



**CITY OF LEON VALLEY**  
**CITY COUNCIL REGULAR MEETING**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, December 4, 2018

**MINUTES**

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1. **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	Present	
David Edwards	City of Leon Valley	Council Place 1	Present	
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present	
Benny Martinez	City of Leon Valley	Council Place 4	Present	
David Jordan	City of Leon Valley	Council Place 5	Present	

Also present was City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, Public Works Director Melinda Moritz, Special Events/Community Center Manager Maribel Mendoza, LVFD Fire Chief Michael Naughton, LVPD Chief Joseph Salvaggio, LVPD Assistant Chief Ruben Saucedo, Business Relations Director William Cox, Planning & Zoning Director Brandon Melland, and LVFD Captain Blake Wade, and various LVPD staff.

Mayor Chris Riley welcomed everyone and asked the Cub Scouts to lead the Pledge of Allegiance.

Mayor Riley asked for all cell phones to be silenced.

### **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) Congratulated Special Events/Community Center Manager Maribel Mendoza on the coordination of and the Public Works staff for the decorating of Veterans Park and the successful Christmas Tree Lighting event; B) Asked for feedback on the Town Hall agenda; C) Congratulated staff on the food drive saying that 1,262 pounds of food was delivered to the San Antonio Food Bank; D) Thanked Councilor David Jordan and Councilor Catherine Rodriguez for visiting the Leon Valley Fire and Police Department on Thanksgiving day to say "thank you" to those staff that were working; and E) Breakfast with Santa was a record breaking event with over 300 attendees. The proceeds from the silent auction (\$1,965) will be spent by the Friends of the Library on the Leon Valley Public Library Kids.

### **Upcoming Important Events:**

- Next Regular City Council Meeting Tuesday, December 18, 2018, at 6:00 p.m.
- 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.
- Annual Town Hall Meeting, Saturday, January 26, 2019, from 8:30 a.m. until 12:30 p.m. at the Conference Center.
- Miscellaneous other events and announcements.

### **Citizens to Be Heard**

- Liz Maloy asked that an afternoon or evening Town Hall Meeting be considered; and for streaming questions; and gave suggestions on how she thinks the City could improve streaming of meetings.
- Tommy Branson spoke about barrels blocking the sidewalk in Pavona Place
- Public Works Director Melinda Moritz responded to Mr. Branson's concern.

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

Councilor David Jordan thanked everyone that collected for and supported the Blue Santa Program.

Councilor Benny Martinez thanked everyone for coming to the Christmas Tree Lighting Event; and reminded everyone of the upcoming Chamber meeting.

Councilor Monica Alcocer thanked everyone for coming to the Christmas Tree Lighting Event; and for decorating City Hall.

Councilor Catherine Rodriguez thanked everyone, "especially Special Events/Community Center Manager Maribel Mendoza and Public Works staff, Leon Valley Fire Department and Leon Valley Police Department for all they do.

Councilor David Edwards thanked everyone for coming to tonight's meeting.

Mayor Chris Riley thanked everyone that attended Breakfast with Santa and the Christmas Tree Lighting. Mayor Riley asked City Secretary Sandra Passailaigue to scan and email a letter to all members of City Council that she received from HEB regarding the Community Challenge to get healthy. Mayor Riley also spoke about a meeting she attended with CPS Energy and thanked them for the donation of solar panels and trees.

### **CONSENT AGENDA**

A motion was made by Councilor Monica Alcocer and seconded by Councilor Benny Martinez 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>	Benny Martinez, Council Place 4
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

1. Consideration of the Following City Council Minutes:
  - a. Regular Meeting- November 20, 2018 6:00 PM

**Discuss and Consider Possible Action on a A Resolution of the City of Leon Valley, TX. Making Appointments to the City of Leon Valley Sign Code Update Advisory Committee, Board of Adjustment, Park Commission and the Pool Advisory Committee (M&C # 2018-12-04-01S. Passailaigue)**

### **Ordinance**

**Discussion and Action to Consider Approval of an Ordinance Authorizing a Budget Adjustment for the General Fund in the Amount of \$100,000, For the Purpose of Installing a Crosswalk on Huebner Road at Balky Drive, With Funding From the Red Light Camera Traffic Safety Reserve (1st Read Held on November 20, 2018) (M&C # 2018-12-04-02 M. Moritz)**

Public Works Director Melinda Moritz presented this item with no changes since the 1st reading.

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

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	David Jordan, Council Place 5
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**Discussion and Action to Approve an Ordinance Authorizing a Variance to the Leon Valley Code of Ordinances, Article 1.09 Parks and Recreation, Division 2. Use Regulations, Sec. 1.09.034 Additional Prohibited Uses and Activities, to Allow the San Antonio Metal Detecting Club and the Texas Association of Metal Detecting Clubs to Use Metal Detectors in the Huebner-Onion Natural Area Park, Located at 6601 Bandera Road, Specifically in the Triangle Area Park and at the Huebner Cemetery, for Their “Give Back Recovery Hunt” Event (1st Read Held on November 20, 2018) (M&C # 2018-12-04-03 M. Moritz)**

Public Works Director Melinda Moritz presented this item and asked that one amendment be made and that is that the City Council adopt only with the condition that the City is granted a permit from the Texas Historical Commission.”

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

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

**Presentation and Discussion of an Ordinance amending Article 15.02, Zoning Ordinance of the City of Leon Valley Code of Ordinances, regarding institutional uses including churches, museums, and libraries in residential and commercial zoning districts.. (1st Reading was held on 11-20-18) (M&C # 2018-12-04-04 B. Melland)**

Planning & Zoning Director Brandon Melland presented this item to amend the City of Leon Valley Code of Ordinances, regarding certain institutional uses, including but not limited to churches, museums, and libraries in residential zoning districts. The purpose of this code amendment is to allow these additional institutional uses by right in the R-3, R-3A, R-4, and R-5, residential zoning districts.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez. Both Councilors quickly withdrew their motions.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Catherine Rodriguez to adopt the ordinance 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

**Presentation and Discussion of an Ordinance Amending Article 15.02, Zoning Ordinance, of the City of Leon Valley Code of Ordinances, Establishing the “R-1L” Large-Lot Single Family Zoning District and Associated Use and Development Standards (1st Reading was held on 11-20-18) (M&C # 2018-12-04-05 B. Melland)**

Planning & Zoning Director Brandon Melland presented this item to amend applicable Sections of the City of Leon Valley Code of Ordinances, in order to establish a new zoning district - the “R-1L” Large-Lot Single Family Zoning District.

Public that spoke on this item were:

- Irene Baldrige
- Will Bradshaw
- Larry Proffitt
- Lyn Joseph

A motion was made by Councilor David Jordan and seconded by Councilor Monica Alcocer to adopt as presented. Councilor David Edwards abstained and Councilor Benny Martinez voted against.

<b>RESULT:</b>	<b>ADOPTED [3 TO 1]</b>
<b>MOVER:</b>	David Jordan, Council Place 5
<b>SECONDER:</b>	Monica Alcocer, Mayor Pro Tem
<b>AYES:</b>	Alcocer, Rodriguez, Jordan
<b>NAYS:</b>	Martinez
<b>ABSTAIN:</b>	Edwards

**Presentation, Public Hearing, and Discussion of an Ordinance Amending Section 15.02.722, of the City of Leon Valley Code of Ordinances, Regarding Procedures of the Board of Adjustment and Criteria for Evaluating Requests for Appeals, Special Exceptions, and Variances. (1st Reading was held on 11-20-18) (M&C # 2018-12-04-06 B. Melland)**

Planning & Zoning Director Brandon Melland presented this item to amend Section 15.02.722 of the City's Zoning Code regarding findings of the board in making motions and the criteria for evaluating special exceptions, variances, and appeals to the Board of Adjustment. Currently Sections 15.02.722(t) and Section 15.02.722(cc) of the zoning code regulate the criteria and findings for considering such requests. However, several of these findings and criteria are not objective or quantitative, and are difficult to evaluate and apply at both a Staff and Board level.

Director Melland concluded his presentation saying that Staff recommends amending these findings and criteria in order to provide Staff the ability to perform more focused analysis and recommendations on requests, and provide the Board more direction in granting and approving requests.

Public that spoke on this item were:

- Larry Proffitt
- Lyn Joseph
- Pat Martinez
- Bobby Anderson

A motion was made by Councilor Benny Martinez and seconded by Councilor David Edwards to table and remand back to the Zoning Commission and Staff for further review.

Mayor Riley called for a roll call vote.

Councilor David Edwards, Aye; Councilor Catherine Rodriguez, Nay; Councilor Monica Alcocer, Nay; Councilor Benny Martinez, Aye; and Councilor David Jordan, Nay. The motion failed.

A motion was made by Councilor Catherine Rodriguez and seconded by Councilor David Jordan to adopt the ordinance as presented.

Mayor Riley called for a roll call vote.

Councilor David Edwards, Nay; Councilor Catherine Rodriguez, Aye; Councilor Monica Alcocer, Aye; Councilor Benny Martinez, Nay; and Councilor David Jordan, Nay

<b>RESULT:</b>	<b>DENIED [2 TO 3]</b>
<b>MOVER:</b>	Catherine Rodriguez, Council Place 2
<b>SECONDER:</b>	David Jordan, Council Place 5
<b>AYES:</b>	Alcocer, Rodriguez
<b>NAYS:</b>	Edwards, Martinez, Jordan

**Discussion and Possible Action on an Ordinance Approving a Budget Adjustment for the Community Center Fund in the Amount of \$45,000 for Audio, Visual and Networking Improvements at the Leon Valley Conference Center (1st read held on November 20, 2018 City Council Meeting) (M&C # 2018-12-04-07 C. Caldera)**

ACM/HR Director Crystal Caldera presented this item to request approval for a budget adjustment for the Community Center Fund not to exceed \$45,000 to improve the audio, visual and networking equipment at the Leon Valley Conference Center.

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

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro Tem
<b>SECONDER:</b>	David Jordan, Council Place 5
<b>AYES:</b>	Alcocer, Edwards, Rodriguez, Martinez, Jordan

**7. REGULAR AGENDA**

**Presentation, Discussion and Possible Action on a Resolution Authorizing the Negotiation and Execution of the Leon Valley Fourth Amended Lease Agreement with the Leon Valley Cafe (M&C # 2018-12-04-08 W. Cox)**

Business Relations Director William Cox presented this item to decrease the lease amount from the Leon Valley Cafe from \$1,800 per month to \$1,200 per month. Director Cox added that this fourth amendment to the lease agreement is being proposed by the lessee of Leon Valley Cafe.

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

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

**Discuss and Consider Possible Action on an In Kind Grant Request by John Marshall High School Band for Use of the Leon Valley Community Center at 6427 Evers Road for their 2018 Ram Band Winter Dance (M&C # 2018-12-04-09 M. Mendoza)**

Special Events/Community Center Manager Maribel Mendoza presented this item on behalf of John Marshall High School who is requesting an In-Kind Grant for use of the Leon Valley Community Center on Friday, December 21, 2018, for their Ram Band Winter Dance. They were scheduled to have the dance at their cafeteria but it is currently under construction, which took longer than expected to complete. Because the band believed their dance would be held in the school's cafeteria, they did not budget for a facility rental for their winter dance. This is their first request for assistance under the In-Kind Grant Program. They've volunteered and participated in many City events, such as the Christmas Tree Lighting Ceremony, Veterans Day Bridge Dedication and 4th of July Parade. The set-up and event are proposed from 4:00 p.m. - 12:00 a.m. In reviewing the Community Center calendar and City resources, the date and facility are available for use.

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

<b>RESULT:</b>	<b>APPROVED [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

**Presentation and Discussion followed by a Public Hearing on an Ordinance, on a request by Applicant George Morehouse on behalf of SA West Loop Investors LTD, to Grant a Specific Use Permit for Assembly/Packaging, at 5413 Bandera Road, Suite 405; generally located on the north side of Bandera Road approximately 2000 feet east of NW Loop 410. (1st Reading as required by City Charter) (M&C # 2018-12-04-10 B. Melland)**

Planning & Zoning Director Brandon Melland presented this item to on a request by applicant George Morehouse on behalf of SA West Loop Investors LTD, to grant a Specific Use Permit for Assembly/Packaging, at 5413 Bandera Road, Suite 405; generally located on the north side of Bandera Road approximately 2000 feet east of NW Loop 410.

Mayor Chris Riley opened the Public Hearing at 9:36 p.m.

There being no public comments; Mayor Riley closed the Public Hearing at 9:36 p.m.

<b>RESULT:</b>	<b>FIRST READ</b>
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**Presentation and Discussion followed by a Public Hearing on an Ordinance, on a request by Applicant Jonah Obasi To Grant a Specific Use Permit for a Entertainment Indoor, at 7228 Bandera Road, Leon Valley, Texas; generally located on the west side of Bandera Road approximately 350 feet south of Eckert Road. (1st Reading as required by City Charter) (M&C # 2018-12-04-11 B. Melland)**

Planning & Zoning Director Brandon Melland presented this item to on a request by applicant Jonah Obasi, to grant a Specific Use Permit for Entertainment Indoor, at 7228 Bandera Road, Leon Valley, Texas; generally located on the west side of Bandera Road approximately 350 feet south of Eckert Road.

Mayor Chris Riley opened the Public Hearing at 9:42 p.m.

Public that spoke was:

- Jean Obasi

There being no further public comment; Mayor Riley closed the Public Hearing at 9:45 p.m.

City Manager Kelly Kuenstler added that this request has gone very smoothly because the Obasi's have "done this right!"

<b>RESULT:</b>	<b>FIRST READ</b>
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**Presentation and Discussion followed by a Public Hearing on a recommendation of an Ordinance, by applicant Sylvia Smith, requesting a Specific Use Permit for a Kennel, at 6746 Poss Road, Leon Valley, Texas; generally located on the south side of Poss Road approximately 900 feet west of Bandera Road. (1st Reading as Required by City Charter) (M&C # 2018-12-04-12 B. Melland)**

Planning & Zoning Director Brandon Melland presented this item on a recommendation of an Ordinance, by applicant Sylvia Smith, requesting a Specific Use Permit for a Kennel , at 6746 Poss Road, Leon Valley, Texas; generally located on the south side of Poss Road approximately 900 feet west of Bandera Road.

Sylvia Smith and Tave Guzman were present for questions.

Mayor Chris Riley opened the Public Hearing at 10:00 p.m.

Citizens that spoke were:

- Lyn Joseph

There being no further public comments; Mayor Riley closed the Public Hearing at 10:05 p.m.

<b>RESULT:</b>	<b>FIRST READ</b>
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**Presentation and Discussion to Consider Approving an Ordinance Authorizing the Purchase of an LED Monochromatic Sign to Replace the Current Changeable Copy Sign at the City of Leon Valley Library (1st Reading as Required by City Charter) (M&C # 2018-12-04-13 M. Moritz)**

Public Works Director Melinda Moritz presented this item seeking City Council approval of an ordinance authorizing the purchase of an LED monochromatic informational sign to be located at the Leon Valley Library. The library currently has a changeable copy message board that has to be hand changed every Friday, which takes Public Works employees about an hour or more to complete. Council budgeted funds to replace the sign this year, as the rails that hold the letters are missing in some places and the sign is very old and dilapidated. In addition, the sign is a pole sign, which is no longer allowed in this area and will be replaced with a code compliant monument type sign.

Director Moritz added that the Public Works Department would like to replace this sign with a monochrome electronic LED sign, mounted on a monument base. The base would complement the library building exterior. The messages on the sign would be changed by library personnel on a computer, which would significantly reduce personnel time and would allow the message to be changed more frequently. The sign would be LED, monochrome (2 color), with two lines of text, and some limited graphics. In addition to the ease and speed in changing the message, this would eliminate the possibility of the public changing the sign, perhaps inappropriately, as the sign would now be within easier reach of non-staff persons. The brightness of the sign can be reduced in the evenings, but the sign would be located away from any residential homes that might be affected by the illumination of the sign.

<b>RESULT:</b>	<b>FIRST READ</b>
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**Presentation and Discussion on an Amendment to the Codified Code of Ordinances of the City of Leon Valley, Texas, Chapter 12, Traffic and Vehicles, Adding Article 12.08 Regulating the Use of Hand-Held Mobile Communication Devices While Driving (1st Reading as Required by City Charter) (M&C # 2018-12-04-14 J. Salvaggio)**

LVPD Chief Joseph Salvaggio presented this item seeking City Council consideration to amend Chapter 12 Traffic and Vehicles of the City of Leon Valley Code of Ordinances by

adding Article 12.08 Regulating the Use of Hand-held Mobile Communication Devices While Driving.

Citizens that spoke were:

- Lyn Joseph
- Larry Proffitt

<b>RESULT:</b>	<b>FIRST READ</b>
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**Discussion and Possible Action on the Development of a Policy for the Creation of Ordinances (M&C # 2018-12-04-15 K. Kuenstler)**

Councilor Martinez proposed this item in an effort to develop a council policy for creating an ordinance. Section 3.11 has been provided as an attachment which outlines what the Leon Valley Home Rule Charter sets forth regarding the passage, publication and codification of ordinances. Councilor Martinez's proposal is as follows:

1. Staff wishes a new ordinance. Staff will present request to City Council for discussion and possible action. If approved, City Council will direct Staff to work with the City Council appointed Committee.
2. Upon joint agreement, Staff presents ordinance at public hearing w/recommendation.
3. Recommendations from the hearing come back to Committee.
4. Committee works w/staff and legal on 2nd draft.
5. If 2nd draft merits second hearing, Committee Chairperson will lead that hearing.
6. When the Committee agrees by majority vote, ordinance can be sent to Council.

City Manager Kelly Kuenstler stated that Staff needs direction from Council as to whether or not to proceed with drafting a new ordinance for this item.

Citizens that spoke were:

- Larry Proffitt
- Lyn Joseph

A motion was made by Councilor Benny Martinez and seconded by Councilor Monica Alcocer to table this item.

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

### Citizens to be Heard

Councilor David Edwards asked that staff explore cost related to add teleconferencing and place on the next agenda.


- ACM/HR Director Caldera said she would not be ready at the next meeting January meeting. Director Caldera added that she would like to complete one project before beginning another. Councilor Edwards stated that he “understands”.


### Adjournment

Mayor Riley announced that the meeting adjourned at 11:21 PM.

**These minutes approved by the Leon Valley City Council on the 18th of December, 2018.**

APPROVED

  
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**CHRIS RILEY**  
MAYOR

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

