



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, December 15, 2020

MINUTES

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	
David Edwards	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	Remote	
Rey Orozco	City of Leon Valley	Council Place 4	Present	
Will Bradshaw	City of Leon Valley	Mayor Pro-Tem, Council Place 5	Present	

Mayor Chris Riley welcomed everyone and led the Pledge of Allegiance.

Mayor Riley reminded everyone to properly wear their face masks on at all times and briefly went over the Rules of Decorum.

PRESENTATIONS

The Honorable Judge Lawrence Morales will Administer the Oath of Office to Council Place 1 and Council Place 3

The Honorable Judge Lawrence Morales administered the Oath of Office to David Edwards, Ph.D., Council Place 1 who was present in Council Chambers.

The Honorable Judge Lawrence Morales administered the Oath of Office to Jed Hefner, Council Place 3 next. This was done virtually as Councilor Hefner had a previously planned trip prior to his appointment to City Council.

Mayor Chris Riley presented Councilor David Edwards a Certificate of Appointment and informed Councilor Jed Hefner that she would present his to him at the January 12, 2021 City Council meeting.

Mayor Riley asked Councilor Edwards and Councilor Hefner to say a few words.

Councilor Josh Stevens read an e-mail that was submitted by: William and Robin Johnson

RESULT: PRESENTED

Presentation of a Certificate of Achievement Awarded to Vickie Wallace for Being Awarded the Government Finance Association (GFOA) Achievement for Excellence in Finance Reporting

City Manager Kelly Kuenstler and Mayor Chris Riley presented Finance Director Vickie Wallace with a Certificate of Achievement after the Government Finance Officers Association awarded the City with the Achievement for Excellence in Financial Reporting.

City Manager Kuenstler congratulated Director Wallace noting that this is the twenty-first year in a row for obtaining this award. City Manager Kuenstler announced that Director Wallace would be leaving the City at the end of the month and thanked her for her sound fiscal policies and tight oversight of the City’s budget for the past 21+ years.

Director Wallace thanked the City Council and the citizens and added that “it is very hard to retire for a workaholic” but that she was looking forward to it.

RESULT: PRESENTED

Monthly Financial Report Ending November 30, 2020 (Floyd Messick, Assistant Finance Director)

Assistant Finance Director Floyd Messick presented the Monthly Financial Report ending November 30, 2020.

RESULT: PRESENTED

Presentation of History, Including Components of the Sustainability Overlay District any Possible Action City Council Deems Necessary (M&C # 2020-12-15-01 B. Melland)

Planning & Zoning Director Brandon Melland gave a lengthy presentation on this item giving the history, including the components of the Sustainability Overlay District.

The goal of the item is to seek City Council direction regarding potential amendments to the City’s Sustainability Overlay District.

Vice Chair Edward Alonzo of the Planning & Zoning Commission was also present and spoke on the item.

There was a lengthy discussion on this item.

Councilor Josh Stevens read an e-mail submitted from: William Johnson

Those who spoke on this item were: Benny Martinez

RESULT: PRESENTED

CITIZENS TO BE HEARD

Citizens who spoke at this time where: Richard Blackmore; and Benny Martinez

E-mails that were submitted to be read at this time were distributed amongst members of City Council to be read.

Those who read and e-mails they read are as follows:

Councilor David Edwards read an e-mail from: John Saenz

Councilor Josh Stevens read an e-mail from: Craig Ferrell A.K.A. Teach Founder of Guardians of the Children; and Lydia Bransell

Councilor Rey Orozco read an e-mail from: Bob Page

Councilor Will Bradshaw read an e-mail from: Monica Greeno

Mayor Chris Riley read e-mail from: John Godsey; and Tina Chasan

Mayor Riley took a moment to ask that everyone be careful with their words and stop calling names.

ORDINANCE

Discussion and Possible Action on a Request by Washed Clean, LLC for a Zone Change From B-3 Commercial District with SO Sustainability Overlay District Zoning, to PD Planned Development District, with B-2 Retail District and Sustainability Overlay Base District Zoning on Approximately 1.37 Acres at 6712 Bandera Road; Generally Located on the West Side of Bandera Road, Approximately 100 Feet South of the Intersection of Poss and Bandera Road; and a Public Hearing on Said Request (1st Read was Held on 12-03-2020) (M&C # 2020-12-15-02 B. Melland)

Planning & Zoning Director Brandon Melland, Planning & Zoning Commission Vice Chair Ed Alonzo and applicant Dereck White of Washed Clean, LLC presented the item with no changes from the first reading which was held on December 03, 2020.

Mayor Riley asked if it was possible that the sign issue be postponed until after the Sign Code Review Advisory Committee presents their recommendation.

There was a lengthy discussion on this item.

Those who spoke at this time where: Richard Blackmore; and Benny Martinez

E-mails that were submitted to be read at this time were distributed amongst members of City Council to be read. Those who read and e-mails they read are as follows:

Councilor Will Bradshaw read an e-mail from: William Johnson

Councilor David Edwards read an e-mail from: Ben and Patty Taylor

Councilor Josh Stevens read an e-mail from: Derrick Cantu

Mayor Riley opened the Public Hearing at 8:31 PM

Those who spoke were: Ed Alonzo; Richard Blackmore; and Pat Martinez

There being no further public comment, Mayor Riley closed the Public Hearing at 8:35 PM

Councilor Jed Hefner motion to amend the request to waive the cross access required at subject property; grant the 35' sign variance; accept the offered easement; and to allow Mr. White to move forward with the cross-access plan in the north and south end of the property. The motion was seconded by Councilor Will Bradshaw.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jed Hefner, Council Place 3
SECONDER:	Will Bradshaw, Mayor Pro-Tem, Council Place 5
AYES:	David Edwards, Josh Stevens, Jed Hefner, Rey Orozco, Will Bradshaw

REGULAR AGENDA

Presentation and Discussion on a Request by Dhammabucha Buddhist Temple of San Antonio for a Zone Change from R-1, Single-Family Dwelling District to PD, Planned Development District with R-1, Single-Family Dwelling District Base District Zoning on Approximately 11.1 Acres Generally located at 6301 Sawyer Road; More Generally Located on the Northside of Sawyer Road Approximately 1/2 Mile West of Bandera Road (1st Reading as Required by City Charter) (M&C # 2020-12-15-04 B. Melland)

Planning & Zoning Director Brandon Melland presented the item on behalf of the applicant Dhammabucha Buddhist Temple of San Antonio.

Director Melland concluded the presentation saying that at their December 8, 2020 meeting the Planning & Zoning Commission voted 6-1 to approve the request subject to the following conditions: 1. The use and development of the property shall be subject to a base zoning of R-1, Single Family Dwelling Zoning District; 2. In addition to the land uses permitted by the R-1 District, the property may also be used as a church; 3. Notwithstanding infrastructural improvements required as part of the platting process, development and expansion on the property shall be limited to the area illustrated in Exhibit "A" as "Approximate Limits of Construction; 4. Notwithstanding the requirements of the R-1 District, all future development and construction shall also be subject to the regulations contained in Exhibit "B."; and 5. The future sanctuary/prayer room be constructed as illustrated in Exhibit C. In the event that there is conflict between the requirements of the R-1 Zoning District, Exhibit B, or Exhibit C, then Exhibit C shall prevail.

The item will be brought back in January for a second reading.

RESULT:	FIRST READ
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ORDINANCE

Discussion and Possible Action on an Ordinance Amending Section 14.05.001, Utility Code, City of Leon Valley Code of Ordinances, Regarding Sewer Connection Requirements, Allowing Certain Residential Lots Over One Acre to Install On-Site Septic Facilities (1st Reading Held on 12-03-2020) (M&C # 2020-12-15-03 B. Melland)

Planning & Zoning Director Brandon Melland presented this item with a purpose to amend Section 14.05.001(a) of the City of Leon Valley Code of Ordinances, to provide exemption for certain residential lots to not connect to public sanitary sewer, allowing installation and operation of on-site septic facilities (OSSF).

Before going to the next agenda item, Mayor Riley asked that everyone join her in singing and wishing Happy Birthday to Councilor Orozco who celebrated a birthday on December 14th.

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

REGULAR AGENDA

Presentation, Discussion, and Possible Action on Comprehensive Review of List of Civil Litigation to Which the City of Leon Valley Is Either Plaintiff or Defendant, Including Review of All Retaining Agreements, Current Representation, and Costs; Scheduling of Executive Session (Either December 21st or 22nd) to Review All Settlement Offers and Current Status of Each Case (M&C # 2020-12-15-06 Councilors J. Stevens and W. Bradshaw)

City Manager Kelly Kuenstler gave a brief presentation of all pending cases and dates of when City Council was briefed on them in the past.

A motion was made by Councilor Josh Stevens to set a Special City Council meeting on Monday, December 21, 2020 at 6:00 PM to review the litigation for the City with City Attorney Zech in Executive Session. The motion was seconded by Councilor Rey Orozco.

Those who spoke were: Richard Blackmore

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Rey Orozco, Council Place 4
AYES:	Edwards, Stevens, Hefner, Orozco, Bradshaw

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

Mayor Riley read aloud the item caption.

The City Council went into Executive Session at 9:32 PM

Section 551.074 (Entitled “Personnel Matters”) to Deliberate on the Process of Appointing an Acting City Manager for 3-4 Months While Beginning a Search for a Full Time City Manager; and Appropriate Timeline

RECONVENE INTO REGULAR SESSION AND TAKE ACTION ON ISSUES DISCUSSED IN EXECUTIVE SESSION IF NECESSARY.

The City Council again reconvened into Open Session at 10:13 PM

A motion was made by Councilor Will Bradshaw to have Mayor Riley contact Former City Manager Hank Brummett to see if he is willing to serve as acting city manager; and to direct staff to prepare and Request for Qualifications (RFQ) for the Mayor and two (2) members of City Council to review for a full-time city manager as soon as possible. The motion was seconded by Councilor Rey Orozco.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Will Bradshaw, Mayor Pro-Tem, Council Place 5
SECONDER:	Rey Orozco, Council Place 4
AYES:	David Edwards, Josh Stevens, Jed Hefner, Rey Orozco, Will Bradshaw

A motion was made by Councilor Josh Stevens to move Agenda Items 6.1, 8.3 and 8.7 to the January 12, 2021 meeting; and to continue on with Agenda Items 8.5, 8.6 and Citizens to be Heard. The motion was seconded by Councilor Will Bradshaw.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Will Bradshaw, Mayor Pro-Tem, Council Place 5
AYES:	David Edwards, Josh Stevens, Jed Hefner, Rey Orozco, Will Bradshaw

REGULAR AGENDA

Presentation, Discussion, and Possible Action on Amending or Repealing Leon Valley Code of Ordinances, Article 1.12 (Ethics Regulations) and Dissolution of the Ethics Review Board (1st Reading as Required by City Charter) (M&C # 2020-12-15-08 Councilors J. Stevens and W. Bradshaw)

Councilor Josh Stevens presented the item.

Those who spoke on this item were: Richard Blackmore

Councilor Will Bradshaw and Mayor Riley both stated that there was no need for an Ethics Board for the City when the State has an Ethics Commission. Mayor Riley added that the City has gone 65 years without one and that this is very expensive and time consuming. Mayor Riley stated that she is in support of repealing this ordinance.

Councilor Rey Orozco asked to be allowed to review the ordinance and make sure that the "abuse does not transpire again."

Councilor Jed Hefner said it was comforting to know there was a State board to address these situations.

Councilor David Edwards called the Ethics Review Board a "political weapon" and said that these kinds of things are best handled by the State. Councilor Edwards concluded by saying that the best way to handle someone you disagree with on council is to run against them.

Councilor David Edwards read an e-mail from: Evan Bohl

ACM/Chief of Police Joseph Salvaggio spoke about what the Texas Ethics Commission can actually do.

Councilor Josh Stevens called a Point of Order saying that ACM/Chief of Police Salvaggio did not have the right to speak on this matter.

This was followed by discussion.

Councilor Will Bradshaw read an e-mail from: Justin Pulliam

City Secretary Sandra Passailaigue read an e-mail from: Liz Maloy

Mayor Riley stated that this is a first read and we will bring it back for a second read at the next meeting.

Attorney Charles Zech stated that the being that there was no ordinance presented in front of Council tonight, there is no "first read". The only thing Council can do tonight is give staff direction.

Discussion and Possible Action on an Ordinance Countermanding Ethics Review Board Opinions, Decisions, and Dispositions in Years 2019 and 2020 (M&C # 2020-12-15-09 Councilors J. Stevens and W. Bradshaw)

Councilor Josh Stevens spoke on this item by proposing that an ordinance be drafted countermanding the Ethics Review Boards dispositions since its inception.

Councilor David Edwards read an e-mail from: Evan Bohl

City Secretary Sandra Passailaigue read an e-mail from: Liz Maloy

A motion was made by Councilor Josh Stevens to direct Attorney Zech to draft an ordinance using the dialog laid out this evening and bring it back to the next meeting for Council consideration. The motion was seconded by Councilor Rey Orozco.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Rey Orozco, Council Place 4
AYES:	Edwards, Stevens, Hefner, Orozco, Bradshaw

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

Mayor Riley requested that staff put something together for the April 2021 MPO Grant for the next meeting.

CITIZENS TO BE HEARD

Councilor Will Bradshaw read an e-mail from: Evan Bohl

Councilor Josh Stevens read an e-mail from: Justin Pulliam

CITY MANAGER'S REPORT

- Next City Council Meeting, Tuesday, January 12, 2021, at 6:00 p.m. in Council Chambers.
- City Hall & Municipal Offices will be closed Thursday, December 24, 2020 through Friday, January 1, 2021 in observance of the Christmas and New Year's Day Holidays.
- Library Holiday Hours: The Library is regularly closed on Sunday and Monday. The Library will have regular hours and only be closed for Christmas Eve, Christmas Day, New Year's Eve and New Year's Day. Below is the Library Holiday Schedule and activities:

Monday, December 21, 2020 -Library Closed

Tuesday, December 22, 2020 - Library Open 12:00 p.m. - 7:00 p.m.

❖ At 4:30 pm: Bell Craft (Prepares for Polar Express Event)

❖ At 6:00 pm: Virtual Polar Express

Wednesday, December 23, 2020 - Library Open 10:00 a.m. - 5:00 p.m.

❖ At 10:30 am: Tree Bookmarks

Thursday, December 24, 2020 - Library Closed

Friday, December 25, 2020 - Library Closed

Saturday, December 26, 2020 - Library Closed

Sunday, December 27, 2020 - Library Closed

Monday, December 28, 2020 - Library Closed

Tuesday, December 29, 2020 - Library Open 12 p.m.-7p.m.

- ❖ At 4:30 pm: Warm Drink Holder

Wednesday December 30, 2020 - Library Open 10:00 a.m. - 5:00 p.m.

- ❖ December 30, 2020 at 10:30 a.m.: 2021 Glasses

Thursday, December 31, 2020 - Library Closed

Friday, January 1, 2021 - Library Closed

- Annual Town Hall Meeting, Saturday, January 30, 2021 at a venue to be determined later (live or virtual).
- May 01, 2021 General Election Filing Period begins January 13, 2021 and closes at 5:00 PM on February 12, 2021.
- Miscellaneous other events and announcements.

ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS

None

CONSENT AGENDA

RESULT:	POSTPONED [UNANIMOUS]
MOVER:	Josh Stevens, Council Place 2
SECONDER:	Rey Orozco, Council Place 4
AYES:	David Edwards, Josh Stevens, Jed Hefner, Rey Orozco, Will Bradshaw

1. Consideration of the Following City Council Minutes:
 - a. Special Meeting- November 24, 2020 6:00 PM
 - b. Special Meeting- December 3, 2020 6:00 PM
 - c. Workshop- December 5, 2020 9:00 AM
 - d. Special Meeting- December 10, 2020 6:00 PM

A motion was made by Councilor Josh Stevens to move Agenda Items 6.1, 8.3, 8.4 and 8.7 to the January 12, 2021 City Council meeting and to press on tonight and address Agenda Items 8.5, 8.6 and the last Citizens to be Heard. The motion was seconded by Councilor Rey Orozco.

REGULAR AGENDA

Pursuant to Section 551.071 Consultation with Attorney, to Discuss the Possibility of Creating an Amending Ordinance to Return to General Law Form of Government in Accordance with Texas Local Government Code, Chapter 6, Subsection B (M&C # 2021-01-12-__ Councilors J. Stevens and W. Bradshaw)

A motion was made by Councilor Josh Stevens to move Agenda Items 6.1, 8.3, 8.4 and 8.7 to the January 12, 2021 City Council meeting and to press on tonight and address Agenda Items 8.5, 8.6 and the last Citizens to be Heard. The motion was seconded by Councilor

Rey Orozco.

RESULT:	TABLED [UNANIMOUS]	Next: 1/12/2021 6:00 PM
MOVER:	Josh Stevens, Council Place 2	
SECONDER:	Rey Orozco, Council Place 4	
AYES:	Edwards, Stevens, Hefner, Orozco, Bradshaw	

Discussion and Possible Action on Hiring a Third-Party Forensic Accounting Firm to Conduct a Forensic Investigation Over Leon Valley's Financial Records, Accounts, and Purchases Over Past 3 Years (M&C # 2021-01-12-__ Councilors J. Stevens and W. Bradshaw)

A motion was made by Councilor Josh Stevens to move Agenda Items 6.1, 8.3, 8.4 and 8.7 to the January 12, 2021 City Council meeting and to press on tonight and address Agenda Items 8.5, 8.6 and the last Citizens to be Heard. The motion was seconded by Councilor Rey Orozco.

RESULT:	POSTPONED [UNANIMOUS]	Next: 1/12/2021 6:00 PM
MOVER:	Josh Stevens, Council Place 2	
SECONDER:	Rey Orozco, Will Bradshaw	
AYES:	Edwards, Stevens, Hefner, Orozco, Bradshaw	

Discussion and Possible Action Regarding Setting a Date, developing a List of Possible Topics for Consideration and Determining the Format of the Annual Town Hall Meeting, Which May Include Cancelling and/or Postponing this Meeting to a Future Date (M&C # 2021-01-12-03 Mayor Chris Riley)

A motion was made by Councilor Josh Stevens to move Agenda Items 6.1, 8.3, 8.4 and 8.7 to the January 12, 2021 City Council meeting and to press on tonight and address Agenda Items 8.5, 8.6 and the last Citizens to be Heard. The motion was seconded by Councilor Rey Orozco.

RESULT:	POSTPONED [UNANIMOUS]	Next: 1/12/2021 6:00 PM
MOVER:	Josh Stevens, Council Place 2	
SECONDER:	Rey Orozco, Council Place 4	
AYES:	Edwards, Stevens, Hefner, Orozco, Bradshaw	

ADJOURNMENT

Mayor Riley announced that the meeting adjourned at 11:23 PM.

These minutes approved by the Leon Valley City Council on the 12th of January, 2021.

APPROVED

Chris Riley

CHRIS RILEY
MAYOR

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

