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to adopt the Consent Agenda 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>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

1. Consideration of the Following City Council Minutes:
  - a. Special Meeting for Executive Session- October 1, 2018 5:15 PM
  - b. Special Meeting- October 1, 2018 6:00 PM

**Annual Investment Report for the Period of October 1, 2017-September 30, 2018 (M&C # 2018-10-16-01 V.Wallace)**

**Annual Review and Approval of a Resolution Adopting the Investment Policy for the City of Leon Valley (M&C # 2018-10-16-02 V.Wallace)**

**Approval of Quarterly Investment Report for the Quarter Ended September 30, 2018 (M&C # 2018-10-16-03 V.Wallace)**

**Discuss and Consider Possible Action on a Resolution Appointing Clare Brown as Alternate of the Leon Valley Public Library Board of Trustees. (M&C # 2018-10-16-04 S. Passailaigue)**

**Discussion and Possible Action on a Resolution of the City of Leon Valley City Council Extending the Current Term of Charles Hawsey by One (1) Year to the Leon Valley Police Department Citizen's Police Advisory Committee (M&C # 2018-10-16-05 S. Passailaigue)**

**Ordinance**

**Discussion and Action on an Ordinance Awarding a Bid and Authorizing the City Manager to Sign a Contract with RCO Construction, in the Amount of \$297,297.00, for the Purpose of Constructing the Bluebird Lane Waterline Extension and Poss Road Sewer Main and Drainage Improvements Project (1st Read Held on October 1, 2018) (M&C # 2018-10-16-06 D. Dimaline)**

A motion was made by Councilor Benny Martinez and seconded by Councilor David Jordan to adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Benny Martinez, Council Place 4
<b>SECONDER:</b>	David Jordan, Council Place 5
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Discussion and Action on an Ordinance Awarding a Bid and Authorizing the City Manager to Sign a Contract with Clark Construction of Texas, in the Amount of \$544,644.60 for the Fiscal Year 2018 Stirrup Lane and Forest Pine Overlay and Street Improvements Program (1st Read Held on October 1, 2018) (M&C # 2018-10-16-07 D. Dimaline)**

A motion was made by Councilor Monica Alcocer and seconded by Councilor David Edwards to adopt as presented.

- Lyn Joseph asked how much “abuse” Poss Road received from the construction trucks.
  - Public Works Director Melinda Moritz replied “none”.

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

## 8. **REGULAR AGENDA**

**Presentation, Public Hearing and Discussion of an Ordinance, on a Request by Sergio Cardona, Granting a Specific Use Permit for Entertainment Indoor, at Lot 10, Block 1, Bandera Center Unit 4A, Leon Valley, Bexar County, Texas. (1st Reading as Required by City Charter) (M&C # 2018-10-16-08 B. Melland)**

Planning & Zoning Director Brandon Melland presented Presentation, Public Hearing and Discussion of an Ordinance, on a Request by Sergio Cardona, Granting a Specific Use Permit for Entertainment Indoor, at Lot 10, Block 1, Bandera Center Unit 4A, Leon Valley, Bexar County, Texas; more specifically located at 5630 NW Loop 410.

Applicant Sergio Cardona was present for questions. The applicant is the owner of Emmazing Play, a family owned indoor play place and birthday party center designed for children ages 6 months through 10 years. They are planning to locate at 5630 NW Loop 410 Suite 103, which is zoned B-3, Commercial District. However, their proposed use is classified by the zoning code as "Entertainment - Indoor" which requires approval of an Specific Use Permit, before a Certificate of Occupancy may be issued.

Mayor Riley opened the Public Hearing at 7:30 p.m.

Lyn Joseph wanted to know who would clean and sterilize the facility; and with what products would that be done.

Mr. Cardona said his staff would clean and use his products that he purchases from his vendor.

Larry Proffitt wanted everyone to know that the only sales tax the City would see would be from concessions.

City Manager Kelly Kuenstler said she was not 100% certain but that she thought maybe there was a tax on the entrance fee but she will look into that.

There being no further public comments, Mayor Riley closed the Public Hearing at 7:43 p.m.

<b>RESULT:</b>	<b>FIRST READ</b>
----------------	-------------------

**Presentation and Discussion to Consider an Ordinance Authorizing a Budget Adjustment in the Amount of \$361,005 From the General Fund Reserve To Fund the Remainder of the Evers Road Bridge, Huebner Road Sewer Main Extension, and Wurzbach at Exchange Parkway Traffic Signal Projects (1st Read as Required by City Charter) (M&C # 2018-10-16-09 M. Moritz)**

Public Works Director Melinda Moritz presented this item seeking City Council consideration on an ordinance authorizing budget adjustments in the amount of \$236,804 for the Evers Road Bridge Project; \$75,801 for the Wurzbach Traffic Signal replacement project from the General Fund Reserve; and \$48,400 for the Huebner Road sewer main extension project from the Economic and Community Development Fund for a total of \$361,005.

All three of these projects were begun in 2018 and were expected to be completed by the end of the fiscal year. September of 2018 was the wettest September on record for the San Antonio metropolitan area. Two of these projects are located along water - one being Huebner Creek and one being a tributary of Huebner Creek at a detention pond. All three projects were delayed due to rain and the funding expired upon the end of the fiscal year.

<b>RESULT:</b>	<b>FIRST READ</b>
----------------	-------------------

**Discussion and Possible Action to Provide Direction to Staff on Upgrading, Installing, and Configuring a Video Conferencing System for the City Council Chambers to Include Any Upgrades Necessary to Our System to Improve the Quality of Our Meetings. (M&C # 2018-10-16-10 C. Caldera)**

To discuss and provide direction to staff on upgrading, installing, configuring a video conferencing system for the City Council chambers to include any upgrades necessary to our system to improve the quality of our meetings. This item was brought forth by Councilor Benny Martinez and Seconded by Dr. David Edwards.

Councilor Benny Martinez announced that he would like this to go to a formal bid.

Adrian Valdez of Barcom spoke about the Go-to-Meeting.

Councilor Benny Martinez announced that he would like to work with staff to develop a Request for Proposal (RFP) for this project. Councilor Martinez said if it did go to RFP that he and his company would not bid. City Manager Kelly Kuenstler said she was more concerned with companies you may associate with and she just wants to make sure he stays safe and avoids any conflict. City Manager Kuenstler said she would need to get some legal advice on that to see if he could be involved with the development of the RFP

itself.

- Lyn Joseph said she thinks we need to investigate with apples to apples
- Larry Proffitt gave “kudos to Crystal” for her efforts; and encouraged members of City Council not to participate.

Councilor David Edwards added that he did appreciate ACM/HR Director Caldera's efforts.

A motion was made by Councilor Monica Alcocer and seconded by Councilor David Jordan to table until more information could be gathered.

Mayor Riley asked for a call vote to which the City Council replied: Councilor David Edwards - Nae; Councilor Catherine Rodriguez - Aye; Councilor Monica Alcocer - Aye; Councilor Benny Martinez - Nae; and Councilor David Jordan - Aye; Upon a unanimous vote, Mayor Riley announced the motion carried.

There was a consensus among members of City Council to have ACM/HR Director Crystal Caldera work with Barcom to draft an RFP and bring back for City Council consideration in December.

**The City Council shall meet in Executive Session to discuss the following: Pursuant to Section 551.071 of the Texas Government Code, the City of Leon Valley will consult in closed session with its attorney to receive legal advice regarding a matter 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 this chapter, to include the following matters: a. Section 551.101 Consultation with Attorney to receive legal advice with respect to pending litigation regarding – Cause No 2018CV00594; Robert and Gail Tribble v. Board of Adjustment of Leon Valley; in the County Court at Law No. 10; Bexar County, Texas. (City Manager Kelly Kuenstler); and b. Section 551.101 Consultation with Attorney to receive legal advice with respect to pending litigation regarding - Civil Action Case No. 5:18-CV-680 Russel Zinter, et al. vs City of Leon Valley, et. al. filed in the Federal Court, Western District of Texas. (City Manager Kelly Kuenstler)**

The City Council went into Executive Session at 9:10 p.m.

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

The City Council reconvened into Open Session at 10:10 p.m. where no action was taken.



## Citizens to be Heard


None


## Adjournment

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

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

APPROVED

  
\_\_\_\_\_  
**CHRIS RILEY**  
MAYOR

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

