



CITY OF LEON VALLEY
2019 CHARTER REVIEW COMMITTEE
Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Monday, September 23, 2019

AGENDA

1. 6:30 PM Call to Order and Announcement of a Quorum
2. **CITIZENS TO BE HEARD**
3. **CONSENT AGENDA**
 1. Charter Review Committee - Regular Meeting - Sep 16, 2019 6:00 PM
4. **DISCUSSION ITEMS**
 1. Discussion and Action on the Adoption of Meeting Conduct and Decorum Guidelines Set Forth in Ordinance No. 2019-48 Adopted by the City of Leon Valley City Council
 2. Discussion and Action on Voting Requirements for Recommendation for Charter Amendment to be Placed on the Ballot
 3. Review, Discussion and Action on Proposed Amendments to the Home Rule Charter Articles I Through III
 4. Review, Discussion and Action on Proposed Amendments to the Home Rule Charter Articles IV and V
 5. Review, Discussion and Action on Proposed Amendments to the Home Rule Charter Articles VI Through VIII
 6. Discussion and Action on Meeting Date Change from September 30, 2019
5. **CHAIRMAN ANNOUNCEMENTS**
6. **Adjournment**

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of City Council or any other City boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required

by law, is also noticed as a meeting of City Council and any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These City Council members and members of other City boards, commissions, and/or committees may not deliberate or take action on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE CHARTER REVIEW COMMITTEE was posted September 20, 2019 at 2:53 PM on the Bulletin Board at Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, 78238, and remained posted until after the meeting(s) hereby posted concluded. This notice was also posted on the City's website at www.leonvalleytexas.gov. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To make arrangements for such services, please call (210) 684-1391, Extension 216.



SAUNDRA PASSAILAIGUE, TRMC
City Secretary
September 20th, 2019 2:53 PM



CITY OF LEON VALLEY
2019 2019 CHARTER REVIEW COMMITTEE
 Council Chambers
 6400 El Verde Road, Leon Valley, TX 78238
 Monday, September 16, 2019

MINUTES

6:00 PM Call to Order,

Attendee Name	Organization	Title	Status	Arrived
David Jordan	City of Leon Valley	Chairman	Present	
Edward Alonzo	City of Leon Valley	Vice Chairman	Present	
Albert Alcocer	City of Leon Valley	Member	Excused	
Geraldine Rodriguez-Smith	City of Leon Valley	Member	Present	
William Johnson	City of Leon Valley	Member	Present	
Michael Marin	City of Leon Valley	Member	Excused	
Michelle Alonzo	City of Leon Valley	Member	Present	
Abraham Diaz	City of Leon Valley	Member	Present	
Sarah Smart	City of Leon Valley	Member	Present	
Jacque Conrad	City of Leon Valley	Member	Excused	
Adam Castillo	City of Leon Valley	Member	Present	
Erick Matta	City of Leon Valley	Member	Present	

Also, present: Staff Liaison, City Manager Kelly Kuenstler and City Attorney Denise Frederick.

Elect Chair/Vice Chair

A motion was made by Member William Johnson and seconded by Member Adam Castillo to appoint a temporary chairman

RESULT:	DEFEATED [4 TO 5]
MOVER:	William Johnson, Member
SECONDER:	Adam Castillo, Member
AYES:	Johnson, Smart, Castillo, Matta
NAYS:	Jordan, Alonzo, Rodriguez-Smith, Alonzo, Diaz
EXCUSED:	Alcocer, Marin, Conrad

A motion was made by Member William Johnson and seconded by Member Erick Matta to nominate Member Sarah Smart as Chairman.

RESULT:	DEFEATED [4 TO 5]
MOVER:	William Johnson, Member
SECONDER:	Erick Matta, Member
AYES:	Johnson, Smart, Castillo, Matta
NAYS:	Jordan, Alonzo, Rodriguez-Smith, Alonzo, Diaz
EXCUSED:	Alcocer, Marin, Conrad

A motion was made by Member Abraham Diaz and seconded by seconded Member Geraldine Rodriguez-Smith to nominate David Jordan as Chairman.

RESULT:	APPROVED [5 TO 4]
MOVER:	Abraham Diaz, Member
SECONDER:	Geraldine Rodriguez-Smith, Member
AYES:	Jordan, Alonzo, Rodriguez-Smith, Alonzo, Diaz
NAYS:	Johnson, Smart, Castillo, Matta
EXCUSED:	Alcocer, Marin, Conrad

Erick Matta nominated himself as Vice Chairman, Abraham Diaz nominated Edward Alonzo as Vice Chairman. The committee voted and there were four (4) votes for Erick Matta and five (5) votes for Edward Alonzo. Edward Alonzo was elected as the Vice Chairman of the committee.

Discussion on Meeting Schedule and Other Organizational Matters

Discussion surfaced by Member Abraham Diaz on whether or not to have an attorney present during committee meetings.

A motion was made by Member William Johnson and seconded by Member Michelle Alonzo to have an attorney employed by the City of Leon Valley and that attorney cannot be a sitting member of the 2019 Charter Review Committee present at all committee meetings; however, if a city attorney is not present the meetings will continue.

City Manager Kelly Kuentler asked that she not be part of the committee but assign ACM/HR Director Crystal Caldera to research other cities or answer city related questions.

A motion was made by Member Abraham Diaz and seconded by Member Adam Castillo to have ACM/HR Director Crystal Caldera present for research and to assist the committee with questions. The motion passed unanimously.

The committee came to a consensus on having meetings on Monday nights from 6:30-9:30 p.m. The committee further agreed to setting a schedule for what Mondays they would not meet on at their next meeting.

There was a discussion on how amendments would be presented and whether or not the committee could do interim reports to City Council. The legal opinion was given that interim reports could be given to the City Council.

Minutes Acceptance: Minutes of Sep 16, 2019 6:00 PM (Consent Agenda)

The committee asked the city manager to let them know what dates the readings need to be so they can act and plan accordingly. The city manager agreed to do this via e-mail.

Member Abraham Diaz requested that there be a "Citizens to be Heard" at the beginning of each agenda so that the committee could hear from the citizens and then begin the meeting.

RESULT:	APPROVED [10 TO 1]
MOVER:	William Johnson, Member
SECONDER:	Michael Marin, Member
AYES:	Jordan, Alonzo, Rodriguez-Smith, Johnson, Marin, Alonzo, Diaz, Smart, Castillo, Yarnell
NAYS:	Matta
EXCUSED:	Alcocer, Conrad

Presentation on Charter Process and Discussion on Charter

City Attorney Denise Frederick presented the Charter process.

Adjournment

Chairman David Jordan announced that the meeting adjourned at 8:11 PM.

Minutes Acceptance: Minutes of Sep 16, 2019 6:00 PM (Consent Agenda)

MAYOR AND COUNCIL COMMUNICATION

DATE: September 17, 2019 **M&C # 2019-09-17-05 D. FREDERICK**

TO: Mayor and Council

FROM: Sandra Passailaigue, City Secretary

THROUGH: Kelly Kuentler, City Manager

SUBJECT: Discussion and Possible Action on an Ordinance of the City of Leon Valley, TX., City Council Adopting Rules of Conduct and Decorum for Public Meetings and Hearings Held by The City Council (1st Reading was Held on 09-03-2019)

PURPOSE


This item has been placed on the agenda as requested by Councilor Catherine Rodriguez and seconded by Councilor Donna Charles.

RECOMMENDATION

City Council Discretion

RESULT: **ADOPTED AS AMENDED [UNANIMOUS]**
MOVER: Catherine Rodriguez, Council Place 2
SECONDER: Monica Alcocer, Donna Charles
AYES: Alcocer, Charles, Rodriguez, Hodde, Bradshaw

ATTEST :


SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Attachment: Ordinance No. 2019-48 (Decorum Guidelines)

ORDINANCE No. 2019-48**AN ORDINANCE OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL ADOPTING RULES OF CONDUCT AND DECORUM FOR PUBLIC MEETINGS AND HEARINGS HELD BY THE CITY COUNCIL; PROVIDING FOR REPEALER, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Leon Valley is a Home Rule Municipality located within Bexar County, Texas; and

WHEREAS, the City of Leon Valley, as a Home Rule Municipality, derives its powers exclusively from its Home Rule Charter and is limited in authority only by express provisions of the Texas Constitution and the State statutes; and

WHEREAS, the City of Leon Valley City Council conducts its business at public meetings and hearings; and

WHEREAS, the City of Leon Valley City Council has a responsibility to ensure that members of the public have the opportunity to participate in a public meeting and public hearing and therefore can reasonably limit the length and general nature of public comments so that the City Council and its boards and commission can consider various points of view; and

WHEREAS, while the public may provide information during designated times at public meetings to the City Council, such presentation must be limited to public business in order for the City Council to efficiently and effectively conduct its meetings; and

WHEREAS, to assist with expectations and provide clear guidance to the public as to the proper conduct when presenting public business information to the City Council, boards, or commission, the City Council finds it appropriate to adopt certain rules of conduct and decorum; and

WHEREAS, the City of Leon Valley finds it is in the best interest of its residents and the general public to adopt the following rules of conduct and decorum.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS THAT:

Section 1. The following rules of conduct and decorum are hereby adopted and shall apply in all City Council meetings of the City of Leon Valley as follows:

1. A person wishing to address the City Council can provide input during the "Citizens to be Heard" on items that are not on the Agenda and

for items listed on the agenda.

- A person unable to attend City Council meetings may submit written comments, and must include their name and place of residence up to and during the meeting date via e-mail, regular mail, or by fax:
 - i. Email to: leonvalleycitizens@leonvalleytexas.gov and k.kuenstler@leonvalleytexas.gov
 - ii. Mail to: Leon Valley Public Comments
6400 El Verde Road,
Leon Valley, TX 78238
 - iii. Fax to: (210) 684-4476

2. Members of the public may address the City Council during the "Citizens to be Heard" portion of the meeting.

- The "Citizens to be Heard" portion will allow members of the public to address Council on items that are not on the agenda.
- Members of the public will be allowed three (3) minutes to provide comments during the "Citizens to be Heard" portion.
- The "Citizens to be Heard" portion of the meeting will be:
 - i. At the beginning of the meeting; and
 - ii. After any presentation of any item that they are entitled to be heard; and
 - iii. At the end of the meeting.

3. Anyone desiring to speak during any portion of City Council meetings shall be first recognized by the presiding officer.

4. All ceremonial items and informational presentations, if any, will be placed at 6:00 p.m. or at the beginning of scheduled business meetings.

5. A Council member who has spoken should refrain from speaking again until each Council member has had an opportunity to speak.

6. Council members shall not use devices for the purpose of communicating during a City Council meeting.

- These devices include but are not limited to telephone, computer, I-Pad.

- Communication includes but is not limited to e-mails, texts, and messaging.
- This section does not apply to city staff/employees in the execution of their duties to City Council.

7. City Council members, staff and members of the public shall not shout, display unruly behavior, distract with side conversations, use profanity, threat of violence, or disrupt the orderly conduct of the meeting.

- When any person is addressing City Council, staff or members of the public, no personal attacks on staff, members of the public or City Council shall be allowed.
- The presiding officer shall warn the person that he or she shall be required to leave the meeting room if the disruption continues.
- If the person is asked to leave the meeting room and the person does not leave the meeting room, the presiding officer may order any peace officer at the meeting to remove the person from the meeting room.

8. Robert's Rules of Order will take precedence for conduct not covered by these Council meeting rules.

Section 2. Such rules shall be administered and enforced by the presiding officer of such City Council.

Section 3. Such rules shall apply to all members of the public presenting information to the City Council.

Section 4. Such rules may be suspended, for good cause, by the presiding officer during a meeting as long as the presentation of information remains related to public business only.

Section 5. The presiding officer may enforce these rules by any means or authority provided to the presiding officer by law.

Section 6. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this

Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section 7. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

Section 8. This Ordinance shall become effective immediately upon its passage and publication as required by law.


PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 17th day of September 2019.

APPROVED

CHRIS RILEY
MAYOR



Attest:



SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Attachment: Ordinance No. 2019-48 (Decorum Guidelines)

Approved as to Form:



DENISE FREDERICK

City Attorney