



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, April 18, 2023 at 6:00 PM

MINUTES

The City of Leon Valley City Council Shall Hold an In-Person Meeting with A Quorum of Members of City Council to Be Physically Present in The Leon Valley City Council Chambers, 6400 El Verde Road, Leon Valley, Texas 78238. Some Members of City Council May Appear and Participate in The Meeting by Videoconference Pursuant to The Requirements Set Forth in The Texas Open Meetings Act.

Citizens May E-Mail Public Comments To citizenstobeheard@leonvalleytexas.gov. All Other Citizen Participation May Be Provided In-Person at City Council Chambers.

1. Call to Order; Determine a Quorum is Present, Pledge of Allegiance

PRESENT

Mayor Chris Riley
Council Place 1 Benny Martinez
Council Place 2 Josh Stevens
Council Place 3 Jed Hefner
Mayor Pro Tem, Council Place 4 Rey Orozco
Council Place 5 Will Bradshaw (*Arrived at 8:43 PM*)

Mayor Chris Riley called the meeting to order at 6:00 PM and announced that a quorum of City Council was present in Council Chambers.

Mayor Riley announced the Councilor Will Bradshaw has been delayed at work but will hopefully join the meeting later.

Mayor Riley asked Councilor Benny Martinez to lead the Pledge of Allegiance.

2. The City Council Shall Meet in Executive Session to Discuss the Following:

Mayor Riley read aloud the agenda caption for Item 2.1.

The City Council went into Executive Session at 6:02 PM

1. Section 551.071: Consultation with the Attorney Regarding Pending or Contemplated Litigation, or Settlement Offer, or on 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 the Texas Open Meetings Act, Re: City of Leon Valley v. 5622 Equity DE LLC, a Delaware Limited Liability Company D/B/A Vista Del Rey Apartments Located at 5622 Evers Road

3. Reconvene into Regular Session

The City Council reconvened into Open Session at 6:31 PM

4. Citizens to be Heard

Those who spoke at this time were: Tina Chasan (Leon Valley); and Mark Bird (Leon Valley)

5. Possible Action on Issues Discussed in Executive Session If Necessary

A motion was made by Councilor Jed Hefner to authorize the City Manager to enter into the settlement of Cause No. 2022-CI-14895; and to authorize the Mayor to sign on behalf of the City Council. The motion was seconded by Councilor Rey Orozco. The motion passed.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco. Council Place 5 Bradshaw was absent.

Mayor Chris Riley took this moment to ask members of City Council for any objections to moving agenda item 10.2 up to follow the VIA presentation. There were no objections.

6. Presentations

1. Presentation, Discussion, and Possible Action on VIA Ridership and MTA .005 of Sales Tax - Councilor Jed Hefner and Councilor Josh Stevens

John Herrera, Senior Vice President of VIA gave a brief presentation responding to questions from City Council at the meeting in February.

Tom Marks, Chief External and Governmental Relations Officer, and the Director of Service Planning and Scheduling for VIA was also present.

A motion was made by Councilor Benny Martinez to table this item indefinitely. The motion was seconded by Councilor Rey Orozco.

Councilor Benny Martinez amended his motion removing the word "indefinably".

Councilor Benny Martinez withdrew his motion; and Councilor Rey Orozco withdrew his second.

No action was taken on this item.

2. Presentation, Discussion, and Possible Action on Selection of an Insurance Agent of Record and Authorizing the City Manager to Enter into an Agreement with the Selected Agent - L. Hernandez, Human Resources Director

Lisa Hernandez, Human Resource Director presented the item seeking City Council consideration in the selection of an Insurance Agent of Record and Authorizing the City Manager to Enter into an Agreement with the Selected Agent.

Scott Gibbs, Senior Vice-President and Alicia Dominich, Senior Account Executive of McGriff gave a brief presentation on their services.

A motion was made by Councilor Jed Hefner to proceed with Gallagher and to authorize the city manager to enter into a three-year contract. The motion was seconded by Councilor Josh Stevens. The motion passed.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco

Those who spoke on this item were: Philip Campos (Leon Valley)

3. Presentation, Discussion, and Direction to Staff on Possible Household Hazardous Waste Disposal Program - M. Moritz, Public Works Director

Melinda Moritz, Public Works Director presented a possible Household Hazardous Waste Disposal Program.

Those who spoke on this item were: Pat Martinez (Leon Valley)

4. Discussion and Possible Action of the Monthly Financial Report for the Month Ended March 31, 2023 - C. Goering, Finance Director

Carol Goering, Finance Director presented the Monthly Financial Report ending March 31, 2023.

5. Presentation, Discussion and Possible Direction on the American Rescue Plan Funds - Dr. Caldera, City Manager

Crystal Caldera, City Manager gave a presentation seeking direction from City Council on the American Rescue Plan Funds.

City Manager Caldera recommends funds be allocated for a fire truck, ambulance, and a generator. The balance would be determined at a later date.

A motion was made by Councilor Rey Orozco to proceed with City Manager Caldera's recommendation. The motion was seconded by Councilor Benny Martinez. The motion passed.

Voting Yea: Council Place 1 Martinez, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco

Voting Nay: Council Place 2 Stevens

- 7. Announcements by the Mayor and Council Members.** At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.

Announcements were made by Mayor Riley and Council Members.

8. City Manager's Report

Crystal Caldera, City Manager reminded everyone that the City Manager's Report was printed and available on the table in the foyer, as well as posted on the website. City Manager Caldera congratulated Saundra Passailaigue, City Secretary for receiving the Texas Municipal Clerks Association's Municipal Clerk's Office Achievement of Excellence Award. City Secretary Passailaigue was also nominated by the local Chapter for Municipal Clerk of the Year.

1. Upcoming Important Events:

Regular City Council Meeting, Tuesday, May 02, 2023, at 6:30 PM, in Council Chambers.

Library Volunteer Appreciation Party, Wednesday, April 26, 2023, from 5:00 PM to 7:00 PM, at the Library.

Picnic with the Mayor & City Council, Saturday, April 22, 2023, from 11:00 AM to 1:00 PM, in the "grassy" area at the Conference Center.

Early Voting at the Leon Valley Conference Center, 6421 Evers Road, Texas, 78238, Monday, April 24, 2023 through Thursday, April 27, 2023 from 8:00 AM to 6:00 PM; Friday, April 28, 2023 – Closed; Saturday, April 29, 2023 from 8:00 AM to 8:00 PM; Sunday, April 30, 2023 - Closed; and Monday, May 01, 2023 and Tuesday, May 02, 2023 from 8:00 AM to 8:00 PM.

Annual City-Wide Garage Sale, Saturday, May 20, 2023, from 8:00 AM to 6:00 PM.

Big Rig Petting Zoo, Monday, June 05, 2023, from 10:30 AM - 12:00 PM, at Raymond Rimkus Park.

Miscellaneous other events and announcements.

9. Consent Agenda

Councilor Jed Hefner asked to pull Consent Agenda Item 9.7 to be discussed; and motioned to approve the remaining Consent Agenda items as presented. The motion was seconded by Councilor Josh Stevens. The motion passed.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco, Council Place 5 Bradshaw

- 1. Discussion and Possible Action Approving of the Following City Council Minutes:**
 - a. 04-04-2023 Regular City Council Meeting Minutes**
- 2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
 - a. 01-30-2023 Economic and Community Development Advisory Committee Meeting Minutes**
 - b. 02-28-2023 Planning & Zoning Commission Meeting Minutes**
 - c. 03-08-2023 Earthwise Living Committee Meeting Minutes**
- 3. Discussion and Possible Action of a Resolution of the City Of Leon Valley, TX., City Council Appointing Members to the Various City Committees - Mayor Chris Riley**
- 4. Discussion and Possible Action on an Ordinance Authorizing a Zoning Change From R-2 Two Family Dwelling to R-1 Single Family Dwelling District on Two Lots, Being Lots 19 and 20, Blk 8, CB 4432C, Being 0.266 and 0.2204 Acres of Land, in the Grass Valley Subdivision Unit #1, Located at 6602 & 6608 Peachtree (1st Read was Held on 04-04-2023) - M. Teague, Planning and Zoning Director**
- 5. Discussion and Possible Action of the Quarterly Investment Report for the Quarter Ended March 31, 2023 - C. Goering, Finance Director**
- 6. Presentation, Discussion and Direction on a Possible Ordinance Prescribing Advisory Committee Procedures under the Open Meetings Act and providing a provision for committee member removal (1st Reading was Held on 4-4-2023) - Dr. Caldera, City Manager**
- 7. Presentation, Discussion, and Possible Action to Amend the Employee's Mission Square 457(b) Deferred Compensation Retirement Plan to Permit Loans (Dr. Caldera, City Manager)**

Crystal Caldera, City Manager presented this item for City Council consideration of an amendment to the Employee's Mission Square 457(b) Deferred Compensation Retirement Plan to allow employees to borrow against their own money. The City does not contribute to these funds; it is 100% funded by the employee. This is just an additional benefit to the employees.

A motion was made by Councilor Benny Martinez to approve the item as presented. The motion was seconded by Councilor Jed Hefner. The motion passed.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco, Council Place 5 Bradshaw

10. Regular Agenda

- 1. Presentation and Discussion to Consider Approval of an Ordinance Amending Ordinance 2022-51, Which Approved Various Budget Adjustments for FY 2022-23 Carry Over Projects, To Clearly Identify the Funding Sources (1st Read as Required by City Charter) - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director presented this item as a "housekeeping item" to amend Ordinance 2022-51, which approved various budget adjustments for FY 2022-23 Carry Over Projects, to clearly Identify the Funding Sources.

This item will be brought back for a second read on the next Consent Agenda.

- 2. Presentation, Discussion and Possible Action on a Resolution Authorizing the City Manager to enter into an Agreement between the City of Leon Valley and Leon Valley and Petland of Leon Valley, to Intake, House, and Adopt Dogs - R. Salinas, Director of Economic Development**

Crystal Caldera, City Manager presented a resolution authorizing the City Manager to enter into an agreement between the City of Leon Valley and Leon Valley and Petland of Leon Valley, to intake, house, and adopt dogs.

Roque Salinas , Economic Development Director was present for questions.

Councilor Josh Stevens requested a six-month presentation to follow-up on the program.

A motion was made by Councilor Will Bradshaw to approve the item as presented. The motion was seconded by Councilor Josh Stevens.

Voting Yea: Council Place 1 Martinez, Council Place 2 Stevens, Council Place 3 Hefner, Mayor Pro Tem, Council Place 4 Orozco, Council Place 5 Bradshaw

11. Citizens to be Heard

None

- 12. Requests from Members of City Council to Add Items to Future Agendas – Per Section 3.10 (A) of the City of Leon Valley's Code of Ordinances, at a meeting of City Council, a member of City Council may place an item on an agenda by making a motion to place the item on a future agenda and receiving a second. No discussion shall occur at the meeting regarding the placement of the item on a future agenda.**

Councilor Benny Martinez requested an item be placed on the next agenda to discuss Cha Cha's New Gen Café. Councilor Will Bradshaw seconded.

Councilor Josh Stevens requested an item be placed on the next agenda for discussion and action on a resolution/ordinance authorizing an increase to the Resident's Homestead Exemption to fifteen percent (15%). Councilor Jed Hefner seconded.

13. Adjournment

Mayor Riley announced that the meeting adjourned at 9:15 PM

These minutes approved by the Leon Valley City Council on the 2nd of May, 2023.

APPROVED

**CHRIS RILEY
MAYOR**

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