



**CITY OF LEON VALLEY  
CITY COUNCIL SPECIAL MEETING**

Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, July 7, 2020

**MINUTES**

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**6:00 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
Monica Alcocer	City of Leon Valley	Mayor Pro-Tem, Council Place 3	Remote
Donna Charles	City of Leon Valley	Council Place 1	Remote
Catherine Rodriguez	City of Leon Valley	Council Place 2	Present
Matthew Hodde	City of Leon Valley	Council Place 4	Present
Will Bradshaw	City of Leon Valley	Council Place 5	Remote

Also present was City Manager Kelly Kuenstler, ACM/HR Director Crystal Caldera, City Secretary Sandra Passailaigue, City Attorney Charles E. Zech, Public Works Director Melinda Moritz, Assistant Finance Director Floyd Messick, LVFD Fire Chief Michael Naughton, LVFD Assistant Fire Chief Eric Burnside, Planning & Zoning Director Brandon Melland, Associate Planner Erick Del Angel, Library Director Rosie Amaya, Business Relations Specialist William Cox, LVPD Chief Joseph Salvaggio, LVPD Assistant Chief David Gonzales and various LVPD staff.

Mayor Chris Riley welcomed everyone and asked Councilor Catherine Rodriguez to lead the Pledge of Allegiance.

Mayor Riley asked for all cell phones to be silenced and reminded everyone that “the Council Chambers is a place where we’re treated with respect and dignity. Citizens, Councilors, staff, and visitors alike. Anyone desiring to speak shall be first recognized by the presiding officer, that’s me, so please raise your hand-Council, staff, citizens and visitors alike. This way we’ll keep it to a more manageable meeting. Now for the Councilors that are on the line, I will certainly call on you on every agenda item except on Point of Order, if you want to speak please let Crystal or Sandra know just so that we can have an orderly progression and so that I can recognize you, I would appreciate that. City Councilors, 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. This includes speaking or commenting from your seat or using foul

language as you exit the chambers. I would suggest if you feel you may have a difficult time controlling yourself, please sit in the foyer. No personal attacks on staff, City Councilors or members of the public shall be allowed. The presiding officer will warn the person that he or she will be required to leave the building if the disruption continues. I cannot see or hear all that goes around in Chambers especially with this mask on but the Rules of Decorum also allow each Councilor to help monitor the situation by calling a Point of Order. I hope we do not have to go there. Let's again be civil and treat each other with respect and dignity and thank you very much for your cooperation."

City Manager Kelly Kuenstler took a moment to ask Mayor Riley to consider moving agenda item 8.2 up as the applicant, Mr. McCall, had a long drive ahead of him.

Mayor Riley asked if there were any objections to moving agenda item 8.2 up to follow the Consent Agenda but before the 2<sup>nd</sup> read ordinances. There being no objections, Mayor Riley announced that agenda item 8.2 would be moved up.

## **PRESENTATION**

### **Discussion Regarding Police Policies on Self-Surrender/Media Policy (M&C # 2020-07-07-15 Mayor Chris Riley)**

This item was placed on the agenda at the request of Mayor Chris Riley through City Manager Kelly Kuenstler. The item was moved from June 16, 2020 to July 7, 2020 for discussion regarding police policies on self-surrender/media policy.

Mayor Riley presented ACM/LVPD Chief Joseph Salvaggio a list of sixteen (16) questions and asked that he answer them this evening.

ACM/LVPD Chief Salvaggio began a presentation with the purpose of answering the sixteen questions posed by Mayor Riley.

Mayor Riley wanted to skip some of the questions stating that "there is a lengthy agenda tonight", but Councilor Catherine Rodriguez reminded the Mayor that it was the Mayor who asked the Chief to provide these answers and she "would like to hear what he had to say."

Councilor Matthew Hodde said he hates that this is happening to this man and asked the Mayor, "Why you didn't just do this in private for his (*the man who was arrested*) sake. You could have just asked one of us to go along to resolve some of these problems." Councilor Hodde said he would be in favor of meeting with the Chief so we could have these answers, specifically, you, one other, us two and whomever you want. There was no reason to bring this to a Council meeting. You can do whatever you want but that's my opinion, I don't think you should have. That is not fair to Mr. (*the man who was arrested*).

Mayor Riley replied, "Well then let's just do that, I will ask Mr. (*the man who was arrested*), you, and me and the Chief and we will go through those questions and then if anyone has any questions from then... well."

Councilor Donna Charles stated that the questions the Mayor “submitted were very targeted, and very specific, and very directed, and the Chief is trying to answer those and now you don’t want to hear the answer.”

Mayor Riley responded, “I guess so. It’s very painful. I agree. Very painful.”

Councilor Charles continued by saying that she recommends that the Mayor “take it off the agenda and that it not be put on there again.”

Mayor Riley responded to Councilor Charles saying, “Did you not hear what I said? I said we were going to meet with Mr. (the man who was arrested), Mr. Hodde, and the Chief and then we’ll get the answers to the questions and if somebody wants the answers, then I will certainly share them with them but we’ll just do it this way because of, (sigh) how long and drawn out this has been taking and it has been very painful and I don’t like how it has been portrayed and I didn’t realize Mr. (the man who was arrested) was going to be all over this page.”

Councilor Charles said that her next comment was that she did not know why this item was being addressed for one person. Mayor Riley replied that she would have addressed it for any citizen that had a concern with it. It was the concern that made her take it to the city attorney who came up with the Self Surrender Policy as an alternate way to handle this.

Councilor Will Bradshaw said the Chief was making the presentation in an effort to “smear the Mayor, Mr. (the man who was arrested), himself (Councilor Bradshaw) and that it was within his right to video a seventy-eight (78) year old man being arrested and that it was within his right to do so. Councilor Bradshaw added that the point of this agenda item was to find out why Mr. (the man who was arrested) wasn’t notified that there was a warrant out for his arrest.

Councilor Will Bradshaw motioned to add to the next agenda, July 21, 2020, an item for discussion and possible action on the misuse of City funds and resources by the Leon Valley Police Chief and the City Manager as well as the use of official oppression against the citizens and business owners of Leon Valley.

Councilor Matthew Hodde stated that he would second the item for discussion. I have had numerous citizens, from both sides, say that we need to have seconds so we can discuss and I would like to know more about what he is talking about.

Mayor Riley confirmed with Councilor Bradshaw that he was asking for an item to be placed on the next agenda. Mayor Riley repeated this three times and Councilor Bradshaw confirmed that she was “correct”.

Mayor Riley asked Councilor Bradshaw if it was a second to place the item on the agenda or if it was a second for discussion.

Councilor Bradshaw began speaking about conversing with the Chief of Police about other topics which were off this agenda topic. One of the Councilors and the Mayor attempted to get him to stop speaking but he kept going and when he did stop, he told the Mayor to “be

careful because they are going to try to set you up” and then it became inaudible.

Councilor Charles told Councilor Bradshaw that this sounded like “smearing”.

Mayor Riley stated that she was going to postpone this agenda if she could get a motion for that and that she would meet with Mr. (the man who was arrested), Mr. Hodde, the Chief and we’ll go from there. If Mr. (the man who was arrested) will be there and if not, we three will be. Councilor Hodde replied that Mr. (the man who was arrested) didn’t need to be there to which Mayor Riley replied she would ask him and then asked Councilor Hodde if he would like to make a motion to that. Councilor Hodde replied that he didn’t know that a motion was needed to discuss or talk to the Chief.

The Mayor announced “I have a motion from Mr. Bradshaw to add something to the next agenda. Do I have a second for that? Chief Salvaggio said “You already have a motion and a second for that ma’am.” Then City Secretary Sandra Passailaigue also informed Mayor Riley that there was already a motion and a second on the floor for that.

Mayor Riley said all those in favor say Aye. Councilor Will Bradshaw responded with “Aye” but nothing else was heard.

Mayor Riley asked City Secretary Passailaigue to take a roll call vote.

Councilor Will Bradshaw interrupted Mayor Riley saying “Mayor I don’t think we need a to have a vote on this. Just a motion and a second to have something added to the agenda. I think it’s done. That’s the action.”

City Secretary Passailaigue replied to Councilor Bradshaw that a motion and a second do require a vote.

City Secretary Passailaigue said “Mayor this does require a vote.”

Mayor Riley asked City Attorney Charles Zech if “this required a vote or if a motion and a second to put something on the agenda enough.”

City Attorney Zech read from the City Charter which states that an agenda item can be added to the agenda with the agreement of two (2) members of Council. However, an agreement and a motion are two different things. A motion and a second do require a vote.

Councilor Bradshaw said he was confused on what the difference between the two were but that “agreeing and seconding were the same” to him.

City Attorney Zech gave further explanation but this whole discussion about how to get an item on an agenda was off topic.

Councilor Matthew Hodde withdrew his second on the previous motion.

Councilor Will Bradshaw stated that he didn't "expect the majority of Council would want to discuss this because of their leader, the City Manager and the Police Chief."

Councilor Catherine Rodriguez pointed out that was a personal attack on the "majority of Council"; and "our leader", what is that supposed to mean?"

Mayor Riley said we would move on and asked City Attorney if we needed a motion to do that. He responded no, move on.

**RESULT:      PRESENTED**

### **CITY MANAGER'S REPORT**

City Manager Kelly Kuenstler reminded everyone that the City Manager's Report is posted on the website as well as placed on the table in the foyer for all interested. City Manager Kuenstler then supplemented that report with new information with: a) The LVFD made 15 friendly contacts on the 4th of July asking residents not to light fireworks. All residents were cooperative. b) Executive Administrative Assistant to the City Manager, Angela Trejo is currently attempting to contact each member of City Council to schedule individual budget workshops to be held at the end of July. c) Welcome to new Librarian Regina Reed who was the library director of the City of Castroville for 2 years and is currently the library director at Hallmark University. d) Today is recognized as Texas' Fallen Law Enforcement Officer Day. It was designated with the signing of HB 3042 during the 8<sup>th</sup> legislative session following the 2016 attack of peace officers in Dallas, TX which resulted in 5 officer's lives lost. e) Councilor Alcocer asked the City Manager to discuss the three Reserve Officers and the article about them in the paper. City Manager Kuenstler spoke with City Attorney Zech and he said this would need to be placed on the agenda to be discussed so I will get that placed on an agenda for discussion.

### **Upcoming Important Events:**

- **Next Regular City Council Meeting Tuesday, July 21, 2020, at 6:00 p.m. in Council Chambers**
- **Miscellaneous other events and announcements**

**RESULT:      PRESENTED**

### **CITIZENS TO BE HEARD**

- Norma Shirotori spoke about the recent arrest of a citizen after the City Council meeting.
- Richard Blackmore congratulated LVPD Chief Joseph Salvaggio for being mentioned in Texas Town and County and City Manager Kelly Kuenstler for being named the Number 1 City Manager in the State; about the comments and terms being said by him and wanted to clarify that he said "4 more to go" and "Scum sucking pigs"; and asked that "God help Leon Valley".

Mayor Riley read comments from citizens that were submitted by e-mail from:

- Rita Burnside regarding fireworks
- Deborah Termure regarding home for veterans
- Benny Martinez regarding assault on Josh Stevens
- Hilda Gomez regarding the 3 Reserve Officers (Mayor ran out of time but said she will continue reading the e-mail during the last citizens to be heard)
- Chuck James - non citizen so his was not read.
- Wade Ivy - non citizen so his was not read.
- Justin Pulliam - non citizen so his was not read.

Councilor Matthew Hodde called a Point of Order and was recognized by Mayor Riley. Councilor Hodde said that the Council has discussed this at nauseum but please do not bring this up in the interest of brevity any longer. If there is a way for staff to send these onto us by e-mail, we can just read them on our own. Mayor agreed and said that was a good idea.

### **ANNOUNCEMENTS BY THE MAYOR AND COUNCIL MEMBERS**

- Councilor Donna Charles said she was glad that everyone was staying healthy and well and taking the appropriate precautions; and encouraged to continue.
- Councilor Catherine Rodriguez echoed Councilor Charles's comment; and asked that everyone keep the military and 1<sup>st</sup> responders in mind.
- Councilor Monica Alcocer said she used the Library's curbside service and it was very efficient; read books and cut out the hatred and animosity; smile and be kind to one another.
- Councilor Matthew Hodde told jokes; and asked the audience to participate in a joke which some did.
- Councilor Will Bradshaw thanked those in attendance; wished everyone a happy July 4<sup>th</sup>; he is sad; he has been ill.
- Mayor Chris Riley spoke about the census; July 4<sup>th</sup>; Mayor's Emergency Management Article; and asked everyone to join her in wishing Councilor Monica Alcocer a very happy birthday.

### **CONSENT AGENDA**

A motion was made by Councilor Donna Charles and seconded by Councilor Matthew Hodde to adopt the Consent Agenda as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Donna Charles, Council Place 1
<b>SECONDER:</b>	Matthew Hodde, Council Place 4
<b>AYES:</b>	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

**Consideration of the Following City Council Minutes:**

- a. Regular Meeting- December 3, 2019 6:00 PM
- b. Special Meeting- June 4, 2020 6:00 PM
- c. Special Meeting for Executive Session- June 16, 2020 5:45 PM
- d. Regular Meeting- June 16, 2020 6:00 PM

**Acceptance of Committee Minutes:**

- 02-11-2020 Zoning Commission Minutes
- 02-25-2020 Zoning Commission Minutes
- 03-10-2020 Zoning Commission Minutes
- 05-11-2020 Economic and Community Development Advisory Committee Meeting Minutes
- 05-26-2020 Zoning Commission Minutes

**Presentation of the Census Count Committee Annual Report 2020**

**Discussion and Possible Action on a Resolution Making an Appointment to The Leon Valley Public Library Board of Trustees (M&C # 2020-07-07-01 S. Passailaigue)**

**Presentation, Discussion, and Possible Action to Partially Fund Relocation Cost Associated with Business Retention of Tuxedo Jones, Located at 6510 Bandera (M&C # 2020-07-07-02 W. Cox)**

**Presentation of the Economic and Community Development Advisory Committee 2020 Annual Report**

**Discussion and Possible Action to Adjust the Program Fund Amount Allocated to Support Small Businesses Located in Leon Valley Through the Disbursement of Economic and Community Development Funds. (M&C # 2020-07-07-03 W. Cox)**

**Discussion and Possible Action Regarding the Cancellation of the July 25, 2020, Coffee with the Mayor & City Council (M&C # 2020-07-07-04 S. Passailaigue)**

## **REGULAR AGENDA**

### **Presentation and Discussion on an Ordinance Amending Section 15.02.381, Permitted Use Table of the City of Leon Valley Code of Ordinances, Regarding Automobile Lubrication Facilities and Small Arms Firing Ranges (Indoor Only) in the Sustainability Overlay District; and a Public Hearing on Said Amendment (1st Reading as Required by City Charter) (M&C # 2020-07-07-10 B. Melland)**

Brandon Melland, Planning & Zoning Director, presented this item on behalf of applicant Mr. McCall who is asking that the City Council consider amending Section 15.02.381, Permitted Use Table of the City of Leon Valley Code of Ordinances, to allow automobile lubrication facilities (lubrication only) and small arms firing ranges (indoor only), to be allowed with Specific Use Permit approval, in the Sustainability Overlay District (SO District), under limited circumstances.

The SO District at its core, was primarily intended to initiate and guide the redevelopment of existing properties in some of the City's commercial areas and specifically along Bandera Road. It was intended to limit the perpetuation of heavier commercial uses and dilapidated properties in these areas, while facilitating new higher quality mixed-use development that would build long-term value and improve the character of the City.

In any urban redevelopment scenario however, there will be a transition period. Although it has been 10 years since the adoption of the Sustainability Overlay District, the redevelopment of these areas is a process that is still in its infancy, and there is much transition time still left.

Staff has had the opportunity to observe the ongoing implementation of the SO District (as well as the Commercial/Industrial Overlay and Gateway Overlay Districts) throughout the City, and believes that the implementation of the SO District has generally been successful in revitalizing Bandera Road and initiating several new high-quality developments.

However, Staff also believes that some flexibility is necessary for properties within the SO District, that are developed with buildings that were specifically designed for certain uses that became prohibited with the application of the SO District in 2009. Among those uses are automobile lubrication facilities and small arms firing ranges.

While additional amendments may be necessary to be considered at a later date, most recently automobile lubrication facilities and small arms firing ranges have been identified as necessary for consideration at this time.

Mayor Riley opened the Public Hearing at 7:54 PM

Those who spoke on this item were: Manuel Rubio; Richard Blackmore; and Mr. McCall

There being no further public comments; Mayor Riley closed the Public Hearing at 7:55 PM

**RESULT: FIRST READ****ORDINANCE**

**Presentation, Discussion, and Possible Action on an Ordinance on a Request by Manuel Rubio for a Zone Change From B-3, Commercial District with SO, Sustainability Overlay District Zoning, to B-3, Commercial District, with CIO, Commercial Industrial Overlay District Zoning on Approximately 5 Acres Generally Located on the East Side of Timber Hill Drive, approximately 600 Feet South of Grissom Road (1st Reading was Held on 06-04-2020) (M&C # 2020-07-07-05 B. Melland)**

Brandon Melland, Planning & Zoning Director presented the item for a second read. Manuel Rubio and Derek Schriver, CPA were also present to answer questions regarding this request.

There was a lengthy discussion on this item.

Mayor Chris Riley read letter that was submitted by: State Representative Ray Lopez

A motion was made by Councilor Donna Charles and seconded by Councilor Monica Alcocer to deny the request.

Mayor Riley asked City Secretary Sandra Passailaigue to take a roll call vote.

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied: Councilor Donna Charles - Aye; Councilor Catherine Rodriguez - Abstain; Councilor Monica Alcocer - Aye; Councilor Matthew Hodde - Nay; and Councilor Will Bradshaw - Nay.

Being that there was a tie vote; Mayor Chris Riley was also able to vote to which she voted - Nay

Mayor Riley announced the motion was defeated.

<b>RESULT:</b>	<b>DEFEATED [2 TO 3]</b>
<b>MOVER:</b>	Donna Charles, Council Place 1
<b>SECONDER:</b>	Monica Alcocer, Mayor Pro-Tem, Council Place 3
<b>AYES:</b>	Monica Alcocer, Donna Charles
<b>NAYS:</b>	Chris Riley, Matthew Hodde, Will Bradshaw
<b>ABSTAIN:</b>	Catherine Rodriguez

A motion was made by Councilor Will Bradshaw to adopt the ordinance approving the zoning change as presented. The motion was seconded by Councilor Matthew Hodde.

Mayor Riley asked City Secretary Sandra Passailaigue to take a roll call vote.

City Secretary Passailaigue proceeded with a roll call vote to which the City Council replied: Councilor Donna Charles - Nay; Councilor Catherine Rodriguez - Abstain; Councilor Monica Alcocer - Nay; Councilor Matthew Hodde - Aye; and Councilor Will Bradshaw - Aye.

Again, being that there was a tie vote; Mayor Chris Riley was also able to vote to which she voted - Aye

Mayor Riley announced the motion carried.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Will Bradshaw, Council Place 5
<b>SECONDER:</b>	Matthew Hodde, Council Place 4
<b>AYES:</b>	Chris Riley, Matthew Hodde, Will Bradshaw
<b>NAYS:</b>	Monica Alcocer, Donna Charles
<b>ABSTAIN:</b>	Catherine Rodriguez

**Presentation and Discussion on an Ordinance of the City of Leon Valley, TX. City Council Amending the General Fund Budget of the City of Leon Valley, Texas Municipal Budget for the Fiscal Year 2019-2020 in the Amount of \$1,500 to Provide Funding for the Summer Reading Program Grant Received from the Dollar General Literacy Foundation; Providing for Repealer, Severability and Savings Clauses; and Providing for an Effective Date (1st Reading was Held on 06-16-2020) (M&C # 2020-07-07-06 C. Caldera)**

ACM/HR Director Crystal Caldera presented the item with no changes from the first read.

A motion was made by Councilor Catherine Rodriguez and seconded by Councilor Donna Charles to adopt as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Catherine Rodriguez, Council Place 2
<b>SECONDER:</b>	Donna Charles, Council Place 1
<b>AYES:</b>	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

**Presentation, Discussion and Possible Action on an Ordinance Amending the Emergency Disaster Ordinance to Incorporate State of Texas Governor's Executive Order GA-28 and subsequent GA-28 amendment, Governor's Executive Order GA-29, Bexar County Judge Executive Order NW-12, and Discussion on Amendment of Leon Valley Local Emergency Declaration 2020-27 (M&C # 2020-07-07-07 J. Salvaggio)**

Chief of Police Joseph Salvaggio presented the item seeking City Council consideration of an amendment to Ordinance 2020-27 of the Leon Valley Local Ordinance and Adopt Texas Governor Greg Abbott's Executive Order GA-28 and its Subsequent Amendment to GA-28, Governor's Executive Order GA-29, and Bexar County Judge Nelson Wolff's Executive

Order NW-12.

A motion was made by Councilor Monica Alcocer and seconded by Councilor Donna Charles to adopt the ordinance as discussed.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Matthew Hodde, Council Place 4
<b>SECONDER:</b>	Donna Charles, Council Place 1
<b>AYES:</b>	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

**Presentation and Discussion on an Ordinance on a Request by ARCA FV Properties, LLC, for a Specific Use Permit for Entertainment-Outdoor Use at 999 Shadow Mist; Generally Located on the East Side of Shadow Mist Road at the intersection of Shadow Mist Road and Avedisian Drive; and a Public Hearing on Said Request (1st Reading as Required by City Charter) (M&C # 2020-07-07-11 B. Melland)**

Brandon Melland, Planning & Zoning Director, presented this item on behalf of applicant Mr. Arturo Ferrer who is requesting a Specific Use Permit (SUP) for Entertainment Outdoor Use at 999 Shadow Mist. The property is currently developed as the Olympus Soccer Complex. The complex was originally developed in 2015. The City's zoning code classifies an outdoor soccer complex as "Entertainment-Outdoor" and requires SUP approval for properties located in the B-1 District, prior to permitting for development. In anticipation of the original development, the owners applied for - and were granted - an SUP in 2010.

The complex is currently developed with one soccer field and limited parking. The applicants desire to add an additional field and additional parking. However, their proposed layout for the additional field and new associated parking does not comply with the site plan approved with the previous SUP. As SUP's require approval of a site plan to ensure that developments are developed as (specifically) approved, the soccer field owners must amend their original SUP to gain approval of their desired expansion and new site configuration. An SUP amendment is processed in the same manner as a standard SUP.

Director Melland concluded the presentation by saying that the Planning & Zoning Commission recommended unanimous approval during their June 9, 2020, subject to the following conditions: That the property be developed in accordance with Exhibits A and B in its entirety; That the restroom facilities shall be constructed prior to the issuance of a Certificate of Occupancy for the use of Proposed Field #2 on Exhibits A & B; That the property shall be required to connect to City of Leon Valley water and sewer services for all on-site facilities; and That field lights will be turned off by 9:30 p.m.

Mayor Riley opened the Public Hearing at 10:50 PM

There being no public comments; Mayor Riley closed the Public Hearing at 10:50 PM

**RESULT: FIRST READ**

A motion was made by Councilor Catherine Rodriguez to move Agenda Items 8.4 and 8.5 to the July 21st meeting. The motion was seconded by Councilor Donna Charles.

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Catherine Rodriguez, Council Place 2

**SECONDER:** Donna Charles, Council Place 1

**AYES:** Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde, Will Bradshaw

**Discussion and Possible Action on an Ordinance Amending Section 1.04.001 of the City of Leon Valley Code of Ordinances to Consolidate the Meeting Date and Time Rules with the Rules of Conduct and Decorum for Public Meetings and Hearings Held by the City Council as Adopted in Ordinance No. 2019-48 and by Amending the Rules of Conduct and Decorum to Allow Councilors to Appeal the Presiding Officer's Determination Regarding Violations of Rules of Conduct and Decorum for Public Meetings and Hearings Held by the City Council and by Making Non-Substantive Organizational Revisions to the Rules of Conduct and Decorum (1st Read was Held 12-17-2019, Second Read was Held 06-16-2020) (M&C # 2020-07-07-08 K. Kuenstler)**

City Manager Kelly Kuenstler presented the item for purpose of amending to the Rules of Conduct and Decorum with substantive and non-substantive changes. The purpose of the substantive revisions and the purpose for non-substantive re-organizational revisions are noted in comments in the right-hand margin of the rules.

There was a lengthy discussion on this item.

A motion was made by Councilor Monica Alcocer to move this item to the July 21st meeting agenda as long as it is the first item on the agenda. The motion was seconded by Councilor Catherine Rodriguez.

**RESULT: APPROVED [4 TO 0]**

**MOVER:** Monica Alcocer, Mayor Pro-Tem, Council Place 3

**SECONDER:** Catherine Rodriguez, Council Place 2

**AYES:** Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde

**ABSTAIN:** Will Bradshaw

A motion was made by Councilor Monica Alcocer to accept b, d, and change f change "banned" to "remove"; and get suggested revisions to City Manager Kuenstler by Friday, July 10th at 5:00 PM. The motion was seconded by Councilor Catherine Rodriguez.

City Secretary Sandra Passailaigue read an e-mail from: Lyn Joseph

<b>RESULT:</b>	<b>APPROVED [4 TO 1]</b>
<b>MOVER:</b>	Monica Alcocer, Mayor Pro-Tem, Council Place 3
<b>SECONDER:</b>	Catherine Rodriguez, Council Place 2
<b>AYES:</b>	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde
<b>NAYS:</b>	Will Bradshaw

### **REGULAR AGENDA CONTINUED**

**Presentation, Discussion, and Possible Action to Approve a Resolution Awarding a Bid and Authorizing the City Manager to Sign a Contract with Clark Construction of Texas, Inc., in the Amount of \$752,820.48, with 15% For Contingency, for the Year 3 Street Maintenance Project. (M&C # 2020-07-07-09 D. Dimaline)**

A motion was made by Councilor Matthew Hodde and seconded by Councilor Catherine Rodriguez to adopt the resolution as written.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Matthew Hodde, Council Place 4
<b>SECONDER:</b>	Catherine Rodriguez, Council Place 2
<b>AYES:</b>	Monica Alcocer, Donna Charles, Catherine Rodriguez, Matthew Hodde
<b>NAYS:</b>	Will Bradshaw

**Discussion and Possible Action on a Resolution Approving a Variance to Section 13.02.074(3) of the City of Leon Valley Code of Ordinances, Regarding Heritage Tree Removal; to Allow for the Removal of Two (2) Heritage Ash Trees at 7125 and 7129 Bandera Road, Generally Located on the East Side of Bandera Road Approximately 450 Feet South of Linkwood Drive (1st Reading as Required by City Charter) (M&C # 2020-07-07-12 B. Melland)**

This item was moved to the July 21, 2020 agenda.

**Presentation and Discussion on an Ordinance on a Request by Jay Castaneda, for a Specific Use Permit for a New Commercial Development at 7125 and 7129 Bandera Road; Generally Located on the East Side of Bandera Road Approximately 450 Feet South of Linkwood Drive; and a Public Hearing on Said Request (1st Reading as Required by City Charter) (M&C # 2020-07-07-13 B. Melland)**

This item was moved to the July 21, 2020 agenda.

**Presentation and Discussion on an Ordinance of the City of Leon Valley, TX. City Council Amending the General Fund Budget of the City of Leon Valley, Texas Municipal Budget for the Fiscal Year 2019-2020 in the Amount of \$630,991 to Provide Funding for the CARES Act; Providing for Repealer, Severability and Savings Clauses; and Providing for an Effective Date (1st Reading as Required by City Charter) (M&C # 2020-07-07-14 K. Kuenstler)**

City Manager Kelly Kuenstler presented the item regarding the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress with overwhelming, bipartisan support and signed into law by President Trump on March 27th, 2020. This relief package is currently over \$2 trillion dollars and is meant to protect the American people from the public health and economic impacts of COVID-19. On June 16, 2020, Council approved an Inter Local Agreement between Bexar County and the City of Leon Valley so that the City could receive reimbursement for expenses related to COVID-19 from the CARES Act. The City of Leon Valley's allocation of the CARES Act Fund is \$631,675 for COVID related expenses if expenses are approved by the Bexar County Auditor. Prior to any reimbursement the City must first submit a Budget Summary to Bexar County for approval and once approved the City can submit paid invoices to Bexar County for reimbursement. Each invoice is subject to final approval by the Bexar County Auditor.

City Manager Kuenstler concluded the presentation saying that the City submitted the Budget Summary on June 26, 2020 to Bexar County in the amount of \$630,991 for approval. Bexar County has not approved the City of Leon Valley's budget request as of this evening. Therefore, a budget adjustment in the amount of \$630,991 is needed in order to expend the funds.

The presentation was followed by discussion.

Councilor Will Bradshaw read an e-mail submitted by: Hilda Gomez

Mayor Chris Riley asked that this item be placed at the top of the next agenda.

<b>RESULT:      FIRST READ</b>
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**CITIZENS TO BE HEARD**

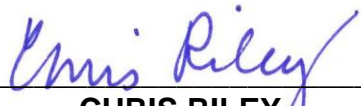
Mayor Chris Riley read an e-mail that was submitted by: Lyn Joseph


**ADJOURNMENT**

Mayor Riley announced that the meeting adjourned at 1:11 AM.

**These minutes approved by the Leon Valley City Council on the 6th of April, 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 July 07, 2020 Leon Valley City Council Meeting Minutes by Mayor Chris Riley.

**From:** [OFFICIALLY FROM AOL](#)  
**To:** [Saundra Passailaigue](#)  
**Cc:** [citizenstobeheard@aol.com](mailto:citizenstobeheard@aol.com)  
**Date:** Tuesday, July 7, 2020 11:05:40 PM

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I want to express that I, a tax payer will not pay to have police hired that have discipline issues. Does their contract include anger management therapy? This is an attempt at instilling fear, bullying, and intimidation to citizens or businesses.. How many others have been kicked out of SAPD for discipline issues for cheating, racial, and physical abuse under Cheif Macmanus. I don't want that type of policing in our city.

lyn joseph

**From:** [manuelr@miraclebp.com](mailto:manuelr@miraclebp.com)  
**To:** [Brandon Melland](#)  
**Cc:** [REDACTED]; [Crystal Caldera](#); [Saundra Passailaigue](#)  
**Subject:** FW: City of Leon Valley Presentation  
**Date:** Tuesday, July 7, 2020 4:16:17 PM  
**Attachments:** [City of Leon Valley MBP Uhaul.pptx](#)

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Dear Mrs. Passailaigue and Mr. Melland, can you please make sure you forward this presentation to each of the city council members, mayor, city manager, and any other city member you believe may need a copy. Thank You.

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**From:** evans@miraclebp.com <evans@miraclebp.com>  
**Sent:** Tuesday, July 7, 2020 4:06 PM  
**To:** manuelr@miraclebp.com  
**Subject:** City of Leon Valley Presentation

**From:** [REDACTED]  
**To:** [Saundra Passailaigue](#)  
**Subject:** Please read : Comment for tonight's Council Meetings -July 7, 2020  
**Date:** Tuesday, July 7, 2020 3:11:12 PM

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Subject: Please read : Citizens to be heard - Council Meetings - May 19, 2020

Bcc: [REDACTED]

To:

Saundra Passailaigue, TRMC, Mayor, All City Council Members, Police Chief

Leon Valley, Texas 78238

From:

Rita Burnside

Forest Oaks

Good Evening everybody,

What is the major lesson learned AGAIN from this year's Fourth of July? =  
That the 'no-fireworks within city limits' law was violated AGAIN.  
Question then, how can this be prevented.

For one, why aren't an increased number of the 61 members (reserve) of our police department dispatched into the neighborhoods in the evening of the Fourth of July when we can bet on having rockets and firecrackers ignited. Is this only enforced until citizens complain about such activity? They surely must be aware; I would not be surprised if the noise could clearly be audible all the way from neighborhoods on one side of Bandera over to El Verde Road.

It's scary! The animals freak out.

It's dangerous! There was a fire caused by fireworks on Huebner, not a major one, but, as in the case of the devastating fires in California, it can easily spread uncontrollably.

It's messy! Today there are still LOTS of remnants of fired rockets on Forest Leaf --- besides a lot of trash, by the way.

Fireworks are fun under controlled conditions, done by professionals.  
Let's get a better grip on neighborhood offenders.

**From:** [Kelly Kuenstler](#)  
**To:** [Chuck James](#)  
**Subject:** RE: Unconstitutional Town  
**Date:** Wednesday, July 1, 2020 12:58:57 PM

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Good Afternoon Sir,

Please give me your name and street address in Leon Valley or the business you own in Leon Valley and we will certainly read this during our Citizens to be Heard.

Thank you,

Kelly

-----Original Message-----

From: Chuck James [[mailto:](#) ]  
Sent: Monday, June 29, 2020 3:15 PM  
To: Kelly Kuenstler  
Subject: Unconstitutional Town

I really hope that you would read this at your next city council meeting but I know this won't happen because you all want to silence people who don't like what's going on how Donna Charles can yell out of turn and hide from the people. How the police is doing things under the color of law and not by the law it's sad when a person can stand on a sidewalk with a sign and because someone whom is employed by the people didn't like what was on the sign he/she called the police to silence her she didn't break any laws but the police grabbed her and took her inside talking about breaking their oath to defend the constitution all this town is doing is on it and believe me the world is really watching and then arrested a man because he brushed up against a council woman and she lied and claimed he assaulted her and yes there is a video about this and the other sad thing is this happened a little over a year ago but the fact is he is not happy with the service that this city is getting from those who are supposed to be serving us how SAD is this. I'm just wondering if I make a false police report if they would arrest a council person for bumping my arm as she passed me. Something needs to change or this town is going to end up belonging to someone else and it won't be a charter anymore and I think this would be the best thing ever for everyone. Please read at next meeting if you believe in the constitution and WE THE PEOPLE

Attn: Mayor

Honorable Mayor Riley,

It is in great sorrow that I write to you to let you know that we have no other choice but to close down our medical foster home. The fire department gave us until the end of the month to move out our residents because we can't afford to install the sprinkler and commercial fire alarm, even given the pandemic with Covid19 they are not giving us any exceptions even though we have been operating under the VA for the last 2 years now. The state of Texas has several amendments for existing foster homes, but they do not apply under this jurisdiction. Not only my 3 veterans are being forced to move under these harsh conditions, but also seniors in 12 other homes here in Leon Valley. For their safety and regards to their life, there should be rules exempting existing homes to keep this from happening, especially during a crisis like this. I ask you and the council to consider this during your next meeting and discuss what can be done for these seniors, veterans and civilians alike who are at high risk of dying from this virus.

Sincerely,

Debora Termure

My name is Wade Ivy and I'd like to discuss your city's automated red light practices during Covid-19 and also would like to address the fact your red light automated system doesn't work.

Your police department is illegally attempting to hold me accountable for stopping right on a red light and turning right on a red light onto Bandera road.

I'd like a formal discussion about these vile practices and a means for dismissing this nonsense.

As the authority in Leon Valley, I'm bringing this specifically to your attention. As I won't be paying this illegal attempt at extortion.

I recommend you cease these practices immediately especially during the Corona Virus.

I'd also like to discuss the legality of this since your contract is allowed to continue via grandfathering but enforcement is illegal.

Sincerely,

Wade Ivy

City IT for Von Ormy Texas.

[REDACTED]

## Kelly Kuenstler

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**From:** Benny Martinez <benny@qualtelcom.com>  
**Sent:** Tuesday, July 07, 2020 6:46 PM  
**To:** Kelly Kuenstler  
**Cc:** Mayor Riley  
**Subject:** Questions about police conduct can be read at citizens to be heard

When will Chief Salvagio assault on Josh Stevens be investigated.

If found he assaulted Josh Stevens will he be arrested?

I was contacted by a detective to provide a statement but there has not been any follow up.

I was a witness of the whole incident. I was next to Josh Stevens.



**Benny Martinez**  
Founder / Senior Technician  
[benny@qualtelcom.com](mailto:benny@qualtelcom.com)  
**210-523-2522 Office**  
**210-853-2882 DID**  
[REDACTED] Cell  
[www.qualtelcom.com](http://www.qualtelcom.com)



HILDA GOMEZ - FOREST OAKS

CITIZENS TO  
BE HEARD

Dear Mayor, I ask you read this during your discussion of recent Leon Valley Police hiring for 3 Officers fired from SAPD

Nationwide thousands of protestors have taken to the streets to bring to light the need for Police Reform and that the changes are long overdue. Even at a recent council meeting, citizens of Leon Valley step forward questioning how current Police Procedures could be improved upon or reformed to prevent abuses, or the hiring of problematic officers. Well, as it turned out our own Leon Valley's Chief of Police Joe Salvaggio recent actions provides a clear picture of how police internal hiring can not only hide, troublesome officers, but keep these undesirable officers employed. Even if 'hired as reserved police' the act of continuing to work in law enforcement protects these (fired) unfit police from having their police license revoke.

This week an Express News article exposed that three (3) San Antonio Police officers were found to be unfit to work for the San Antonio Police Department. These same 3 officers fired were later hired by Leon Valley Police Chief. These officers were involved in domestic violence, (not once but twice) provided a feces sandwich to a homeless person, and a third fired for striking a pregnant woman. The three officers that were fired were determined by Chief Salvaggio to be acceptable to work in Leon Valley as 'reserved officers'.

The Chief's own words, reveal how these, and other troublesome officers can use avoid detection, and accountability.

"We looked at all the evidence. They are certified Texas peace officers that have nothing in their file or history that would preclude them from being hired by me or anyone else in the state of Texas." It is the accepted premise, of non-conviction that allows the rehiring of officers that demonstrate wrong doing. But, this is no longer the case, as the article points out, "University School of Law, who has studied police licensing for more than 30 years. Shares, "Around two-thirds of states permit decertification, even if the officer hasn't been convicted of anything," Goldman said. "The action itself — the commission of the conduct, rather than the conviction for the conduct — would have led to an administrative hearing." In effect more police licensing efforts are focusing on 'the commission of the conduct', not the 'conviction' to determine the decertification of police license.

Chief Salvaggio's hiring of these unfit officers signals a systemic, on-going pattern, of police officers caught in disturbing wrong doing, by one Police Department, being able to continue a career in law enforcement. It is a pattern that is now being challenged, to stop the rehiring of officers whose 'actions' determine if they are fit to remain in law enforcement.

Therefore, I request that the three individuals that were fired by San Antonio Police Dept, then hired by Chief Salvaggio be fired immediately. Further, many citizens have requested to know about the monies allocated to law suits involving our Leon Valley Police Department: including Chief Salvaggio. While Ms. Kuenstler appears to run interference for the Chief, by directing inquiring citizens to fill out forms (freedom of information act) to access this information. I feel the public has a right to know, how much of our monies are spent on defending the city of Leon Valley, against law suits involving Leon Valley Police Dept. I do worry that by questioning

FINISH  
Remy  
CITIZENS  
TO BE  
HEARD

and wanting accountability involving the Police Department, I may witness some type of retaliation. But that would place me in a large group of citizens that while also fear some retaliation will continue to speak out, seeking transparency, consistence, and trustworthiness by those who are hired to serve and protect.

## CONCLUSION WHICH IS

THE FIRST OF TWO

(1) I have been a resident of the City of Chicago for over 20 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years.

(2) I have been a resident of the City of Chicago for over 20 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years.

(3) I have been a resident of the City of Chicago for over 20 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years.

(4) I have been a resident of the City of Chicago for over 20 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years.

(5) I have been a resident of the City of Chicago for over 20 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years.

(6) I have been a resident of the City of Chicago for over 20 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years. I have been a member of the Chicago Police Department for over 10 years.

6/5/2020

CARES Act

Weekly Update

Dear Council member Bradshaw, I ask you read this letter during either Discussion of CARES Act funding or during Citizen input.

I ask that the council further discuss the CARES Act funds, \$631,675 which is allotted to the citizens of Leon Valley. I understand the city has until September 30, 2020 to designate how it will support the community with these monies or forfeit the amount back to the county. Due to time lost a mass-media out-reach to citizens of Leon Valley may be our only solution. Yes seeking input from the citizens will require work, and a dedicated effort to determine the needs of the community. What is of the up most importance, is supporting the critical needs of the community not the line items or invoices generated by city staff reflecting how THEIR COVID-19 safety concerns can be served. Therefore, immediate efforts must be made to reach out to citizens so they may be made aware of the funds, and so that they can say how they may best be helped. How did we get to this point?

As early as July 2, 2020, in a letter by Mayor Riley revealed the CARES Act funding of \$631,675 monies was designated for Leon Valley. Mayor Riley shared that Leon Valley needed to sign a resolution as well as interlocal agreement with a proposed budget done by September 30<sup>th</sup>. Then on June 16<sup>th</sup> Josh Stevens, also appeared before City council, to give light to the CARES Act and monies allocated to help citizens of Leon Valley and to indicate a lack of public input.

Then, at the same meeting, City Manager (Ms Kuenstler) presented a list of proposed expenditures for CARES Act funds \$631,675. Ms. Kuenstler was quick to distance herself from CARES Act funding proposal, 'This is not a City Manager's Budget'. But, then revealed SHE, asked her staff to "code any invoice, that could be connected to COVID-19 for reimbursement", further stating, 'there's no arguing the money is spent.' She further explained how she also asked the Directors of city departments, 'What do you need, I asked all city departments and the two chiefs, what do YOU need?' A lengthy list that include Public Service Announcement, PPI, other protective gear ALL for the city staff including the proposed expenditure of two vehicles;

- 1) An Ambulance for the price of \$310,000.
- 2) Mobile Integrated Health Resource Vehicle for the price of \$120,000.

The mayor attempted to start a dialogue on how to allocate CARES Act funds, for the directly benefit of community members. The discussion was minimized, and explained that the needs of Leon Valley families were already being addressed by other sources or programs.

Though Ms Kuenstler stated she wanted council and public input, before (submitting final budget), any mention of spending that would go directly to citizens was simplified as, 'oh there are programs out there for that', or "we directed citizens to the Bexar county for that help", and, "oh we work with the food bank too, I put out info. on CARES Act on all social media to the public'.

San Antonio and Leon Valley citizens are witnessing a spike in COVID-19 CASES so what other opportunity did the city manager have to share with citizens of Leon Valley about the CARES

ACT and monies available to help them through this crisis? One has only to look at the latest 'Lion's Roar' edition of June-July to witness her efforts to inform citizens of CARES Act. . NOT ONE WORD, in the 16 page news-letter, is there the mention of CARES Act or \$631,000 money. Instead, citizens are provided info. on Governor's executive action, with guidelines and a COVID-19 hot line to San Antonio Metropolitan Health District. What is apparent, is the City Manager's singular focus on how to use the \$163,000+ to decisively determine how to best meet the needs of the city staff. To date, while the proposed CARES Act proposal may NOT be 'the city manager's plan', it also is NOT a plan that includes the input of Leon Valley citizens, the mayor, or council members on how to best meet the direct needs of citizens during COVID-19 crisis.

In contrast, the City of San Antonio held multiple open discussions on how to best support the community, and has already designated over 50% of CARES Act funds to provide direct immediate support for: utility assistance, workforce assistance, rent and mortgage and homeless assistance, temporary childcare for families, domestic violence.

The clock is ticking, the deadline is September 30<sup>th</sup>. Unless there is immediate public media campaign to reach out to the citizens of Leon Valley, (the basis for the generation of the CARE Act funds \$163,000+ ) citizens may not know, or ever directly benefit from CARES Act funds aimed to meet their urgent needs.

Sincerely,  
Hilda Gomez  
Zip 78240

**From:** [Donovon Rodriguez](#)  
**To:** [Mayor Riley](#)  
**Cc:** [Joe Salvaggio](#); [Saundra Passailaigue](#); [Ray Lopez](#); [Crystal Caldera](#)  
**Subject:** Miracle Body and Paint Response.pdf  
**Date:** Tuesday, July 7, 2020 6:42:07 PM  
**Attachments:** [Miracle Body and Paint Response.pdf](#)  
[ATT00001.htm](#)

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Mayor,

I apologize for late message. Please accept the attached correspondence from Representative Lopez related to agenda item #7.



RAY LOPEZ

★  
TEXAS STATE REPRESENTATIVE

Leon Valley Mayor and Council  
Leon Valley City Hall  
6400 El Verde Rd.  
Leon Valley, Texas 78238

Dear Mayor and Councilors,

I hope that you all are doing well, staying safe, and staying healthy. Thank you for the critical work you have continued to do during these trying times. I'm writing to inform you that I have received a letter by Mr. Manuel Rubio regarding his request for a property rezoning, located in one of your Sustainability Overlay Zones.

Mr. Rubio has detailed the situation to me and his intent to sell the property to UHAL to facilitate the building of storage units. I humbly ask that you vote in favor of Mr. Rubio's request to rezone the necessary land to a commercial/industrial overlay zone. For Mr. Rubio, this property represents a long-cherished asset that he now has an opportunity to serve our constituents. The CoVID-19 Pandemic has been difficult for millions of Americans, and Mr. Rubio is no different. As a small business owner, this opportunity to sell his property to UHAL creates stability in tumultuous waters.

Thank you again for your consideration and the incredibly important work you do. We have asked so much of our nation's public servants since the end of 2019. Among the thousands of emails and snippets of bad news I hope that you find solidarity in the fact that we are united like never before and that we are experiencing a renaissance of both culture and medicine. Stay safe and stay healthy.

Respectfully,

A handwritten signature in black ink, appearing to read "Ray Lopez", with a stylized, cursive script.

Ray Lopez  
State Representative, Texas House District 125

**From:** [Justin Pulliam](#)  
**To:** [Mayor Riley](#)  
**Cc:** [Donna Charles](#); [Dr. Catherine Rodriguez](#); [Monica Alcocer](#); [Matthew Hodde](#); [Will Bradshaw](#); [Saundra Passailaigue](#)  
**Subject:** Public Comments for July 7, 2020 City Council Meeting  
**Date:** Tuesday, July 7, 2020 11:14:20 AM  
**Attachments:** [2020-07-07 Leon Valley Public Testimony Justin Pulliam.pdf](#)

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Dear Mayor Riley:

I request you to read for consideration before the council the attached public comments for the applicable agenda items at the July 7, 2020 City Council Special Meeting.

You and all members of the council are welcome on my show. Please feel free to contact me if you'd like to reach my audience with your message about Leon Valley.

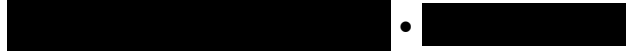
I hope the tyrannical mob majority will not silence your presentation. Not only would blocking your speech violate your individual rights, but it would violate all members of the public who desire to learn more about this important topic.

Sincerely,

Justin Pulliam

## **Justin Pulliam**

PO Box 132 Old Ocean, Texas 77463



July 7, 2020

The Honorable Chris Riley  
Mayor of Leon Valley  
6400 El Verde Road  
Leon Valley, Texas 78238

### **Re: Public Comments for July 7, 2020 City Council Meeting**

Dear Mayor Riley:

I request you to read for consideration before the council my complete testimony for the applicable agenda items at the July 7, 2020 City Council Special Meeting.

You and all members of the council are welcome on my show. Please feel free to contact me if you'd like to reach my audience with your message about Leon Valley.

I hope the tyrannical mob majority will not silence your presentation. Not only would blocking your speech violate your individual rights, but it would violate all members of the public who desire to learn more about this important topic.

Each item begins on a new page.

## 2. 1. Police Policies

I thank Mayor Riley for presenting about the problem that has negatively impacted Leon Valley and the public for years.

I thought I had seen the worst of Chief Salvaggio and Leon Valley Police, and then last month they proved me wrong. The Leon Valley political establishment will apparently do anything to attack those who speak out with alternative viewpoints, including arresting a 78 year old man at 2 am in the morning for an alleged offense that occurred over a year ago—the “victim” being Mayor Pro Tem Monica Alcocer. I’m outraged.

However, I am pleased to report that all direct monetary costs for Mr. Yarnell’s criminal defense were quickly fundraised by over a hundred supporters locally and around the world. Those who are working locally to expose and replace Salvaggio’s political establishment have the backing of thousands of people. And it is my pledge to fully support each and every victim of the establishment’s attacks against their perceived political opponents. Mark my words: If Leon Valley Police go after one resident, they will be going up against the people of the world. Leon Valley residents are not alone in this fight to restore justice, peace, and respect.

Unfortunately, Mr. Yarnell is not the only victim of Leon Valley Police. Many more have been victimized, including the family of Jack Miller. After Miller was placed in custody outside of his home, Salvaggio conducted a no-knock-raid on Miller’s wife, children, and grandchildren—even though he had no authority from the courts to perform such a dangerous, terrifying entry into the residence. **Even more insane, Leon Valley Police went to a San Antonio Municipal Court Judge for the arrest warrant against Miller.** Municipal court judges deal with Class C offenses punishable by fine only—not felonies. What direct influence do Leon Valley residents have over another city’s judges? None! Instead of judge shopping, the police should use the judges who answer to the people of Leon Valley. How does it feel that even your own due process is out of your control?

Although this is an important conversation to have, the reality is that personnel is policy. No substantial reform or safety will occur while the current city administration is in place. The world is rooting for you to fire City Manager Kuenstler and Assistance City Manager Salvaggio. I encourage the city council to do this at once: The next victim of the city might be YOU.

#### **4. Citizens to Be Heard**

I must admit that I wasn't entirely shocked to learn that Police Chief Joe Salvaggio has been hiring fired cops from San Antonio: After all, he's a fired cop too.

But Leon Valley should not be the bad cop sanctuary city. The city government should exist to serve the residents. However, it so often seems that the city exists for the mere pleasure of the city administrators (who don't even live in the city). The city resources are all too often used to attack the political establishment's opposition. The police resources are wasted watching YouTube in a petty attempt to stifle American Patriots who attempt to hold government employees accountable.

One of the officers Salvaggio hired punched a woman once in the chest and then 7 times in the head. The officer then pulled the victim by her hair and left her laying on the ground in the rain for half an hour. Salvaggio excuses such behavior because the woman kicked at the officer a couple of times.

These personnel decisions again demonstrate the consistently poor judgement of Police Chief Salvaggio. Did he even pass his physiological exam? He should be retested at once. Far from benefiting the city, the personnel decisions harm the city in the following ways:

- The reputation of the police department and city is further damaged.
- The city is at increased risk of civil liability with risky individuals on staff.
- There exists a grave public safety issue should a resident or visitor have a brutal encounter with one of the officers.
- The city's scarce financial resources are wasted on unnecessary personnel matters instead of focusing on activities that benefit residents.

The primary reason to hire these officers is to allow them to work extra jobs, which likely occur outside of Leon Valley. This city empowers fired cops to potentially terrorize people anywhere in the state. That's sick! And it's also another reason why all people should be heard at council meetings—no matter where they reside.

#### **7. 4. Meeting Rules of Decorum**

I oppose this item.

I also noticed that the item has been substantially revised. The ordinance should be considered tonight as a first reading and not go for a vote.

The purpose of the latest revision of this ordinance is to target written comments like this one, from Justin Pulliam. The political establishment continues to engage in view-point discrimination of their opposition. I urge you to stop this and instead uphold the constitutional rights of all people.

The mayor is the chair of the meeting. It is no surprise to me that the establishment is attacking now that the mayor is more assertive at keeping order during meetings. Apparently the city administrators and established council women are so accustomed to speaking out of turn that they cannot handle true order.

Regarding "enforcement by member," a similar process already exists in parliamentary procedure. The appropriate process is to call a point of order. The chair can decide or bring it to a vote of the body. If the chair decides, a member can appeal the decision and, if seconded by another member, it goes for a vote by a body. For issues of indecorum, debate is unlikely to be proper.

The proposed language is a silly attempt to erode what little power the lawfully elected mayor still holds.

Written comments should be able to be submitted directly to members of the city council. The city administration should not be the gate keeper of public input. For instance, if I want to write about one of my many grievances about the city secretary, I don't want to rely on her to pass it on.

As a general note, I observe that those critical of Riley and Bradshaw can say anything, no matter how nasty, yet legitimate complaints about the political establishment are often illegally censored.

## **9. Citizens to be Heard**

Last meeting, I wrote about the ongoing open records problems I experience with the city—even though the attorney general has issued multiple determinations that the city violated the law.

This morning I sent multiple new complaints against the city to the Office of the Attorney General.

I'm sick and tired of the disgusting games played by the city administration so that they can operate in the dark. It's impossible to get a straight answer. There is obstruction at every turn. When will it end?

### **Conclusion**

Perhaps tonight my rights will not be violated. Failure to consider these comments would provide further evidence to the public of the anti-citizen tyranny that continues to occur in Leon Valley.

Sincerely,

Justin Pulliam