



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, November 16, 2021

MINUTES

5:30 PM Call to Order; Determine a Quorum is Present, Pledge of Allegiance.

Attendee Name	Organization	Title	Status
Chris Riley	City of Leon Valley	Mayor	Present
Benny Martinez	City of Leon Valley	Council Place 1	Present
Josh Stevens	City of Leon Valley	Council Place 2	Present
Jed Hefner	City of Leon Valley	Council Place 3	Present
Rey Orozco	City of Leon Valley	Council Place 4	Present
Will Bradshaw	City of Leon Valley	Mayor Pro-Tem, Council Place 5	Excused

Mayor Chris Riley welcomed everyone and announced a quorum with the exception of Councilor Will Bradshaw who was excused.

THE CITY COUNCIL SHALL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

Mayor Chris Riley read the caption for Agenda Item 2.1; and then announced that the City Council would go into Executive Session at 5:35 PM

Pursuant to Texas Government Code, Chapter 551, Section 551.071 Consultation with Attorney on Legal Matters: To Receive Legal Advice from the City Attorney on the Rule 11 Agreement with the San Antonio Aquarium related to Cause No. 2017-CI-15078; San Antonio Aquarium, L.L.C. v. The City of Leon Valley; pending in the 408th Judicial District of Bexar County, Texas

RECONVENE INTO REGULAR SESSION

The City Council reconvened into Open Session at 6:02 PM

CITIZENS TO BE HEARD

Those who spoke at this time were: Evan Bohl (Leon Valley); and Richard Blackmore (Leon Valley)

Mayor Chris Riley read e-mail that was submitted by: Councilor Will Bradshaw; and Louise Malouff (Leon Valley).

Councilor Josh Stephens read an e-mail that was submitted by: Justin Pulliam (Fort Bent County)

Councilor Rey Orozco read an e-mail that was submitted by: Elaine and Jesse Valdez (Leon Valley)

Gentry Kutzer, Boy Scout - Troop 66 also asked the Mayor and City Council members a couple questions.

POSSIBLE ACTION ON ISSUES DISCUSSED IN EXECUTIVE SESSION IF NECESSARY

No action was taken.

6:00 PM - START OF THE BUSINESS MEETING WITH CUB SCOUT PACK 20 LEADING THE PLEDGE OF ALLEGIANCE

Mayor Riley introduced Cub Scout Pack 20 and Troop 66 and Liz Pollock, Troop Leader. Mayor Riley asked them to lead the Pledge of Allegiance.

Councilor Benny Martinez asked that the Pledge of Allegiance be placed at 5:30 PM on future agendas. Mayor Riley agreed with his request.

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

Mayor Riley briefly went over the Rules of Decorum and stated that tonight she was going to try to “time box” the meeting so that everyone could hopefully get out by midnight.

- Mayor Riley welcomed everyone and mentioned the resignation of City Manager Gilbert Perales; spoke about the City phones not being answered due to a staff shortage; all personnel’s direct lines have been posted online to assist in reaching them; Alamo Area Metropolitan Planning Organization is conducting a survey for the long range transportation plan for 2050 - look for more information in ENews; December 6th is the Annual Christmas Tree Lighting at the Conference Center at 6:00 PM; and happy Thanksgiving.
- Councilor Benny Martinez thanked everybody for participating in tonight’s meeting; and spoke about the Chamber’s monthly meeting tomorrow.
- Councilor Rey Orozco congratulated John Marshall High School for a successful year in football; and wished everyone a safe Thanksgiving

CITY MANAGER'S REPORT

Gilbert Perales, City Manager reminded everyone that the City Manager's report is out on the table and on the City's website as well.

Upcoming Important Events:

- a. Tuesday, December 07, 2021, at 6:00 PM, Regular City Council Meeting in Council Chambers.

- b. Thursday, November 25, 2021 and Friday, November 26, 2021, City Offices and the Municipal Court will be closed in observance of the Thanksgiving holiday.
- c. Saturday, December 04, 2021, from 8:00 AM until 10:30 AM, Breakfast with Santa at the Leon Valley Community Center.
- d. Monday, December 06, 2021, at 6:00 PM, Annual Tree Lighting Event, at the grassy area outside of the Leon Valley Conference Center.
- e. Friday, December 24, 2021 through Friday, December 31, 2021, City Offices and Municipal Court will be closed in observance of the Winter holidays (Christmas and New Year's).
- f. Miscellaneous other events and announcements.

RESULT:	PRESENTED
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CONSENT AGENDA

Councilor Rey Orozco had Item 9.5 pulled from Consent to discuss.

Councilor Benny Martinez had Item 9.4 pulled from Consent to discuss.

A motion was made by Councilor Rey Orozco to approve Consent Agenda Items 9.1, 9.2, 9.3, and 9.6 as presented. The motion was seconded by Councilor Jed Hefner.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rey Orozco, Council Place 4
SECONDER:	Jed Hefner, Council Place 3
AYES:	Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco
EXCUSED:	Will Bradshaw

Consideration of the Following City Council Minutes:

- a. **Special City Council and Zoning Commission Special Joint Meeting- October 12, 2021 6:00 PM**
- b. **Coffee with the Mayor and City Council- October 23, 2021 9:00 AM**

Acceptance of Board/Committee/Commission Minutes:

- a. **10-11-2021 Economic and Community Development Advisory Committee Meeting Minutes**

Presentation and Discussion of the Monthly Financial Report Ending October 31, 2021 (M&C # 2021-11-16-4559 C. Caldera)

Discussion and Possible Action on a Resolution Making Appointments to the Library Board of Trustees (M&C # 2021-11-16-4545 S. Passailaigue)

ORDINANCE

Discussion and Possible Action on a Resolution of the City of Leon Valley City Council Designating the Echo and the San Antonio Express News as the City of Leon Valley’s Official Newspapers for Posting of Public and Legal Notices for Fiscal Year 2021-2022 - *Item Removed from Consent* (M&C # 2021-11-16-4496 S. Passailaigue)

A motion was made by Councilor Jed Hefner to adopt as presented. The motion was seconded by Councilor Benny Martinez.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jed Hefner, Council Place 3
SECONDER:	Benny Martinez, Council Place 1
AYES:	Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco
EXCUSED:	Will Bradshaw

Discussion and Possible Action on an Ordinance Amending the City of Leon Valley Code of Ordinances, Section 1.06.003 and reestablishing a Leon Valley Citizens Police Advisory Committee (2nd Read) - *Item Removed from Consent* (M&C # 2021-11-16-4560 Councilor Rey Orozco)

A motion made by Councilor Rey Orozco to adopt as amended. The motion was seconded by Councilor Josh Stevens.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Rey Orozco, Council Place 4
SECONDER:	Josh Stevens, Council Place 2
AYES:	Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco
EXCUSED:	Will Bradshaw

Discussion and Possible Action on Ordinance Amending the Leon Valley Code of Ordinances, Chapter 1 General, Article 1.06 Boards, Commissions, and Committees, Section 1.06.005 Park Commission, (b), to Add Two Positions to the Park Commission, to Designate a Number of Alternate Members (2nd Read) (M&C #2021-12-07-4561 M. Moritz)

Gilbert Perales, City Manager presented the item for a first reading. The item will come back at the next meeting for a second read in the Consent Agenda.

Councilor Jed Hefner stated that without objection, he would move to adopt as written. This was followed by a very brief discussion.

Councilor Jed Hefner then called for a Point of Order and asked to withdraw his motion after realizing this was actually a first reading of the ordinance. This will be on the December 7th agenda for a second read in the Consent Agenda.

RESULT:	TABLED WITHOUT OBJECTION	Next: 12/7/2021 6:00 PM
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Discussion and Possible Action on an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 2, Section 2.01 Regarding Stray, Abandoned, and Found Animals (2nd Read) (M&C # 2021-12-07-4563 Councilor Josh Stevens and Councilor Will Bradshaw)

Councilor Josh Stevens presented the item with suggested amendments which was followed by discussion.

A motion was made by Councilor Jed Hefner to table this item to the December 07, 2021 City Council meeting. The motion was seconded by Councilor Josh Stevens.

RESULT:	TABLED [UNANIMOUS]	Next: 12/7/2021 6:00 PM
MOVER:	Jed Hefner, Council Place 3	
SECONDER:	Josh Stevens, Council Place 2	
AYES:	Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco	
EXCUSED:	Will Bradshaw	

Presentation and Discussion on Approving an Ordinance Authorizing a Budget Adjustment for FY 2021-2022 General Fund, Designated Line-Item American Rescue Plan Funds, in the Amount of \$316,000 (2nd Read) (M&C # 2021-10-19-4509 G. Perales)

Gilbert Perales, City Manager presented this item.

Those who spoke on this item were: Evan Bohl (Leon Valley)

A motion was made by Councilor Josh Stevens to adopt the item as presented. The motion was seconded by Councilor Benny Martinez.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Benny Martinez, Council Place 1
AYES:	Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco
EXCUSED:	Will Bradshaw

REGULAR AGENDA

Discussion and Possible Action on an Ordinance of the City of Leon Valley Accepting Grant Funds from the Ladd & Katherine Hancher Library Foundation and Amending the General Budget of the City of Leon Valley, Texas Municipal Budget for the Fiscal Year 2021-2022 in the Amount of \$25,000 to Provide Funding for the Leon Valley Public Library to Improve and Increase Access to Power within the Library (2nd Read) (M&C # 2021-12-07-4566 R. Reed)

Regina Reed, Library Director presented the item for first reading.

Councilor Jed Hefner made a recommendation that staff be recognized for going out and getting grants.

RESULT: TABLED WITHOUT OBJECTION **Next: 12/7/2021 6:00 PM**

Presentation, Discussion and Action on a Resolution to Adopt the Texas Attorney General's Global Opioid Settlement, the Texas Term Sheet and Allocation Schedule (M&C # 2021-11-16-4569 C. Caldera)

Crystal Caldera ACM/HR Director and Roxana Perez-Stephens, City Attorney presented the item.

Councilor Jed Hefner motioned to adopt agenda Item 11.2 as written. The motion was seconded by Councilor Rey Orozco.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jed Hefner, Council Place 3
SECONDER: Rey Orozco, Council Place 4
AYES: Martinez, Stevens, Hefner, Orozco
EXCUSED: Bradshaw

Discussion and Possible Action Regarding the 2022 City Council Meeting Schedule (M&C # 2021-11-02-4520 S. Passailaigue)

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

RESULT: APPROVED AS AMENDED [UNANIMOUS]
MOVER: Jed Hefner, Council Place 3
SECONDER: Rey Orozco, Council Place 4
AYES: Martinez, Stevens, Hefner, Orozco
EXCUSED: Bradshaw

Discussion and Possible Action on a Resolution Making Appointments to the Planning & Zoning Commission (M&C # 2021-11-02-4546 S. Passailaigue)

A motion was made by Councilor Josh Stevens to move 1st Alternate Evan Bohl into the Commissioner 2 position and to also appoint Ronald Hamner as the Alternate to the Planning & Zoning Commission.

Councilor Stevens was reminded that Dr. Hamner currently serves on the Board of Adjustment and that you cannot serve on the Planning & Zoning at the same time as they conflict one another.

Councilor Stevens stated that he would retract his previous motion.

A new motion was made by Councilor Josh Stevens to move 1st Alternate Evan Bohl into the Commissioner 2 position. The motion was seconded by Councilor Benny Martinez.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Benny Martinez, Council Place 1
AYES:	Martinez, Stevens, Hefner, Orozco
EXCUSED:	Bradshaw

Presentation, Discussion, and Possible Action on Complaints Regarding Staff Application of International Building Code, International Residential Code, International Fire Code, and International Existing Building Code (M&C # 2021-11-16-4562 Councilor Josh Stevens and Councilor Will Bradshaw)

A motion was made by Councilor Josh Stevens to table this item to the December 07, 2021. The motion was seconded by Councilor Benny Martinez.

RESULT:	TABLED [UNANIMOUS]	Next: 12/7/2021 6:00 PM
MOVER:	Josh Stevens, Council Place 2	
SECONDER:	Benny Martinez, Council Place 1	
AYES:	Martinez, Stevens, Hefner, Orozco	
EXCUSED:	Bradshaw	

First Reading on an Ordinance Amending Section 3.05.005, Residential Fences, of the City Code of Ordinances, Establishing an Exception Process and Amending the Variance Process to Allow for Additional Fence Height (M&C # 2021-12-07-4565 B. Melland)

Brandon Melland, Zoning Director presented the item.

Direction given.

Those who spoke on this item were: Richard Blackmore (Leon Valley); and Pat Martinez (Leon Valley)

RESULT:	PRESENTED
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Second Reading on an Ordinance Amending Sections 15.02.052 and 15.02.381 of the City Code Allowing for Accessory Dwelling Units in Residential Zoning Districts (M&C # 2021-12-07-4547 B. Melland)

Mayor Chris Riley opened the Public Hearing at 8:00 PM. There being no public comment; Mayor Riley closed the Public Hearing at 8:11 PM

Councilor Jed Hefner motioned that the item be placed on the December 07, 2021 Consent Agenda. The motion was seconded by Councilor Josh Stevens but would like to see a list of names of those who have pending requests for these and where they live.

Council was reminded that this item was a first read so both the motion and the second were withdrawn and the item was tabled without objection.

RESULT:	TABLED WITHOUT OBJECTION	Next: 12/7/2021 6:00 PM
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CITIZENS TO BE HEARD

Those who spoke at this time were: Drew Power (Leon Valley); Pat Martinez (Leon Valley); Matt Hodde (Leon Valley); and Evan Bohl (Leon Valley)

REQUESTS FROM MEMBERS OF CITY COUNCIL TO ADD ITEMS TO FUTURE AGENDAS

Councilor Josh Stevens requested discussion and action on personnel attrition to be scheduled for an executive session and maybe some public session as well. Councilor Jed Hefner said he would second that.

Councilor Benny Martinez said that in the future he would like to review the previous personnel manual v. the current personnel manual; and also, the committee succession plan.

Mayor Riley said she would like an item on the next agenda to discuss possible Town Hall agenda items.

Councilor Rey Orozco added the appointment of the Citizens Police Advisory Committee Members.

PRESENTATION AND DISCUSSION ON PENDING FUTURE CITY COUNCIL AGENDA ACTION ITEMS

Councilor Jed Hefner added that he would like to include prioritization of the John Marshall traffic study off of the pipeline list.

Councilor Josh Stevens spoke about the importance of moving forward with the flood mitigation.

Mayor Riley wanted citizen input on public safety.

Presentation and Discussion on Pending Future City Council Agenda Action Items

RESULT: PRESENTED

THE CITY COUNCIL SHALL MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

Mayor Riley announced that the City Council would reconvene into Executive Session to continue their discussion on agenda Item 2.1.

Mayor Riley read the agenda caption once again and then announced that the City Council would go into Executive Session at 8:50 PM

RECONVENE INTO REGULAR SESSION

The City Council reconvened into Open Session at 9:26 PM

A motion was made by Councilor Josh Stevens to give the city manager the authority to negotiate a settlement with the San Antonio Aquarium regarding the pending litigation. The motion was seconded by Councilor Rey Orozco.

RESULT: APPROVED [UNANIMOUS]
MOVER: Josh Stevens, Council Place 2
SECONDER: Rey Orozco, Council Place 4
AYES: Benny Martinez, Josh Stevens, Jed Hefner, Rey Orozco
EXCUSED: Will Bradshaw

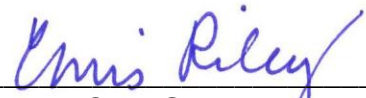
Those who spoke on this item were: Evan Bohl (Leon Valley)

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 9:29 PM.


These minutes approved by the Leon Valley City Council on the 21st of December, 2021.

APPROVED



CHRIS RILEY
MAYOR



ATTEST: 
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

On March 23, 2021, the Leon Valley City Council unanimously voted to adopt Ordinance No. 2021-13, amending the Leon Valley Code of Ordinance, Section 1.04.001 (d) (2) saying that “All written comments shall be included in the meeting minutes.”

The Presiding Chair, the Mayor, has sole discretion on the appropriateness of which comments are and are not allowed.

The following comments have been reviewed and approved as “appropriate” to be included in the November 16, 2021 Leon Valley Regular City Council Meeting Minutes by Mayor Chris Riley.

From: [Louise Malouff](#)
To: [Brandon Melland](#); [Citizens to be heard](#)
Subject: [?] ZONE CHANGE 2021-04
Date: Monday, November 15, 2021 9:12:32 PM

Brandon,

we received our letter about the zoning change for Case # 2021-04 in our mail today.

I am still upset with the WAY the Church is going about trying to get this zone change.

I would really appreciate a TRAFFIC ANALYSIS done BEFORE the zone change!! Is this too much to ask??

With all the traffic on Huebner (and on Evers), I do believe the residents of ALL of the surrounding areas of the church property deserve to know how this will impact us!

I am still against this - more so now that they are trying every-which way they can think of to get the zone change! I know it is a church, but it just does not seem "right" - something is "off"!!!

If this is approved and we who objected, are right - it is on YOU AND THE COUNCIL!!

And it will be remembered!

GOD BLESS THE COUNCIL AND HELP THEM MAKE THE RIGHT DECISION.

Margaret Louise Malouff

From: [Justin Pulliam](#)
To: [Mayor Riley](#); [Will Bradshaw](#); [Rey Orozco](#); [Jed Hefner](#); [Josh Stevens](#); [Benny Martinez](#); justin@justinpulliam.com; [Saundra Passailaigue](#); [Crystal Caldera](#); [Gilbert Perales](#)
Subject: Citizens to be Heard Public Comments 11-16-2021 (First CTBH)
Date: Tuesday, November 16, 2021 5:20:27 PM

Greetings Council:

I am morally outraged that the city administrators continue their hostile opposition to the rightfully elected city council. Instead of diligently serving the public, the city manager and many department heads have chosen to fight the will of the people, wastefully hemorrhaging tax dollars along the way.

Important items that the city administration should have completed this month include:

- Issuance of a Certificate of Occupancy to the San Antonio Aquarium,
- Prompt release of open records that are subject to required public disclosure,
- Posting of the RFQ for city attorney legal services,
- Procedural and cultural reforms required to assist the public with stray animals,
- Thoughtful responses to council and citizen questions,
- And more.

Unfortunately, City Manager Perales prefers to launch a political attack against the council rather than seeing to the faithful execution of city business. Pursuant to the Home Rule Charter, Section 5.01(C)(8), “the city manager shall perform such other duties as... may be required by the city council.”

On January 19th of this year, Councilor Hefner spoke about proposals to reform the city charter: [quote] “This is what’s great about our country, we can have this debate, we can have conversations about how we desire to be governed. Bring any issue to the table that you want, let’s discuss the issue, and let’s leave attacks on individuals about even raising a question, let’s leave those outside, because raising the question is our duly elected responsibly.” [end quote]

Rather than have a conversation about the charter, Mr. Perales chose to quit. It is clear that Mr. Perales and Leon Valley are not a good fit. I encourage the council to allow Mr. Perales to leave town as quickly as he desires, preferably by the end of this week.

I won’t speak for everyone, but at least my days were much less stressful during the time Dr. Caldera served as city manager.

Sincerely,

Justin Pulliam
Fort Bend County