CITY OF LEON VALLEY
ETHICS REVIEW BOARD MEETING
City Hall – Small Conference Room
6400 El Verde Road, Leon Valley, Texas 78238
Wednesday, March 11, 2020 at 6:00 p.m.

AGENDA

1. Call to Order and Announcement of a Quorum.

2. Citizens to be Heard.

3. Discussion and review of March 9, 2020, Ethics Review Board Public Hearing (regarding Ethics Complaint involving the Mayor).

4. Adjourn into Executive Session to confer with Temporary Ethics Compliance Officer / Special Legal Counsel to the Ethics Review Board regarding pending ethics complaint.

5. Discussion and possible action regarding Rules of Procedure.

6. Discussion and possible action regarding Ethics Complaint EC021220 (regarding Mayor Pro Tem, City Council Member Place 1, and City Manager).

7. Adjournment.

Attendance by Other Elected or Appointed Officials:
This is a notice of the possible gathering of a possible quorum of other governing bodies. It is anticipated that members of City Council or any other City boards, commissions and/or committees might attend the Ethics Review Board meeting in numbers that may constitute a quorum. Notice is hereby given that the Ethics Review Board meeting, to the extent required by law, is also noticed as a potential 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 as a governing body on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

Executive Session:
The Ethics Review Board reserves the right to adjourn into executive session (i.e., a closed meeting) at any time to convene with legal counsel in accordance with Tex. Gov't Code sec. 551.071 or to discuss personnel matters pursuant to Tex. Gov't Code sec. 551.074.

I hereby certify that the above NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE ETHICS REVIEW BOARD was posted March 4, 2020 at 1:59 p.m. 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

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ADDENDUM TO THE AGENDA

The following item is hereby added to the previously posted agenda for the Ethics Review Board Meeting on Wednesday, March 11, 2020:

4b. Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary.

Attendance by Other Elected or Appointed Officials:
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I hereby certify that the above NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE ETHICS REVIEW BOARD was posted March 6, 2020 at 3:15 p.m. 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.

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Ethics Review Board Meeting

Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, Texas 78238
Wednesday, March 11, 2020

MINUTES

The Ethics Board of the City of Leon Valley, Texas met on the 11th day of March, in the Leon Valley City Hall Located at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business:

1. **Call to Order**
   a. The Meeting was called to order by Board Chair David Smith at 6:00 p.m. with the following in attendance: Jessica Moffett, Karen Weidlich, Karen Seiffert, Liz Maloy, Temporary Ethics Compliance Officer Alan Bojorquez, and Board Liaison Joseph Salvaggio.

2. **Citizens to be Heard:**
   a. Councilor Will Bradshaw stated his concern about not letting people speak during the hearing, regardless of the fact that the information being spoken was on the subject or not. Chairman Smith stated he would look into it and get an opinion from the Ethics Compliance Officer. He also stated his belief that no attorney-client privilege was released by the Mayor.
   b. Joshua Stevens spoke stating he was perplexed with the Ethic Board's decision at the Ethics Hearing against Mayor Chris Riley. He stated he does not believe the Mayor was in violation by releasing the information that she was convicted of releasing.

3. **Discussion and Review of March 9, 2020, Ethics Review Board Public Hearing (Regarding Ethics Complaint Involving the Mayor):**
   a. Board members discussed lessons learned from the hearing. Those lessons were:
      I. No closing statements
      II. Witnesses being stopped from speaking even though they were off-topic with their comments
      III. Requiring complainants and the accused to provide more structure in their presentation
      IV. Change of the deadlines to allow more time with the evidence from both sides
      V. Requiring the complainant turn in a set number of copies of the complaint when filing
      VI. Provide for the ability for each person at the podium to control their own presentation

4. **Adjournment to Executive Session to Confer with Temporary Ethics Compliance Officer/Special Legal Counsel to the Ethics Review Board Regarding Pending Ethics Complaint:**
   a. Chair Smith read aloud the caption and then the Board went into Executive Session at 6:16 p.m.

4b. Reconvene into Regular Session and take action on issues discussed in Executive Session if necessary:

   a. The Ethics Review Board reconvened into Open Session at 6:55 p.m.
   b. The board finalized the verbiage concerning the Disposition of Complaint letter from the hearing on March 9, 2020.

5. **Discussion and Possible Action Regarding Rules of Procedure:**
   a. Temporary Ethics Compliance Officer Bojorquez stated he was creating a checklist for the process that he will send to everyone for consideration
   b. Board Member Jessica Moffett requested the information be given earlier than the Ethics Review Board ordinance policy of three days prior to the hearing and would like all correspondence provided to her that the Chairman is provided, if different than that which was already received.
   c. Board Member Liz Malloy would like to see some level of limits on the amount of paperwork that is filed.
   d. Board Member Karen Seiffert stated the complainant should be required to provide a set number of copies of all paperwork at the time of filing of the complaint.
   e. Councilor Will Bradshaw requested a timeline be created that can be followed.
      I. Temporary Ethics Compliance Officer Bojorquez stated his checklist that is in draft already includes timelines and fixes the inconsistent terminology in the current ordinance.
   f. Chair Smith stated that more discussion is needed at future Board meetings to finalize any recommended changes.
   g. No action was taken at this time on any of the recommended changes.

6. **Discussion and Possible Action Regarding Ethics Complaint EC021220 (Regarding Mayor Pro-Tem, City Council Member Place 1, and City Manager):**
   a. Chair Smith recused Board Members Karen Weidlich and Karen Seiffert, as they were appointed to the Board by the members of City Council whom were the subjects of the complaint.
   b. Chair Smith asked if there were any citizens to be heard concerning this complaint. There were none in the audience who chose to speak.
   c. Chair Smith read aloud the caption and then the Board went into Executive Session at 6:57 p.m.
   d. The Ethics Review Board reconvened into Open Session at 7:30 p.m.
   e. The Ethics Review Board reviewed the complainants (Joshua Stevens, Tina Chasan, William Johnson, Lyn Joseph, Leslie Bacon-Knopf, Erick Matta, and Sarah Smart) Motion to Withdraw the complaint against City Manager Kelly Kuenstler, Councilor Monica Alcocer, and Councilor Donna Charles from consideration.
   f. Chair Smith made notice that all three of the complainants requested that the Ethics Review Board hear the evidence and to make a determination on the merits of the complaint. All of them desired an open investigation into the alleged complaints so that their names could be officially cleared.
   g. A motion was entertained by Chair Smith on the complainant's request to remove the complaint against City Manager Kelly Kuenstler, Councilwoman Monica Alcocer, and Councilwoman Donna Charles. Board Member Moffett made the motion to allow the complainants to withdraw their complaint, which was seconded by Board Member Maloy.

7. **Adjournment:**
   a. Chairman Smith adjourned the meeting at 7:26 p.m.

David Smith
Board Chair

Attest: _____
Joseph Salvaggio, Staff Liaison