



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

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, December 06, 2022 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

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 asked Councilor Rey Orozco to lead the Pledge of Allegiance.

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

- 1. Pursuant to Texas Government Code, Chapter 551, Section 551.071 Consultation with Counsel on Legal Matters: To Receive Legal Advice Regarding the Lease Agreement between Ms. Bania Artiaga and the City of Leon Valley**
- 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**

Mayor Riley read aloud the agenda caption for Item 2.1 and Item 2.2.

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

3. Reconvene into Regular Session

The City Council reconvened into Open Session at 6:48 PM

4. Citizens to be Heard

Those who spoke at this time were: Elaine Valdez (Leon Valley); and Diana Sarfin (Leon Valley)

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

No action taken at this time.

6. Presentations

1. Presentation, Discussion, Park Commission Recommendation, and Staff Direction on Budget and Procurement Method for Proposed Skate Park - M. Moritz, Public Works Director

Crystal Caldera, City Manager asked that Agenda Items 6.1 and 6.2 be combined.

Mayor Chris Riley read both captions before moving on.

2. Presentation, Discussion and Direction on Cost Estimates New Park Amenities - M. Moritz, Public Works Director

Melinda Moritz, Public Works Director gave a brief presentation seeking input from City Council and citizens on a Budget and Procurement Method for Proposed Skate Park.

There was a consensus among members of City Council to move forward with both pools and to take pickle ball and the skate park to the Annual Town Hall Meeting in January to see what citizens think.

Those who spoke on this item were: Rita Burnside (Leon Valley); Pat Martinez (Leon Valley); Maria Gamboa (Leon Valley); and Erick Matta (Leon Valley)

3. Presentation Discussion and Possible Action to continue to require Open Meetings Act Training - Mayor C. Riley

Mayor Chris Riley introduced the item and expressed her concerns with asking advisory committee members to take the Texas Open Meeting Act Training.

A motion was made by Councilor Will Bradshaw to make the TOMA Training optional for city committee members. The motion was seconded by Councilor Rey Orozco.

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

Voting Nay: Council Place 2 Stevens

There was a consensus among members of City Council to have City Manager Caldera bring back a policy addressing procedures for posting agendas, minutes, and quorum requirements.

4. Presentation, Discussion, and Possible Action on Townhall Meeting Topics - City Manager, Dr. Caldera

Mayor Chris Riley requested an item on emergency preparedness - loss of water and electricity. Mayor Riley also asked for an item to discuss spending of the ARP Funds.

Crystal Caldera, City Manager added that the following items are already on the Annual Town Hall Meeting Agenda: City Manager's Annual Report, Leon Valley Historical Society Update, and the Bandera Road Update.

Councilor Josh Stevens suggested holding the meeting on a Sunday afternoon.

Those who spoke on this item were: Tina Chasan (Leon Valley); and Maria Gamboa (Leon Valley)

Councilor Benny Martinez called a Point of Order and asked that Agenda Item 10.5 be moved up. Mayor Riley approved.

7. Regular Agenda

10.5 Presentation, Discussion, and Possible Action to Fund an Outside Sign -Chas New Gen Cafe, as an Economic Development Project, not to Exceed \$4,000 - Dr. Caldera, City Manager

A motion was made by Councilor Jed Hefner to table this item until there is a resolution to the lease extension as discussed in Executive Session. The motion was seconded by Councilor Josh Stevens.

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

Voting Nay: Council Place 1 Martinez

8. 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 members of City Council.

9. City Manager's Report

City Manager Caldera reminded everyone that the City Manager's Report is printed and out on the table in the foyer for anyone wanting a copy. The report may also be found on the City website.

City Manager Caldera added a response to a comment regarding the recent loss of water; and about the recent Rackspace outage that affected all City email.

1. Upcoming Important Events:

Regular City Council Meeting, Tuesday, December 20, 2022, at 6:30 PM, in Council Chambers.

City Hall & Municipal Offices will be closed Thursday, December 22, 2022 through Tuesday, January 02, 2023 in observance of the Christmas and New Year's Day Holidays.

Annual Town Hall Meeting, Saturday, January 28, 2023, at the Leon Valley Conference Center.

Miscellaneous other events and announcements.

10. Consent Agenda

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

1. Discussion and Possible Action Approving of the Following City Council Minutes:

- a. 11-15-2022 Regular City Council Meeting Minutes
- b. 11-21-2022 Special City Council Meeting Minutes

2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:

- a. 07-18-2022 Economic & Community Development Advisory Committee Meeting Minutes
- b. 10-12-2022 Earthwise Living Committee Meeting Minutes
- c. 10-25-2022 Planning & Zoning Commission Meeting Minutes

3. Discussion and Possible Action on an Ordinance of The City Council of The City of Leon Valley, Texas, Ordering and Declaring The 2022 Charter Amendments Adopted (1st Reading was Held 11-15-2022) S. Passailaigue, City Secretary

4. Discussion and Possible Action on an Ordinance Amending the City of Leon Valley Code of Ordinances, Chapter 4 Business Regulations, Article 4.03

Alcoholic Beverages, Division 1. Generally, and Division 2. License and Permit Fees (1st Read was Held on 11-01-2022) - S. Passailaigue, City Secretary

5. **Discussion and Possible Action to Approve an Ordinance Authorizing a Budget Adjustment in the Amount of \$832,498.50 and Awarding a Bid to J3 Construction, Inc. for the Construction of the Seneca West Drainage Project (1st Read was Held on 11-15-22) - M. Moritz, Public Works Director**
6. **A Resolution Of The City Of Leon Valley, TX., City Council Appointing a Member to the Leon Valley Earthwise Living Day Committee - S. Passailaigue, City Secretary**

11. Regular Agenda Continued

1. **Presentation and Discussion on an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 1 General Provisions, Article 1.06 Boards, Commissions, and Committees, Section 1.06.002 Tree Advisory Board, (a), (b), and (c) to Dissolve the Tree Advisory Board and Assign Those Duties to the Park Commission (1st Read was Held 11-15-2022) - M. Moritz, Public Works Director**

Melinda Moritz, Public Works Director presented this item for a second reading. Roger Christensen, Chair of the Park Commission was also present and spoke briefly.

A motion was made by Councilor Jed Hefner to combine the Park Commission and the Tree Advisory Committee; and to bring back a clear scope of duties for the Earthwise Living Day Committee. 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

Those who spoke on this item were: Erick Matta (Leon Valley); and Kathy Hill (Leon Valley)

2. **Discussion and Possible Action on a Resolution of the City Council of the City of Leon Valley, TX., Authorizing the Execution of a Memorandum of Understanding Between the City of Leon Valley and the Leon Valley Historical Society - City Manager, C. Caldera**

Crystal Caldera, City Manager presented this item along with Kathy Hill, President of the Leon Valley Historical Society.

A motion was made by Councilor Benny Martinez to approve as presented with the amendment that the LVHS submit a Form 990 on a regular basis. 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

3. Discussion, Presentation, and Consideration of Possible In-Kind Grant Application AARP Foundation for Tax Preparation Services

Crystal Miranda, Community Relations Director presented the item.

A motion was made by Councilor Will Bradshaw to approve as presented. The motion was seconded by Councilor Benny Martinez.

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

4. Presentation, Discussion, and Possible Action to Fund a Backflow Prevention Device - We Care Shopping Center LLC, as an Economic Development Project, not to Exceed \$10,000

Crystal Caldera, City Manager presented this item.

A motion was made by Councilor Jed Hefner 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

5. Presentation, Discussion, and Possible Action on updating the Leon Valley Public Library Policy Article 3, Section 5 Collection Development Policy, Potential Problems and Challenged Materials - R. Reed, Library Director

Regina Reed, Library Director presented this item.

A motion was made by Councilor Jed Hefner to adopt the policy as presented. 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

12. Citizens to be Heard

Those who spoke at this time were: Tina Chasan (Leon Valley)

13. Requests from Members of City Council to Add Items to Future Agendas

1. City Manager's Presentation of Future Agenda Items

Mayor Riley requested a consolidated pipeline showing only items not addressed.

City Manager Caldera said there would be the item coming in January amending the Park Commission/Tree Advisory ordinance as well as scope of work for Earthwise Living Day

Committee. Mayor Riley asked that the meeting day be looked at to accommodate the Tree Advisory Committee members that are used to meeting on Mondays.

Saundra Passailaigue, City Secretary took this moment to show everyone the newly recodified Code of Ordinances Book. This book will be kept in the Office of the City Secretary, but the online Code is also available.

13. Adjournment

Mayor Riley announced that the meeting adjourned at 9:50 PM.

These minutes approved by the Leon Valley City Council on the 20th of December, 2022.

APPROVED

**CHRIS RILEY
MAYOR**

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