



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

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, February 07, 2023 at 5:45 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

Mayor Chris Riley called the meeting to order at 5:45 PM and announced that a quorum of City Council was present in Council Chambers.

Mayor Riley asked Councilor Josh Stevens 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 and Item 2.2.

The City Council went into Executive Session at 5:46 PM

1. Pursuant to Texas Government Code, Chapter 551, Section 551.074 Personnel Matters: Regarding the Annual Review of the City Manager as Outlined in the Employment Agreement.

2. **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 6:35 PM

4. **Citizens to be Heard**

Those who spoke at this time were Philip Campos (Leon Valley); Mr. Saucedo (Leon Valley); Lynn Kimble (Leon Valley); Dave Shippie; and Jon Saenz (Leon Valley)

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

No action will be taken on Agenda Item 2.2.

Council will reconvene into Executive Session at the end of tonight's meeting to complete Agenda Item 2.1.

6. **Presentations**

1. **Presentation, Discussion, and Possible Action to Consider Traffic Calming Actions in the Monte Robles Park Subdivision - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director presented options for traffic calming actions in the Monte Robles Park Subdivision.

Those who spoke on this item were: M'Lissa Chumbley, NISD; Cynthia Kimbel (Leon Valley); John Saenz (Leon Valley); and Jessica Saenz (Leon Valley)

A motion was made by Councilor Jed Hefner to proceed with the speed pad and hold off on the school zone. The motion was seconded by Councilor Will Bradshaw.

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

2. **Presentation, Discussion and Possible Action on Leon Valley Impound Lot Update - D. Gonzalez, Police Chief**

LVPD Chief David Gonzalez presented this item.

A motion was made by Councilor Jed Hefner to allow the Chief to remove the tree. The motion was seconded by Councilor Josh Stevens.

Councilor Jed Hefner motioned to amend his motion to approve the removal of 14" caliper and have the 14 additional trees be planted on the side of the trail closer to El Verde Road so in between the road and the trail to provide a buffer for residents; and request that a budget adjustment come back to Council to allow the use of ARP Funds to allow the Chief to accomplish his goals this year. The amendment was seconded by Councilor Josh Stevens.

Councilor Jed Hefner withdrew his motion and amendment; and Councilor Josh Stevens withdrew his second to both as well.

Councilor Jed Hefner motioned to amend his motion to approve the Chief's plan to cut down the 14" tree, to install the 14 additional trees in between El Verde Road and the hike and bike trail, and to come back with a budget adjustment to allow the use of ARP Funds to accomplish the move of the Impound Lot this year. 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

- 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 Chris Riley and members of City Council.

8. City Manager's Report

Crystal Caldera, City Manager reminded everyone that the City Manager's Report is outside on the table as well as posted online. In addition, she requested volunteers from City Council to sit on interviews for the positions of finance director and IT; and thanked staff that worked during the recent inclement weather.

1. Upcoming Important Events:

Regular City Council Meeting, Tuesday, February 21, 2023, at 6:30 PM, in Council Chambers.

Filing for a Place on the May 06, 2023 City of Leon Valley, General Election for Council Place 1, Council Place 3, and Council Place 5, Wednesday, January 18, 2023 through 5:00 PM on Friday, February 17, 2023.

Drawing for Place on the Ballot, Monday, February 20, 2023, at 9:00 AM, in Council Chambers.

Earthwise Living Day, Saturday, March 04, 2023, from 9:30 AM to 1:30 PM, at the Leon Valley Events Center at 6427 Evers Road

Annual City-Wide Garage Sale, Saturday, May 27, 2023, from 8:00 AM to 6:00 PM**Miscellaneous other events and announcements.****9. Consent Agenda**

A motion was made by Councilor Jed Hefner to approve the Consent Agenda as presented. The motion was seconded by Councilor Rey Orozco.

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. 01-17-2023 Regular City Council Meeting Minutes**
 - b. 01-28-2023 Annual Town Hall Meeting Minutes**
- 2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
 - a. 12-14-2022 Earthwise Living Committee Meeting Minutes**
 - b. 06-09-2022 Library Board of Trustees Meeting Minutes**
 - c. 11-10-2022 Library Board of Trustees Meeting Minutes**
 - d. 12-14-2022 Planning & Zoning Commission Meeting Minutes**
- 3. Discussion and Possible Action of the Quarterly Investment Report for the Quarter Ended December 31, 2022- Y. Acuna, Assistant Finance Director**
- 4. Discussion and Possible Action on an Ordinance Amending Chapter 3 Building Regulations, Article 3.02 Technical and Construction Codes, Division 1 Generally, Section 3.02.001 to Create a New Section 3.02.001 and Revising Appendix A Fee Schedule, Article A8.000 Building and Construction Related Fees, Section A8.015 Renter's Registration to Require Registration of Vacant Structures and Assign Appropriate Fees (1st Read was Held on 1/17/23) - M. Moritz, Public Works Director**
- 5. Discussion and 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 1, 3 And 5) 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 Elections, and Providing Details Relating to the Conduct of Holding the Election, Authorizing the Use of the Leon Valley Conference Center on the 6th Day of May, 2023, for Election Day Voting, and the Use of the Leon Valley Conference Center, Located at 6421 Evers Road, Leon Valley, Texas, 78238, for Early Voting (April 24, 2023 through May 02, 2023) - S. Passailaigue, City Secretary**

Una Resolución Del Consejo De La Ciudad De La Ciudad De Leon Valley Para Ordenar Y Establecer Los Procedimientos Para Una Elección General En La Ciudad De Leon Valley, Texas, Para Elegir Tres Miembros Del Consejo: (Posiciones 1, 3 Y 5) Por Parte De Los Votantes Habilitados De La Ciudad De Leon

Valley; Autorizando Al Administrador De La Ciudad A Firmar Un Acuerdo De Elección Conjunta Con El Administrador De Elecciones Del Condado De Bexar Para La Celebración De Dichas Elecciones, Y Proporcionando Detalles Relativos A La Celebración De Dicha Elección, Autorizando El Uso Del Centro De Conferencias De Leon Valley El Día 6 De Mayo De 2023 Para La Votación Del Día De Elección, Y El Uso Del Centro De Conferencias De Leon Valley, Ubicado En 6421 Evers Road, Leon Valley, Texas, 78238, Para La Votación Adelantada (Del 24 De Abril De 2023 Hasta El 2 De Mayo De 2023, Inclusive)

- 6. Discussion and Possible Action on a Resolution of the City Council of the City of Leon Valley Ordering and Establishing Procedures for a Special Election to be Held on May 06, 2023 in the City of Leon Valley for the Purpose of Submitting to the Qualified Voters a Proposition Relating to the Continuation or Dissolution of the Leon Valley Crime Control and Prevention District and the Continuation of a Local Sales and Use Tax at a Rate of One-Eighth (1/8) of One Percent (1%) Pursuant to Chapter 363 of the Texas Local Government Code. S. Passailaigue, City Secretary**

Resolución Del Consejo De La Ciudad De La Ciudad De Leon Valley, Texas Que Ordena Una Elección Especial Para Celebrarse El 6 De Mayo De 2023 En La Ciudad De Leon Valley Con El Propósito De Presentar A Los Votantes Una Proposición Relacionada Con La Continuación O Disolución Del Distrito De Control Y Prevención De Crímenes De Leon Valley Y La Adopción De Un Impuesto Local A Las Ventas Y Al Uso A Una Tasa De Un Octavo Del Uno Por Ciento De Acuerdo Con El Capítulo 363 Del Código De Gobierno Autónomo De Texas

- 7. Discussion and Possible Action on a Resolution Appointing Members to the Citizens Police Advisory Committee - S. Passailaigue, City Secretary**

10. Regular Agenda

- 1. Presentation, Public Hearing, and Discussion to Consider Approval of an Ordinance Granting a Zone Change From R-1 Single Family Dwelling with Sustainability Overlay (SO) to R-3 Multi-Family District with SO on an Approximately 2.998-acre Tract of Land Located at 5900 Wurzbach (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director**

Mindy Teague, Planning and Zoning Director presented this item.

Mayor Chris Riley opened the Pubic Hearing at 7:43 PM. There being no public comment, Mayor Riley closed the Public Hearing at 7:43 PM.

This item will be placed on the next meeting's Consent Agenda for a second read.

- 2. Presentation, Discussion and Possible Action of a Subdivision Plat With Variance Requests, Creating the Grass Hill Estates Subdivision, Being Approximately 21.352 acres of Land Located off Aids Dr., William Rancher Rd., Grass Hill Dr., and Samaritan Dr. and More Particularly Described in Subdivision Case File 2023-1 (1st Read as Required by City Charter) - M. Teague, Planning and Zoning Director**

Mindy Teague, Planning and Zoning Director presented this item.

A motion was made by Councilor Benny Martinez to approve as written. The motion was seconded by Councilor Jed Hefner.

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

3. **Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 12 Traffic and Vehicles, Article 12.03 Parking, Stopping and Standing, Section 12.03.006 Parking Restrictions on Specific Streets, to Reduce the Area of the No Parking Zone Along Shadow Mist Drive, Specifically the Southernmost end of the Street from Avedisian to the Dead End (1st Read as Required by City Charter) - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director presented this item.

This item will be placed on the next meeting's Consent Agenda for a second read.

4. **Discussion and Possible Action on an Ordinance of the City of Leon Valley, Texas, City Council Ordering a Special Election to be Held on May 06, 2023 in the City of Leon Valley for the Purpose of Allowing Qualified Voters to Vote for or Against the Reauthorization of the Local Sales and Use Tax in the City of Leon Valley, Texas at the Rate of One-Quarter (1/4) of One Percent (0.0025000) to Continue Providing Revenue for Maintenance and Repair of Municipal Streets. (First Reading as Required by City Charter) - S. Passailaigue, City Secretary**

Ordenanza Del Consejo De La Ciudad De La Ciudad De Leon Valley, Texas Que Ordena Una Elección Especial Para Celebrarse El 6 De Mayo De 2023 En La Ciudad De Leon Valley Con El Propósito De Permitir Que Los Votantes Habilitados Voten A Favor O En Contra De Volver A Autorizar El Impuesto Local A Las Ventas Y Al Uso En La Ciudad De Leon Valley, Texas A La Tasa De Un Cuarto (1/4) Del Uno Por Ciento (0.0025000) Para Continuar Generando Ingresos Para El Mantenimiento Y La Reparación De Las Calles Municipales.

Sandra Passailaigue, City Secretary presented this item.

A Special City Council meeting was called for Wednesday, February 15th at 7:30 AM for a second read. This needs to be done to meet the deadline of February 17, 2023 to call a Special Election.

5. **Presentation, Discussion and Possible Action on an Amendment to Resolution 22-009R, a Tree Variance Request to Remove Additional Trees at Poss Landing Subdivision and to Pay a Larger Amount of Fees in Lieu of Replanting Trees, Located at 7213 Huebner Road, Than Was Previously Approved - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director presented this item.

A motion was made by Councilor Josh Stevens to approve as presented with the amendment that one tree be 20 gallon and another tree be 10 gallon. The motion was seconded by Councilor Jed Hefner.

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

6. Presentation, Discussion and Possible Action on a Resolution allowing HydroGeoLogic, Inc a subcontractor for the U.S. Environmental Protection Agency (EPA) to utilize 6401 El Verde Road from March 1, 2023 - September 30, 2023.

Crystal Caldera, City Manager presented this item.

A motion was made by Councilor Jed Hefner to approve as presented. The motion was seconded by Councilor Rey Orozco.

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

Crystal Caldera, City Manager began saying that Councilor Jed Hefner had previously requested an item related to VIA be placed on a future agenda item but because he did not receive a second to that request nor did he give a date specific. This item has now been added to the February 21st agenda, however, moving forward, items requested at this time will need a second and date specific as per the Charter.

Members of City Council made the following requests:

Councilor Josh Stevens requested 1) an amendment to the fence ordinance preventing half fences in the front yard in R1 and R2 per the Town Hall discussion. Councilor Jed Hefner seconded (*March agenda*); and 2) action on implementing Homestead Exemption increase to 10% per Section 11.13(n) of the Texas Tax Code. Councilor Jed Hefner seconded.

Councilor Jed Hefner reminded everyone that per a previous discussion, the Red-Light Camera resolution has been placed on the February 21st agenda but in addition, requested that an item on Short-Term Rentals be added to the pipeline with a date uncertain. Councilor Will Bradshaw seconded.

Councilor Rey Orozco requested an update on the Jazz Festival and VIP tent be in the next City Manager Report. City Manager Caldera replied that it is already in her report.

Councilor Jed Hefner had an additional request which was to add an update on the construction of the Hike and Bike Trail in the next City Manager's Report.

1. Presentation, Discussion, and Possible Action on City Manager's Future Agenda Items

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

City Council reconvened into Executive Session at 8:11 PM to continue the evaluation of City Manager Caldera.

14. Reconvene into Regular Session

The City Council reconvened into Open Session at 9:00 PM

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

A motion was made by Councilor Jed Hefner to approve a 10% raise to City Manager Crystal Caldera, effective as of the contract, October 01, 2023. The motion was seconded by Councilor Rey Orozco.

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

16. Adjournment

Mayor Riley announced that the meeting adjourned at 9:01 PM

These minutes approved by the Leon Valley City Council on the 21st of February, 2023.

APPROVED

**CHRIS RILEY
MAYOR**

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